



CITY OF BROWNSVILLE

Council Meeting

Tuesday – November 24th, 2015

Regular Session 7:00 p.m.

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Holidays and Observances: 1: New Year's Day, 18: Martin Luther King Day

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Phases of the moon: 8:☉ 15:☉ 22:☉
Holidays and Observances: 14: Valentine's Day, 15: Presidents' Day



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, November 24th, 2015

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: November 10th, 2015
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Brian Hoffman – Sweet Home Sanitation Report
 - B. Brownsville Art Association Annual Report
 - C. Debbie Berry & Marc Kelly – Eugene Kennel Club
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
 - ✦ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
 - A. **Ordinance 758:** Emergency Preparedness Modifications
 - B. **R 2015.28:** Brownsville Library Lighting

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify City Administrator S. Scott McDowell at (541) 466-5880 in advance. Thank You.



10) ACTION ITEMS:

- A. Spay/Neuter Program
- B. Central Linn School District Agreement
- C. Brownsville Community Foundation Request
- D. Schedule December Council Meeting – December 15th, 2015

11) DISCUSSION ITEMS:

- A. Emergency Preparedness Logistics
- B. October Financials

12) CITIZEN QUESTIONS & COMMENTS

- ✦ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify City Administrator S. Scott McDowell at (541) 466-5880 in advance. Thank You.



November 10th, 2015

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Shepherd, Neddeau, Cole, and Chambers present. Councilor Van Sandt & Gerber were absent. Administrative Assistant Tammi Morrow, Administrative Assistant Elizabeth Coleman and City Administrator Scott McDowell were also present. Public Works Superintendent Karl Frink was excused.

PUBLIC: John Morrison, Kaye Fox, Alex Paul, June Schlosser and Linda Birchfield.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell added Mrs. Lynda Burchfield of Our Place on Spaulding Avenue.

MINUTES: Councilor Shepherd made a motion to approve the October 27th, 2015 meeting minutes as presented. Councilor Cole seconded the motion. The motion passed unanimously.

CITIZENS COMMENTS – Mrs. Lynda Burchfield requested Council’s permission to erect a temporary pop up tent during her annual white Christmas show this Saturday. Council was concerned about safety issues; usually Spaulding is closed for this type of activity, and also questioned the legality of serving alcohol outside on the street. Overall, Council felt the liability of the allowing this tent outweighs the benefits, and permission was not granted. Council suggested a few other options.

LEGISLATIVE:

1. **Resolution 2015.25: Ash Street Water Line Cost Sharing.** McDowell explained that last month’s minutes reviewed this project’s details. The City has set aside funding for the past two years, for the purpose of cost sharing toward this this project. If this resolution were to be passed, an agreement would also allow for a successor to work on the project should the property be sold. The City’s cost sharing is primarily for the water taps of existing customers. The standard water line size is 6”, and the current water line on Ash Street is 1.5”.

Councilor Cole made a motion to adopt Resolution 2015.25 with a small correction changing “Mr.” to “Dr.” in reference to Dr. Glenn. Councilor Shepherd seconded the motion. The motion passed unanimously.

2. **Resolution 2015.26: Secretary of State – Audits Division.** McDowell explained that he was unable to get to this on the agenda for the last meeting. This resolution deals mostly with the auditor’s comments in the audit of FY 2014-2015. Boldt, Carlisle, Smith has been the City’s auditor for the last twenty years or so. The City is unhappy with their continued misunderstanding of City processes. It seems when the audit team has a good grasp of our systems, the audit team changes, and the City has to go through the whole explanation again. Our software poses some issues for staff and for the auditor causing confusion. We continue to basically do our accounting the way it has been done for years, and are frustrated with the audit comments to say the least. We have asked several times for an accountant from



their firm to come down and help us “dial in” some of the audit shortcomings. We have not good response to this request. Councilor Cole asked about the new software that Staff has been talking about. Mr. McDowell responded that we are on hold for that right now largely due to cost and IT implications. Mr. McDowell will be doing more research and hopefully find a program solution that is cost friendly.

Councilor Cole made a motion to adopt Resolution 2015.26 as presented. Councilor Neddeau seconded the motion. The motion passed unanimously.

3. Resolution 2015.27: Adding Right-of-Way on North Avenue. McDowell explained that he has had difficulty receiving three bids for this project even though the City contacted over ten contractors. The project includes work at the front of City Hall and also creation of a sidewalk from the Central Linn Recreation Center down to Pioneer Park. Councilor Cole stated that Briese Custom Construction has done a lot of work around town, and they are a great company. Council was disappointed that the local contractor’s bids were so much higher because they prefer to award to local contractors – when possible.

Councilor Cole made a motion to adopt Resolution 2015.27 as presented. Councilor Shepherd seconded the motion. The motion passed unanimously.

CITIZENS COMMENTS – Mrs. Kaye Fox, Averill Street, stated that CLES will be honoring Veterans on Thursday, November 12th, 2015 at 2:00 p.m. She encouraged all of Council to attend.

COUNCIL COMMENTS – McDowell indicated that originally he had planned on discussing the Council tour and training session but will wait until next meeting when Council will have full attendance.

ADJOURNMENT: *Councilor Shepherd moved to adjourn at 7:24 p.m. Councilor Cole seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

November 24th, 2015

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

Note: The most important section is the first one because it provides information and a brief overview of the topics to be discussed the night of Council. If an item title is **highlighted in green**, that indicates that it is part of Council Goals that are on the Council room wall or in the City budget.



The City will not have a Christmas Party this year. Council decided to do the Volunteer Appreciation Party in September instead.

One liner of the month: I can handle pain until it hurts! 😊 😊 😊

“There is nothing to fear but fear itself.”
~ Franklin Delano Roosevelt, 32nd President of the United States

“Don’t wait for extraordinary opportunities; seize common occasions and make them great.”
~ Orison Swett Marden, Writer

“Nothing is so painful to the human mind as a great and sudden change.”
~ Mary Shelley, Author



AGENDA ITEMS DISCUSSION – The following items follow the order of the Agenda

6) PUBLIC HEARINGS OR PRESENTATIONS:

A. **Brian Hoffman – Clean Up Day & Household Hazardous Waste Day**

Mr. Brian Hoffman will provide Council with facts and figures for these two events.

B. **Brownsville Art Association Annual Report**



President Cheryl Haworth and Mrs. Alice Tetamore will be provide an oral report on all things Art Association. I have included a copy of the agreement with the Brownsville Art Association. It is time to start working on the next agreement. The current agreement will expire in January 2016.

C. **Debbie Berry & Marc Kelly – Eugene Kennel Club**

Eugene Kennel Club is planning their 2016 event in Pioneer Park. Unfortunately, this past year the Club had to use Albany for their show. I have included the agreement from 2014 for your review and simply as a reminder. Historically, Council has authorized a rough draft of this agreement to



be taken to the Park Board and Central Linn Recreation Board for comment. Mrs. Berry will be available to discuss their plans for this year's show.

9) LEGISLATIVE:

A. **Ordinance 758:** Emergency Preparedness Modifications

This is a first reading of proposed changes to the City's Emergency Preparedness Ordinance. For more information, please see below.



What is Council being asked to do?

Review the information, ask questions or make suggestions. The ordinance will be placed on the agenda for a second reading at the December meeting.

B. **R 2015.28:** Brownsville Library Lighting

Council may remember Public Works Superintendent Karl Frink's report about the Library Lighting issue. I believe the resolution to be fairly self-explanatory. The City budgeted \$30,000 for the Library HVAC but spent under \$15,000. Staff recommends using this line item for the necessary upgrade.

10) ACTION ITEMS:

A. **Spay/Neuter Program**

Council Chambers and Cole were going to present program criteria for Council discussion. The issue has been tabled since September.

What is Council being asked to do?

Discuss the program concept as presented and determine what the next step should be.

B. **Central Linn School District Agreement**

Many rumors and misinformation are swirling about the initial discussion with the Central Linn School District and Central Linn Recreation Board relating to entering into a possible agreement for the operation and maintenance of the Blakely gymnasium. How would Council like to handle this situation? At the last Council meeting, October 27th, 2015, Council tabled the discussion until the Central Linn School Superintendent Brian Gardner had the opportunity to look into clear title to all of the property. Linn County records indicated that a parcel of the property was owned by Linn County. The deed for the main parcel, granted by the Blakely family, stated that the property should be used for school purposes; this may not have an effect on what the School would like to do with the property. City Attorney Ross Williamson indicated that it is very common for a deed to have a covenant for school purposes. Generally, a court has to rule on the intention of that language. The City provided the Superintendent with the information and also the contact information for *First American Title* in Albany offering that perhaps a title search would be a good idea. Superintendent Gardner indicated that he would look into the matter, but the City has not heard the outcome as of this report, other than hearsay.



What is Council being asked to do?

Decide if you would prefer to sit back and wait for the information to come forward or if it would be better to send representatives to meet with a few of the School Board members to discuss the



City's thoughts on moving forward with this project or to attend the December 14th, 2015 School Board meeting and do the same.

C. Brownsville Community Foundation Request

The Brownsville Community Foundation is requesting funding per the letter included with the agenda packet.

What is Council being asked to do?

Decide if you would like to contribute to the Foundation.

D. Schedule December Council Meeting – December 15th, 2015

Acknowledge the December meeting will happen a week early due to Christmas.

11) DISCUSSION ITEMS:

A. Emergency Preparedness Logistics

Included in the agenda packet is a general job description for the Volunteer Emergency Preparedness Coordinator for your review and comment. The timeline Council discussed for implementation of this approach is as follows:

- ▶ November 2015 – First Reading of Ordinance Changes; rough draft job description.
- ▶ December 2015 – Second Reading of Ordinance Changes; finalize job description.
- ▶ January 2016 – Advertise for the position.
- ▶ February 2016 – Interview applicants.
- ▶ March 2016 – First meeting.
- ▶ December 2016 – Strategic plan based on the Brownsville Municipal Code presented to Council.

I have also added a few documents for the your review on the City's website that Darrel Tedisch mentioned at the September 22nd, 2015 Council meeting.

Go to <http://ci.brownsville.or.us/council.html> and you will see links to two FEMA documents.

B. October Financials

NEW INFORMATION – Notable situations that have developed after the last Council meeting

- ▶ *Council Special Session – November 10th, 2015.*
- ▶ *Forwarded Resolution to Secretary of State – Audits Division.*
- ▶ *Forwarded Resolution to the Glenn's.*
- ▶ *Executed contract with Briese Construction.*
- ▶ *Ferguson Waterworks & Sensus installed an upgrade for meter reading handhelds.*



- ▶ *Public Works Superintendent Karl Frink and Operator Andy Day attended a pesticide/herbicide training course.*
- ▶ *The City issues several Request For Action (RFA) letters.*
- ▶ *Executed agreement with Norm's Electric to remove poles south of the bridge for more even spacing.*



Sharing a few exercises in futility from other areas around the globe:

Emergency Management and Public Safety Sponsored By **citrix ShareFile**

UK city takes aim at chewing gum on sidewalks

The Chewing Gum Action Group has launched a campaign to inspire Londoners to discard gum in the trash, instead of on the sidewalk. The campaign, in partnership with local government officials, has deployed volunteers to circle old chewing gum with eye-catching yellow chalk. [CityLab](#)

Share: [in](#) [t](#) [f](#) [+](#) [e](#)

Legislation, Policy and Grants

Minn. city agency aims to clarify ordinance on barking dogs

Minneapolis Animal Care & Control has proposed an ordinance that specifies when dogs can bark and for how long before the department intervenes. The City Council had requested that the agency review ordinances on its operation. [KMSP-TV \(Minneapolis-St. Paul, Minn.\)](#) (11/4)

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STATUS UPDATES – Projects, proposals and actions taken by Council
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Linn County Project Advisory Committee - I will be participating in a series of meeting starting in January 2016 as part of this newly formed group.

