



Council Minutes

May 28th, 2013

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

PUBLIC: Elizabeth Coleman and Kaye Fox.

ADDITIONS AND DELETIONS: Mr. McDowell stated that he would like to postpone the Planning Commission presentations until the June meeting. He would like to add Legislative Item E: R 709 Clarifying Council Policy Regarding Contributions & Donations to the agenda.

MINUTES: Council reviewed the minutes of the April 23rd, 2013 meeting. *Councilor Gerber moved to approve the minutes with the correction of adding a "not" on page 3, Item 4, line 10 between did and want. The motion was seconded by Councilor Shepherd and was approved unanimously.* Council reviewed the minutes of the May 9th, 2013 Budget Committee meeting. *Councilor Gerber moved to approve the minutes as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Budget Hearing: Mayor Ware opened the Budget Hearing and called for public input. No input was offered. Mayor Ware called for Council comment, none were offered. The Budget Hearing was closed.

Joe Ervin Request: Mr. Ervin is planning a running event in conjunction with the Linn County Pioneer Picnic as was done last year. The event proceeds this year will benefit the Central Linn Track refurbishment. He is planning a downtown loop with the hope that everyone will have completed the race by Parade time. *Councilor Shepherd moved to approve this event request. The motion was seconded by Councilor Van Sandt and approved unanimously.*

Jay Marsh Request: McDowell reported that Mr. Marsh, 382 Kirk Avenue, came into City Hall and requested that the City require that this property be cleaned up. He stated that it is looking like a train wreck. Mrs. Colleen Garrison has indicated that due to a recent death in the family she has not had time to keep up with the property issues. She also indicated that she would be making it a priority soon.

Linn County Pioneer Picnic Road Closures: Council annually approves the road closures necessary to conduct the Kiddie Parade on Friday and the Grand Parade on Saturday of Pioneer Picnic. The City has signed all necessary documents for the Oregon Department of Transportation. All requested closures are for the standard routes. *Councilor Shepherd made a motion to permit road closures as per usual. Councilor Van Sandt seconded the motion, and the motion passed unanimously.*



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DEPARTMENT REPORTS:

1. Sheriff's Report. Sergeant Brad Kelley reported that it has been very quiet in town.
2. Public Works. Mr. Frink reported that Public Works is going well. The water plant computer failed on May 14th. The new computer was scheduled for installation on May 20th so the installation was pushed forward a bit. They are currently about 50% finished with installation. Mr. Frink also reported that the sewer backed up on Millhouse. It was clogged with grease and roots, and will need to be replaced at some point. (McDowell talked about this issue at the Budget Committee meeting as well.) Mr. Frink reported that the Park Caretakers, Ann & Vern Moore, have returned for the summer season. They will have a seasonal helper this year, Chuck Brown. Another concern is the increased number of vandalism incidents happening in the Park. Public Works has addressed small maintenance items at City Hall this month as well. Councilor Chambers inquired about the lights on the bridge that are crooked. Mr. Frink reported that the poles are made out of a polycarbonate material, so they move quite a bit, and there is no real fix for the problem. Public Works waits until there are several to fix, and then has Norm's Electric come out and fix the group of lights. Councilor Boyanovsky commented that he had been up at the Cemetery this weekend for the Memorial Day Festivities and heard several comments on how great the Cemetery looked and what a good job Public Works has done there. He also had some folks ask if they could donate to the Cemetery Fund. Mr. McDowell indicated that all donations are gladly accepted and should be taken to City Hall to be properly accounted.
3. Administrator's Report. Mr. McDowell reported that Mr. Frink has been working with Jon Erwin to test the GR 12 well to determine the next steps. Mr. McDowell reported that he is currently working with the Brownsville Canal Company (BCC) to move forward with some type of model that would assist the organization with the collection of revenue in order to pay for insurance and future maintenance. They are in the process of hiring an attorney to assist on this important issue. What this means for Council is that around October or so Council in cooperation with the BCC will hold some town hall meetings, invite the public and hopefully determine some funding opportunities. Mr. McDowell reported that the Willamette Country Music Festival shuttle folks will be meeting tomorrow. The drop off locations will be Dari-Mart and the Senior Center this year. Mr. McDowell reported that he has been approached to have a much more active role in the planning stages of the WCMF next year, beginning in about October or so and mediating between the Linn County Commissioners, event managers, etc. Elizabeth Coleman and Mr. McDowell journeyed to Wilbur, Oregon to observe noise testing at a peeling mill similar to the operation McFarland Cascade is constructing in Brownsville. The same testing will be conducted when the Brownsville site is up and running for comparison purposes. The noise levels will be measured and be determined to be within legal acceptable levels in our community. Mr. McDowell reminded Council that he serves on the Oregon Parks and Recreation Department's Grant Advisory Board and has been reviewing grant applications for the past several weeks. He will travel to Sunriver next week to finish this process. Mr. McDowell reported to Council that Jannea Deaver and Tammi Morrow worked with City Auditor Josh Morrow last week to clear up



