



# Council Minutes

February 22<sup>nd</sup>, 2022

**ROLL CALL:** Mayor Don Ware called the meeting to order at 7:00 p.m. in the Community Room with Councilor Thompson, Councilor Hansen, Councilor Humphreys, Councilor Craven, and Councilor Neddeau present. Councilor Chambers was excused. Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, Administrative Assistant Elizabeth Coleman and City Administrator Scott McDowell were also present.

**PUBLIC:** Alice Tetamore, Kathleen Swayze, John Claasen, Dan Murphy, Sue Frasier & Jenna Stutsman (*Brownsville Chamber of Commerce*), Michael Grove (*Sweet Home Sanitation*), Sheriff Michelle Duncan & Deputy Steve Frambes (*Linn County Sheriff's Office*), Tia Parrish (*The Times*), Yolonda & Rick Tauzer, Danielle Myers & Jenna Stutsman (*Brownsville Chamber of Commerce*), Librarian Sherri Lemhouse, and Karly Geider (*Central Linn School District*) present.

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** Mr. McDowell reported that additions tonight include the February 17<sup>th</sup>, 2022 Goal Setting meeting minutes, provided for Council approval prior to the meeting.

**MINUTES:** *Councilor Neddeau made a motion to approve the January 25<sup>th</sup>, 2022 minutes as presented. Councilor Humphreys seconded the motion and it passed unanimously.*

Councilor Thompson made a comment about certain phrasing, and the use of the word symbolic. She had no correction to offer.

*Councilor Humphreys made a motion to approve the February 17<sup>th</sup>, 2022 Goal Setting minutes as presented. Councilor Thompson seconded the motion and it passed unanimously.*

## **PUBLIC HEARING | PRESENTATIONS:**

1. **Central Linn Elementary School Request | Karly Geider.** Karly Geider, Wellness Coordinator, was present to ask Council permission to hang artwork on the front side of the City Hall building or on the lampposts throughout town. Councilor Neddeau asked if she had approached businesses in town for her project? Councilor Hansen stated that it would probably be a more agreeable approach to talk with the businesses. Hansen would also like to confer with Staff about the request prior to making a decision. Ms. Geider stated that she thought having the art throughout town would be best for the kids.
2. **Calapooia Food Alliance (CFA) | Kathleen Swayze, Treasurer.** Mrs. Swayze stated that Council was provided a letter in the agenda packet from the CFA. Swayze stated that they appreciated working with the City over the past market season. (Per agreement, the CFA relocated the Thursday Farmer's Market to Kirk's Ferry Park.) Mrs. Swayze requested some park improvements before the next market season. CFA would like a ramp cut into the bank to make it easier to get over the bank. They would also like the City to help fund a portable toilet for the area. (Swayze stated that CFA would cost share a small amount.) Mrs. Swayze also stated that the CFA would do some of the work if the City provided equipment and materials. She would also like to



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request that if play equipment is removed from Pioneer Park, that it be relocated to Kirk's Ferry Park.

Swayze stated that the deadline for the ramp is April, but the portable toilet deadline is June.

Councilor Hansen asked if the vendors have to go up over the bank or do they go around? Mrs. Swayze replied that the vendors do have to go up over the rise, and the customers do as well. The bank is a deterrent for folks. Swayze stated that folks could go around by the jail, but it is not ideal, and is rough due to gravel.

Councilor Craven asked Mrs. Swayze that what CFA is asking is improvements, or enhancements to the park? She said yes, if you like. She said that CFA is asking if they are allowed, and can they make that ramp, and if so, CFA would do it, but would like some help with the projects with equipment and gravel.

Craven stated that on page 2 of the agreement, it is specifically stated that "during this initial trial use of public space, future improvements will not be considered." Mrs. Swayze responded that the agreement was for the first year, and this season will be the second year, so that is why she is asking.

Councilor Craven asked what percentage of the population uses the Thursday market? Swayze stated that it would be hard to determine that exactly. He asked how many folks attend the market on a weekly basis? Swayze stated that they don't actually click it off, but it is probably a couple hundred folks.

Swayze stated that this location seems to be a lot more popular. Councilor Craven said that he thought it sounded like Kirk's Ferry Park is perhaps not the ideal location, as is.

