



On May 24<sup>th</sup>, 2016, Council approved Councilor Gerber to review the audio recording of the public hearing regarding the Central Linn School Board Bond Measure which was on the agenda for the April 26<sup>th</sup>, 2016 Council meeting. Councilor Gerber expressed a strong interest to include all testimony from that specific public hearing be captured exactly as was stated by all participants. Council asked Councilor Gerber to include the addendum for approval at the regularly scheduled Council meeting which is June 28<sup>th</sup>, 2016.

A handwritten signature in blue ink, appearing to be "SM", is written above the typed name.

S. Scott McDowell  
City Administrator/Recorder



## Council Minutes

April 26<sup>th</sup>, 2016

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

**PUBLIC:** Randy & Staci Belcastro, Doug Block, Kim Clayton, Linda McCormick, David & Lisa Goracke, Mike Smith, Travis Hewitt, JoAnn Neddeau, Stacey Meneses, Sgt. Greg Klein (LCSO), Jannea Deaver, Sarah Neuschwander, Gary Mazarason, Jeff and Brenda Hetterle, Louis Gerber, Brian Tenbusch, Cheryl Haworth, John Morrison, Kirt, Davin and Grace Glenn, Joe & LeAnne Ervin, Joey Running, Marilyn Grimes, Allen Buzzard, Kaye Fox, June Schlosser, Eric Gerber, Karen and Wayne Grant, Skip Smith, Blaine and Katie Cheney, Mark Penrod, John Cavill, Jon, Johnna, and Jessica Neal, Elizabeth Coleman, and Alex Paul (*Democrat Herald*).

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** McDowell informed Council that he will be adding R 2016.11 OPRD grant and also adding a discussion about a street sign on Kirk Avenue at the request of Councilor Shepherd.

**MINUTES:** Councilor Van Sandt made a motion to approve the March 22<sup>nd</sup>, 2016 meeting minutes as presented. Councilor Chambers seconded the motion, and it passed unanimously.

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

**Catherine Henderson, Linn County Mental Health** – Mayor Ware read the Mental Health Month Proclamation. Ms. Henderson was present to thank Council for their support of this mission. She stated that 20% of our community's population lives with mental illness. These people greatly benefit from mental health professionals and the services that they can offer them. She provided Council and Staff with public information for display and dissemination.

**Central Linn School Bond** – Mayor Don Ware informed the audience that Council has set aside one hour for this public forum discussion of the upcoming school bond placed on the May ballot by the Central Linn School Board. If anyone wishes to speak, they must step to the podium, give their name and address, and they will be allotted a three (3) minute time frame in which to make public comment. Please keep in mind that Council will not be giving feedback during this discussion, and this discussion is not a debate forum or format.

Mr. Blaine Cheney, Chairman of the Vote Yes Committee, had asked to be put on the agenda, so he was allotted a seven minute presentation time. He asked Mr. Mark Penrod, CLSD board Chairman, to join him. Cheney thanked the Council, Mayor, and City Administrator for the chance to speak tonight. Mr. Penrod shared the details of the official bond measure and passed out handouts to the Council. He stated that committees have been formed to review the buildings and maintenance practices. He said the buildings are losing ground, and as most of the funding goes toward staffing, there is not enough funding dollars left to fix the buildings. Penrod also stated that there are some grant monies available, but they require matching funds. He stated that CLSD had recently won a "lottery" (out of 28 school districts) from the state that includes \$4 million in matching



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dollars. This was one of the major motivations for the school board to propose this bond at this time. He said the Board looked at several options before finally settling on this proposal which would build a whole new campus, K-12, on the existing high school campus property. A proposal for the Brownsville District Office property has been received, but not formally presented to the Central Linn School Board according to Mr. Penrod. The proposal is for a mixed use of apartments and owner occupied single houses. Mr. Cheney wrapped up his presentation stating that the one thing we can all agree on is that children are our future, let's not forget that their future depends on us as well.

Fire Chief Skip Smith, Halsey-Shedd RFPD, spoke next stating that he has been contacted by many community members asking about the safety of the building. After participating in a recent State Fire Marshal's tour of the buildings, Chief Smith states that the buildings are very safe. He invited two local contractors to review the buildings with him, and while they did find some maintenance issues that need to be addressed, the buildings overall are in good condition, with many years of life left in them. Smith stated that he hates the fact that he is opposite many of his friends and neighbors on this issue. He stated that it is not about voting yes or no on the bond; he believes this issue should not be on the ballot at all.

