



Council Minutes

March 26th, 2013

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

PUBLIC: Mike & Sharon Rodolf, and George Frasier.

ADDITIONS AND DELETIONS: Mr. McDowell stated that he would like to add an Action Item F to the agenda. This item requests authorization to advertise the Calapooia Water Line Project.

MINUTES: Council reviewed the minutes of the February 26th, 2013 meeting. *Councilor Gerber moved to approve the minutes with a correction on page 2 changing "cliff life" to "cliff like." The motion was seconded by Councilor Cole and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Mike Rodolf was present to give input on the upcoming RV legislature. He stated that the City had dealt with this issue in the past, and that if the City were to allow people to start living in their RV's, he was concerned about the problems that would create. Council assured him that the intent of the new Ordinance is *not* to allow folks to live in RV's long term within the City limits. Mr. Rodolf stated that he understood that there would be some exceptions such as hardships, construction, etc. He thanked the Council for hearing his concerns and left.

DEPARTMENT REPORTS:

1. Sheriff's Report. (Sheriff's Report was heard at 7:37 p.m. as Officer Brad Kelley was out on a call during his regular time slot. Projects in progress continue to be the Willamette County Music Festival operations plan, budget, etc. Council inquired into the ongoing presence of Conald Peterson in the community. Officer Kelley replied that to his knowledge, Mr. Peterson has broken no laws, and has not been reported to be dangerous. The best policy would be to avoid confrontations with him and to contact the Sheriff's office as needed.
2. Public Works. Mr. Frink reported that Public Works is going well. He also reported that the City is currently discharging at the North Plant and this will continue until the end of April when the permit expires. The Public Works Crew has been busy power washing sidewalks around town. In the Park they have completed the shelving in the restrooms and resealed the bathroom floors. Mr. Frink reported that the Park will be opened this Friday, March 29th, in time for the annual Easter Egg Hunt. Councilor Boyanovsky stated that after the Council City Tour on March 23rd, 2013, that he was very impressed with how clean and organized the Public Works facilities were. Kudos to Mr. Frink for doing such a great job.



Council Minutes

3. Administrator's Report. Mr. McDowell reported on the Willamette Country Music Festival (WCMF) progress. He was the City representative at the last meeting with the Linn County Commissioners on April 10th, 2013; the permit was tabled until the next meeting. Mr. McDowell will ensure that the letter of support drafted from the City and the Chamber of Commerce will be reviewed at the next meeting, thereby making it a part of the public record. There was an additional meeting with the Brownsville Chamber and various businesses on April 20th, 2013. Anne Hankins and Don Leber were very encouraged with the turnout and the support for the Festival by the Chamber, City and community. Mr. McDowell complimented Council on their support of the Festival. The WCMF is a financial boon for other organizations within our community such as the Fire Department, Central Linn High School, Sharing Hands, and many various local retail businesses and restaurants. Mr. McDowell reminded Council of the upcoming budget meetings scheduled for April 25th, May 2nd, May 9th, and May 16th, if needed. The latest news on the Kirk Avenue work and paving from Darrin Lane is that the financial picture at the County has changed. Kirk Avenue is still expected to be one of their future projects, it is just unclear at this point when the project will commence. He is asking for patience from the City. If the City would like to move forward sooner, there may be other options such as forming a local improvement district (LID) and assessing the costs to the affected properties. The Council seemed content to exercise patience at this time. The planning for the Calapooia Crossing project is going well. Mr. Frink has done a great job in relocating some hydrants and other appurtenances. Mr. McDowell would like Council to approve the advertisement for project bids at the April Council meeting so that bids could be received and evaluated with a recommendation for Council for bid award at the May meeting. Ideally the project should start about July 8th, and be completed within the summer months, depending on the contractor's schedule. Alternately, a September start date could work, with the project completion in late fall, before the water begins to rise in November. The South Oak Street project has been completed, and the overlay looks good. Mr. McDowell cautioned the Council to keep in mind that our roads are unique and that to do structurally sound paving job would entail digging the road out, reconstructing the road base and installing proper storm drainage. Projects such as these are not financially viable, but the pavement overlay looks good and should last for several years. One resident is allowing their water to be pumped out onto the street. The County will be here tomorrow (March 27th) to clean the bridge. Mr. McDowell asked the Councilors when a good time to reschedule the Goals Setting session. By consensus, the Council agreed on Monday, April 1st, in Council chambers.
4. Library Report. No comments.
5. Court Report. No report this month.
6. Council Comments. No Councilor comments at this time.
7. Citizen Comments. No citizen comment at this time.



