

Council Agenda Packet

Tuesday, February 22nd, 2022 | 7:00 p.m. | Community Room | In-Person/Hybrid



Table of Contents

1	Agenda
3	<i>Minutes: January 25th, 2022</i>
11	Administrator
26	Public Works
28	Planning
29	Court
30	Sheriff
31	Library
32	2021.2022 Goals & Values (<i>Sept. '21 Update</i>)
41	Resolution 2022.04: Solid Waste Rates (<i>Annual</i>)
	<i>Resolution 2021.09: Solid Waste Rates [2021]</i>
48	Resolution 2022.05: Write-off Historical Water Account Debt
50	Resolution 2022.06: Downtown Sanitary Sewer (DTSS) Change Orders
51	Resolution 2022.07: Business Oregon ROI Grant
52	Ordinance 787: Cemetery (<i>First Reading</i>)
57	Central Linn Elementary School Request Karly Geider
59	Calapooia Food Alliance (CFA) Letter
60	CFA Kirk's Ferry Agreement ['22]
63	Board, Committee & Commission Application
64	City Attorney Ross Williamson Court Transfer Letter
66	Resolution 2017.19: <i>Emergency Resources & Contacts</i>
67	Department of Environmental Quality (DEQ) Tank Letter
68	DEQ Newsletter Notices
71	DEQ Fines Notice
73	S & P Outlook
75	RAIN Video Viewing Announcement March 11 th , 2022
76	ODR CAT Filing Notice
78	Financials
✱	<i>Please visit: https://www.ci.brownsville.or.us/citycouncil for these documents, 1) Linn County Newsletter [February '22], 2) RAIN Quarter Four Report [February '22], 3) Future Ready Oregon Article [February '22], 4) Jenna Stutsman Chamber of Commerce Report.</i>



Council Meeting

Tuesday, February 22nd, 2022

Location: City Hall in the Community Room | Hybrid

AGENDA

Regular Session

7:00 p.m.

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: January 25th, 2022
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Central Linn Elementary School Request | Karly Geider
 - B. Calapooia Food Alliance | Kathleen Swayze
 - C. Sweet Home Sanitation Annual Report | Brian White & Michael Grove
 - D. Chamber of Commerce & Flower Baskets | Danielle Myers & Jenna Stutsman
 - E. City Website Review
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Planning
 - E. Library
 - F. Court
 - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
 - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
 - A. **Resolution 2022.04: Solid Waste Rates**



- B. **Resolution 2022.05:** Write-off Historical Water Account Debt
- C. **Resolution 2022.06:** Downtown Sanitary Sewer (DTSS) Change Orders
- D. **Resolution 2022.07:** Business Oregon ROI Grant
- E. **Ordinance 787:** Cemetery (*First Reading*)

10) ACTION ITEMS:

- A. Adopt Board, Committee & Commission Application
- B. Municipal Court Options

11) DISCUSSION ITEMS:

- A. OGEC Notifications
- B. Annual Council Goals Review
- C. January Financials

12) CITIZEN QUESTIONS & COMMENTS

- ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

Please visit www.ci.brownsville.or.us for the meeting agenda, agenda packet and other City information.



January 25th, 2022

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. in the Community Room with Councilor Thompson, Councilor Hansen, Councilor Humphreys, Councilor Chambers, Councilor Craven, and Councilor Neddeau present. Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell were also present. Public members in the room included Carol & Stan Hill, Kathleen Swayze, Allen Buzzard, and Tia Parrish (*The Times*). Lara Letaw joined via teleconferencing platform.

PUBLIC: Council chambers provided a listening room with Administrative Assistant Elizabeth Coleman, Richard Micklewright, and Jered McLain present.

The pledge of allegiance was recited.

McDowell reminded everyone that the microphones in the room are very sensitive. Please do not engage in side conversations as they will muddle the recording. We also have a listener on the phone tonight, so it may be difficult for them to hear with a lot of background noise. This will be a hybrid meeting utilizing in-person, a listening room, and online access for the meeting.

