



Council Minutes

February 23rd, 2016

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

PUBLIC: Linn County Sheriff Bruce Riley, Lt. Michelle Duncan (LCSO), Glen Reinemer, Allen Buzzard, John Morrison, Dave Brown, Lynn Heller, Brian Hoffman (Sweet Home Sanitation), Cheryl Hayworth, Linda McCormick, Patty Linn, June Schlosser, Kaye Fox, Sally Lockhart, Elizabeth Coleman, Cassandra and Shavonne Schumacher, Joni Nelson, Hayden, Sarah, and Grace Glenn, Thane Ashcraft and Alex Paul (Albany Democrat Herald).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell informed Council that Resolution 2016.05 (Transfers) had been revised.

MINUTES: Councilor Cole made a motion to approve the January 26th, 2016 meeting minutes as presented. Councilor Shepherd seconded the motion. The motion passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

John Morrison, President, Brownsville Chamber of Commerce – Summer Events Assistance. Mr. Morrison addressed the summer events schedule and to ask Council for financial assistance in support of these various events. He stated that most events are staffed by volunteers, from the Fire Department providing breakfast, the Seniors providing food, and the Study Club recently took over the Festival of Trees event, etc. This year is the 30th anniversary of the *Stand By Me* (SBM) movie that was filmed in Brownsville. Mrs. Linda McCormick is the head of this festivity, and has arranged for several events that will happen throughout the day, highlighting running events, pie eating contests, geocaching sponsored by Samaritan Health, and the showing of the movie in Pioneer Park that night by the Oregon Film Commission. Mr. Morrison also stated that there are others interested in sponsorship including a Portland radio station and also a Eugene TV station. The Chamber would like the City to do an in-kind donation to provide the lighting for the event. The approximate lighting cost is \$250 - \$280, plus public works time of 2-3 hours for three employees to pick them up, install them in the park, and then 2-3 more hours to take them down and return them to the rental outfit in Albany the next day. Also, the Chamber would like financial support with providing port-a-potties for the SBM event. Mr. Morrison stated that last year the City's cost for the 4th of July event alone was about \$1,000. After conferring with the provider, it was discovered that to leave the port-a-potties in place all summer (approximately July 3rd – August 14th) for the various events would cost approximately \$1,531. The lights will not be left in the Park as they are rented on a daily basis. Councilor Cole stated that she thought the timing of this request is good as tonight Council has in front of them a resolution to disburse funds from the Transient Room Tax collections to the Chamber in the amount of \$1,365. Councilor Shepherd asked Morrison to clarify what he was asking for, a cost-sharing endeavor, or the whole thing? Morrison responded all of it, if he could get it. The City would be spending \$1,000 alone just for the 4th of July event. Councilor Cole stated that she feels the Chamber works very hard to develop the community, and would like to partner with



Council Minutes

them and help bring visitors to town. She asked if there was a way for the City to do it that would be equitably beneficial to all concerned. Councilor Van Sandt expressed that she could totally see the need for the expenditure, but wondered where to draw the line? Other summer events, such as Pioneer Picnic, are worked out through agreements, and are required to provide their own amenities. Additionally, when large weddings, company picnics, or gatherings in the Park exceed a certain number of attendees, they are required to provide the necessary additional amenities as well. Councilor Neddeau asked if the Chamber has approached the businesses in town to help? Morrison said they are in the process of getting more sponsors. Councilor Cole and Councilor Chambers volunteered to meet with the Chamber to further investigate the matter. *Councilor Shepherd made a motion to table the issue for now, pending further information and discussion with the Chamber of Commerce. Councilor Gerber seconded the motion, and it passed unanimously.*

Brownsville Art Association (BAA) – Mural Concept. Cheryl Hayworth, Shavonne and Cassandra Schumacher presented the idea of painting a mural on the front of the BAA building to draw more folks into the art center. Councilor Gerber recognized Joni Nelson in the audience and asked for her input. Mrs. Nelson serves on the Historical Review Board (HRB). She stated that she is very uncomfortable to be put in this position, as normally people have to come to the HRB first and work through that process. The HRB is currently working on a sign ordinance that would keep the downtown historic district (signage, etc.) in the 1870-1920 era. Mrs. Nelson doesn't think than a mural as proposed would be appropriate, or in keeping with that. Nelson stated that we might be opening a big can of worms if this is allowed as you cannot dictate content on murals. Councilor Shepherd stated that the City has recently spent a lot of money on the building, new roof, paint, and new sidewalks out front, and doesn't think the mural would fit. Councilor Van Sandt commented that she likes the Coca-Cola mural on the bank building, and the mural on Spaulding, it was one of the things that drew her to town. Mrs. Nelson stated that the Coca-Cola mural was supposed to come down after the filming of the movie. That never happened, and has since been repainted. Councilor Cole stated that maintenance on murals could be a nightmare. She agrees with Mrs. Nelson that it doesn't belong on the front of the building. *Councilor Cole made a motion to deny the mural concept at the BAA. Councilor Shepherd seconded the motion, and it passed, with Councilor Van Sandt in opposition.*