Councilor Hansen stated that he does understand that it would be challenging for disabled folks even with a gravel path and no easy access to restroom facilities. Craven stated that grass is challenging as well.

Swayze stated that she agreed with Councilor Hansen, and that the location was chosen because it could accommodate the market in the quickest time frame and was the least expensive.

Mayor Ware stated that Council would get back to her. Mrs. Swayze stated that she would like an answer within a month.

3. **Sweet Home Sanitation (SHS) | Michael Grove.** Site manager Michael Grove stepped to the podium and stated that he was here to talk trash! He said that the rate increase would equal out to be about 4.94%, roughly \$1.50 - \$1.80 increase for most commonly used trash can sizes. The Household Hazard Waste (HHW) fee on each billing will go up about ten cents. *Councilor Hansen made a motion to approve the proposed rate increase. Councilor Craven seconded the motion and it passed unanimously.*

Mr. Grove stated that the recycling market is stagnant, but SHS continues to look for the best ways to recycle.

Mr. McDowell stated that SHS has been the City's trash hauler for a very long time. He confirmed with Mr. Grove that the annual Cleanup Day will be scheduled in April.



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McDowell also complimented the SHS drivers. They perform consistently and courteously, and that is very appreciated. The City rarely fields complaints about the service and the drivers are a huge part of making that happen.

Councilor Hansen agreed with McDowell's statements, and Councilor Thompson offered a positive comment in regards to recycling glass. She stated that she felt their service level is above and beyond.

4. **Chamber of Commerce | Danielle Myers & Jenna Stutsman.** President Danielle Myers and Vice President Jenna Stutsman were present on behalf of the Brownsville Chamber of Commerce. Ms. Myers talked about the Chamber-sponsored summer flower baskets that adorn the town from June – October. They no longer have an ambassador that coordinates this project. Donations and costs, including purchasing, hanging, and watering, were discussed. The current waterer is retiring. The annual costs are around \$6,200. Last year the Chamber only hung 20 baskets instead of the normal 32, to try to cut costs. Overall Ms. Myers reported that the Chamber realized a shortfall of about \$2,000 for the project last year.

Ms. Myers reported that Covid has taken a toll on the Chamber. Their annual budget relies on membership dues, Transient Room Tax, and events, such as the Pioneer Picnic Breakfast and the Antique Fair, and without financial assistance, the Chamber can no longer sustain the flower basket program. Mayor Ware stated that is sounded like a reasonable decision.

Ms. Stutsman stated that the decision was not made lightly. Everyone appreciates the beautification downtown. She also stated that she feels the Chamber has a duty to support businesses more than just being flower basket ladies.

Councilor Craven inquired if this project is something the Chamber will pick back up, contingent on revenues picking back up? Ms. Myers stated that the Chamber needs to step away from it, at least this year, and likely next year too.

Chamber budget over the last few years was discussed. Councilor Thompson asked how many current memberships do they have? Ms. Myers replied that they have 58 current members. Councilor Thompson also asked if they have had much push back when the dues rates were doubled this last year. Ms. Stutsman replied in the negative; Brownsville remains far cheaper than most other chambers. Councilor Hansen remarked that the percentage increase was large, but the dollar amount is nominal.

5. **City Website Review.** McDowell stated that due to the lateness of the hour, Council will review the City website next month.

### **DEPARTMENT REPORTS:**

1. **Linn County Sheriff's Office (LCSO) Sheriff's Report.** Sergeant Steve Frambes was present to report for the month. He stated that LCSO served Brownsville for 44 hours over contract for January. He also reported that the big call was a carjacking robbery that happened near Kirk's Ferry Trading Post. The crime was not committed by a Brownsville person, and the individual allegedly committed other crimes on the way to Washington. Frambes also reported that LCSO has seen an uptick in property theft. Recently an ATV was stolen, and a "skinny or shaved" key was used. These special keys can start multiple vehicles, and it is a growing crime trend.



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Sheriff Michelle Duncan was also present. She stated that her goal is to make one or two Council meetings a year.

Duncan stated that as acting Sheriff, she has three basic goals. Her first goal is staffing. LCSO is short 9 employees in patrol alone, and today's workforce is a tough environment. They recently held a hiring event and received quite a few applicants from that process. Sheriff Duncan is hopeful that they can hire and retain some qualified folks.

