



Council Minutes

April 25th, 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 (*LC*SO), Elizabeth Coleman, Jannea Deaver, Jorden Parrish (*The Times*), John Morrison, Kim Clayton, Allen Buzzard, Austin Hunsaker, Madeline Decker, JoAnn Neddeau, Katie Cheney, Alice and Roger Tetamore, Edward Sherwood, and Phil and Kaye Fox.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell would like to add Katie Cheney to the agenda to discuss the CLRA basketball program. McDowell also add a discussion about planning issues with Administrative Assistant Elizabeth Coleman. McDowell also noted that Council has new chairs; they are adjustable up and down, forward and back. There is a new City medallion on the wall, thanks to Staff, Administrative Assistant Tammi Morrow and Public Works Superintendent Karl Frink. Special thanks to Mr. Floyd Corbett for some fancy welding. Council will notice new coasters. Coasters have been disappearing, so Staff implemented paper cardboard coasters. The new goal board has also been hung on the wall.

MINUTES: Councilor Cole made a motion to approve the March 28th, 2017 meeting minutes as presented. Councilor Shepherd seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Linn County Mental Health Month Proclamation – Katherine Henderson.** Katherine Henderson thanked Council for their past support of Mental Health Month. Henderson requested support again this year asking Council to proclaim May as Brownsville's Mental Health Month. Ms. Henderson is taking this message all across Linn County. She would also like to bring the mental first aid training to Brownsville in the future.

Mayor Don Ware proclaimed May 2017 as Brownsville's Mental Health Month.

2. **Transient Room Tax Proposal – Allen Buzzard.** Mr. Buzzard initiated a discussion with Council surrounding transient room tax, air B&B's, and other forms of accommodation. He will be providing Council with a formal proposal on the topic and wanted input from them on what data they would like to see included. Council questions focused on surrounding local TRT rates and how a proposed tax reduction might be recoverable for the Chamber of Commerce who would be directly impacted by a reduction. Councilor Chambers congratulated Buzzard on establishing himself as a successful Air B & B owner.
3. **CLRA – Katie Cheney.** Mrs. Cheney currently serves as the Basketball Director for the CLRA. She stated that there were 108 children signed up for basketball, and the season consumed over 800 volunteer hours. She expressed appreciation for City Hall Staff for helping with registration. She is hoping that next year all



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registration will be happening online. McDowell expressed his appreciation to Mrs. Cheney for her professionalism and outstanding organizational skills she brings to the program.

DEPARTMENT REPORTS:

1. **Sheriff's Report.** LCSO Sergeant Klein reported that they have fulfilled 205 hours for the City with 20 traffic citations, 10 warnings issued, and 8 hours dedicated to traffic. They have recently cited 1 dog owner, and is sending out emails reminding the deputies to be watching for loose dogs as the weather improves. Klein also stated that they have been receiving complaints about marijuana. They will investigate those complaints and do call and get confirmation from OMMP to make sure folks are registered and legal.
2. **Planning.** Mrs. Elizabeth Coleman expressed positive outcomes on recent policy changes that have occurred. At first residents and contractors were resistant to the idea of standards, but as Staff works through the process with applicants they have a changed perspective. Coleman has received a lot of positive reinforcement from applicants. People are beginning to understand that policy changes and standards are for their protection as well as the City's. Mrs. Coleman stated that having these standards has really been great and it has allowed her to apply the rules equally. She is feeling very encouraged about the whole process. When folks call and request information, she now has standards to send out that cover sidewalks, streets, sewers, and other appurtenances. Councilor Cole asked what she would like to see from Council in the future. Mrs. Coleman stated that policy is critical and that Staff looks for direction from Council as needed when moving through the policies and processes. One of her goals is to have applications on-line so that folks don't always need to come see her before getting the information that they need. Potentially this could save a lot of Staff time if folks are more prepared when they get to City Hall.
3. **Public Works.** Public Works Superintendent Karl Frink reported that the last few weeks have been quite busy; lots of mowing, a couple of water leaks, and the installation of the new water line on Ash Street have been his main focus. A developer is adding three more homes on Ash Street, and as the water line was undersized for the development, a new larger water line has been installed and also a new sewer line. ExcaDrain is the contractor, and has passed all testing, so they are now in the process of connecting new lines to existing services. The old line will be abandoned.