Weed & Nuisance Abatements Update – Overall, the City had a good season this year. The City still should review the ordinance and have a discussion around ways to improve the process. The City did spend a lot of money on derelict properties this year.



2015 Water System Improvements Project – The City recently granted an extension through December 18th, 2015 due to a backorder for the electrical panel.



From October 27th, 2015: Stettler is close to finishing this project. Staff did remove several trees with the help of Advanced Mechanical, Brownsville, due to the threat of destroying the brand new pump house. The contractor indicated that the cottonwood trees were rotted all the way through.

Spay/Neuter Voucher Program – Council Chambers asked for this item to be tabled until November 2016. *From July 2015:* Council tabled this discussion for October 2015. *From 06.23.2015:* I have enclosed information provided by Councilor Chambers about some of the program particulars.

Stand by Me Celebration – *From 10.27.2015:* Chamber is working with a consultant out of Salem for celebration planning. Here is an excerpt from an e-mail on the possible costs of bringing Wil Wheaton to Brownsville for the celebration:

‘Thanks for reaching out. For a one day appearance, Wil requires \$10,000, 1 first class flight, 1 economy flight, 2 hotel rooms, \$175 per diem and exclusive car service. Please let us know if you are interested in extending an offer for him.’

Active: 2015 Water Line Projects – Currently under contract for completion.

Active: McFarland Cascade & Noise Mitigation – McFarland is still working on this issue. McFarland is way below the noise standard used by agreement with the Planning Commission in the conditions of use. How long does Council want to continue to pursue this concern? When should the City ask for additional testing?



From 10.27.15 - Below is an excerpt from the Plant Manager:

Good Morning Scott,

Things are going well, thank you. We got the sound baffles installed at the peeler and they turned out good. After the baffles were installed we brought in a sound engineer to look at our operations. He made a couple of suggestions on things we might be able to try to help improve on them even more. We are still working on these things and should have some more information in a few weeks.

Thanks

Paul

From 05.26.15 – McFarland is in the process of obtaining a building permit through Linn County and are currently working with a sound engineer to make additional improvements.

From 04.24.15 – The County did not allow them to add it to their last permit.

Active: Central Linn School District Property Development – See above.

From 10.27.15: Tabled. *(I have included the report from the last agenda packet.)*

From 09.22.15: I will meeting with Superintendent Gardner to discuss this issue. I should have an oral report for Council Tuesday night.



From 06.23.15: Mayor Ware attended a tour of various facilities in Corvallis with Superintendent Gardner, a few School Board members and members from Willamette Neighborhood Housing Services (WNHS). This is regarding a possible project at the district office property on Blakely Avenue.

From July 2015 Meeting: The property owner was contacted and the City Attorney has been consulted. I will have an oral report for Council.

Active: City Hall Phase I – Briese Custom Concrete is under contract to finish this project.

Active: Recreational Vehicles – This item will be addressed in the future as part of Council goals possibly. Staff forwarded letters and will be following up with the Linn County Sheriff's Office as needed.

From 11.25.2014: Mayor Ware & Councilor Cole have not had an opportunity to discuss this issue. I have placed some information in the packet that does somewhat address this issue.

Active: Sweet Home Economic Development Group – Mayor Ware and I will be hosting a luncheon with Sweet Home and Lebanon to talk about the efforts of the Go Team, associated with the Ford Foundation, on November 20th, 2015. We will provide an oral report.



From 10.27.2015: Mayor Ware and I have been meeting with Lebanon and Sweet Home. We are also trying to parlay the Go Team effort in with this important piece.

From 10.28.2014: Chamber President John Morrison and I were put on hold in our efforts to discuss partnership options with this group.

Pending: S. Oak Street Drainage – *From 10.27.2015:* The City will be forwarding a letter explaining the required tap again to the property owner once Public Works completes the extension.

Pending: Visit Linn Coalition (VLC) Update – VLC is currently working on a proposal to work with the Albany Visitor's Association; this has long been my wish for the VLC. The group is also receiving assistance from Anne Hankins with Country Music Concerts.

Pending: Park Board Recommendation – *From 09.22.15:* Parks & Open Space Advisory Board is waiting on information from Staff regarding project possibilities for street trees downtown.

From July 2015 Meeting: The Park Board has discussed this issue for over five years. The chief problem is that the trees are part their useful life and have caused damage to the sidewalks. The Board originally looked at street tree grates as a solution but the option is costly. The Board asked the Staff to look into possible funding options for this kind of project.



Pending: Council Pictures Concept – *From 05.26.15:* I would like Council to consider photographs for the website.

Pending: Utility & General Ledger Software – Staff is still exploring options. *From 05.26.15:* Staff needs to add a few more dollars to the budget to make this work properly and the timing for this project is off. I will be discussing this in the Budget Committee meeting.

Pending: Economic Development Strategy – *From 05.26.15:* Mayor Ware and Councilor Chambers have not had a chance to meet on this topic mostly due to budget season and illness.



From 02.24.2015: Council and Staff continue working on these issues.

From 05.27.14: Staff had an opportunity to explain some of the finer points of Urban Growth Boundary expansions and history and the State of Oregon at the last Chamber of Commerce meeting. Hopefully, this will lead to better understanding of the requirements that must be met for such a procedure.

Pending: Emergency Contractor Resolution Concept – *From 06.23.15:* Attempting to organize an effort has proven to be too difficult. The City needs a larger community buy-in to really tackle the public education piece.

From 11.25.2014: Staff is planning to host a meeting to discuss this and other concepts with a group of individuals who are interested in helping the City work in this effort. Staff is dealing with false comments that came out regarding the Brownsville Rural Fire District. The City seeks only to work with community stakeholders and partners on these issues in the future. Cooperation is the hallmark of this effort.

Pending: Recreational Vehicles & Travel/Storage Trailers – *From 06.24.2014 meeting:* Please refer to the report entitled, "2014 Proposed Changes (First Installment) that is included as part of the packet for more details. Staff will also be providing a brief presentation regarding this and other zoning issues as have been previously discussed at the Council Retreat on April 19th.

Pending: Canal Company Update – *From 06.23.15:* I was unable to attend the meeting due to scheduling confusion on the part of the officers. Officers for the upcoming year will be John Holbrook President, Gary Shepherd Vice-President and Cindy Clark Secretary-Treasurer. Udell Engineering wants \$3,000 to check the culvert in question that was installed in 2006. Udell wants to make sure they have the data they need to determine the impact. The Company decided to move forward with talking to the City about a joint agreement that would move the mission of the Company into a workable solution that could be beneficial for all who benefit from the Mill Race.

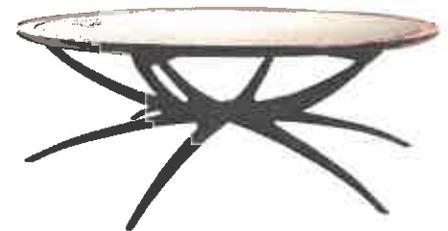
From 05.26.15: No action.

From 12.16.2014: Several things have transpired that I will report at Council meeting.

From 05.27.14: The City continues to be willing to work toward a quasi-governmental agreement that may assist the Canal Company by better serving those who benefit from the canal.

Tabled Thoughts

- ✦ Animals Research & Ideas (*Chambers & McDowell*)
- ✦ RV Discussion (*Ware, Cole & McDowell*)
- ✦ Melero Lease Agreement (*Council Review*)



Stalled: Garbage Language – *From past meetings:* Trash is starting to become a problem around town again. Below is the City of Albany's language that may be useful:

18.30.260 Accumulation of rubbish or garbage.

All exterior property and premises, and the interior of every structure, should be free from any accumulation of rubbish or garbage so as not to harbor insects and rodents, produce dangerous or offensive gases, odors and bacteria, or other unsanitary conditions, or create a fire hazard. (Ord. 5647 § 1 (Exh. C), 2006).

18.30.265 Disposal of rubbish.

Every occupant of a structure should dispose of all rubbish or garbage in a clean and sanitary manner by placing such rubbish or garbage in containers which are free from holes and covered with tight-fitting lids. (Ord. 5647 § 1 (Exh. C), 2006).

The City would also need to consider a time frame that is appropriate and a procedure to abate quickly. If this sounds better, Staff can proceed with further research.



Stalled: Address Mapping – *From 12.16.2014:* Mark Stevens of the Brownsville Rural Fire District's Volunteer Association and I have had some initial discussions based on Council's decision last month to allow the curbs to be painted. We will be sitting down after the first of the year to develop some ideas.

Pending: Medical & Recreational Marijuana Discussion – The City will need to work on information for the March Newsletter regarding the November 2016 vote and pending ordinance.

From 09.22.15: Planning to address an explanation for the upcoming City Newsletter.

From July 2015 Meeting: The cost of the advisory question election was \$130.42.

PAST MEETINGS – Memory Information

Moody Court & Unenumerated Nuisance – Everything looks great. Cat numbers are normal.

From 11.25.2014: The City has paid out \$2,875 to have cats removed from the neighborhood. The City forwarded the letter that is part of the packet at the request of Council. Staff will have an oral report for the meeting.

Pending: Darrin Lane & Kirk Avenue – *From last meeting:* I had an extensive conversation with Linn County Road Master Darrin Lane recently. Mr. Lane gave a brief history of the Kirk Avenue concept, to which I have added a little research, which is as follows:

March 5th, 2001: Kirk Avenue is initially discussed at Council meeting with Mr. Lane and the County Commissioners. County must determine how to a City street a County road in order to expend funds for the proposed improvements.

Spring 2002: The County indicates to the City that it is possible for the County to deem Kirk Avenue a County interest based on McKercher Road. The City starts planning for drainage projects.

October 2006: The City completes the Galbraith Street storm sewer project.

February 28th, 2008: Linn County Road Master Darrin Lane discusses the logistics of Kirk Avenue with Council. Survey crews are sent to town shortly thereafter to work on a rough design. There are several rules and requirements and multiple property issues that are cause for concern for any proposed construction project.



Meanwhile, County Staff is working on developing the Gateway project in conjunction with the Oregon Department of Transportation. City Staff is focusing on the multimillion dollar Wastewater project. The Economy starts falling apart. The Veterans Hospital is announced in Lebanon. Linn County Commissioners move a whopping \$19,000,000 out of the Road Department's funds to assist with the development. The Commissioners have also taken a \$2,000,000 from the Road Department to assist the Sheriff's Office funding issues. The Road Department is not as financially stable as it was in 2001 or even 2007 for that matter.

2009-2010: Several update conversations.

January 2011: Council asks for an update. The County indicates that they will not start a new project until the Gateway project is complete.

June 2012: Council decides to scale back the project to an overlay.



City Administrator Report

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June 22nd, 2012: Staff meets with Mr. Lane who felt that the first block from Main to Averill could be done with curbs and sidewalks. The rest of Kirk Avenue could be an overlay. Mr. Lane projected the cost to be between \$600,000 & \$800,000. Lane indicated that in the next year or two the County would probably be able to get this project. Lane also indicated at that time that the City would not need to financially participate, if we could be patient.

Mr. Lane indicated that his Department is currently overloaded with Federal bridge projects. The County is still interested in helping the City but timing is difficult.

Outcome

If the City is in a hurry to get this project completed, they can set up a local improvements district (LID) and assess the costs to the affected properties or the City can wait until it is budgeted in Linn County's budget.

What does Council want to see on Kirk Avenue? Overlay or reconstruction?

From the September 4th, 2012 meeting: Darrin Lane Stopped for a visit on August 7th and indicated that County Engineer Chuck Knoll is working on the subsurface investigations.

WNHS Update – Please refer citizens to the following websites for more information:

<http://www.oregonhomeownersupport.gov> & <http://w-nhs.org>

WNHS provides many home rehabilitation services and counseling for those in need.