Sheriff Duncan's second goal is to create a mental health crisis center, sometimes referred to as a stabilization center. She stated that we are definitely experiencing a lot of mental health issues in Linn County. In some instances, these folks are terrorizing the community. She explained the process for dealing with these types of issues and the resources needed to facilitate it. Duncan stated that a stabilization center would create a better option for folks, as it is a place that can deescalate them, and then be able to provide some treatment. LCSO is starting this program with some State funding, and it would apply to minor crimes only.

Duncan's third goal is forming a peer support group around employee wellness. LCSO is trying to partner with the Albany Police Chief to double resources for this program. This partnership will provide highly trained folks to focus on this issue.

Another thing to note is that LCSO is restarting our Citizen's Academy. Sheriff Duncan encouraged everyone with an interest to participate. The classes this time will be held in the evenings.

Sheriff Duncan reported that LCSO is in negotiations now with the union. There will be an increase in the contract, but it is unclear just yet what that number will be.

2. **Public Works (PW).** Superintendent Karl Frink recapped activities and projects for the month.

Frink reported that the park well failed. PW replaced the pump, but the well is no longer producing as it should. Frink has scheduled a company to come in and blow the well out. This procedure will create a geyser in the park, which is part of the process. Frink is hoping for great success from the process which includes blowing out the screens and filters, etc. If the process goes well, Frink may have the other City wells done too.

Mr. Frink reported that he continues to work on the water conservation plan, a State requirement.

PW has been discharging from the north lagoon. This discharge will continue until the lagoon gets down to the optimum level, approximately 3 feet. The City will likely discharge again before the April 30<sup>th</sup> deadline per our NPDES permit.

The Downtown Sanitary Sewer project (DTSS) is finishing up. There is some landscaping that needs to be finished along with a few punch list items.

3. **Administration.** Mr. McDowell shared the Oregon Cascades West, Regional Housing Discussion flyer with Council, if anyone was interested in attending see him after the meeting for details.



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Mr. McDowell and Mayor Ware recently attended a League of Oregon Cities (LOC) meeting in Halsey. The meeting was to discuss the search for their Executive Director and LOC lobbying efforts. Folks at the meeting expressed their frustration around the lack of lobbying efforts for the small cities. There were several good constructive ideas presented for improvement. The group hopes that the new Executive Director will focus a lot more energy lobbying for small cities instead of public relations for the LOC.

McDowell reported that Brandon Sofge, Vantaggio, will be installing a new firewall at City Hall this week, addressing cyber security needs and overall network security.

McDowell stated that Cyrus Ward, our longtime audit team leader, has taken a new position with a different firm. Mr. Ward had dialed the in-house audit work down to 2.5 days instead of the usual 5 days. The City will have a new audit team leader this year, which always causes a lot of extra effort and time by Staff.

McDowell reported that Cami, our main Harris utility software support is no longer with the company. The City will rely on other technicians within the company. Harris Computer Systems is based on the east coast; Cami was our only west coast trouble shooter. She will be sorely missed by the City.

McDowell reported that the DTSS project has finished up. There are still several loose ends that need to be addressed. The City engineer is working on the final change order, and that will be brought to Council for approval when completed.

McDowell reported that Jonathan Dunn, Woodblock, architect for Central Linn Recreation project, will soon be going over the initial rundown on the building.

Mr. McDowell reported that Matt Coleman, Alyrica, has been in touch informing the City that they will be starting phase 2 fiber installations soon. This phase will again create a lot of extra work for Public works with locates, etc. Mr. Coleman indicated that Alyrica will be sending out letters to folks to get the drop into the house installed for free during this phase (usually a \$450 cost).

McDowell reminded Council that the City has been working extensively with the City engineer, The Dyer Partnership. Projects include the recent DTSS project, creation of new Public Works standards, GR 12 well parameters, and they are also looking at current and future utility capacity issues.

Mr. McDowell informed Council that he and Mrs. Morrow are starting to work on the budget for the next fiscal year.

McDowell informed Council that he asked the Chamber to come to Council a few times a year and report out to Council.