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some accounting issues and to begin to prepare for the annual audit. Mr. McDowell informed Council that two new mowers have been ordered from Linn Benton Tractor. The City received such a great price that Staff decided to add Bac-Vac systems to both machines. The Bac-Vac's will automate the grass collection system which will save Public Works considerable time and energy while conducting their duties. They should be arriving within the next week or two. Councilor Boyanovsky asked if there were specific fire pits in the Park. Mr. McDowell responded that the Park operates more on unspecified spots for camping and fire pits. Mr. Frink commented that this system has worked well in the past. Councilor Shepherd recounted that the City purchased some fire pits a few years ago and they were both stolen.

4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. Councilor Chambers stated that the Pioneer Picnic officials have invited the Council to be the pie judges this year for Pioneer Picnic. Also, Councilor Chambers requested that the Pioneer Picnic Association be allowed to sell firewood in the Park during Pioneer Picnic as a fundraiser for their Court. Mr. McDowell stated that since commerce is open during that weekend, in effect, vendors may rent booths and sell goods, that it would be considered the same sort of activity for that weekend. *Councilor Shepherd made a motion to allow the sale of firewood during Pioneer Picnic. The motion was seconded by Councilor Van Sandt and passed unanimously.* Reporting back from the Cascades of Governments meeting, Councilor Chambers and Councilor Boyanovsky reported that J.R. Tharp from the Halsey City Council stated that they like the way Brownsville Council conducts their business and will use the City of Brownsville as their model.
7. Citizen Comments. Kaye Fox commented that she has agreed to make her future reports in written format, and they will be submitted to Mr. McDowell and will go out in the Council packet each month. She will be available to answer questions at the meetings. Ms. Fox also reported that the Senior Center did very well during *Carriage Me Back* and will be open during Pioneer Picnic as well.

LEGISLATIVE:

1. O 739: Garage Sales (Second Reading). *A motion was made by Councilor Boyanovsky to read O 739 by title only. The motion was seconded by Councilor Chambers, and the motion passed unanimously.* Councilor Boyanovsky asked if Council should adopt this resolution as an emergency. Mr. McDowell stated that conventional wisdom says to give the public plenty of time to comment and in this case the City has certainly done that. *Councilor Boyanovsky made a motion to approve O 739. This Ordinance will be passed using Emergency status, thereby waiving the 30 day waiting time to be in force. Councilor Gerber seconded the motion, and it passed unanimously.*