Respectfully Submitted,

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

S. Scott McDowell





Public Works Report November 18, 2015

Karl Frink, Public Works Superintendent

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of November.
- *Distribution System* – Two water leaks last month. New software has been installed in the billing software and meter readers to integrate radio read capabilities for reading water meters. Materials have arrived to replace an existing waterline on Howe Street. The current line is an old steel 1 inch line serving two customers; the new line will be a two inch PVC line, which will balance the pressure for the two services much better.
- *Cross Connection Program*- I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* –All of the instrumentation has been calibrated. Filter one is maintenance is complete. Filter two will be scraped and cleaned this month. The water source has been switched from the river to the wells on November 18th.
- *Misc.* – The water projects are well under way. The GR-12 portion of the project is also well under way. There has been a delay due to the electrical control panel is in process of being built, will be about three weeks for completion.

Sewer:

- *North Lagoons* –This facility is being prepped for winter discharge into the river.
- *South Lagoons*- This facility is being prepped for winter discharge into the river.
- *Collection System*- Nothing to report this month.
- *Misc.* – The Mill Race pump station has been shut down and winterized for the year.

Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis.
- *Asphalt/ Gravel Road Maintenance* – Nothing to report this month. Planning is underway for this budget year's paving projects.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* –The curb and street painting and striping is complete and ready for winter.

Parks:

- *Pioneer Park* –We continue to perform general maintenance and grounds keeping in the park. Leaf cleanup work has begun. A new Buckthorn tree was planted for Arbor Day this year.
- *Blakely Park* – The leaves have been cleaned up in this park.
- *Kirk's Ferry Park* – The Park is mowed and maintained as needed. Leaves will be cleaned up in this park this month.

Cemetery:

- *Grounds* – The old cemetery sign has been removed and disposed of to make way for a new sign scheduled to be installed November 23rd. The sign was designed and paid for by the Cemetery Trust.

Library:

- **Grounds-** Mowing and grounds maintenance is under way.
- **Buildings-** A few minor building maintenance items have been repaired. The light fixtures throughout the library are out dated and require updating soon. We are in the process of getting a quote to replace the existing light fixtures; hopefully this work will be executed soon. The gutters are currently being cleaned by public works.

Downtown

- **Restrooms** – This facility is cleaned every Friday, or more often needed.
- **Garbage cans** – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- **Parking Lot** – Nothing to report this month.
- **Misc.** – Nothing additional to report this month.

City Hall:

- **Buildings-** Nothing to report this month.
- **Grounds** –The landscape project in front of City Hall is under construction, bids have been received and awarded to Briese Construction of Lebanon. This work also includes a new sidewalk from the Rec. Center to Pioneer Park.
- **Community Center-** Nothing to report this month.

Rec. Center:

- **Grounds-** This facility is mowed weekly.
- **Buildings-** Nothing to report this month.

Public Works:

- **Grounds-** This facility is mowed weekly.
- **Buildings-** Cleaning and organizing continues as time allows.
- **Misc.** – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.

K7 ID



Planning at a Glance

Permits Building, Plumbing, Mechanical

- Res. Mechanical Vent Replacement
- Res. Mechanical Gas Furnace/AC
- Res. Mechanical Heat Pump
- Res. Building Garage Conversion
- Res. Building Pole Building

Properties in Action

- Marchbanks** Blakely Ave.
- Lynch** 210 School Ave.
- Nelson** New Construction
- 1st Rate Roofing** New Construction
- Assembly of God** Modular Placement
(Inspections in process)
- 930 Filbert Street** New Construction
(City/County inspections complete)
- 500 Loucks Way** Manufactured Hm.
(Pending Flood Cert, County Inspections)

Lands of Interest- Current or potential property owners are discussing development options for their land with City Staff.

- North Avenue/School
- Depot
- Hume
- Hume
- Ash Street
- Spaulding Avenue
- 368 Spaulding Avenue
- Blakely Avenue
- Templeton



Conditional Use permitted in the Low, Medium, & High Density Residential Zone; as is a caretaker's residence in the Volume Commercial and Light Industrial Zones. A grocery or hardware store is considered an Outright Permitted Use in the Volume Commercial Zone.



What to do? - There are several parcels that have been sitting dormant for years due to unique circumstances and the market decline. As the economy seems to be on an upswing, property owners are becoming more interested in working out the bugs and developing their land, or inquiring about their land options. Both of can take a while to complete, as some of these properties are in the floodplain or floodway or are required to complete certain Conditions of Approval that were set many years ago.

Retaining Wall FYI - Recently, a property owner had a two-tiered retaining wall built; after some very heavy rains, the wall came down and had to be rebuilt. Building Code requires a permit, engineered plans and inspection (Linn County) for a retaining wall over four feet tall. Although the wall met City and County requirements in relation to height, Staff spoke with the contractor to ensure the safety of the surrounding area. Staff documented the contractor information in the address file.

A Few Projects

Encroachments – In Process

OTC Packets – In Process:

Packet will include Brownsville Municipal Code Ordinance 15.80.080, which provides requirements for the zone, a Sign Permit Application, etc. *The Historic Review Board continues to work through the Sign Ordinance in an effort to standardize and familiarize citizens (business owners) of the sign requirements in Old Town Commercial. Verbiage will be incorporated into the packet when complete.*



Planning Applications

– Slow but sure.

'A hundred years after we are gone and forgotten, those who never heard of us will be living with the results of our actions.'

- Oliver Wendell Homes, U.S. Supreme Court justice

Legend

Zoning

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- OLD TOWN COMMERCIAL
- VOLUME COMMERCIAL
- LIGHT INDUSTRIAL
- SPECIAL DEVELOPMENT
- PUBLIC

City Limits

High

Taxlot

Rivers, Lakes

Streets, Road Ways

Other Notes

Staff has received two Conditional Use Permit Applications. Both are scheduled to be heard by the Planning Commission on December 14th. Conditional Use Permit Applications are submitted when a property owner or representative wish to use the land in a way not permitted outright in the zoning code of the Brownsville Municipal Code. For example, a public or private school is a

ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ADDRESS	CITY	DESCRIPTION
10/30/15	17:27:30	PROP-FOUND	CALAPOOIA AV	Brownsville	No Additional Report Necessary
10/30/15	17:26:25	Trf Speed Viol	WASHBURN ST	Brownsville	WARNING - SPEEDING VIOLATION
10/30/15	7:54:12	Trf Speed Viol	WASHBURN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
10/30/15	7:31:02	Trf Speed Viol	WASHBURN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
10/30/15	7:04:48	Trf Speed Viol	S MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
10/30/15	6:31:18	Trf Speed Viol	S MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
10/30/15	6:10:24	HAZ-TRAFFIC	KIRK AV	Brownsville	No Additional Report Necessary
10/29/15	18:33:48	VIOL OF RESTR ORDER	FAUST ST	Brownsville	Incident Report
10/27/15	17:16:04	DOG COMPLAINT	OAK ST	Brownsville	No Additional Report Necessary
10/27/15	6:56:31	Trf Speed Viol	WASHBURN ST	Brownsville	WARNING - SPEEDING VIOLATION
10/27/15	0:07:54	WARRANT SERV	W HWY 228	Brownsville	No Additional Report Necessary
10/26/15	23:30:15	Trf D U I I	W HWY 228	Brownsville	Incident Report
10/26/15	23:30:15	Trf D U I I	W HWY 228	Brownsville	CITE ISSUED - DUUI
10/26/15	23:30:15	Trf D U I I	W HWY 228	Brownsville	CITE ISSUED - AGRESSIVE DRIVER
10/26/15	23:30:15	Trf D U I I	W HWY 228	Brownsville	FIELD SOBRIETY TEST CONDUCTED
10/26/15	23:30:15	Trf D U I I	W HWY 228	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
10/26/15	23:30:15	Trf D U I I	W HWY 228	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
10/26/15	17:03:56	SEX OFFENSE	FAUST ST	Brownsville	Incident Report
10/26/15	17:00:22	SEX OFFENSE	FAUST ST	Brownsville	Incident Report

PATRL_RPT#2 City Incident Report

10/21/15	7:36:24	Trf Aggressive Driver	N MAIN ST	Brownsville	CITE ISSUED - AGGRESSIVE DRIVER
10/21/15	6:45:05	Trf Speed Viol	HUME ST	Brownsville	WARNING - SPEEDING VIOLATION
10/20/15	11:11:46	HARASSMENT RPT	KIRK AV	Brownsville	No Additional Report Necessary
10/20/15	11:11:46	HARASSMENT RPT	KIRK AV	Brownsville	MDT Narrative Update
10/20/15	11:08:19	ANIMAL - DEER	LOCUST AV	Brownsville	No Additional Report Necessary
10/19/15	21:19:28	SUICIDAL-SUBJECT	ASH ST	Brownsville	No Additional Report Necessary
10/18/15	16:41:03	DISTB-DOMESTIC	WASHBURN ST	Brownsville	No Additional Report Necessary
10/18/15	16:14:48	SUSP-VEHICLE	TEMPLETON ST	Brownsville	No Additional Report Necessary
10/18/15	14:48:43	Trf Speed Viol	N MAIN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
10/18/15	13:58:59	Trf Observe Susp Activity	MOYER ST	Brownsville	MDT Narrative Update
10/17/15	22:20:26	Trf Speed Viol	W BISHOP WY	Brownsville	WARNING - SPEEDING VIOLATION
10/17/15	16:55:56	Trf Speed Viol	S MAIN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
10/17/15	16:55:56	Trf Speed Viol	S MAIN ST	Brownsville	CITE ISSUED - DWS/NO ODL
10/17/15	16:47:59	Trf Speed Viol	E WASHINGTON AV	Brownsville	CITE ISSUED - SPEEDING VIOLATION
10/17/15	16:28:59	Trf Speed Viol	WASHBURN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
10/17/15	16:16:51	Trf Speed Viol	WASHBURN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION

PATRL_RPT#2 City Incident Report

10/07/15	18:45:48	TRESPASS *IN PROGRESS*	COSHOW AV	Brownsville	No Additional Report Necessary
10/06/15	23:59:20	EXTRA PATROL	PARK AV	Brownsville	No Additional Report Necessary
10/06/15	17:12:55	CHILD ABUSE REPORT	TEMPLETON ST	Brownsville	No Additional Report Necessary
10/06/15	11:46:46	INFORMATION REQUEST/REPORT	PARK AV	Brownsville	No Additional Report Necessary
10/05/15	9:08:27	ALARM - POLICE	S MAIN ST	Brownsville	No Additional Report Necessary
10/04/15	10:51:54	THEFT-RPT	E BISHOP WY	Brownsville	No Additional Report Necessary
10/03/15	13:27:13	ASST-PERSON	TEMPLETON ST	Brownsville	No Additional Report Necessary
10/03/15	12:29:39	COUGAR SIGHTING/INCIDEN	WALNUT AV	Brownsville	MDT Narrative Update
10/02/15	23:13:19	Trf Speed Viol	N MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
10/02/15	20:36:55	Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
10/02/15	20:36:55	Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
10/02/15	20:29:27	Trf Speed Viol	N MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
10/02/15	15:31:17	DOG BITE	OAK ST	Brownsville	No Additional Report Necessary
10/02/15	0:11:44	Trf Equipment Viol	MOYER ST	Brownsville	WARNING - EQUIPMENT VIOLATION
10/01/15	21:54:22	DOG BITE	KIRK AV	Brownsville	CAD Report
10/01/15	21:15:40	JUV-COMPLAINT	N MAIN ST	Brownsville	No Additional Report Necessary



Library Advisory Board

Librarian's Report

October 2015

Here are a few facts about our library the month of October 2015. We have received 81 new books for the library. Volunteers donated 159.5 hours to our library. There were 1,280 materials checked out. 493 adult fiction books; 143 adult non-fiction books; 58 audio books; 216 children's books; 244 junior books; 26 junior reference books and 100 large print books.

October saw the display cases fill with Masks from around our world. Some were made locally and others came from as far away as Indonesia. It was a fun and creative display organized and set up by Rhoda Fleischman. Next up will be vintage board games. City Administrative Assistant Elizabeth Coleman and I hosted an Arbor Day Social in the Kirk Room on Thursday, October 15. Mrs. Coleman brought apples and pears for participants to make greeting card prints. 16 adults and children participated in this event. This multi-generation event was fun and I look forward to helping with it again next year. Our new heating and cooling system is installed. I am glad to be ensuring the warmth of our Library for years to come.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sherri Lemhouse".