Last month Emergency Preparedness Committee (EPC) President Norman Simms encouraged Council to take the NIMS (National Incident Management System) training online through the FEMA website. Mr. McDowell sent a link out to Council to the training website. He has fielded a few questions on it. If you need further assistance, please contact Mr. McDowell or Mrs. Morrow.

In other EPC news, the City will be sending out community partner letters again to re-engage folks (reference R 2017.19). Basically, the intent is to engage folks that could aid in the operation of the City in an emergency situation. These community partners include equipment operators, nurses, and businesses that could offer supplies. We send out a letter every other year, and will be sending letters again soon.

Mr. McDowell reported that Valley Telephone Services (VTS) has been engaged to install an electronic door on the CLRC. There will be training for Staff soon.



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Mr. McDowell stated that the Pacific Power franchise agreement has been dragging on for a number of months. It is currently under review with their attorney.

Mr. McDowell and Councilor Craven are working on the Brownsville Canal Company project, which is basically forming an agreement. More information will be brought to Council when available.

A disturbance was heard in the back of the room. Councilor Craven called for a point of order from Mayor Ware for a side conversation. Mayor Ware addressed the situation, asking for the side conversion to stop.

Mayor Ware and Mr. McDowell visited the cemetery recently, and that visit culminated in the ordinance in Council packet tonight.

Mr. McDowell reported that Covid-19 has run through a number of the D-Prep participants, and delayed the group moving forward. It will likely be mid-March before interviews are held with the 4 vendor finalists.

McDowell reminded Council that he, Councilor Craven, and Councilor Hansen will be meeting with Linn County District Attorney tomorrow.

Mr. McDowell informed Council that the ROI grant resolution showing that the City will serve as a pass-through agency is the packet tonight for Council consideration.

McDowell stated that there is a policy FYI in the packet this month. The latest controversy is packet availability. McDowell publishes the agenda packet on the Thursday before the Tuesday Council meeting each month, which is earlier than most all other cities. You can find the packet online; the process is very transparent. The website has a wealth of information for everyone. The public receives the information at the exact same time Council members receive the information.

Mr. McDowell presented slides of the finished Remington park project. The amenities include a natural play structure, doggie waste bags, garbage can, signage, and a concrete picnic table and bench. Total project cost is \$53,715.17. All projects on public land have to be done with high standards, unlike a typical backyard project.

4. **Planning.** Mrs. Coleman was present to give a quick synopsis of planning for 2022. It has been very busy with fence permits, plumbing, etc. Mrs. Coleman takes phone calls from folks continually. This takes the bulk of her time. She thanked Council again for adopting the Public Works Standards. These standards help her and PW immensely while dispensing their duties. Mrs. Coleman has had a lot of fence permit requests from the new subdivision; those houses are pretty close in proximity, so privacy is important, as one example.
5. **Library.** Mrs. Sherri Lemhouse was present. She disappointed Council when she informed them that she would not be singing a ditty. She expressed her appreciation for serving the City of Brownsville for 13 years! Mrs. Lemhouse reported that as Covid is nearly over, the library programs will be picking back up. Mrs. Lemhouse will be starting a "seed library" soon. Master Gardner Don Lyon will be offering training on seed planting as well. Mrs. Lemhouse was recently contacted to participate in a drug take back event. Basically, the library has prepaid envelopes that folks can use to mail unused or unwanted prescription drugs to a facility in Indiana where the drugs will be destroyed. It is a Federal program. Please visit the Library if you would like an envelope.
6. **Court.** No comments.



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7. **Council Comments.** No comments.
8. **Citizen Comments.** Kathleen Swayze, Main Street, stated that she felt that Councilor Craven's speech last month was inappropriate. She stated that Council members should listen to each other and try to find common ground. Witness the 12+ community members at the January meeting. (Mrs. Swayze's statement is attached to these minutes.)

Yolonda Tauzer, Kirk Avenue, stated that February is Black History month. She wanted to acknowledge the life of Cora Cox as the first black woman to own property in Brownsville in the mid 1800's. Mrs. Tauzer encouraged Council to visit the exhibit on display now at the Brownsville Linn County Museum. She also suggested that Council should pass a resolution to honor Black History month next year. (Statement attached to these minutes.)

Mr. John Claasen, Oak Street, asked some questions about the CFA's Farmer's Market. He does not think that the citizens should be paying for the improvements to the park for this event. Perhaps CFA could charge the vendors and use those funds to make upgrades.