Brian Hoffman, Sweet Home Sanitation (SHS) – Solid Waste Rate Increase. Brian Hoffman informed Council of current happenings with SHS. They are starting a scholarship program for Central Linn High School for \$1,000 per year. He is looking for a local committee to help facilitate the scholarship. SHS is celebrating their 2nd year of accident free status, quite an accomplishment in the 5th most dangerous industry in the nation. This year they also partnered with Sharing Hands to distribute seven bikes and helmets for local youth. Hoffman is here tonight to request a 1.2% rate adjustment. This rate increase will compute to approximately .30 cents more for a medium sized can. Councilor Cole reminded Council that some communities defer the rate increase to one every few years instead of every year. What happens in that scenario is that the rate increases substantially instead of incrementally. It is the same scenario we practice with the utility rates. The City uses a 3% rate increase each year instead of larger increases less frequently. McDowell reminded Council that SHS has been a great community partner for the City. They have been instrumental in cleaning up various nuisances over the last several years. Many of these services have been provided at little or no cost to the City. Mr. Hoffman also stated that October 1st, 2016 will be the City wide cleanup day this year. *Councilor Cole made a motion to approve R 2016.04, SHS rate increase. Councilor Van Sandt seconded the motion, and it passed unanimously.*



Council Minutes

DEPARTMENT REPORTS:

1. Sheriff's Report. LCSO Lieutenant Duncan reported that they have spent 208 local contract hours in January, 12.25 of which was spent on traffic. Mayor Don Ware stated that he continues to see a lot of speeding and is hoping that the traffic enforcement will increase. Lt. Duncan stated that she thought traffic was going pretty well, and to let her know if Council knows of certain areas that need more patrol time. Council immediately responded with calling out many of the main roads in and around town as needing attention. Sheriff Bruce Riley was also present. He said that he is happy to be living in such a great area. LCSO has seven contract cities in the area. They have also shifted duties around so that city administrators have more access to the supervisors during daytime working hours. Sheriff Riley asked for a little feedback on that duty change. McDowell responded that it has been working great! LCSO has handled themselves very well in several touchy situations. A continuing concern that the City has is traffic patrol. Brownsville is a small, rural community that has many thoroughfares. A big focal part of our community is also our court. If fewer traffic citations are written, the cost of the court for the City increases. We don't want to have a quota, per say, but it needs to be understood that there is a delicate balance needed to maintain the community court. Sheriff Riley said that a common theme that he hears is about traffic concerns, and the need to constantly battle that. He also issued an invitation to participate in the Linn County Citizens Academy. They have reinstated the program, and it is open to all. The program requires 2-3 hours for approximately 11 weeks. He says that it is a great time to interact with deputies and to find out more about what the LCSO operations. March 25th is the deadline to sign up.
2. Public Works. Mr. Frink reported that the GR 12 project is almost complete. The contract had to be modified to accommodate a timer. Mr. Frink has been working with Water Resources with a proposal to put a new well out by the south wastewater treatment plant primarily to supply water to our carrier lines that feed the chemicals into the system to treat the water. Complications arose from this contact, Water Resources was not happy with the site selected for the well (only 800 feet away from the river, they wanted it to be 1/4 mile, which would put the site in the middle of the sewer pond). After waiting about six (6) weeks to hear back from them, they proposed that we transfer some of our drinking water rights to them, then we could put the well where we originally proposed it. Mr. Frink strongly suggests that we don't go that route, that we keep intact all of our water rights. Alternately, a City water line with a booster pump could be run (about 1,000 feet) for about the same cost as installing a new well. His suggestion is to go this route. Mr. Frink has also been working on a water conservation plan. Water Resources has informed him that there is basically no data available in the event the City would need to curtail water. They did inform him that they have in stock some in-stream flow measuring equipment owned by the Calapooia Watershed Council that has not been used for 15 years, that could be used to gather this data. Once this data is compiled, the City would be able to make a conservation plan as needed. It will take at least six months to a year to gather this data. Mr. Frink reported that on February 14th, 2016, a group from the LDS church came down and raked leaves in the park, finishing up this project for the year. As you can imagine, the leaf raking is a huge task, and this help is much appreciated by the City. Councilor Chambers also commended the LDS church on the number of volunteers that they provide to many organizations around town. Mr. Frink is working with Rick Dominguez to get a new flag pole installed at the cemetery. Councilor Cole expressed her appreciation for Mr. Frink's report and all that he does so efficiently for the City. Mr. McDowell asked Mr. Frink to talk a little about