Sherri Lemhouse
Librarian

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR OCTOBER 2015**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	38	3	8	33	
Violations	19	29	14	34	
Contempt/Other	45	0	6	39	
TOTALS	102	32	28	106	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 5,246.61	City	\$ 4,045.31
Total Bail Forfeits +	\$ 1,260.00	Restitution	\$ 35.00
Total Bail/Bank Fees -	\$ (1,260.00)	Oregon Dept Revenu	\$ 903.72
Total Bail Held -	\$ -	Linn County	\$ 237.58
* Total Refund/Rest -	\$ (25.00)	State Misc.	\$ -
Total NSF's -		DUII Surcharge	\$ -

TOTAL COURT REVENUE	<u>\$ 5,221.61</u>	TOTAL COURT PAYMENTS	<u>\$ 5,221.61</u>
----------------------------	---------------------------	-----------------------------	---------------------------

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 4,045.31
STATE	\$ 903.72
COUNTY	\$ 237.58
	\$ 35.00
*REFUND/RESTITUTION	\$ 25.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 1,605.59
ENDING	\$ 5,664.20



Council Vision Statement

The Brownsville City Council works collaboratively and effectively with each other, staff, and community partners to preserve the historic character and economic health of our town and to create a high quality of life for our citizens.

A Vision for Brownsville

For a tiny rural Oregon community, Brownsville has a huge presence. It is well-known throughout the state for its friendly welcome and for being a safe, clean, and attractive town. It is clear that residents value its historic character and make special efforts to preserve and enhance it. Talk to business owners in the thriving north and south business areas and you will find that it is the creative working relationships between city government and private, county, state, and federal partners that sustain our economic health and well-being. Residents participate in Brownsville's inclusive process of growing and enhancing our high quality of life. Brownsvillians care about healthy city finances, they expect infrastructure that delivers, and they elect a City Council that works for the benefit of the community. Public spaces are a vital part of Brownsville's sense of place; citizens' and city government's attention to the appearance and cleanliness of parks, streets, and neighborhoods adds to the town's livability.

Tag line

Brownsville: Where People Care, Business Thrives, and History Lives

Goals 2015-2016

1. Focus on the Fundamentals.
 - *Protect Brownsville's Treasury.*
 - *Active Capital Improvements Plan Implementation.*
 - *Foster Cooperative & Productive Relationships in the community and with County, State & Federal Agencies.*
2. Water Rights.
 - *Explore Possible Water Source Options.*
 - *Continually work on perfecting Water Rights.*
3. Economic Development Plan.
 - *Discuss Land Options with McFarland Cascade.*
 - *Participate in Regional Efforts & Opportunities.*
 - *Support Youth Activities in Cooperation with CLRA.*
4. Community Development Plan.
 - *Refine Zoning Rules & Requirements.*
 - *Consider & Adopt New Policies & Standards.*
 - *Finish & Implement a Sidewalk Program.*
 - *Improve Partnerships with CLSD.*



5. Capital Improvements Plan.

- *Execute 2015 Water Improvements Project Contracts.*
- *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
- *Estimate City portion of Kirk Avenue Improvements.*

6. Organizational Development.

- *Implement Accountability System for all Officials.*
- *Focus on Council Development.*

7. Emergency Preparedness Plan.

- *Compose a Written Emergency Plan.*
- *Work with Area Partners on a continual Community Education Program.*
- *Develop Agreements with Community Partners.*

Who we are?

Brownsville is a City that is proud of its past while constantly improving toward the future for the benefit of our citizens. We are a group of citizens that honor each other by carefully balancing the social contract (Brownsville Municipal Code) to keep peace and order. The Brownsville Municipal Code and Comprehensive Plan help define the role of the City. Organizational transparency is a focus of Council. Council is working closely with Staff, volunteers, civic organizations, appointed officials and the citizenry to execute identified goals and carry out the responsibilities of the City.

Brownsville has a tremendous sense of place and synergy between City Hall and our residents. Active citizens are the true strength of Brownsville as evidenced by the volunteers who give freely of themselves to provide many municipal functions and civic services. Many civic organizations implement their missions actively in our community which provides a quality of life and vibrancy that is uncommon. Community events are planned and designed to invite people into town to share what Brownsville has to offer.

Council recognizes that many civic organizations and the City government are working diligently on implementing organizational development concepts in order to more efficiently provide services. Council recognizes that we are in a transition period between an authoritative model and are collectively moving toward a new, participatory approach within the organization and throughout the community.

What do we want for Brownsville?

Brownsville should honor the past, maintain a healthy present and strive to assure a dynamic future by focusing on fundamental municipal services such as:

- | | |
|-------------------------|----------------------------|
| 1. Treasury Health | 7. Contract Administration |
| 2. Water | 8. Personnel |
| 3. Sewer | 9. Police Protection |
| 4. Capital Improvements | 10. Municipal Court |
| 5. Parks | 11. Library Services |
| 6. Streets | 12. Planning & Zoning |



GOALS PROGRESS UPDATE

1. Focus on the Fundamentals.

- *Protect Brownsville's Treasury.*
- *Active Capital Improvements Plan Implementation.*
- *Foster Cooperative & Productive Relationships in the community and with County, State & Federal Agencies.*

Plan: Staff will continue to strictly adhere to the annually adopted budget working within the necessary parameters to keep rates as low as possible while providing vital services effectively. Staff will execute the planned projects found in the FY 2015-2016 budget as time and priority allow.

Staff will bid, construct and complete the 2015 Waterline Project. Staff will plan for and execute the engineering for the redevelopment of sewer lines in Old Town Commercial for the next fiscal year.

Staff will continue to strive for excellence in all relational aspects of service delivery. McDowell serves on the State's OPRD Grant Advisory Committee, the Visit Linn Coalition, the Ford Foundation's Go Team Effort and works with CIS and the LOC as needed. Frink works with various groups including 811.

2. Water Rights.

- *Explore Possible Water Source Options.*
- *Continually work on perfecting Water Rights.*

Plan: Currently working on the redevelopment of the GR12 well site east of the Main Street Bridge. Council has determined that this water source would double the current water capacity for the City. The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that exist in other areas of Brownsville.

3. Economic Development Plan.

- *Discuss Land Options with McFarland Cascade.*
- *Participate in Regional Efforts & Opportunities.*
- *Support Youth Activities in Cooperation with CLRA.*

Plan: Continue working with East Linn communities and the Ford Foundation. Continue working with the Brownsville Chamber of Commerce, Visit Linn Coalition and the Bi-Mart Willamette Country Music Festival to drive local financial viability of businesses. Discuss future options with McFarland Cascade.

Continue to work with the CLRA to develop and strengthen youth activities as a vital community amenity.

Definition: The two chief focuses of Economic Development are 1) retaining existing business and 2) attracting new business.

4. Community Development Plan.



- *Refine Zoning Rules & Requirements.*
- *Consider & Adopt New Policies & Standards.*
- *Finish & Implement a Sidewalk Program.*
- *Improve Partnerships with CLSD.*

Plan: Council would like to continue looking at ways to effect overall livability including right-of-way management. Install sidewalk into Pioneer Park from the Rec Center. Fully develop the City's sidewalk inventory plan getting the plan ready for approval by Council. Continue to try to develop an effective working relationship with the CLSD to assist with their community development plans.

5. Capital Improvements Plan.

- *Execute 2015 Water Improvements Project Contracts.*
- *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
- *Estimate City portion of Kirk Avenue Improvements.*
- **Wastewater Treatment & Collections**
 - Council has budgeted for a well for the South Plant.
 - Council understands that nearly 45% of the collection lines are in need of replacement.
- **Kirk Avenue Improvements**
 - Council has determined that the first block of Kirk from Main Street to Averill Street will be fully reconstructed with sidewalks, curb and gutter improvements. The remainder of Kirk Avenue will be a grind and overlay project.
 - Council's only other alternative is to execute the project as a City project and assess all abutting property owners according to the project cost.

6. Organizational Development.

- *Implement Accountability System for all Officials.*
- *Focus on Council Development.*

Plan: Council recognizes the need for additional training & development. Council will continue to improve individually in their role as community leaders working together to accomplished shared organizational goals with Staff. Council implement accountability aspects of all officials both elected and appointed. Proper training and execution of responsibilities is vital for the overall health of the organization.

7. Emergency Preparedness Plan.

- *Compose a Written Emergency Plan.*
- *Work with Area Partners on a continual Community Education Program.*
- *Develop Agreements with Community Partners.*

Plan: A larger community effort is necessary for this task. Staff will work on the internal plan for the City.



Organizational Development

- 1. Elected & Appointed Officials. People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.
2. Staff. People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
3. Organizational Axiom. Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.

NOTES: Council has discussed many organizational theories & objectives as well as identifying important critical thinking models that will serve as a guide for making better decisions. Below are two of those models:

How are expectations set in City Government?

- ◆ Laws & Municipal Code
◆ Standards
◆ Requirements & Rules
◆ Memoranda of Understanding
◆ Contracts
◆ Agreements
◆ Employee Handbook
◆ Societal Norms
◆ Cultural Nuances
◆ Public Opinion

Acceptable Conduct vs. Unacceptable Conduct



THE PROCESS OF PROGRESS

1. Recognize/Identify
2. Accept/Agree
3. Strategize/Develop Action Steps
4. Implement/Execute
5. Review Outcomes

LEXIPOL'S 10 FAMILIES OF RISK MODEL

1. External Risks
2. Legal & Regulatory Risks
3. Strategic Risks
4. Organizational Risks
5. Operational Risks
6. Information Risks
7. Human Resources Risks
8. Technology Risks
9. Financial and Administrative Risks
10. Political Risks

Memorandum of Understanding

BETWEEN: City of Brownsville (City)
AND: Brownsville Art Association (BAA)
DATE: January 2013

RECITALS

- A. BAA is interested in entering into a Memorandum of Understanding with the City to utilize the converted 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 portion of City Hall commonly known as the Art Center for the purpose of providing a hub for community and area artists by not only providing a place for arts education and group meetings, but a public demonstration space for local artists to come together and create art and share their art with the community.

Due to the fundamental occupancy change from the initial Memorandum, the BAA will be responsible for providing insurance as defined un LIABILITY INSURANCE.

PUBLIC USE. BAA agrees to manage the Art Center without regard to race, color, sex, religion, age, national origin, or physical or mental handicap, and to charge for use of the Art Center only on the basis of a written rate schedule available to the public.

LIABILITY INSURANCE. Operator shall maintain in force for the duration of this contract an insurance policy providing comprehensive protection for all accidents or injuries which may occur during BAA's use of the Art Center, written as a primary policy, not contributing with or in excess of any coverage which City may carry. Such policy shall have coverage of not less than \$300,000 per occurrence for bodily injury or personal injury, and \$50,000 per occurrence for property damage, with an aggregate of \$300,000 for bodily injury, personal injury or property damage. The policy shall also contain an endorsement naming City as an individual insured and expressly providing that the interest of City shall not be affected by BAA's breach of policy provisions. A copy of each policy or a certificate satisfactory to City shall be delivered to City prior to commencement of this Agreement. Such policy shall be written on an "occurrence" form with an admitted insurance carrier licensed to do business in the State of Oregon and shall contain

2013 Art Association Memorandum (Final)

Memorandum of Understanding

an endorsement entitling City to not less than thirty (30) days prior written notice of any material change, non-renewal or cancellation. Failure to maintain any insurance coverage required by this Agreement shall be cause for immediate termination of this Agreement by City.

SCHEDULING. BAA will coordinate activities in the space. BAA will communicate activities and uses with City Hall for administrative purposes.

The space will be available for the *Santiam Spokes Bicycle Club (Early Summer)*.

