



## Council Minutes

May 23<sup>rd</sup>, 2017

**ROLL CALL:** Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Neddeau, Gerber, Cole, Block, Shepherd, and Chambers present. Administrative Assistant Tammi Morrow, Public Works Superintendent Karl Frink and City Administrator Scott McDowell were also present.

**PUBLIC:** Sergeant Greg Klein (*LCSO*), Elizabeth Coleman, Jannea Deaver, Jordan Parrish (*The Times*), John Morrison, Kim Clayton, Kaye Fox, Tricia Thompson, Curtis and Tami Bayer.

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** McDowell would like to add Curtis & Tami Bayer to the agenda. They are the newly installed Park Caretakers for the 2017 summer season. Curtis got up and spoke briefly. Curtis's background includes 25 years of law enforcement and Tami was a teacher and a social worker; they are very excited to be here. They are impressed with Staff and Pioneer Park. They encouraged everyone to stop by and say hello.

**MINUTES:** *Councilor Cole made a motion to approve the April 25<sup>th</sup>, 2017 meeting minutes as presented. Councilor Shepherd seconded the motion, and it passed unanimously. Councilor Gerber made a motion to approve the May 11<sup>th</sup>, 2017 budget committee meeting minutes as presented. Councilor Cole seconded the motion, and it passed unanimously.*

### **PUBLIC HEARINGS OR PRESENTATIONS:**

1. **Proposed Use of State Revenue Sharing Public Hearing.** Mayor Don Ware opened the public hearing and encouraged anyone wanting to be heard to step to the podium. No comments. The public hearing was closed.
2. **FY 2017-2018 Budget Public Hearing.** Mayor Don Ware opened the public hearing and encouraged anyone wanting to be heard to step to the podium. No comments. The public hearing was closed.
3. **Council Policy & Planning Considerations.** Mr. McDowell expressed appreciation to Council for their work at the 2017 spring work session held March 11<sup>th</sup>, 2017. He said it's always important to remember where we are, what we've done, and what our direction is for the next two years. On page 33 of the packet, you will find a brief overview of items discussed at that work session. Council and Staff have made improvements in internal community development, specifically in planning and infrastructure, permits, standards, planning, etc. It's vital to have the proper force of law and enforcement policies that match actual practice. To recap, Councilor Gerber and Councilor Cole are working on Title 8, Health and Safety. Councilor Block and Councilor Chambers are working on Title 15, Uniform Development Code, specifically RV uses and parking. Staff has received a brief back from legal, and the group will meet again soon for additional work on this topic.



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Staff will bring to Council input for public works standards and infill. Many discussions will happen and be brought to Council in July. Councilor Chambers volunteered to work on noise mitigation, farms animals, and attractants. Councilor Cole volunteered to work on Rights of Way, farm animals, and ag. Mayor Don Ware volunteered to work on noise mitigation and water curtailment. Councilor Gerber volunteered to work on Right of Way infringements, and Councilor Neddeau volunteered to work on the attractants committee.

Mr. Frink, Mr. McDowell, and Mrs. Coleman recently made a presentation to park board regarding planning for buildings. Inspections need to be done soon to determine a clear future path for facilities. In September or October, Council will host a conversation with Linn County Pioneer Association about the future of the Picture Gallery.

The CenturyLink franchise contract expires in September. McDowell will start the review in June/July. Other providers may be Peak Internet or Ayrca with fiber optics. In May 2016, the City refinanced bonded debt. We cannot refinance that debt until February 2025. The hope is that Council will try to patch and maintain the Water Treatment Plant through until that year. The computers will likely need to be upgraded again along with some filter work, etc. There is funding appropriated in the upcoming budget for the water filter media replacement project.

Mayor Don Ware and Mr. McDowell are looking into generating some history plaques. Another item to be aware of when planning for future needs is the City shop located in the flood area.