Council Minutes

LEGISLATIVE:

1. O 738: Emergency Preparedness Committee Modification (First 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 asked if the Council was sure that they wanted these appointments to be made by the Administrator only? She wondered if Mayor Ware would like to have a hand in the appointments. Mayor Ware stated that he was fine with the Administrator solely performing this function. Mr. McDowell provided a report and stated that the Charter allows the Administrator to execute ad hoc committees. He also stated that as these positions are appointed not elected, there will be no need for advertising. Mr. McDowell knows of 7-8 interested people at this time.*
2. R 702: Commitment to Safety Committee. *A motion was made by Councilor Cole to approve R 702. The motion was seconded by Councilor Van Sandt, and the motion passed unanimously.*
3. R 703: Budget Transfers. *A motion was made by Councilor Cole to approve R 703 regarding budget transfers. The motion was seconded by Councilor Van Sandt, and the motion passed unanimously.*

ACTION ITEMS:

1. Pioneer Picnic Road Closure Request. *A motion was made by Councilor Cole to authorize the Pioneer Picnic Association to close City roads on June 21st and 22nd for parade routes. The motion was seconded by Councilor Chambers, and the motion passed unanimously.*
2. Park Board – CL Rec Association (CLRA) Fundraiser Request. *The Park Board is recommending that the Central Linn Rec Board be allowed to provide firewood to campers at Pioneer Park for fundraising purposes. The Rec Board would provide wood bundles and work with the Park Caretakers for the sale and collection of funds. Mr. Frink expressed concern about the additional burden this might put on the already overworked Park Caretakers. CLRA President George Frasier was present to answer any questions and informed Council that all of the details have not been worked out yet, rather CLRA is asking for City permission before proceeding further. Councilor Cole inquired whether the Park caretakers were able to handle cash. Council was reminded that collections are a part of their duties. Logistics will need to be worked out included liability issues. Councilor Shepherd made a motion to grant permission to the Central Linn Recreation Association to provide firewood to the campers at Pioneer Park as a fundraising activity with the provision that the City receives appropriate legal and insurance approval. Councilor Boyanovsky seconded the motion, and the motion passed unanimously.*
3. Linn County Clerk Contract. *Mr. McDowell informed Council that Ms. Jan Henry will be retiring at the end of November 2013. She has expressed interest in*



Council Minutes

continuing to work for the City of Brownsville as the Court Clerk in a part time capacity. After a meeting with Judge Lemhouse and Ms. Henry, Mr. McDowell would like to recommend to Council that an MOU be initiated with Ms. Henry. The IGA that the City currently has with Linn County would stay in place with an adjustment in paragraph 5 that would allow the City to request extra help if the need arises. This should be a seamless transition if all parties are in agreement. The Council agreed to an MOU and requested Mr. McDowell to continue the process.

4. Meals on Wheels Participation. Mr. McDowell reminded Council of the annual contribution the City has typically made of \$1,000 to the Meals on Wheels program as provided through the Cascade West Council of Governments and asked if they wished to contribute this year. *Councilor Cole moved to approve this annual contribution in the amount of \$1,000. Councilor Chambers seconded the motion, and the motion was voted on and passed unanimously.*
5. Authorize Planning Commission Member Advertisement. *Councilor Gerber moved to approve the Planning Commission Member Advertisement. Councilor Van Sandt seconded the motion, and the motion was voted on and passed unanimously, with Mayor Ware abstaining from the vote.*
6. Authorize Calapooia River Crossing Project Advertisement. *Councilor Cole moved to authorize the Calapooia River Crossing Project Advertisement. Councilor Van Sandt seconded the motion, and the motion was voted on and passed unanimously, with Mayor Ware abstaining from the vote.*

DISCUSSION ITEMS:

1. O 739: Garage Sales. Mr. McDowell included in the packet a draft Ordinance dealing with garage sales. Council seemed happy with the proposed Ordinance. Next month the Ordinance will have its first reading, and can be passed as an emergency if needed. Councilor Cole would like to see an ad in the paper when the Ordinance is passed so the public is informed of the changes.
2. O 740: Trailer Homes & Recreational Vehicles. Mr. McDowell went over the details of the Ordinance. This Ordinance will require a permit, but it will be a no cost permit at this time. Caveats within the Ordinance would be folks building a new house, temporary visitors and certain hardship cases; more details will be worked out upon Council approval. We currently have 2 cases that need to be addressed by this Ordinance. Councilor Gerber commented that the language in paragraph 5 is somewhat confusing. Council asked that paragraph 5 be removed from the proposed Ordinance.
3. Zoning Permits. Mr. McDowell informed Council that this project has been put on hold for the moment. Eventually it would be great if the City would create a zoning code manual that includes all necessary zoning procedures. He would like an outside agency to come in and put it all together, which includes what we currently have and what we *don't* have as well. McDowell suggested putting some funding in the budget to complete this project this upcoming fiscal year.



Council Minutes

4. McFarland Cascade. Mr. McDowell informed Council that McFarland Cascade came in a couple of weeks ago and said they are moving forward with their Conditional Use they acquired a few years ago on the property out on Highway 228. Mr. McDowell will address a few issues such as landscaping concerns when the new equipment arrives and production is more underway.

CITIZEN COMMENT: No citizen comments at this time.

COUNCIL COMMENTS: No Council comments at this time.

EXECUTIVE SESSION: The Council adjourned to Executive Session at 8:05 p.m. pursuant to ORS 192.660 Section (e) and (i).

Mayor Ware & Council returned to Regular Session at 8:16 p.m.

ADJOURNMENT: Councilor Van Sandt moved to adjourn, with Councilor Chambers seconding the motion. The meeting was adjourned at 8:17 p.m.

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