Public Works continues to discharge from the WWTP. The last allowed day is April 30th. This year it is likely that the City will have to run irrigation to discharge the extra water load. DEQ has issued the city's NPDES permit; they will be out for an inspection on Thursday, April 27th, 2017. PW has graded all streets in town and arrangements have been made for street lines to be repainted this Spring; as soon as staff time and weather allows. Councilor Shepherd asked for Mr. Frink to check the parking lines on Park Avenue next to the picture gallery. Shepherd reported one side of the street is sized too small for even an average size car.

Frink reported that PW is struggling to keep up with the park right now. Vandalism seems prevalent again, so that has caused some extra repair. It has been too wet to mow the cemetery yet, but they are hoping to get that done before Memorial Day Weekend. Gutters at City Hall have been replaced. Councilor Neddeau asked about



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further erosion in the Park. Frink responded that it has gotten much worse; they have taken down the caution tape and installed construction fencing.

4. **Library Report.** No comments.
5. **Administrator's Report.** Mr. McDowell reported that he recently witnessed youth exhibiting suspicious behavior in Library park near the Museum. He went around the block and then found them climbing underneath the Museum's railroad cars. He asked them to clear the area, which they did. He would like to remind Council to keep an eye out when you're out and about. The past few years have been filled with vandalism to our public facilities and all we can do collectively to minimize damage is helpful. Report to Linn County Sheriff as needed.

The Go Team and COG have moved some pieces regionally. Several players are possibly coming together to do some great things. McDowell thanked Council for the recent letters written in support of recreational immunity. The bill came out of the Senate in unanimous support to restore. It is now in the House. Mayor Don Ware recently talked with Phil Barnhart and he was encouraged that it would pass the House as well. It is too early to tell just yet; more letters may be needed.

The Drug Takeback Initiative is happening here at City Hall on April 29th from 12:30 – 1:30 p.m. This is a safe way to dispose of pharmaceuticals that are outdated or no longer needed. Doris Johnston from Pacific Power recently retired. Her replacement, Allen Meyer stopped in and provided literature on where we get our power. They have a strong commitment to wind and solar and are actively working towards those goals. There is information downstairs if anyone is interested.

The OGEC process is complete. Only one official had his paperwork rejected; overall, the process seemed to work better than last year. Mr. Frink and Mr. McDowell receive an average of one email a week around TMDL with new things to do. They will respond with a packet of what is actually happening. In the past many of Staff's concerns were dismissed by the EPA as not happening, and now we have evidence to the contrary. It is imperative to remember that Brownsville has no storm water system and no funds with which to implement TMDL.

Staff has recently entered into an agreement with COG to upgrade the City's general ledger and utility billing software with Accela. Staff will be starting on the conversion in May and June, and will be very busy with that project and others. McDowell will be unavailable without an appointment in order to complete all projects before fiscal year end, June 30th. Central Linn Community Foundation will be hosting a thank-you dinner, invitations for Council are on your desk. The League of Oregon Cities was recently hacked with a phishing scam; this seems to be happening more and more and are very concerning.

McDowell reminded Council that the first budget meeting is scheduled for this Thursday, April 27th, 2017. Councilor Gerber is out of town, and Kim Clayton will be joining the group.

6. **Library Report.** No comments.
7. **Court Report.** No comments.
8. **Council Comments.** No comments.



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9. **Citizen Comments.** No comments.

LEGISLATIVE:

1. **Resolution 2017.08 – State Shared Revenue Verification of Services.** *Councilor Gerber moved to approve R 2017.08. Councilor Cole seconded the motion, and the motion passed unanimously. McDowell commented that this funding is dwindling, down to about \$26,000 from \$48,000 ten years ago.*
2. **Ordinance 767 – Public Parking (Second Reading).** *Councilor Gerber moved to read O 767 by title only. Councilor Cole seconded the motion, and it passed unanimously. Mayor Don Ware read the ordinance by title only. Councilor Shepherd moved to approve O 767. Councilor Chambers seconded the motion, and the motion passed unanimously.*
3. **Older Americans Month Proclamation.** *Mayor Don Ware proclaimed May 2017 as Brownsville’s Older American’s Month.*

ACTION ITEMS:

1. **Linn County Sheriff’s Contract.** Mr. McDowell has been working with joint regional small cities in an effort to gain more services and/or reduce costs of the LCSO contract. He and Mayor Don Ware would like authorization to sign said contract when finalized. *Councilor Cole made a motion to authorize the Mayor and the City Administrator to execute this agreement as necessary. Councilor Shepherd seconded the motion and the motion passed unanimously.*
2. **Brownsville Parts and Service – Road Closure Request.** *Councilor Gerber moved to approve this road closure. Councilor Shepherd seconded the motion and it was approved unanimously,*
3. **OLCC Renewals.** *Councilor Cole made a motion to approve OLCC renewals. Councilor Gerber seconded the motion and the motion passed unanimously.*
4. **Meal on Wheels Request.** *Councilor Cole made a motion to approve \$1,100 for the Meals on Wheels Program for this year due to Federal cutbacks and financial shortfalls. Councilor Gerber seconded the motion and the motion passed unanimously.*
5. **Alley Vacation Request.** Staff would like to recommend vacating the alley at 210 School Avenue requested by owner Joe Lynch. This alley was created long ago and was called a “pig alley” which basically facilitated moving livestock through town. Most cities have since vacated these alleys. This particular owner when building his house was forced to comply with standards that would support 3 residences on the property. This vacation would be in line with that plan and those standards. *Councilor Cole made a motion to approve this alley vacation. Councilor Gerber seconded the motion. The motion passed unanimously. Councilor Shepherd asked if Mr. McDowell is certain that the City will not need*



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this property. McDowell responded that basically it is an eight-foot-wide easement and for all intents and purposes is not usable. In the past, the City has vacated easements and, in some cases, right-of-ways that were later needed, this is certainly not the case here.

DISCUSSION ITEMS:

1. **Policy and Planning Considerations.** McDowell stated that Council has been doing a great job in relation to policy decisions lately. They have clarified rules to preserve peace and safety. There are a lot more policies to review and update. Councilor Cole and Councilor Gerber are currently working on health and safety in relation to nuisances. Councilor Block and Councilor Chambers are working on RV's. Staff hopes to have some of this information to Council by May for review. June is stacked with the software conversion and fiscal year end. It is extremely important for Council to remember that policy is one of the most important responsibilities in their role as a Council, but that it will take time to get through the needed work. The new goals board is on the wall. McDowell would like Council to dial in the policy document. Council should provide some direction and focus and be prepared to discuss it at the next meeting. Council will also need to spend some time and thought around planning future projects such as the park buildings, CLRC, telecommunications, and upcoming water system improvements. McDowell has also been approached with additional, miscellaneous community projects. McDowell said that it is important for residents to remember that there is a process for Council considering such items. The process must be followed for proper consideration. There are many projects that the City has taken on from the past. These historical projects have merit and add to the livability of Brownsville, but they will need to be prioritized.
2. **Odor Complaints.** McDowell has recently received marijuana odor complaints. Spring and Fall are marijuana harvest seasons according to OLCC. Odor complaints are hard to deal with and properly address. Sergeant Klein has addressed a few, and he said LCSO has contacted OMMP to make sure that the folks had the proper licensure, but beyond that there is not a lot that they can do. McDowell has contacted OMMP as well, and they really had no recommendations for resolution on these issues. Odor complains are extremely subjective.

Last year the south lagoons water level fell very low due to the extremely dry weather, dispensing a fairly strong odor. This year Mr. Frink and Mr. McDowell had a preemptive conversation with AMI about possible odor concerns this coming year.

3. **Alyrica.** McDowell followed up on a Council conversation initiated in November around the possibility of Alyrica coming to town to provide broad band internet services. Alyrica is currently in Halsey and getting services to each household. Through CenturyLink the City basically has DSL. Fiber optic is the highest speed you can have. The cost will likely be higher, but you will have much greater internet speeds and, hopefully, better reliability. McDowell is encouraging folks to contact Alyrica and let them know that we are very interested in having them in our



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community. He hopes to have a link on the website soon to facilitate this process. Alyrica said they will be in touch on a reporting method.

4. **March Financials.** No comments.

CITIZENS COMMENTS – Kaye Fox, Kirk Avenue, was present and stated that she is in support of the Meals on Wheels program contribution. She suggested that we ask for our donation of funds to be used within our city when giving to the Cascades West Council of Governments.

COUNCIL COMMENTS – No comments.

EXECUTIVE SESSION – Council entered into executive session at 8:24 p.m.


- Council will be discussing a real property transaction.
- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session.
- A final decision may be made after this Session.

Councilor Cole moved to exit executive session at 8:37 p.m. Councilor Gerber seconded the motion, and it passed unanimously.

Executive session adjourned at 8:37 p.m.

Councilor Gerber moved to authorize McDowell to go forth with a courtesy letter surrounding a real property transaction. Councilor Shepherd seconded the motion, and it passed unanimously.

ADJOURNMENT: *Councilor Gerber moved to adjourn the Council meeting at 8:38 p.m. Councilor Block seconded the motion, and it passed unanimously.*



City Administrator S. Scott McDowell



Mayor Don Ware