4. **TMDL – Plan Review.** Council found on the desk tonight the TMDL Plan. The implementation tracking matrix features basically 4 categories, bacteria, mercury, temperature, and illicit discharges. In regards to bacteria, the City does ditch maintenance and has installed pet waste stations in the park. We may put an article in the newsletter reminding folks of their responsibilities. For storm water compliance, Staff does continuing education for developing standards. It is important to remember that we maintain that the City does not have a storm water system. McDowell stated that at the City manager's meetings he has suggested taking some action collectively, and working as a group for small communities that often have no voice. Corvallis has a subcommittee that reviews all the current legislation and reports back to Council. McDowell suggests that they may be able to overlap us, and become a voice for our small communities. The unfunded mandates are hurting small cities and will dramatically impact how Council delivers key services in the future. In regards to mercury and TMDL, this seems to be only happening in development times. In regards to temperature, we are following along with the Calapooia Watershed Council with plantings, public education pieces, etc. For illicit discharges, Staff will work on developing the required materials for distribution in our lobby.

### **DEPARTMENT REPORTS:**



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1. **Sheriff's Report.** LCSO Sergeant Klein reported that for the month of April there were 2 traffic citations, 4 warnings, and 7 hours of work for a felony arrest. He stated that for all investigations, it does take time away from patrol and traffic hours. If children and DHS are involved, that can take quite a bit of time as well. Vandalism issues have been up, and that takes a lot of time as well between investigations and report writing, etc.

Klein stated that their report writing system has changed. (McDowell will be sending these electronically due to length of the report.) Klein said that these reports will be summarized and refined in the coming months. Councilor Cole inquired about the vandalism on the increase – any thoughts? Sergeant Klein stated that if it is juveniles, they are referred to the juvenile department, and they decide what course of action to take. If the offense is a felony, they are processed differently. Klein thanked McDowell and Morrow for helping Sergeant Klein in preparing to show a video for court day. Video footage will likely be more prominently featured in court soon, so options for ease in showing video footage in our courtroom will be investigated. McDowell will be in touch with Lieutenant Micah Smith to talk about fiber optics and other options that Brownsville might have. Klein stated that traffic cites are back up to 8 or 9 for the month of May.

2. **Public Works.** Public Works Superintendent Karl Frink reported that the Ash Street water line project is almost complete, just a list of punch items that need to be finished. It is important to remember that the public works standards are a backbone to fall back on with these projects. This project alone validates and shows the need for these standards. Staff will continually compile a list of standards that will need to be addressed and will bring them to Council for future consideration.

DEQ came out and did their inspection for the NPDES renewal process. There were just a few minor adjustments they would like to see made. Sometimes it seems like they require changes, just to validate their inspection, but overall it went well. Councilor Cole stated that it is amazing all the positives and accolades and if the worst is just a few small comments so be it! Great job, Public Works!

Frink stated that he was just informed that Weber will be asphalt coated tomorrow. Also, it looks like a chip seal is scheduled for Gap Road out to Diamond Hill in July. The cemetery cleanup is almost complete, and should be ready for Memorial Day festivities.

3. **Administrator's Report.** Mr. McDowell thanked City Staff for the work they put in. We are fortunate to have folks that care about doing things right. McDowell was recently asked to speak to the national Junior Honor Society at CLHS. He has also been involved in the Carriage Me Back event as an acting coach.

The sewer delinquent accounts page is included as part of the budget hearing, and the LB 50 form, which is forwarded on to the state. Mrs. Coleman has been contacted by Green Cross, and they will be proceeding with paperwork to operate as a recreational marijuana facility.

The juvenile that damaged the Main Street trees was recently released and the case dismissed. This damage cost the City thousands of dollars in staff time and tree replacement costs. This is a classic example of the absence of responsibility and accountability, with no true punishment, which will likely just lead to more vandalism. Perhaps it is time to go up and have a conversation with the County about the situation. It is an interesting equation, and we are not the only one



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dealing with it. LCSO has a program to work off community service hours, and it seems like at a minimum, this might have been an option.

