



Council Minutes

April 23rd, 2013

ROLL CALL: Council President Van Sandt called the meeting to order at 7:02 p.m. with Councilors Shepherd, Chambers, Gerber, Cole, and Van Sandt present. Mayor Ware and Councilor Boyanovsky were excused. City Administrator Scott McDowell, Public Works Director Karl Frink, and Administrative Assistant Tammi Morrow were also present.

PUBLIC: Brownsville Fire Chief Kevin Rogers, Mary Parker, John Morrison, Sharon McCoy, Randy Ginn, Kaye Fox, Amy Addison, Kyle Smith, and LCSO Deputy Brent Hauke.

ADDITIONS AND DELETIONS: Mr. McDowell stated that he would like to add Action Item E – Planning Commission Recommendation for Mixed Use and Action Item F – Applications for Planning Commission Opening to the agenda.

MINUTES: Council reviewed the minutes of the March 26th, 2013 meeting. *Councilor Cole moved to approve the minutes as presented. The motion was seconded by Councilor Shepherd and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Cass Templeton from CAPS was present to request a \$5,000 contribution from the Council for the after school child care program. She stated that CAPS has operated at the Central Linn site for three years now, and many of their funding sources have dried up. Councilor Cole asked if they have requested funding from the City of Halsey, ESD, Linn County, etc. as it seems this request falls more into their kind of funding. Ms. Templeton replied in the affirmative and stated that the City of Albany supports the Albany program. Councilor Cole also inquired as to the legality of donating to this program. Mr. McDowell stated that he would check with the City of Albany as to their procedures. Councilor Van Sandt stated that the City gets many requests to fund projects like this, but she was not sure that the City funds should be expended in this manner. For example, home owners pay property taxes which fund the schools, etc., and so in a way, we are already paying for the school needs. Councilor Shepherd also reminded Council that the City has a major project, the Calapooia Water Crossing, happening this year and the Treasury needs to be protected to fund this critical project. *Councilor Cole made a motion for Mr. McDowell to investigate options to potentially fund this request. Councilor Gerber seconded the motion. A vote was called for with Councilor Cole, Councilor Gerber, and Councilor Van Sandt approving the motion. Councilor Shepherd and Councilor Chambers were opposed. The vote was 3-2.*

DEPARTMENT REPORTS:

1. Sheriff's Report. Officer Brent Hauke reported that it has been very quiet in town. He reported there were some metal burglaries out of town, and a bit of vandalism in the park.
2. Public Works. Mr. Frink reported that Public Works is going well. He stated that there were no water leaks for the month of April. Mr. Frink also reported that the City is discharging 12.6 million gallons from the North Plant and 22 million gallons from the South Plant. Upcoming projects include mowing, spraying weeds, flushing hydrants, grading streets, installing a new basketball hoop at



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Kirk's Ferry Park, and hanging flower baskets hangers. Playground chips have been delivered to Pioneer Park, and soon to Blakely Park. Public works has also installed new signs around town (Brownsville Rec Center, Blakely Park, etc.) and repaired a few small broken window panes. Mr. Frink reminded Council that Pioneer Park was opened on March 29th, 2013, and reported that there has been a fair amount of vandalism in the pavilion already. Public Works has been busy repairing vandalism in Pioneer Park.

3. Administrator's Report. Mr. McDowell reminded Council that the first Budget Committee Meeting is scheduled for April 25th, 2013 at 7:00 p.m. Councilor Van Sandt is unable to attend this meeting, so the Goals Session that was scheduled for directly after this meeting has been cancelled. The Calapooia River Crossing Project request for bids has been published. Bids will be received before the next Council Meeting, and hopefully Council will be able to approve a bid at the May Council Meeting. The next project after the Calapooia River Project is the development of the GR12 Well Site. Wyatt Rolfe, our Water Rights attorney, will be involved as well as Erwin Engineering. The City will also be talking strategy with the State and other agencies as needed. Due to the age of the well site it is not affected by the recent law changes at the State level. McFarland Cascade has been working on their conditions of approval, which includes mostly noise mitigation levels. Although not required, they are also working on dust mitigation. There is a clone operation located in Wilbur, OR, and Mr. McDowell and others will be taking a field trip there when they test the site's noise levels for comparison to their operation here. The Planning Commission would also like to see their fencing and vegetation tidied up. Insurance renewals have been completed. Also, ISO (Insurance Services Organization) has indicated that they would like to schedule an inspection. Chief Rogers has scheduled the inspection for the Fall. The City's current ISO rating is a 4.
4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. Councilor Cole commented that the Brownsville Art Association Fashion Show and Tea was wildly successful. The BAA is trying to form partnerships with local businesses and volunteers, and they are doing a great job.
7. Citizen Comments. No citizen comment at this time.