Jessica Neal, Grace and Davin Glenn (students from CLHS), Linda Cheney, and Stacy Meneses all spoke in favor of the passage of the school bond.

Allen Buzzard and Kaye Fox encouraged Council to remain neutral on this topic as it is outside of City business.

Jeff Hetterle is in favor of the school bond stating that investing in the school will protect our investment in our properties.

Carla Gerber and Nan Van Sandt both spoke in favor of the bond, due to seismic concerns and as the school is a central hub for the community.

Jannea Deaver stated that she had grown up in Southern California, and believes that a big earthquake is going to be devastating regardless of the school building condition. Upon graduation her son was not prepared for entry level college courses, and believes the academics should be addressed before investing \$32.1 million in a new building.

Joey Running spoke next stating that she believes the education at CL is getting better. They have had to supplement the education of her children but states that her family has not abandoned the school district or the community by voluntarily keeping her children here.

Elizabeth Coleman spoke next to concerns she has about abandoning the elementary school in Halsey for a new campus. How will that impact the City of Halsey? Has there been anything put in place to alleviate these concerns for that city?

Mr. McDowell concluded the forum thanking everyone for coming and speaking out on this important issue. He also read into the record a letter from the Ms. Marjean Cline, the Mayor of Halsey, that highlighted their concerns and also clarified for the record that their city has no funding, and therefore no intention, of taking over the abandoned elementary building in Halsey. The meeting was recessed for five (5) minutes.

**Canal Company, Kaye Fox,** – Mrs. Fox stated some of the struggles involving the future of the Canal Company. Mrs. Fox believes it would be in the best interest of the Company to enter into an agreement with the City to bolster the validity of the Canal Company. The annual meeting of the Canal Company is scheduled for May 9<sup>th</sup> at 7:00 p.m. here in Council Chambers. She is asking Council for their support.

### **DEPARTMENT REPORTS:**

1. Sheriff's Report. LCSO Sgt. Klein reported that they have spent 226 local contract hours in March for the City of Brownsville, with 15 hours dedicated to traffic patrol. He also reported on several ongoing complaints/concerns and stated that he is



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working with Staff concerning the recent vandalism in the park. Councilor Shepherd commented that he has heard a lot of complaints over the last 3 weeks with dogs being off leash in the City, seemingly after the dog control deputy has gone off duty. Sgt. Klein requested that Councilor Shepherd get him some times and locations for these occurrences and he would try to address the situation. Councilor Cole stated that there was recently an incident of children on a Moyer House tour being videotaped as they went into the building, making several people concerned and very uncomfortable. It is a public area, she just wanted LCSO to be aware of the situation. Mr. Frink also asked for assistance with a homeless camper in Pioneer Park.

2. Public Works. Mr. Frink reported that Public Works has recently finished discharging for the season. Holloway Heights has been recently graveled and graded. Upcoming paving projects include north Oak Street and Templeton. There will be additional paving on Templeton after July 1<sup>st</sup>. Clint Taskinen has been hired back as a seasonal employee, starting on April 4<sup>th</sup>. The sidewalk project has been mostly completed; a little more needs to be done as weather permits. The front of City Hall project has been finished. A big thanks to Joel Snyder at American Landscaping for helping with the irrigation system. The rest of the Spaulding Street trees will be coming out soon.
3. Administrator's Report. Mr. McDowell reported to Council that the East Linn Cohort 5 have changed their project due to circumstances beyond their control. Mayor Don Ware has been appointed to the Solid Waste Advisory Committee. On May 3<sup>rd</sup>, Mayor Don Ware and McDowell are scheduled to attend a Linn County Commissioner's hearing for the Willamette Country Music Festival in Albany. The first budget meeting is scheduled for this Thursday, April 28<sup>th</sup> at 7:00 p.m. The website will be live on Thursday will all pertinent information. Nuisances are looking good so far, with mowing season beginning on June 1<sup>st</sup>. McDowell recently hosted Dunny Sorensen, CIS, on a tour of the City park system. Recreational immunity was the hot topic. Dunny will get back to us with an exhaustive list of what the City will need to do to provide best City coverage for liability issues. McDowell stated that this is a very concerning issue. Thane Ashcraft has approached McDowell with forming an ad hoc committee to engage some civic groups in hopes of creating a community volunteer task list in an endeavor to form a core volunteer group. It seems that there have been more complaints than normal about building permits within the City lately. Building permit issues fall under the intergovernmental agreement with Linn County. Mrs. Coleman puts together a one page planning and building summary for Council packets. If there are complaints or concerns, please direct those to Mr. McDowell, not necessarily Mrs. Coleman. McDowell thanked Mr. Frink and the Public Works crew for the great job they did on the front at City Hall. Several complaints about the project were heard at City Hall, which is typical with such visible projects. Grace extended to the City and Staff through these projects is very much appreciated. McDowell thanked the office for handling many complaints extremely well this early spring.
4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. Councilor Chambers reported that she had attended the CLRA meeting last night. Mr. Frasier was stating that they are thinking about having physically challenged folks help with the cleaning of that building. They are also trying to locate a coordinator for the Rec Center. One idea was to host an