The EPC recently attended a Red Cross training highlighting earthquake preparedness. The group and the City are planning a community showcase evening on August 5<sup>th</sup> in the park. We will BBQ burgers and hot dogs, and have civic organizations set up with information for folks. There will also be a few key note speakers featured. This may turn into an annual event. Councilor Cole thanked McDowell for the memory items included in the council packet every month. It really helps them be able to track back.

4. **Library Report.** Mayor Don Ware commented that we have a very active library.
5. **Court Report.** No comments.
6. **Council Comments.** Councilor Block thanked Mr. Frink for fixing the downtown fountain. The water comes out with too much force. Mr. Frink will look into it.
7. **Citizen Comments.** John Morrison, Brownsville Road, thanked Council for their service. As McDowell stated, he recently showed Chamber the park presentation. This presentation really points out problems that all small communities face. McDowell goes to the COG meetings and has become the outspoken dean. Morrison stated that it would be good if McDowell could get some support from others in voicing these critical issues. Also, Morrison modeled a very nice eclipse t-shirt, and stated they are for sale at the museum.

Kaye Fox, Kirk Avenue, inquired about the status of Kirk Avenue. She stated that there has been interest in the vacant lot next to her house; there is a conflict with the property lines. She also stated that there is a large hole in the City right-of-way in front of her house on both sides of the street.

### **LEGISLATIVE:**

1. **Resolution 2017.09 – Election to Receive State Revenue Sharing.** Councilor Cole moved to approve R 2017.09. Councilor Neddeau seconded the motion, and the motion passed unanimously.

### **ACTION ITEMS:**

1. **Adopt Revised Park Master Plan.** Mr. McDowell stated that Park Board has been working on this plan since January. Mrs. Coleman has helped extensively on the document. Due to its length, this document was provided to Council electronically. Councilor Cole stated that she thought the use of native species in replanting is great. This master plan is a requirement for any grants through OPRD. This document also has value when folks come in with niche ideas, such as skate parks, etc., as we can refer back to it and show that we are looking at the macro picture, not individual wants or desires. Councilor Cole made a motion to approve the Park Master Plan as recommended by the Parks & Open Space Advisory Board. Councilor Gerber seconded the motion and the motion passed unanimously.



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### DISCUSSION ITEMS:

1. **Transient Room Tax.** Councilor Chambers provided a document that she found online at the Oregon Department of Revenue site that shows room tax rates for the state. Last month Mr. Buzzard came before Council stating that he was working on a proposal around the issue. After looking at this rate scale, Councilor Chambers thinks that we should increase the City rate as we are on the low end. Councilor Block agreed. Councilor Neddeau thought that we should keep it where it is, not lower it. Councilor Cole interjected that she thought we should wait for Mr. Buzzard's proposal before taking any action.

McDowell stated that this funding is paid directly to the Chamber of Commerce promoting tourism and encouraging visitors to our town. Tricia Thompson was present, and spoke as an Air B&B owner in town. She thinks that it is an unfair tax. She stated that all the eateries and everyone who benefits from visitors to town should be paying this tax, not just the lodging folks.

Chamber President Morrison spoke next and stated he was in favor of taxing everyone for everything! He said that he had a part in writing this legislation for the City. He recently stayed in Chicago where the room tax was actually more than the room rent! He said 99% of folks charge it separately and most guests understand that it is a standard accommodation tax, and don't quibble over the few dollars that it costs here. He said that perhaps the Chamber could promote the lodging folks more. Several Chamber-sponsored events bring guests into town for lodging as well. Council will table the item for now.

2. **April Financials.** No comments.

**CITIZENS COMMENTS** – No comments.

**COUNCIL COMMENTS** – No comments.

**ADJOURNMENT:** Councilor Gerber moved to adjourn the Council meeting at 8:17 p.m. Councilor Cole seconded the motion, and it passed unanimously.

Handwritten signature of S. Scott McDowell in blue ink.

City Administrator S. Scott McDowell

Handwritten signature of Don Ware in black ink.

Mayor Don Ware