ADDITIONS AND DELETIONS: Mr. McDowell reported that deletions tonight include 10) B. Downtown Sanitary Sewer change order as the information was not received from the contractor. Handouts on the desk include an email from Melissa Haendel, a POSAB request, a statement from Dayna Hansen on behalf of the Chamber of Commerce, Linn County ransomware attack information, an inflation piece, and a document from Jered McLain regarding the Brownsville Cemetery was added by Mr. McClain.

MINUTES: Councilor Neddeau made a motion to approve the December 21st, 2021 minutes with a correction requested by Councilor Thompson. Councilor Craven seconded the motion and it passed unanimously.

PUBLIC HEARING | PRESENTATIONS:

1. **Chamber of Commerce | Dayna Hansen.** Mrs. Hansen was unable to be present, so she submitted her talking points in printed form, which are found on the desk tonight. Discussion followed. Council would like a Chamber representative to come to the next meeting for clarification. Mr. McDowell will make that request to the Chamber.
2. **NIMS Website Training.** Mr. McDowell showed the FEMA website where folks can complete the NIMS training online. This is the training that Emergency Preparedness Committee (EPC) President Norman Simms recommended for Council last month. Mr. McDowell will also email out the link to this website to Council. McDowell recounted the story about the benefits this training provided the City of Aumsville a few years ago when a tornado went through their community. It was a huge help to the community that Council members had been trained.

DEPARTMENT REPORTS:

1. **Linn County Sheriff's Office (LCSO) Sheriff's Report.** Deputy Zac Vanderhoof and his canine, Oak, were present to report for the month. Deputy Vanderhoof stated that he had been promoted to K-9 in September. He and his canine then began a 6-week, 240-hour training course. This dog is primarily a tracking dog; they went out on a medical emergency 2 days ago. The training is ongoing, and the dog must be



recertified through the State once a year. The dog's career will likely be 8-9 years. Councilor Hansen asked about the rumor of a carjacking incident in town. Deputy Vanderhoof stated that the rumor is true. The car was recovered in Vancouver, but as it is an ongoing investigation, he could not share further information.

Public Works (PW). Superintendent Karl Frink recapped activities and projects for the month. Frink stated that the park leaf cleanup is almost finished.

The traffic counters were installed last month. Frink reported that something went haywire, and they collected no data. He will look into the situation.

Mr. Frink reported that the PFA's (perfluorooctanoic acid) and PFO's (perfluorooctane sulfonate) samples were collected and sent off to DEQ. These contaminants were not detected, so that project is finished for now.

Mr. Frink stated that the Water Treatment Plant had a faulty turbidity meter. It was returned and replaced with a new fully functioning meter.

The new water line on Calapooia is still pending.

Frink reported that he recently had to put together 5 years of data for water distribution and sewer treatment plant. The data was collected to determine capacity and future implications.

On January 17th, 2022, PW started discharging from the north lagoon. This discharge will continue until the lagoon gets down to the optimum level, approximately 3 feet. The City will likely discharge again before the April 30th deadline per our NPDDS permit.

On January 13th, 2022 we started discharging from the south lagoon. Frink encountered problems with the chlorination out there. Mr. Frink worked all of the holiday weekend addressing the issues. The City stayed in compliance throughout the entire process.

2. **Administration.** Mr. McDowell thanked Mr. Frink for all his hard work. The chlorination project alone required five straight days of work. We are lucky to have Karl, he brings considerable knowledge and care to the City.

McDowell also thanked all City Hall Staff members for their tremendous help during his recent absence. Everyone worked very hard to make things happen for the City during that time.

McDowell reported that the MVP (Mid-Valley Prosperity) group was successful in applying for and receiving a grant from the State of Oregon. The City of Brownsville will be taking the lead as the pass-through agency. Our MVP consultant, JayRay, is working on finishing a new logo and some new marketing information.

McDowell reported that the DTSS project has finished up. There are still several loose ends that need to be addressed. The City engineer is working on the final change order, and that will be brought to Council for approval when completed.

McDowell reported that Disaster Preparedness (D-prep) has been on hold due to illnesses in the partner cities, so it is still a few more weeks out.

Mr. McDowell reported that he will be attending the LOC (League of Oregon Cities) meeting soon. He is excited have input on a a direction forward for the League. The meeting is scheduled for February 11th, 2022 at 11:00 a.m. in Halsey. Mayor Ware expressed interest in attending as well.