FEES. BAA will contribute \$50 per month in 2013 and continue to make a monthly contribution based on their business plan, as funds allow, to help cover operational costs such as heat and electricity.

SUBLETTING. BAA shall have the right to sublet or sub-lease portions of the Art Center. BAA shall be solely responsible for the subletting/rental agreement, insurance and compensation for the space provided to any third party. BAA shall require the third party to provide appropriate documentation including but not limited to insurance coverage for property and liability. Any agreements with third parties are done at the sole risk of the BAA. BAA further agrees to hold the City harmless from any claims made by any third party contract or agreement as it pertains to the use of the facility.

IMPROVEMENTS. The following is a list:

- ◆ *The City may make improvements to the front of the Art Center.*
- ◆ *2012 Flooring Project – BAA has been approved by Council to install a tile floor in the Art Center. BAA is gifting this project to the City for their continued support of the Arts in the community. BAA will make sure risers are properly installed, provide specifications for the sealant used, purchase additional tiles in case of breakage and have agreed to provide maintenance for the floor during their use of the Art Center.*

PROPERTY. Any theft or damages incurred to the furniture, any personal items or supplies shall be the sole 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 2016. 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

Memorandum of Understanding

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.

ASSIGNMENT AND TRANSFER. This Agreement shall not be assigned or transferred without written consent of City.

EARLY TERMINATION. The Agreement may be dissolved by either party upon providing ninety (90) days written notice.

City:

BAA:


Don Ware, Mayor


Alice Tetamore
Art Association President

Date: 12-5-2012

Date: 12-6-2012



Park Use Agreement

BETWEEN: The City of Brownsville, an Oregon
Municipal Corporation (CITY)

AND: The Eugene Kennel Club (ORGANIZER)

RECITALS

- I. The City of Brownsville owns and operates Pioneer Park, a 26+ acre public park.
- II. Organizer wishes to utilize Pioneer Park to host a dog show; September 4th – 7th, 2014.
- III. The Parks & Open Space Advisory Board and Council have expressed a willingness to make such accommodations and allow such use of Pioneer Park provided Organizer is able to satisfy necessary requirements to ensure the safety of attendees and properly protect Park grounds and facilities.

AGREEMENT

1. **ORIGINATION.** This Agreement is made this 28th day of January, 2014, between the City and the Organizer.
2. **CONDITIONS.** The City grants permission to the Organizer to use Pioneer Park for holding the Event on the dates stated above subject to the following conditions:

a) **Application.** Organizer has submitted the following information:

- Name and address of the person or persons responsible for the Event:

Event Purpose: Dog Show and Obedience Trial

Eugene Kennel Club

Angela Pellerin, Show Co-Chair	Debbie Berry, Show Co-Chair
PO Box 50112	PO Box 108
Eugene, OR 97405	Dexter, OR 97431
541.344.6360	541.914.8397

- Proof of Insurance: (CITY will require to be listed as additionally insured.)

Proof of liability insurance will be provided by Sportsman's Insurance Plan, Inc.

- An accurate description of the area requested to be used;



- The exact dates and times of the proposed event: Use of Pioneer Park in its entirety (see attached) from Noon 9/5/2013 through 8:00PM 9/08/2013
- Estimated attendance: 600 – 650
- Estimated number of RV's: 85-100
- Number of tickets to be sold, if any: There will be no tickets sold
- Nature of the proposed gathering: Dog Show and Obedience Trial
- Any other pertinent information: Parking will be run by a professional parking company (JIFYS) during the entirety of the event.

b) ***Additional Information.*** Organizer shall provide:

1. A list describing all the temporary structures or equipment proposed to be used: Tenting will be provided by Parties To Go of Eugene, Oregon, along with set up and tear down. Ring set up and tear down will be provided by MB-F dog show superintendents. [TBA]

2. Fire and life safety plan:

911 for emergencies

1st Response

Brownsville Fire Department

Chief Kevin Rogers

P.O. Box 189

Brownsville, Oregon 97327

Lebanon Fire Department Ambulance

Fire safety rules in relation to motor homes and traffic will be the responsibility of:

JIFYS

Bob Damberg

P.O. Box 187

Boring, Oregon 97009

c) ***Responsibilities of Organizer.***

In order to demonstrate that Organizer has adequate plans to satisfy the responsibilities of this Agreement, Organizer has submitted the following information to the City:

1. *A feasibility review for the site with proposed venue layout.*



Detail being re-designed, but very close to last year, for all intents and purposes. (To be attached.)

2. *Marketing for the Event, if any:*

Internet
Brownsville paper
Posters/Flyers posted 2 weeks prior to the event (Brownsville)

3. *Providing all necessary appurtenances for said Event including, but not limited to, additional trash cans, fencing and portable facilities such as restrooms.*

Eugene Kennel Club will provide for additional:

Porta Potties through Honey Bucket.
Extra trash dumpsters through Sweet Home Sanitation.

4. *Procuring and providing every aspect of the Event including, but not limited to, all arrangements, logistics and food service.*

Food service will solicited from:

Randy's Main Street Café

If none of the above can accommodate EKC then we will look outside of the area by necessity.

5. *Setting up and tearing down all structures relating to the Event.*

See above.

6. *Ensuring the park is in, at least, the same condition as it was prior to the Event.*

3. RESPONSIBILITIES OF CITY

A. The City shall provide:

1. The exclusive use of the requested venue for the specified date. The Organizer will be allowed use of the Park from Thursday, September 4th at Noon through Sunday, September 7th until 8:00 p.m. Incidental use of the Park will be permitted. Incidental use includes people using the river, playground equipment and other normal uses of the Park during the Event.



2. The use of all the buildings including the Pavilion, Dance Hall, Stage, Community Arts Building and the Flower Building.
3. Existing Portable restrooms, existing trash cans and one (1) 5 yard dumpster in the food service area and one (1) ten yard dumpster near the RV camp site.
4. **COMPENSATION.** The Organizer and the City have agreed on \$3,600 for the use of the park; this fee includes the use of all the buildings and RV/camping fees for the duration of their stay. Special considerations are made for the use of the east ball fields to be used for parking RV's. The City is concerned about the potential impact on the area. The Organizer has agreed to the deposit amount of \$2,400 for any damages that may occur during the event. The park fees and deposit amount shall be due two weeks prior to the event.

An assessment of the field condition will be performed by the Public Works Superintendent, the City Administrator and a representative from EKC. If deemed necessary, the City shall be responsible for hiring a contractor to perform any needed work on the fields. The deposit amount shall be used on an "as needed" basis. If the damages were only \$1,800, the additional funds would be returned to the Organizer. If, however, the damages were in excess of the deposit amount, the Organizer would be responsible for those costs.

5. **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.
6. **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.
7. **LIABILITY WAIVER ACKNOWLEDGEMENT.** By utilizing Pioneer Park, you are agreeing to the following: that you are aware that outdoor activities (such as swimming and hiking) and the use of any equipment, shelter, or other facilities (including, for example, tents, cabins, campfires, and grills) can be hazardous. You are also aware that natural occurrences (such as lightning, high winds, rainstorms, and flash floods) and wildlife (such as bears, cougars, snakes, and yellow jackets) can be unpredictable and dangerous, and that consuming animals, vegetation, water, and other substances found on or around the Premises can be harmful. You understand that adhering to the list of cautions or abiding by such rules, regulations, guidelines, or instructions does not guarantee your safety. You hereby assume all risks of injury, loss of life, and damage to persons or property (including pets) and release, indemnify, and hold harmless



the City of Brownsville, Oregon from and against any and all liabilities, claims, demands, costs, losses, expenses, or compensation of whatever nature in connection with any loss, damage, or injuries to persons and property caused or sustained by me, members of my family, my guests or pets.

8. NOTICE. Oregon law (ORS 105.682, et seq.) provides the owner of land is not liable in contract or tort for injury death or property damage that arises out of use of the land for recreational purposes (known as "recreational use immunity"). That immunity from liability does not apply if the owner makes a charge for permission to use the land. Fees charged for a particular use in this park, such as camping and/or building rentals, do not apply to other uses of the park, or to your ability to enter other areas of the park. Therefore, City of Brownsville is not liable for injuries, death or property damage arising out of any use of this park for recreational purposes when no specific charge has been made for that use or for the right to enter that part of the property.

9. INTENT. The intent of this Agreement is to cooperatively work together to create a working relationship that will be mutually beneficial.

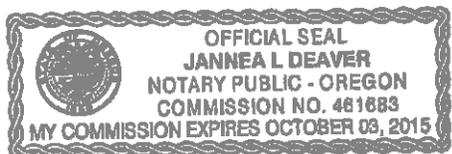
City:

Don Ware
Mayor

Date: 01.24.2014

STATE OF OREGON }
 }
COUNTY OF LINN }

On this 24 day of January, 2014, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named known to me to be the individual described herein and who acknowledged to me that they freely and voluntarily executed this instrument.



Jannea L Deaver
Notary Public for Oregon
My Commission Expires: Oct 3, 2015



EKC:

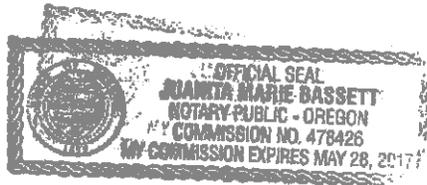
Richard D Charles Richard D Charles
Eugene Kennel Club President

Date:

STATE OF OREGON }
 }
 }
COUNTY OF Linn }

On this 16 day of March, 2014, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named known to me to be the individual described herein and who acknowledged to me that they freely and voluntarily executed this instrument.

Juana Marie Bassett
Notary Public for Oregon
My Commission Expires:





First Reading

**AN ORDINANCE AMENDING BROWNSVILLE MUNICIPAL CODE TITLE 2,
ADMINISTRATION & PERSONNEL, REPEALING AND REPLACING
CHAPTER 2.15 EMERGENCY PREPAREDNESS COMMITTEE OF THE
CITY OF BROWNSVILLE, OREGON;**

WHEREAS, Title 2 of the Brownsville Municipal Code (BMC) defines an Emergency Preparedness Committee, and;

WHEREAS, the Council desires to replace the current language and definition as provided herein;

NOW THEREFORE, the City of Brownsville ordains as follows:

REPLACE WITH THE FOLLOWING:

**Chapter 2.15
Emergency Preparedness Committee**

Sections:

- 2.15.010 Establishment of the Volunteer Emergency Preparedness Coordinator.
- 2.15.020 Establishment of the Emergency Preparedness Committee.
- 2.15.030 Purpose.
- 2.15.040 Committee Structure.
- 2.15.050 Powers & Duties.
- 2.15.060 Responsibilities.

2.15.010 Establishment of the Volunteer Emergency Preparedness Coordinator.

The Volunteer Emergency Preparedness Coordinator (hereafter, the "VEPC") shall be appointed by the Mayor and City Council. The VEPC will work under the general direction of the City Administrator on Emergency Preparedness goals. The VEPC shall receive no compensation, but will be eligible for expense reimbursement as determined by the City Administrator.

2.15.020 Establishment of the Emergency Preparedness Committee.

The Emergency Preparedness Committee (hereafter, the "EPC") shall consist of members appointed by VEPC and the City Administrator. Members shall be residents of the City and/or the Central Linn School District Boundaries. The committee is an advisory, ad hoc committee formed under the authority of the City Administrator. EPC members shall receive no compensation.

2.15.030 Purpose.

The purpose of the EPC is to build relationships and heighten emergency awareness efforts in order to make the Brownsville area disaster ready:



Ordinance 758: Emergency Preparedness Modifications

Page 39 of 59

- A. By creating a local plan for disaster preparedness, emergency response, disaster recovery and hazard mitigation in coordination with the Linn County Emergency Management Plan, the State of Oregon's guidelines and in accordance with the National Incident Management System (NIMS).
- B. By informing and encouraging citizens to participate in individual and family emergency preparedness measures.
- C. By working with public and private groups and organizations to mitigate hazards and to promote and foster community cooperation and awareness.