Council Minutes

Flint, Michigan and lead and copper contamination concerns. Mr. Frink stated that lead and copper contaminants are not in the City water system. If there are contaminants, they are coming from the homes (private side of the meter), the pipes, etc., that have been used there. However, we as a water provider, have to take necessary measures to reduce or eliminate lead and copper however we can for our customers. In order to do that we add soda ash to the water which actually raises the pH of the water and provides a little skin inside the pipes that coats the pipes that are being used. It helps the water avoid contact with the pipes, thereby reducing or eliminating any contaminants coming through the system. Most all of the lead and copper contaminants stem from the building materials that were used in the initial construction of the water pipes, not from the river or the water source. The City does testing in various spots around town, and almost all of the tests come back as no shows, non-detect. We are way down in the safe zone in terms of lead and copper contaminants. Home owners can also conduct these tests on their own if they have concerns. Mr. McDowell reminded Council that anything that happens in the citizen's home is their responsibility. This is an important issue to be aware of, more information can be found on the Drinking Water Website for anyone interested.

3. Administrator's Report. – Mr. McDowell and Mr. Morrison have been working on an economic development proposal for about 2 years now. On Friday they took the draft proposal and met with the COG and others, got some interesting ideas and feedback and are working on defining that a little bit further. McDowell has also met with Mr. Craig Martin, Sweet Home City Administrator, and folks from the Regional Accelerator & Innovation Network (RAIN) and the State of Oregon to talk about innovative ideas that can be a traded sector, or products that can be sold nationally. This topic is a little different that the economic development push that the Go Team focuses on; very interesting. Mr. McDowell and Mrs. Coleman recently met with Paul Olson, Plant Manager for McFarland Cascade to review a sound report for the City. McFarland Cascade has put a lot of time, energy, and effort into additional sound baffling equipment. Their sound engineer reports that the decibel readings coming from the plant are between 48-52 decibels, well below the 75 decibel compliance range that the Planning Commission required. McDowell feels that they have demonstrated again their willingness to work with the City and community and are making every effort to be good neighbors. McDowell had originally asked for more retesting, but feels that they have complied, and no further testing is needed at this time. Oregon Government Ethics Commission paperwork is due soon. All paperwork must be submitted electronically this year. Mrs. Morrow and Mr. McDowell recently attended a webinar, and McDowell will send out links soon on how to proceed with this effort. Please contact City Hall if you need assistance. After advertising in the paper, the City has had one person express interest in heading up this committee, Norman Simms. Staff will be meeting with him in the near future. Our accountant, Bill Palmer, has been working with Staff recently to get a more detailed understanding of the City's interworking. Some audit issues are getting reconciled. Benton County IGA has been executed, and we will be talking about that a little bit later. LCSO is keeping an eye on a certain property that folks may be living in illegally. Also, Staff may attend a meeting with the CLRA on 2/29/2016 to discuss parameters on that front.
4. Library Report. No comments.
5. Court Report. No comments.



Council Minutes

6. Council Comments. No comments.

7. Citizen Comments.

Kaye Fox, Kirk Avenue, would like to invite Council to attend a 92nd birthday party for Jean Peterman at the Senior Center on 2/25/2016 at 12:30 p.m.

Grace Glenn, Westview Street, was present as a representative from Central Linn High School. She would like the Council to support the \$32.1 million school bond that will be on the ballot soon. She feels that the building is unsafe and hazardous for the students.