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2. O 740: Trailer Homes and Recreational Vehicles (Second Reading). *A motion was made by Councilor Gerber to read O 740 by title only. The motion was seconded by Councilor Van Sandt, and the motion passed unanimously. Councilor Chambers questioned the “manufactured home” language in the Ordinance. Mr. McDowell commented that this language is defined by the Brownsville Municipal Code and that was why the Ordinance was stated that way.*
3. R 707: Electing to Receive SRS. *Councilor Gerber made a motion to elect to receive State Revenues for Fiscal Year 2013-14. The motion was seconded by Councilor Van Sandt, and passed unanimously.*
4. R 708: Awarding Calapooia Crossing Water Line Project. *Mr. McDowell reported that four bids were received for this project. Ryan Quigley from Erwin Engineering reviewed the bids and determined that Bill Booker Construction, Troutdale, Oregon is a 1st tier contractor and all bid amounts checked out. A motion was made by Councilor Gerber to adopt R 708 awarding Bill Booker Construction the Calapooia River Crossing Project. The motion was seconded by Councilor Shepherd, and the motion passed unanimously.*
5. R 709: Council Policy Regarding Contributions & Donations. *Mr. McDowell has consulted with League of Oregon Cities General Counsel Sean O'Day in regards to policies concerning contributions and donations. Mr. McDowell was told that the City can spend funds as the Council sees fit. However, the City was cautioned to be careful when deciding which contributions or donations are worthy. Mr. O'Day really liked the Council's current policy. Mr. McDowell drafted R 709 to help Council set some policy and some guidelines. A motion was made by Councilor Shepherd to adopt R 709: Council Policy Regarding Contributions & Donations. The motion was seconded by Councilor Boyanovsky, and the motion passed unanimously.*

ACTION ITEMS:

1. CAPS Request. *A motion was made by Councilor Shepherd to deny the CAPS funding request. The motion was seconded by Councilor Chambers, and the motion passed unanimously.*
2. Destination Brownsville Cruise In. *Event organizers have requested the use of the parking lots behind the medical center and by the public restrooms for weekly cruise in events through the summer months. A motion was made by Councilor Gerber to approve this request with the following conditions: maintenance needs will take priority, and local businesses will be consulted to ensure their support. The motion was seconded by Councilor Shepherd, and the motion passed unanimously.*
3. Vandalism Reward. *Public Works has initiated the idea of offering a reward for information leading to the apprehension and conviction of individuals inflicting public property damage at the Park. Council liked this idea. Councilor Shepherd would like the reward to be enough to be effective. A motion was made by Councilor Boyanovsky to allow the Administrator to offer rewards for damage*



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to City property on a case by case basis. (Linn County Sheriff's Office will be consulted as to proper procedure.) The motion was seconded by Councilor Chambers, and the motion passed unanimously.

DISCUSSION ITEMS:

1. Council Goals. Mr. McDowell commented that the Council Goals have already made the paper. The hard copy is at the print shop and will be placed on the wall in Council Chambers before the next meeting.
2. April Financials. Mr. McDowell explained that the balance for Total Debt is now reflecting both principal and interest and had just been reflecting the principal. It now more accurately reflects the true balance.

CITIZEN COMMENT: No comments at this time.

COUNCIL COMMENTS: No Council comments at this time.

EXECUTIVE SESSION: The Council adjourned to Executive Session at 8:09 p.m. pursuant to ORS 192.660 Section (e) and (i).

Mayor Ware & Council returned to Regular Session at 8:29 p.m.

RETURN TO REGULAR SESSION: McDowell shared some information regarding the City's System Development Charges and the applicability to McFarland Cascade. McDowell has spoken with former City Planner Bill Sattler about the matter. McDowell asked permission to negotiate a memorandum of understanding with McFarland Cascade due to the proximity of the utilities and enormous costs that are involved. Council asked McDowell to negotiate with McFarland Cascade and bring back an agreement for Council review.

Council also asked McDowell to follow-up with any potential disputes regarding the Calapooia Crossing project with the City Attorney.

ADJOURNMENT: Councilor Shepherd moved to adjourn, with Councilor Chambers seconding the motion. The meeting was adjourned at 8:38 p.m.

Handwritten signature of S. Scott McDowell in blue ink.

City Administrator S. Scott McDowell

Handwritten signature of Mayor Don Ware in black ink.

Mayor Don Ware