2.15.040 Committee Structure

A simple majority shall constitute a quorum. The members may make and alter rules, regulations and policy for its governance and procedures consistent with the laws of this State, Federal and local ordinances. The EPC shall elect a Secretary, who need not be a member. The Secretary shall keep official minutes of all EPC proceedings and file minutes and documents with the City Administrator in a timely fashion.

2.15.050 Powers & Duties.

The EPC shall have all the powers and duties which are now, or which are hereafter, granted to it by ordinances of this City and the Brownsville City Charter.

2.15.060 Responsibilities.

The responsibilities of the EPC are to assist the Administrator in advising Council and to work with staff as follows:

- A. Develop and maintain an Emergency Preparedness Plan;
- B. Set a timeline by which to achieve specific Emergency Planning goals;
- C. Recommend strategies for accomplishing Emergency Preparedness;
- D. Determine logistics and develop working relationships with partners and stakeholders both local and county;
- E. Create public documents, both electronic and in printed formats, designed to inform and encourage the general public;
- F. Created recommendations on proposed emergency preparedness needs for operating and capital budgets;
- G. Maintain close communication with the City Council through the City Administrator.



RESOLUTION NO. 2015.28

**A RESOLUTION AWARDED & AUTHORIZING A
CONTRACT WITH NORM'S ELECTRIC, INC., BROWNSVILLE,
OREGON TO INSTALL LIGHTING AT THE BROWNSVILLE
COMMUNITY LIBRARY IN PARTNERSHIP WITH ENERGY TRUST
OF OREGON IN THE AMOUNT OF \$12,792**

WHEREAS, Brownsville Municipal Code Chapter 2.25.070 allows Council to authorize Public Works contracts and approve special solicitation methods and exemptions; and

WHEREAS, the City recently learned that the lighting fixtures in the Brownsville Community Library were illegal; and

WHEREAS, the City requested Norm's Electric Inc. to review and quote the costs associated with replacing the lighting; and

WHEREAS, Norm's Electric Inc. was able to partner with Energy Trust of Oregon who provide a \$4,183 incentive for this project to replace the lighting; and

WHEREAS, Norm's Electric, Inc. quoted a total contract price of \$12,792.00; and

WHEREAS, Staff recommends accepting the quote from Norm's Electric, Inc.; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon:

- That the City of Brownsville will enter into a contract with Norm's Electric Inc. for the purpose of completing this project;
- The contract amount is **\$12,792**;
- The City will receive **\$4,183** from Energy Trust of Oregon;
- Staff is directed to use City Budget Account Line Item, 100.040.801, for this purpose.

PASSED AND ADOPTED by the Council of the City of Brownsville this 24th day of November, 2015.

S. Scott McDowell
City Administrator

Don Ware
Mayor



City of Brownsville

Volunteer Emergency Preparedness Coordinator

Department: General Administrator
Reports to: City Administrator
Created: December 2015

General Statement of Duties

The Volunteer Emergency Preparedness Coordinator will be responsible for implementing and prioritizing strategy efforts, determine logistics and develop working relationships with partners and stakeholders and make recommendations for emergency preparedness as assigned by the City Administrator. The following are examples and are not intended to include all of the duties assigned to this classification.

Essential Job Functions

- Coordinate Emergency Preparedness Committee.
- Identify Community Risks.
- Develop Outreach Plan.
- Create objectives to achieve Council's goals.
- Outreach to civic organizations, key partners and stakeholders.
- Recommend budget figures to City Administrator.

Other Job Functions

- Report to the City Administrator.
- Occasionally report to Council.
- Answer general questions.
- Understand the basic functions of the City.
- Assist and organize volunteers.

Required Knowledge & Abilities

- Knowledge of the laws and regulations governing emergency management.
- Knowledge of emergency and/or disaster planning principles and practices.
- Skill in both verbal and written communication.
- Skill in the use of a computer and related software.
- Ability to establish and maintain effective working relationships.

Physical Requirements

- Must be able to operate a variety of automated office machines including a computer, printer, copy machine, telephone, etc.
- Must be able to move and carry a variety of objects.
- Must be able to lift twenty pounds frequently and/or up to forty or more pounds occasionally.



The City of Brownsville is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act (ADA), the City may provide reasonable accommodations to qualified individuals. Requests for accommodations should be made to the City Administrator. This job description does not constitute an employment agreement between the City and the employee and is subject to change by the City as needs and requirements of the classification change. The City Administrator may assign additional duties as needed at any time.

By signing the position description, you are acknowledging that you have read and understood the information presented.

Dated this _____ of _____.

Volunteer Coordinator

City Administrator

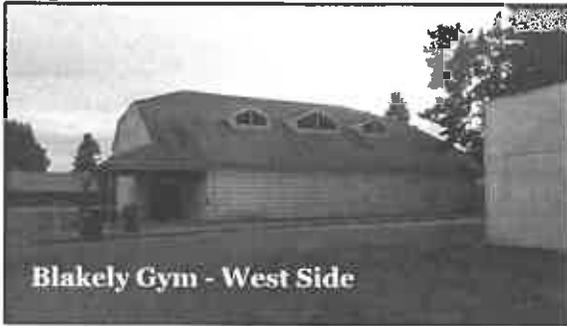
Brownsville City Council
Tuesday, September 22, 2015 @ 7 PM
Emergency Management
15 Minute Presentation

- Make Community Preparedness a priority
- Find a non city staff member of your community to lead the task force, they should be:
 - Organized
 - On task
 - Visionary
 - Work with individuals
- Use FEMA's "Whole Community Approach" to emergency management to guide your task force
- Find community members who are interested in participating
 - Keep Task Force manageable (10 – 12 people)
 - Use Working Groups for Specific subjects (3 – 5 people)
 - Vulnerable Population
 - Shelters
- Set realistic time line to complete a draft of the plan. (3 – 5 years)
 - Goals
 - Objectives
 - Action items
- Identify resources in your community
 - Food share Vulnerable Population Advocates
 - Shelters Salvation Arm
 - Red Cross School District
 - Fire District County Emergency Management
- Identify what plans presently exist in the county
 - Linn County Emergency Operations Plan
 - Consider using Linn County Emergency Operations Plan as your template
 - Consider becoming an Annex to the County Plan
 - Linn County Shelter Plan
 - Linn Benton Vulnerable Population
 - Mid-Valley LEPC
 - Linn County Fire Defense Board
- Receive quarterly progress reports from the Task Force Chair
- Celebrate Successes



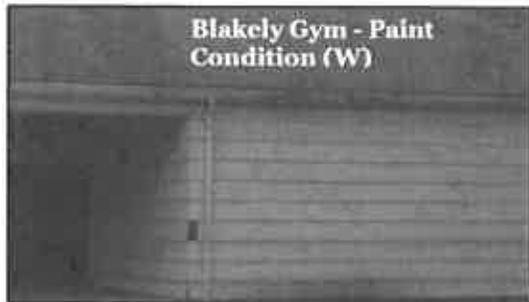
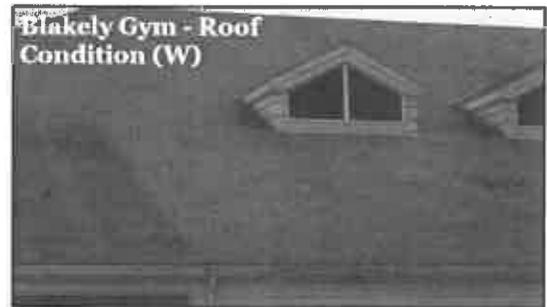
Synopsis

Council met with the Central Linn School Board and the Central Linn Recreation Board at the request of the Central Linn School District Superintendent Brian Gardner in the Community Room on October 6th, 2015. The Central Linn School District is interested in developing the property located at 331 E. Blakely Avenue in Brownsville. Superintendent Gardner has made contact with Willamette Neighborhood Housing Services who has shown interest in possibly developing the property in accordance with the Central Linn School District's goals as outlined in their May 11th, 2015 minutes.



Please review the summary minutes of the meeting held on October 6th, 2015.

The Central Linn School Board is trying to determine if there is interest in forming a partnership for the continued operation of the Blakely gymnasium. The general outcome of the meeting was that Superintendent Gardner and City Administrator McDowell would look into evaluating both the Rec Center on Park Avenue and the Blakely gymnasium to determine present condition of both structures and infrastructure systems. Gardner stated that Willamette Neighborhood Housing Services is interested in partnering for the use of the Blakely gymnasium. Gardner indicated that annual operating costs are about \$18,000. The group felt that the roof would need to be replaced and the building would need to be repainted in the next three to five years. Based on costs from other like projects recently completed by the City, the price tag could be as high as \$90,000 for this building. The Central Linn Recreation Board indicated that the Blakely gymnasium plays a vital role in their programming. Superintendent Gardner stated that the Blakely gymnasium is also used by Central Linn for wrestling.



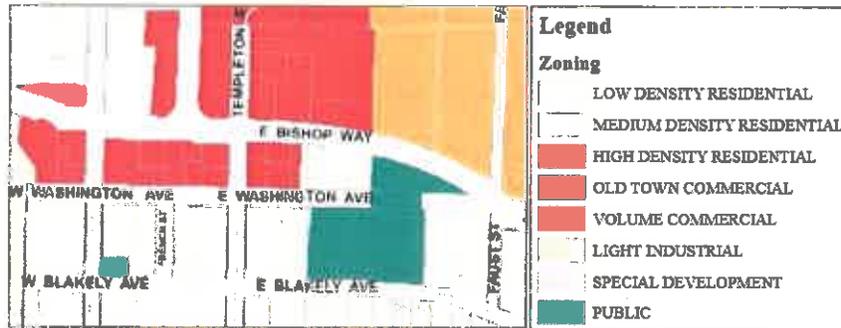
McDowell indicated that Council will want to know the useful life of the Rec Center on Park Avenue before it considers partnering on the Blakely gymnasium. McDowell estimates the useful life for the Park Avenue building to be another twenty years based on the new roof (2009), new paint job (2010) and flooring plan from 2010. Council will need to actively discuss the future plan for the building as well as major future capital improvements such as the Water Treatment Plant and the condition of other municipally owned property and facilities.

The Central Linn School Board would like to develop the 3.2 acre property into a mixed use housing development that would serve multiple uses.



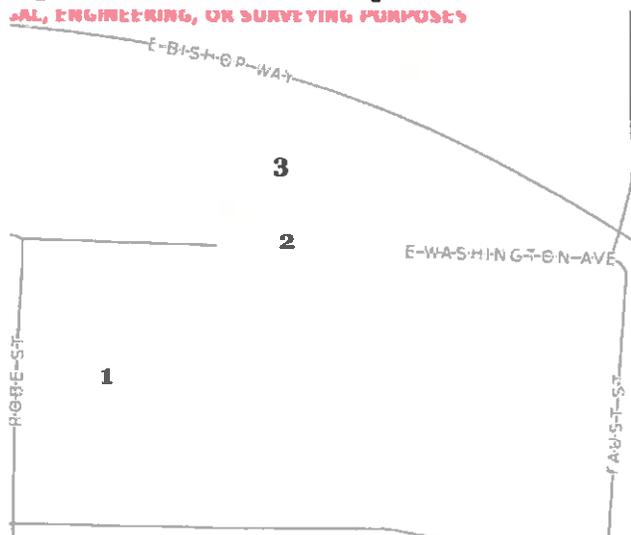
Planning Commission Implications

Either the Central Linn School District or Willamette Neighborhood Housing Services would need to apply for a zoning change. The property is currently zoned public as shown below: *(This map can be found on www.ci.brownsville.or.us)*



According to Superintendent Gardner, the School Board would like to consider a variety of mixed uses on the property. The property would most likely be re-zoned to medium density residential. Administrative Assistant Elizabeth Coleman indicated that the process of such a zoning change request could take anywhere from eighty (80) days to two hundred and sixty (260) days. It appears that the zoning change would also be heard by Council. The Department of Land Conservation & Development (DLCD) may be involved as well.