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University of Portland intern who would work 16 hours per week to fulfill this role. Councilor Gerber would be a key contact for this possibility.

7. Citizen Comments. No comments.

### LEGISLATIVE:

1. Resolution 2016.08 (April 26<sup>th</sup>, 2016): Supporting Central Linn School District Bond Measure. (Tabled from March meeting) – Councilor Van Sandt made a motion to not pass R 2016.08, dated March 22<sup>nd</sup>, 2016. Councilor Cole seconded the motion, and it passed unanimously. Councilor Gerber is in support of vacating the new April resolution. She stated that Council had given folks an opportunity tonight to speak to this issue. Councilor Gerber made a motion to vacate R 2016.08, dated April 26<sup>th</sup>, 2016. Councilor Shepherd seconded the motion. Discussion was called for. Councilor Cole stated that she would vote for this resolution as it stated to the public that Council is taking a stand for neutrality, and it is easier for her to speak to the public about the issue. She is in favor of being explicit. Councilor Chambers agreed with Councilor Cole. Councilor Neddeau stated that some people could take the passage of the resolution it either way due to the way it is written. Councilor Van Sandt stated that she likes the resolution as it is. Councilor Gerber stated that making an overt statement of neutrality does not express her opinion. Councilor Chambers feels like it represents the Council. McDowell stated that regardless if you vacate it or pass it, the corporate body of Council is what you are voting on. Councilor Van Sandt doesn't want to set a precedent for voting on these non-Council issues. *The discussion ended and the vote was called for. Mayor Ware, Councilors Shepherd, Gerber, Neddeau and Van Sandt voted in favor; Councilor Cole and Councilor Chambers opposed. Motion passed 5-2.*
2. Resolution 2016.10: Annual Verification of Services (State Revenue Sharing). *Councilor Cole made a motion to approve R 2016.10 as presented. Councilor Chambers seconded the motion, and it passed unanimously.*
3. Resolution 2016.11: OPRD Grant. *Councilor Cole made a motion to approve R 2016.11. Councilor Chambers seconded the motion, and it passed unanimously.*

### ACTION ITEMS:

1. Linn County Pioneer Picnic Letter. McDowell explained that the letter clarifies the City's stance on this event so that everyone knows what their role/responsibility is. The City has been doing this letter/agreement since 2007. The only change this year deals with camping for the event. The Association will be charged a lump sum of \$500 for the entire weekend. *Councilor Gerber made a motion to approve the letter with the amendment of striking out the "fiasco" part. Councilor Cole seconded the motion, and it passed unanimously.*