LEGISLATIVE:

1. O 738: Emergency Preparedness Committee Modification (Second Reading). *A motion was made by Councilor Gerber to read O 738 by title only. The motion was seconded by Councilor Cole, and the motion passed unanimously. Councilor Cole stated that the wording needs to be changed to state that the City Administrator has the authority to remove members from the Committee as per the Charter. Councilor Gerber moved to adopt O 738 with the wording change. Councilor Cole seconded the motion, and the motion passed unanimously.*



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2. O 739: Garage Sales (First Reading). *A motion was made by Councilor Gerber to read O 739 by title only. The motion was seconded by Councilor Cole, and the motion passed unanimously.* Councilor Cole stated that the Council likes the language and the consistency of the Ordinance. Councilor Chambers also thanked Mr. McDowell for his work on the Ordinance.
3. O 740: Trailer Homes and Recreational Vehicles (First Reading). *A motion was made by Councilor Gerber to read O 740 by title only. The motion was seconded by Councilor Shepherd, and the motion passed unanimously.* Councilor Cole commented that she has heard positive feedback in support of this Ordinance.
4. R 704: Linn County Commissioners and Willamette Country Music Festival (WCMF). Mr. McDowell reported the highlights of the public hearing held on April 10th, 2013 by the Linn County Commissioners regarding the WCMF. He said that it was the most unprofessional meeting he has ever attended. The Commissioners' behavior had to be seen to be believed. After 2.5 hours of the hearing, Commissioner Tucker made a motion to approve a permit to the WCMF for 15,000 tickets, the same as last year. (The WCMF had requested an increase to sell 18,000 tickets this year.) Commissioner Lindsay seconded the motion, and Commissioner Nyquist was opposed to the motion. Commissioner Nyquist stated that he did not want traffic backed up past Brownsville on OR 228. Nyquist wanted Council to review the Sheriff's Call Log from last year's event which McDowell provided. Commissioner Nyquist feels that there should be no incidents at the event. McDowell shared that the Sheriff's Office reported that the only reason the Call Log had that many incidents was due to the amount of Staff on site at the event. Commissioner Tucker referred to Mrs. Hankins throughout the hearings as a Mayor of a 15,000 person city. So, if we follow that logic the City of Lebanon reported having 14,771 calls in 2012 which works out to 40.48 calls per day. The Festival had right at 33 calls per day. People who had attended the April 10th, 2013 hearing were consensus that the Commissioners seem to not want the event in Linn County. Mr. McDowell drafted Resolution 704 under the direction of Mayor Ware in support of the WCMF from the City and for all of the local businesses and organizations that benefit annually from this event. Mr. McDowell also stated that several other businesses and organizations have submitted letters of WCMF support to the Commissioners to encourage them to revise their permit to include the 3,000 additional ticket sales and to encourage the WCMF to remain in our County into the future. *A motion was made by Councilor Gerber to adopt R 704 with the addition of granting a two (2) year permit and to increase the ticket sales by 3,000. The motion was seconded by Councilor Chambers, and the motion passed unanimously.* Mr. McDowell stated that he appreciated the Council and community support. (Several local businesses and organizations were represented at the Council Meeting to show their support of this event.)
5. R 705: State Revenue Sharing. *A motion was made by Councilor Cole to adopt R 705: State Revenue Sharing. The motion was seconded by Councilor Chambers, and the motion passed unanimously.*



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6. R 706: Annual Worker's Compensation Declaration. A motion was made by Councilor Cole to adopt R 706: Annual Worker's Compensation Declaration. The motion was seconded by Councilor Gerber, and the motion passed unanimously.

ACTION ITEMS:

1. Pioneer Picnic Letter. A motion was made by Councilor Gerber to authorize the Linn County Pioneer Picnic Association letter for 2013. A letter from the City was authorized detailing major responsibilities for the weekend. The motion was seconded by Councilor Cole, and the motion passed unanimously.
2. OLCC Renewals. A motion was made by Councilor Cole to recommend the OLCC license renewals for the six businesses in town. The motion was seconded by Councilor Gerber and the motion passed unanimously.
3. Linn County Sheriff's Contract. Mr. McDowell informed Council that the increase for the Linn County Sheriff's Office contract is 5% for the year. A motion was made by Councilor Cole to approve the contract. The motion was seconded by Councilor Chambers and the motion passed unanimously.
4. Linn County Fair Banners. Mr. McDowell informed Council that the Linn County Fair Board would like to hang banners on Highway 228 to promote the Linn County Fair in July. Councilor Cole inquired as to the possibility of the Fair Board reciprocating with ads or support for the City. Councilor Shepherd moved to allow the signs be hung along Hwy 228. Councilor Cole seconded the motion and the motion was voted on and passed unanimously.
5. Planning Commission Recommendation. The Planning Commission would like to recommend inserting a "Mixed Use" possibility in the Brownsville Municipal Code for Volume Commercial and Old Town Commercial zones. By amending and creating actual language in the Code, it would allow for better, more consistent planning. Council was in favor of the creation of this new language and instructed Mr. McDowell to bring back more information for Council.
6. Planning Commission Vacancy. Mr. McDowell reported that the City has received three applications to fill one position. Applicants are Joe DeZurney, Kyle Smith, and Richard Anderson. Councilor Shepherd would like to see the three candidates come to the next Council meeting and make a short 3-5 minute presentation before an appointment decision is made.

DISCUSSION ITEMS:

1. March Financials. No questions regarding the March financials.

CITIZEN COMMENT: Kaye Fox from the Brownsville Senior Center was present and reported on ongoing Senior Events. She stated that the Cascade West Council of Government does not recognize their organization and she would like to ask Mr. McDowell to write a letter on the Senior Center's behalf to rectify the situation. She may



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also ask the Mayor for a letter of support. The bylaws are being worked on, and hopefully a vote on the new bylaws will happen this fall. Councilor Van Sandt commented that she appreciates the monthly report.

COUNCIL COMMENTS: No Council comments at this time.

ADJOURNMENT: Councilor Shepherd moved to adjourn, with Councilor Chambers seconding the motion. The meeting was adjourned at 8:09 p.m.

A handwritten signature in black 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