The next step in the process would be for the Central Linn School District or the District’s partner to determine the actual uses of the property. Willamette Neighborhood Housing Services or other third party would submit a plan to the Planning Commission for the development of the property. The City of course would send the appropriate notices to abutting property owners as required by the Brownsville Municipal Code and State Law. Again, Administrative Assistant Elizabeth Coleman will put together a timeline for this procedure when the City has more information.



Source: Linn County Maps

Three parcels –

- 1. 14SO2W06-BB-06200 2.60 acres
- 2. 14SO2W06-BB-06299 0.28 acres
- 3. 14SO2W06-B-01200 0.57 acres



Strategy & Timeline

Council should develop thoughts and information around all facets of these potential partnerships and desired outcomes keeping in mind that this property and facility is the responsibility of the Central Linn School District.

1. What is the Central Linn School District's timeline for the Blakely Project?
2. What are the future plans of the Central Linn Recreation Board?
3. What are the possible uses for the Blakely gymnasium including new uses?
4. How does the City want to provide recreational opportunities for residents now and in the future?
5. What is the outcome of the report on both buildings? What does that data suggest as the future cost outlays? How are those to be shared over time?
6. Council does have a four (4) to six (6) million dollar Water Treatment Plant slated for 2020. What are the other facility costs the City has in the future? (*i.e. City Hall, City Shop, Picture Gallery, Library, Rec Center, Park Facilities etc.*) The City already has debt from the Wastewater Treatment Plant that will not be retired until 2040. The condition of the distribution system and the wastewater collections system is advance in many sections of town; those lines need attention.

Using Council's Risk Model found in Council's Goals assess the following:

LEXIPOL'S 10 FAMILIES OF RISK MODEL

1. ***External Risks*** – Should the broader Central Linn Community be involved? The City of Halsey? What is the Central Linn School District's responsibility for these aspects and what is the City's responsibility?
2. ***Legal & Regulatory Risks*** – Ensuring that all of the details are tended to with the DLCD and implications of other possible regulatory agencies such as the Department of Transportation.
3. ***Strategic Risks*** – Properly informing and communicating with the public is paramount to any partnership, arrangement or agreement of any kind. Constructing attainable outcomes and timelines is crucial to success. Providing public input opportunities such as Town Hall meetings as suggested by Councilor Gerber will be key to any effort.
4. ***Organizational Risks*** – Ensuring that an agreement or contract is all encompassing to clearly show the role of the City. The buildings and property do belong to the Central Linn School District.
5. ***Operational Risks*** – Taking on such a facility with partners will be a huge coordination undertaking. Clearly delineating responsibilities will be crucial for any work properly executed in reality.
6. ***Financial and Administrative Risks*** – Developing obligations per agreement with contingencies as an attempt to avoid surprises. All obligations should have time frames so that



all parties know who is responsible for what and how those funds will be dispersed. Contracting work will be a point of emphasis to avoid possible confusion.

7. **Political Risks** – Understanding the scope of any undertaking with multiple community partners will garner a lot of public comment and debate. Council should focus on the City's role in all of the endeavors.

The Big Seven Common Complaints

Low Income Housing Concern

People will argue that low income housing will drive down property values of the entire area. Earlier this year, there were many people claiming that the Central Linn School District wanted to build low income housing units on this property. People have said and will say, "If low income housing is put in over there, I'm moving out!"

Historical Building Concern

People will ask, "Why are we tearing down the Rec Center on Park Avenue? It is a perfectly good building." "We want to save and preserve this historical building."

Past Bond Concern

People will say, "The Central Linn School District decided to move the elementary school after the bond was passed in the early 1990's. What makes you think this will be any different?"

Against Change Concern

People will say, "I don't think the City should be involved in any project that will change the City this much."

Past Partnerships Concern

People will say, "How can you trust the school partnership? They moved out Sharing Hands and the pre-school. They moved out the Art Association – those were partnerships."

Costs Concern

People will say, "We simply cannot afford to take on this kind of commitment." "It is the District's facility – not the City's."

Traffic Concern

People will say, "The traffic on Blakely Avenue cannot take on this load." "Washington Street needs too much improvement." "Where is all the drainage going to go?"



The Bigger Picture

Council must be aware of the Central Linn School Board's future plans entail.

1. Is the District still considering going out for a new school bond?
2. What would these plans include?
3. Could the District include a new rec center as a part of this bond?
4. Would it make sense to build a new recreation center?



5. Are there going to be requests for the City to participate with utilities for the development of the property?
6. Will the City be asked for System Development Charges (SDC) to be reduced or waived?
7. Will the City be asked for the Public Works Standards to be modified or relaxed?

What is Council being asked to do?

Immediately:

1. Does Council want to enter into an agreement with the Central Linn School District to investigate the condition of the Rec Center and the Blakely gymnasium?
2. Is Council interested in pursuing discussions about a possible partnership for the cooperative use of the Blakely gymnasium?

Intermediately:

1. Consider the bigger picture. What is the Central Linn School District's plans for the future of their facilities?
2. What are the City's future needs? What are the City's biggest future operational challenges? The City operates many aged facilities such as City Hall and the City's City Shop sits in the floodplain.
3. Think about possible reactions from the community and how you would handle and defend those conversations. Conversations about the District's plans, the possible partnership, the future debt to be incurred by the City, the future debt that may be incurred by the Central Linn School District, the current debt currently being carried by the City and how that impacts the City's ability to afford the many assets that are currently being operated.

Memorandum of Understanding

BETWEEN: Central Linn School District (School)
AND: The City of Brownsville,
An Oregon Municipal Corporation (City)
AND: Calapooia Food Alliance (Co-op)
DATE: January 2014

RECITALS

- A. School is the owner of certain real property located at 331 E. Blakely Street in Brownsville, Oregon, and more particularly described in Section 1 below (herein after referred to as the "Premises.")
- B. The City desires to use the premises for the purpose of providing a community garden.
- C. The City will provide these services to the community through the Co-op as a service partner.

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

- 1. **PREMISES.** The Premises is located at 331 E. Blakely Street in Brownsville, Oregon; described as tax lot #14S02W06B 1200. The Premises is north of Washington Avenue and south of Bishop Way/OR 228.
- 2. **USE.** City shall have the right to use the Premises for the purpose of operating and maintaining a community garden and for no other purpose without School's prior written consent. The use shall be consistent with Resolution 596 as passed by Council January 15th, 2008.
- 3. **TERM.** The term of this Memorandum shall commence upon execution hereof and shall continue with reviews every three (3) years.
- 4. **TERMINATION.** Either party may terminate this Memorandum without cause by giving thirty (30) days written notice to the other sent First Class and Certified mail to the addresses listed, however, termination will not commence until the end of the gardening season which is in November. Upon termination, the City may provide a one-time lump sum, not to exceed fifteen hundred dollars (\$1,500.00) for the property to be returned to its original condition, if the School

wishes to return the area to its original condition which was a grass field. The School should notify the City of their intentions for the property. After thirty-(30) days of official notice, the City will not be responsible for the lump sum payment. The City and the Co-op will share equally in the above referenced sum. All rights extended under this Memorandum shall be null and void upon termination.

5. **IN-KIND CONTRIBUTION.** City shall offer the School plots as needed for curriculum purposes.
6. **MAINTENANCE.** The City is not responsible for making repairs and necessary replacements or performing necessary maintenance to or upon the Premises. Co-op guidelines and programming shall maintain the Premises in a manner consistent with the School's requests.
7. **UTILITIES.** City, at City's expense, shall supply up to 55,000 cubic feet of water per year to the property for the use of the community gardens. Any water used in excess of this amount shall be charged to the Co-op at the normal monthly rate then in effect. Water shall be billed annually in December.

City, at City's expense, will either pick-up excess garden debris or reimburse School for disposal.

8. **INDEMNIFICATION.** To the extent legally possible, City agrees to indemnify, hold harmless and defend School from and against any and all claims, damages, losses and expenses, including attorneys fees, made by or paid to others, arising from City's use of the Premises or from City's performance or failure to perform its obligations under this Memorandum. City will make arrangements with insurance carrier to ensure the Premises are covered as a park use.
9. **ATTORNEY FEES AND LEGAL EXPENSES.** In the event any legal proceeding is commenced for the purpose of interpreting or enforcing any provision of this Memorandum or to collect any indebtedness hereunder, the prevailing party in such proceeding shall be entitled to recover reasonable attorney fees in the proceeding, or any appeal thereof, to be set by the court without the necessity of hearing testimony or receiving evidence, in addition to the costs and disbursements allowed by law. Such sum shall include an amount estimated by the court as the reasonable costs and fees to be incurred by the prevailing party in collecting any monetary judgment or award or otherwise enforcing any order, judgment, or decree entered in such suit or action. In addition, in the event of default by either party in performance of this agreement, the defaulting party agrees to pay all reasonable attorney fees and legal expenses incurred by the non-defaulting party in collecting any such sums due hereunder even though no litigation is filed.

10. **SUCCESSORS AND ASSIGNS.** The terms, provisions, covenants and conditions contained in this Memorandum shall apply to, bind and inure to the benefit of the heirs, personal representatives, administrators, legal representatives, successors and assigns of School and City.
11. **ENTIRE MEMORANDUM.** This agreement embodies the entire agreement of 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.
12. **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.

CITY:

By:



Don Ware, Mayor

SCHOOL:

By:



David Goracke, Board Chairman

By:



S. Scott McDowell, Administrator
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327

By:



Brian K. Gardner, Superintendent
331 E. Blakely Street
Brownsville, OR 97327

ALLIANCE:

By:



PO Box 4
Brownsville, Oregon, 97327

November 10, 2015

Brownsville City Council

P.O. Box 188

Brownsville, OR 97327

Dear Mayor Ware and Council members,

I am a member of the Board of Directors for the Brownsville Community Foundation, and am writing this letter to you to request a possible donation from the City of Brownsville. For those of you who may not be familiar with the Foundation, I'd like to give a little background. The Foundation was started several years ago as a means of giving grants to various organizations in the Central Linn area. Our mission is to support and promote educational and charitable activities that improve the health, vitality and quality of life in Brownsville and the surrounding areas. We raise funds through donations. About half of the money raised goes for grants and the remainder goes toward an endowment fund. Our hope is to eventually be able to give grants from the income created by an endowment fund. We are all volunteer members, so we have no overhead. Last year we gave grants totaling \$6,000 to the Brownsville Art Association for website development; the City of Halsey to improve their Veteran's Memorial Park; Central Linn School District for the Cougar Clothing Closet, a tree planting project, and the Friday Fun/Summer Fun program; Sharing Hands for Parents and Pals; the Brownsville Garden Club for Pioneer Park Flower House and landscaping; the Calapooia Food Alliance for the SNAP Match program, and the Community Garden Sign; Senior Meals for food and transportation funds; and the Central Linn Gleaners to offset transportation costs.

Our goal this year is to at least match that amount. The Board would appreciate any donation that the City could give.

Regards,


Chenoweth Robertson

Board Member, Brownsville Community Foundation.



Calapooia Watershed Council

PO Box 844 / 136 Spaulding Ave / Brownsville OR 97327
541-466-3493 / www.calapooia.org

October 27, 2015

Dear City of Brownsville,

Last week I packed up our family's newest addition, baby Nico, and went for a short walk along the bank of the Calapooia River at Bryant Park, in Albany, and do you know what I saw? Two magnificent acres of native riparian plants taking root alongside the river thanks to 56 South Albany high school students last spring! It was a long, hard, dry summer for these little bare root plants, and we'll be engaging these students again this year for monitoring and more inter-planting.

This community-driven planting effort is just one more reminder of how very lucky we all are to live within such an engaged watershed community. We are fortunate to work with motivated City partners, committed volunteers, and professional local contractors and nurseries as part of our emerging "restoration economy".