McDowell reported that the Central Linn Recreation Center (CLRC) is planned under action items tonight. Jonathan Dunn, Woodblock, has prepared a proposal for the architectural work on the project. The automatic computer-generated code updates for the door is still a work in progress due to IT issues.

Mr. McDowell informed Council of a few upgrades in the computer room at City Hall. McDowell recently installed a new POE switch. Alyrica installed a new battery backup. We are dealing with a few technical issues, but hope to have it cleared up soon.

City Attorney David Ris and Mr. McDowell continue to work on the franchise agreement for Pacific Power, and hope to have it finalized soon for Council approval.

Our semi-annual bond payment is due at the end of the month. Mrs. Morrow and Mr. McDowell will be traveling to Key Bank to make the ACH payment tomorrow.

Mr. McDowell hired Scott Smith, LB Productions, to put some video together for the public hearings we will have to hold to move forward with Canal Company project. It is likely to be 6-8 weeks before we are ready to move forward.

3. **Planning.** No comments.

4. **Library.** No comments.

5. **Court.** No comments.

6. **Council Comments.** Councilor Thompson stated that she would like to present a motion for Council consideration. *Councilor Thompson moved to require all future resolutions to have a financial impact statement attached. This statement should contain good faith estimates of near and long-term outlays. This would not apply to many of our resolutions, and a simple N/A would be noted on the resolution if not applicable.* Councilor Thompson feels that it is irresponsible not to take financial consequences into account, and betrays the trust our citizens have placed on us. Council owns the budget.

Mayor Ware asked for a second on the motion. Councilor Humphreys asked if she is proposing this for all future resolutions, and that if there is a financial implication that could affect the City or the Council, the resolution must have that financial documentation so that Council will know up front the possible financial ramifications? Councilor Thompson agreed to this summary.

Councilor Craven stated that he believes this policy would exhaust more resources by doing a cost benefit analysis. Councilor Chambers agreed.

Mayor Ware again asked for a second to the motion before more discussion happens. *Councilor Humphreys seconded the motion.*

Councilor Hansen stated that he felt this resolution is unnecessary and all expenditures are quantifiable. Councilor Hansen stated that if more information is needed, Council is always able to consult with Staff. He went on to state that he felt this motion may be a reaction to Resolution 2021.25. Some resolutions are a position statement, made on principal. Hansen stated that this action is unnecessary because Council can always delay passing a resolution if needed, and seek more financial information.

Councilor Thompson stated that she feels financial impacts are a very, very valid question to be asking. The City budget is limited, and to not even question financial impacts is irresponsible. She stated that this resolution is not just about mask mandates.



Councilor Hansen stated that he believes Council has the responsibility to ask questions now if they are uncertain about any aspect of each resolution. He does not feel that this policy procedure action is necessary.

Councilor Neddeau asked if it would be satisfying if a resolution had pretty good financial consequences to be asking these questions at that time.

Mr. McDowell interjected here that anytime there is a financial component, it is typically contained in the actual resolution. There are a few exceptions, for example, the one tonight, R 2022.02, the CIS safety program resolution. The safety program runs the City about \$6,000 - \$8,000 per year. In general, the financial numbers are included in each resolution. Council could revisit this at the Goal Setting session if they would wish, but it is already being done.

Councilor Thompson stated that she felt it is important for her to put this out there. She thinks more thought should be given to it in her opinion.

Mayor Ware called for the vote. *The motion failed 5-2, with Councilor Thompson and Councilor Humphreys voting in favor, and all others voting against the motion.*

7. **Citizen Comments.**

Richard Micklewright, Spaulding Avenue commented on the disparity between R 2021.25 and the adopted safety policy tonight, R 2022.02. He stated that these resolutions are in direct conflict, and it is not possible for the City Administrator to implement both of these resolutions in a consistent manner. Micklewright suggested adding an addendum to one or the other resolution that identifies which of the published OSHA safety regulation the City is going to ignore, when an employee is required to “observe established regulations”, and when an employee is free to choose.