LEGISLATIVE:

1. Ordinance 759: Water Management & Conservation (Pending). McDowell stated that O 759 will probably be vacated. As Mr. Frink reported, it will be some time before Council has enough data to move forward with this matter.
2. Ordinance 760: Park Board Meetings Modification (First Reading). Councilor Cole made a motion to read O 760 by title only. Councilor Gerber seconded the motion, and it passed unanimously.
3. Resolution 2016.05: Transfers. Councilor Cole made a motion to approve R 2016.05 as presented. Councilor Gerber seconded the motion, and it passed unanimously.
4. Resolution 2016.06: 2015 Water System Improvements Project Change Orders. Councilor Cole made a motion to approve R 2016.06 as presented. Councilor Chambers seconded the motion, and it passed unanimously. Discussion: Councilor Shepherd asked if the Engineer should have caught this? McDowell responded that yes, it was probably missed in the design phase. He can convey this to Mr. Erwin as Council wishes.
5. Child Abuse Prevention & Awareness Month Proclamation. Mayor Ware will declare and sign the City proclamation.

ACTION ITEMS:

1. Central Linn School District Agreement (Tabled). McDowell informed Council that the CLSD is moving forward with placing a \$32.1 million bond on the May 2016 ballot to construct a new K-12 facility. One of the reasons that McDowell has not met with Councilors Neddeau, Gerber, and Cole to discuss the Blakely building is that it is unclear what a new facility would entail, and if this Blakely gym will even be a needed future resource. Councilor Gerber stated that the design is not decided yet. Councilor Shepherd thinks that the issue should be tabled for another month. Councilor Gerber expressed her support for the bond measure in terms of safety, earthquake factors, etc. Mayor Don Ware would like to wait for awhile for more information. Councilor Van Sandt and Cole agreed with Councilor Gerber. Councilor Gerber made a motion for Council to support the upcoming school bond



Council Minutes

measure. Councilor Cole seconded the motion. Discussion followed. Mayor Don Ware stated that he is not ready to support this item just yet, he would like more information. Councilor Shepherd agreed; he feels there is a lot more information to know before making this decision. Councilor Cole would like to see Council approve a resolution in favor of the concept, meaning that there is a desperate need and that Council can empathize and support the need of the School District to have a safe facility for the kids. McDowell suggested if Council would like to pass a resolution, perhaps they would like to send him forth to prepare said resolution for review by Council at the March meeting. Councilor Gerber amended her first motion to send McDowell forth to construct said resolution for consideration at the March Council meeting. Councilor Van Sandt seconded the motion. A vote was taken with Councilor Shepherd and Chambers opposed. The second motion was then voted on with all in favor of the motion except Councilor Chambers.

2. Community Gardens Agreement. Mr. McDowell would like more direction from Council in terms of the Calapooia Food Alliance and community garden agreement. In the past, we have provided water to the CFA to a certain level, and have also served as a go between with the School District and CFA for this agreement. This agreement comes up again in March. As the property is in flux right now, and it seems that the CFA should be the one to consult with the school on future plans. Council agrees with this plan.

DISCUSSION ITEMS:

1. Retreat Goals Review. McDowell asked Council for some feedback on what to rate as the highest priorities after the Council retreat last month. Please contact him with that information so that he can proceed further.
2. Tear Drop Trailer Event. McDowell has been approached to allow a Tear Drop Trailer Event to happen in the Park in the prairie area this year during the Stand By Me Event on July 23rd, 2016. This event would be handled as a one-time event (probably including 25-30 trailers). The trailers would be open to the public for tours during certain times. This opportunity may spring board into a much larger Tear Drop Trailer event in the future. Mr. Frink said that he thought this use would be fine as a onetime event. Council concurred.
3. January Financials. No comments.

CITIZENS COMMENTS – Kaye Fox returned to the podium and stated that she had gone to the School Board meeting when the upcoming bond measure was discussed. She did not find it particularly helpful, and felt that forthright information was not to be found at that meeting. She recommended Council gather more information before a resolution is passed.

COUNCIL COMMENTS – Mayor Don Ware told Council that he would get some information out to them for Mr. McDowell's evaluation soon.



Council Minutes

McDowell also indicated to Council that on the BAA mural issue, the property owner is the one that would have taken this request to the Historical Review Board. As the City is the property owner, the request was handled in the correct manner. If Council would have wanted to proceed with a mural design, then McDowell would have asked the Historic Review Board for a complete review and recommendation on the same.

ADJOURNMENT: *Councilor Cole moved to adjourn at 8:40 p.m. Councilor Shepherd seconded the motion, and it passed unanimously.*

A handwritten signature in blue ink, appearing to be "SM", written over a horizontal line.

City Administrator S. Scott McDowell

A handwritten signature in black ink, appearing to be "Don Ware", written over a horizontal line.

Mayor Don Ware