Engagement of local youth is a top priority in the years ahead. You recently received our 2015 Annual Report in the mail, where we announced that **ALL DONATIONS this FALL, until 2016**, will go directly to Youth Watershed Education! Our watershed council simply cannot keep up with the exponential growth in the Youth Watershed Education Program - 785 students were reached last school year! This school year we urgently need your help! Please take action for the Calapooia Watershed by sending your gift today. Your donation will help us:

- **Create a restoration fund** for the Central Linn and South Albany High School "Youth Watershed Councils" so that they may remove invasive species like blackberry and ivy at our two restoration sites; the Periwinkle Creek-Willamette River confluence, and along the Calapooia River at Thompson's Mills State Heritage Site.
- **Fund a college scholarship** to be awarded to high achievers in the two High School Youth Watershed Councils, to support career development for future natural resource management professionals.
- **Support a 6th grader** with a scholarship to be able to attend the week-long outdoor school at Camp Koinonia this spring 2016!



We are so very grateful for your support and dedication to your watershed and its kids. I hope you'll spend this fall being grateful for the natural gifts that our clean rivers and streams bring to you. Please mail your donation today or visit us online for your donation at www.calapooia.org/friends/

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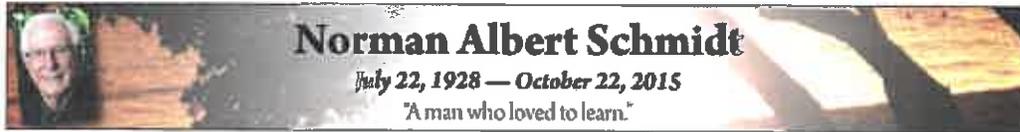
See you on the river,



Tara Davis,

Executive Director

P.S. If you're one of the first 20 donations over \$250, I'll send you a very special Calapooia Watershed Council gift. We are also open to creating a "matching funds" scenario if you are interested in getting into the fun and spirit of donating to the Youth Watershed Education program and specific activities! Just give us a call today.



ALBANY Democrat-Herald

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Council upholds pot dispensary biz license denial, despite threat of lawsuit

[See it in Print](#)

1 hour ago • [ALEX PAUL Albany Democrat-Herald](#)

[\(1\) Comments](#)

BROWNSVILLE — Despite being threatened with a lawsuit, members of the Brownsville City Council Tuesday evening stuck to their guns and denied a business license to a proposed medical marijuana dispensary.

It was the latest move in what has been a long-term chess match between the city and Randy and Gayle Simpson.

The Simpsons have repeatedly sought permission to open a medical marijuana dispensary in town, but the city chose to opt out of allowing medical and recreational marijuana shops, allowed by state law.

Brownsville residents will be able to vote on the issue on the November 2016 ballot.

The city rejected the Simpson's application because businesses cannot offer products or services that are against federal law. Although medical and recreational marijuana sales are legal in Oregon, they remain illegal under federal law.

The Simpsons have rented a building near Kirk's Ferry on Bishop Way (Highway 228). Simpson told the councilors the couple has spent more than \$30,000 installing security equipment, including cameras.

"We applied for our license from the state in May and received a provisional license a couple months ago," Simpson said. "We are now ready for a state inspection. We already had consultants inspect the building and they made some suggestions for a couple more motion sensors and cameras and we took care of that."

Simpson told the council his attorney is "champing at the bit" to take the issue to court.

"There will be a lawsuit if you don't let us open," Simpson said. "We have a substantial legal fund."

But Simpson added, he and his wife would prefer the issue not go to litigation.

Instead, they would use a portion of their legal fund to purchase a new heating and air conditioning system for the community's senior citizen's center.

"I don't want to see Brownsville go bankrupt about this issue," Simpson said.

Simpson asked the council to "give us a chance to prove there isn't going to be any negative impact to Brownsville. There have been no negative news stories about dispensaries that have opened in other cities."

Simpson also emphasized that the dispensary would sell only medical marijuana.

The council voted unanimously to uphold the business registration denial. Councilor Mandy Cole was not present.

In July, the Simpsons gave away free marijuana, about one gram per person. At that time, selling recreational marijuana was still illegal, but giving it away was allowed by state law.

Contact Linn County reporter Alex Paul at 541-812-6114.

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Tags [Brownsville City Council](#), [Marijuana Dispensary](#), [Randy And Gayle Simpson](#)

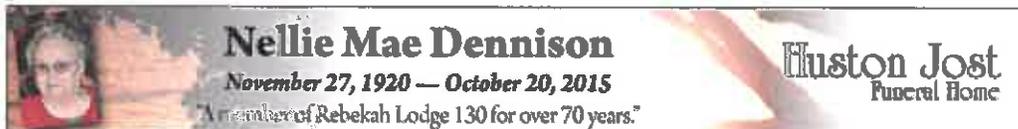
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Nellie Mae Dennison
November 27, 1920 — October 20, 2015
A member of Rebekah Lodge 130 for over 70 years.

Huston Jost
Funeral Home

Esther I. McMahan
 March 11, 1920 — October 29, 2015
 "She enjoyed quilting, doing crafts, cooking and reading."

Huston Jost
 Funeral Home

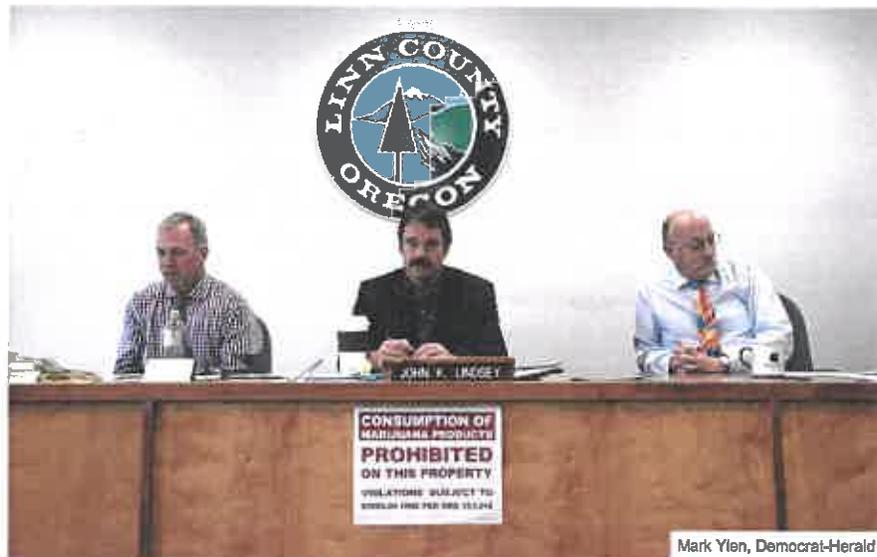
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Linn may send pot issue to voters

[See it in Print](#)



Mark Ylen, Democrat-Herald

Linn County Commissioners Roger Nyquist, left, John Lindsey and Will Tucker conduct a brief public hearing on whether to refer regulation of marijuana facilities to the voters on the November 2016 ballot.

[Buy Now](#)

31 minutes ago • [ALEX PAUL Albany Democrat-Herald](#)

[\(0\) Comments](#)

County Commissioners Roger Nyquist, John Lindsey and Will Tucker will decide today whether to approve a proposed ordinance that will allow Linn County residents to vote in November 2016 on recreational marijuana operations.

A public hearing was held at the commissioners' meeting room Monday morning.

Nyquist said he is concerned about development of recreational marijuana facilities in Linn County in part because he watched a television series that depicted how a former medical marijuana operation in Colorado was affected by switching to recreational marijuana sales after that state legalized pot.

"The company went from \$5,000 per day in sales to more than \$50,000 per day," Nyquist said. "Because it's illegal for banks to deal with marijuana facilities, it's a cash-only business. That could create serious public safety concerns and the potential for money laundering. Where does \$50,000 per day go, if it can't go into the bank?"

Nyquist said he also concerned that if the state considers marijuana to be an agricultural crop, it will open Linn County up to pot facilities locating nearly anywhere.

More than half of the land in Linn County is zoned for exclusive farm use, Nyquist said. "I don't think we want retail marijuana production next to residences."

Lindsey said drug cartels based in Florida are already looking at properties in Linn County in hopes of setting up shop.

"It's called skunk weed for a reason," Lindsey said of the smell that comes with large marijuana operations. "There will be a lot of ag issues created by this. I think the voters have a right to weigh in on this issue."

Other than commissioners Nyquist and Lindsey, the only public comments came from Rich Kellum. He is a member of the Albany City Council, but said he was speaking on his own behalf and not that of his fellow councilors.

"The argument that recreational marijuana sales will create money for the state is bogus," Kellum said. "Most of the money is earmarked for enforcement of marijuana related laws."

Kellum said locating a "marijuana facility next to kids is abhorrent at the very least."

In March, the commissioners limited recreational marijuana production zoning to a small area zoned Urban Development II between Riverside Drive and Oakville Road west of Tangent.

Statewide, Ballot Measure 91, which legalized the sale of recreational marijuana, passed by a 56-44 percent margin. But the measure failed in Linn County by a 53-47 percent margin.

The commissioners approved a code text amendment that would exempt the "propagation, cultivation, harvesting, storage, processing or disposal by marketing of marijuana from the definition of farm use, limited farm use and commercial activity in conjunction with farm use."

Contact Linn County reporter Alex Paul at 541-812-6114.

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Tags Roger Nyquist, John Lindsey, Will Tucker, Recreational Marijuana

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[Lee.net](#)



Wayne Johnston
 September 11, 1932 — October 28, 2015
 "He farmed in the Sidney-Talbot area west of Jefferson."



MONTH END RECAP

		OCTOBER 2015		YTD	%	Unexpended
	REVENUE	EXPENDITURES				
1	GENERAL	\$ 10,108.82	\$ 56,466.91	\$ 257,456.99	22.19%	\$ 981,067.01
2	WATER	\$ 31,531.85	\$ 25,231.04	\$ 319,349.17	31.35%	\$ 701,100.83
3	SEWER	\$ 27,337.19	\$ 14,354.47	\$ 74,647.35	16.31%	\$ 507,352.65
4	STREETS	\$ 13,085.23	\$ 11,303.80	\$ 46,128.05	9.43%	\$ 443,071.95
5	WATER BOND	\$ -	\$ -	\$ -	0.00%	\$ 77,678.00
6	SEWER BOND	\$ -	\$ -	\$ 332,072.00	83.51%	\$ 65,582.00
7	SEWER DEBT FEE	\$ 10,826.08	\$ -	\$ 43,047.97	34.44%	\$ -
8	BUILDING & EQUIPMENT	\$ -	\$ -	\$ -	0.00%	\$ 436,500.00
9	WATER RESERVE	\$ -	\$ -	\$ -		
10	HOUSING REHAB	\$ -	\$ -	\$ -		
11	WATER SDC	\$ -	\$ -	\$ -		
12	SEWER SDC	\$ -	\$ -	\$ -		
13	STORMWATER SDC	\$ -	\$ -	\$ -		
14	BIKEWAY/PATHS	\$ 89.39	\$ -	\$ -		
15	LIBRARY TRUST	\$ -	\$ -	\$ -		
16	CEMETERY	\$ 125.00	\$ -	\$ -		
17	TRANSIENT ROOM TX	\$ 231.49	\$ -	\$ -		
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -		
19	LAND ACQUISITION	\$ -	\$ -	\$ -		
20	COMMUNITY PROJECTS	\$ -	\$ 2,860.99	\$ 6,944.25	3.89%	\$ 171,455.75
		\$ 93,335.05	\$ 110,217.21			

KeyBank Accounts

General	\$ 128,806.31
Utility	\$ 19,150.00
Park	\$ 827.50
Court	\$ 5,664.20

**Oregon State Treasury
Community Improvements**

\$ 3,430,644.07

2015-2016 **YTD** **% of Total**
 Appropriated \$ 1,036,597.81 20.08%

DEBT Payments
 Water \$ 54,928.00
 Wastewater \$ 397,654.00
Totals

Total Debt
 Water \$ 784,574.00
 Wastewater \$ 6,145,365.00
Total \$ 6,929,939.00