### **LEGISLATIVE:**

1. **Resolution 2022.05 | Write off Long-Term, Outstanding Balances on Certain Utility Accounts.** Councilor Humphreys moved to approve R 2022.04. Councilor Thompson seconded the motion and it passed unanimously.
2. **Resolution 2022.06 | DTSS Change Orders.** Mr. McDowell stated that this may not be the final change order for the project, due to landscaping that still needs to be completed. Overall, the City was fortunate that when the contractor ran into the old heating tank that the associated costs were not higher. The City also received a credit back from the contractor. Councilor Craven moved to approve R 2022.06. Councilor Neddeau seconded the motion and it passed unanimously.
3. **Resolution 2022.07 | Business Oregon ROI Grant.** Councilor Craven moved to approve R 2022.07. Councilor Thompson seconded the motion and it passed unanimously.
4. **Ordinance 787 | Cemetery Provisions (First Reading).** Councilor Neddeau moved to read O 787 by title only. Councilor Hansen seconded the motion and it passed unanimously. Mayor Ware read ordinance by title only. The ordinance will come to Council next month for the second reading.

### **ACTION ITEMS:**

1. **Adopt Board, Committee & Commission Application.** Councilor Thompson and Councilor Hansen thought that the application was well done. Councilor Thompson moved to approve the application. Councilor Neddeau seconded the motion and it passed unanimously.
2. **Municipal Court Options.** McDowell reported that Court Clerk Carol Humphreys will be retiring as of June 30<sup>th</sup>, 2022. McDowell suggested Council consider moving the municipal court over to the Lebanon Justice Court. The City of Halsey did that about 5 years ago, and it has worked well for them. Overall, it would save the City money and the associated, complex tasks. Councilor Hansen asked if Mr. McDowell had checked with the City Attorney. McDowell answered in the affirmative. Councilor Thompson made a motion to send Mr. McDowell forth. Councilor Neddeau seconded the motion and it passed unanimously.



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## **DISCUSSION ITEMS:**

1. **OGEC (Oregon Government Ethics Commission).** McDowell reminded Council that they will be getting an electronic notification soon for the annual OGEC filing. The City will not get notification. Please let Mr. McDowell or Mrs. Morrow know when you have successfully completed this process. The City can incur fines if the ‘paperwork’ is not completed by the due date. This process applies only to Council, the Planning Commission, the City Judge, and the City Administrator.
2. **Annual Council Goals Review.** The Council Goals Retreat was held on February 17<sup>th</sup>, 2022. Mr. McDowell asked if anyone has any questions, thoughts, or comments.
3. **January Financials.** No comments or questions.

**CITIZEN QUESTIONS & COMMENTS.** Yolonda Tauzer, Kirk Avenue, expressed her consternation and concern about Councilor Craven’s statement last month stating, “It brings me comfort to serve along others who are committed to honoring the preservation of our freedoms, which are not granted by flesh, and shall not be taken by flesh.” Mrs. Tauzer is concerned that this statement is some sort of biblical reference, or physical reference? She is deeply concerned about such a statement and requests clarification. Even though everyone has 1<sup>st</sup> amendment freedom of speech rights, Mrs. Tauzer encouraged Council members to refrain from using such provocative language.

**COUNCIL COMMENTS.** Councilor Hansen stated in response to citizen’s comments that “Flesh” was a direct reference to the Declaration of Independence. It is the principal upon which our country was founded; that our rights are not granted by men, but they are granted by God. The Declaration clearly states that we all have inalienable rights, which include life, liberty, and the pursuit of happiness. Hansen stated that Councilor Craven’s comment were just an expression of his appreciation for Council passing resolution 2021.25, whether you agree with it or not. It is very clear if you read the founding documents of our country, this is the principal upon which our country is founded.

Councilor Craven expressed his appreciation for Councilor Hansen’s clarification.

**ADJOURNMENT:** *Councilor Neddeau made a motion to adjourn at 8:48 p.m. Councilor Craven seconded the motion and it passed unanimously.*

**ATTEST:**

\_\_\_\_\_  
City Administrator S. Scott McDowell

**APPROVED:**

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Mayor Don Ware