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2. Linn County Pioneer Picnic Requests (Street Closure and Gun Demonstration). *Councilor Van Sandt made a motion to approve proposed street closures for the Pioneer Picnic event for 2016. Councilor Gerber seconded the motion, and it passed unanimously. Mr. McDowell reminded Council that the Association's second request is for a gun demonstration in the Park during the event. After conversations with CIS, the City's insurance agent, due to recreational immunity changing dramatically lately and liability factors increasing, our agent took a strong stance against allowing this demonstration on City property. City Attorney Ross Williamson also weighed in against allowing this demonstration because Council would have to change the ordinance in place, etc. Councilor Cole stated that she feels that Council should take a conservative stance. Councilor Cole made a motion to regrettably decline granting permission for the shooting demonstration in the park. Councilor Chambers seconded the motion, and it passed unanimously.*
3. Linn County Sheriff's Office Contract Review. McDowell informed Council that the City is in receipt of the new contract for services from the LCSO. The contract asks for a 5% increase over last year's contract. Services have improved with the department's reorganization efforts, but the City is still experiencing very limited traffic patrol, which adversely affects the City's Municipal Court. The contract represents about 24.1% of the general fund budget overall. Our taxing authority, and therefore our budget, can only increase by 3% each year through property taxes, and with their increase of 5%, this contracted amount keeps taking a bigger and bigger chunk of the general fund budget each year. McDowell recommended having a contingent of the executive body make an appointment and have a discussion with Sheriff Riley. Councilor Chambers like the idea of taking a proactive approach. McDowell reminded Council that is very expensive to run a police department, and there is a lot of value in the contract. It would be beneficial if the increase could be tied to our valuation increase each year. *Councilor Van Sandt made a motion to form a committee of Council representation to address negotiating the LCSO contract. Councilor Gerber seconded the motion, and it passed unanimously.*
4. OLCC Renewal Notification. *Councilor Cole made a motion to recommend renewal of existing OLCC licenses in town. Councilor Gerber seconded the motion, and it passed, with Councilor Chambers opposing.*
5. D.A. Davidson Agreement – Bonded Debt. McDowell reminded Council that last month he was researching the City's bonded debt to see if it could be graduated or refinanced. There are a number of factors to consider. Holly Halligan, USDA, said that the City has thirty (30) years left on a majority of the debt. If refinanced through USDA resources and partners, a fifteen (15) year term would be required. Costs associated with such a move would increase annual costs considerably. USDA did not recommend refinancing at this time. Mr. Matt Donahue, D.A. Davidson of Portland, Oregon, informed McDowell that they could put the bond out on the market, and it could save the City considerable funding. The City would need to be A rated to proceed. McDowell believes the initial review will cost approximately \$1,200 - \$2,000; but it is to be determined. The potential saving to



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the City could be as much as \$35,000 - \$60,000 per year. Council had consensus for McDowell to move forward with talking over the matter with the City Attorney and to retrieve more information from USDA. Councilor Cole wondered if request for proposals (rfp) would be in order. McDowell said that he would do more research.

6. Library Advisory Board Business. *Councilor Cole made a motion to change the advisory board meeting times from 4 to 4:30. Councilor Gerber seconded the motion, and it passed unanimously. Councilor Van Sandt made a motion to authorize advertising a Board vacancy. Councilor Cole seconded the motion, and it passed unanimously.*
7. Older Americans Month Proclamation. Mayor Don Ware proclaimed May as the Older Americans Month and will sign the proclamation accordingly.

### DISCUSSION ITEMS:

1. Council Goals. McDowell suggested meeting with Mayor Don Ware and Councilor Cole, who were both appointed by Council several months ago to review RV issues, and bring some recommendations back to Council next month. Council agreed.
2. Municipal Court Transition. McDowell informed Council that Court Clerk Jan Henry will be retiring in August. There is another court clerk in the community that is willing to fill this position when needed.
3. March Financials. No comments.
4. Sign on Kirk. Councilor Shepherd was recently approached about putting up a sign on Kirk Avenue for a child suffering from blindness. The mother would buy the signs if the City would pay for the posts and installation of said signs. Discussion ensued. Councilor Shepherd was directed to get more information on the issue. The issue was tabled until next month.
5. E. Blakely Building Discussion. Councilor Shepherd stated that since Halsey has come out and said that they will not be taking over the CLES building, he thinks that Brownsville Council should do the same with the building on E. Blakely Street. *Councilor Shepherd made a motion to send the CLSD notice that we cannot take on this building at this time; no second. The motion was withdrawn.*

**CITIZENS COMMENTS** – Kaye Fox informed Council that in her weekly newspaper column she has bringing up information for the citizenry that they may not be aware of. She feels the information coming out is not complete or wholly truthful. She has been taking some heat over the whole school bond issue.

JoAnne Neddeau thanked Council for remaining neutral on the school bond issue. Her opinion is that the maintenance at the school is not being done, and she would love to see them remodel instead of trying to create a whole new school.



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**COUNCIL COMMENTS** – None.

**EXECUTIVE SESSION** – Entered into at 9:20 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.

**EXECUTIVE SESSION** – Exit executive session at 9:28

**ADJOURNMENT:** *Councilor Van Sandt moved to adjourn at 9:29 p.m. Councilor Gerber 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 blue ink.

Mayor Don Ware