Jered McClain, Kirk Avenue, provided a 6-page paper tonight for Council’s perusal. His comments focused on road maintenance, drainage, signage, gates, future cemetery services, and bordering fences.

Allen Buzzard, School Avenue, thanked Council for volunteering their time to be on Council. He again requested support to be appointed to the POSAB. He encouraged Council to be mindful of the small neighborhood park needs.

Mayor Ware interjected here to try to clarify the situation for Mr. Buzzard. Ware stated that Mr. Buzzard has not been appointed to boards and committees in the past (with the exception of the Budget Committee), and he will not be appointed this time as well, at least as long as this Council exists in its current form. One of the reasons is that when Mr. Buzzard was on the Budget committee, he caused regular consternation among the members, then resigned, and did not complete his term. Mayor Ware stated that Mr. Buzzard, in his willingness to talk to folks in the community, has made comments that could be considered slanderous about Council and Staff on numerous occasions. Mayor Ware stated that he hoped that Mr. Buzzard would stop expressing so many viewpoints on into the future. Mayor Ware informed Mr. Buzzard that a letter from the City will be sent to him concerning these matters.

Mr. Buzzard stated that he had 23 seconds left, and would like to offer one correction. He stated that he appreciated Mayor Ware being frank with him. Mr. Buzzard went on to state that he did not resign from the Budget Committee; citing a work conflict and his inability to attend the Budget Committee meetings.

LEGISLATIVE:



1. **Resolution 2022.01 | Appoint Pro-Tempore Judge (Annual)**. Councilor Chambers moved to approve R 2022.01. Councilor Hansen seconded the motion and it passed unanimously.
2. **Resolution 2022.02 | Commitment to Safety Program (Annual)**. Councilor Thompson moved to approve R 2022.02. Councilor Neddeau seconded the motion and it passed unanimously.
3. **Resolution 2022.03 | Disburse Transient Room Tax (Annual)**. Councilor Craven moved to approve R 2022.03. Councilor Neddeau seconded the motion and it passed 6-1, with Councilor Chambers voting against the motion. Councilor Chambers stated that she would like to see some financials. Mr. McDowell would like to recommend to Council that this annual payment be made in September instead of January due to Staff recommendations and budget parameters.

ACTION ITEMS:

1. **Approve TMDL Report (Annual)**. McDowell stated that this report was put on the website, and emailed on Sunday. Councilor Neddeau moved to approve the TMDL report. Councilor Chambers seconded the motion and it passed unanimously.
2. **Woodblock & Associates Proposal for CLRC**. McDowell reviewed what Council has been looking at when making some serious renovations in the CLRC and the park pavilion. The floor in the CLRC is about 2-3 years past its useful life. In 2017 at Council's direction, the Facilities Review Committee (FRC) was created. This committee consisted of members that included POSAB, Pioneer Picnic, Council member, CLSD board member, and representative from the City of Halsey. There were many very productive discussions held. The FRC recommended to Council that a structural engineer take a look and give their findings. VLMK, a structural engineer, was hired through the City engineer, The Dyer Partnership. The completed report indicated that the CLRC should be viable for a 30-year improvement. Then the pandemic hit, and in 2020 & 2021 no forward progress was made. The next step is to hire an architect for project assessment. Jonathan Dunn, Woodblock & Associates have put together a proposal for \$35,000; the proposal lists very specifically what is included. McDowell stated that if approved, work could begin immediately, and the City should be ready by 2023 for this full makeover.

Councilor Craven stated that he felt the rates were a little high, but with inflation at its highest point in years, any delay could raise the cost even higher. Councilor Craven made a motion to approve the proposal and move forward with the project. Councilor Thompson seconded the motion.

Councilor Humphreys asked why the City went through this particular architect? McDowell responded that Dyer Partnership was the catalyst for Woodblock, as they do not have an architect on their staff. He further stated the \$35,000 does seem like a steep price, but the overall project is \$1 - \$1.2 million, so it is not that far out of range. For example, the GR12 waterline construction project estimate is \$595,000, and engineer fees will be 20% on top of that project. Professional services are very costly. McDowell has tried to expediate the project per Council's directive, and fees are high everywhere. There is a certain amount of value in the fact that this group is ready to start now on the project. A vote was called for, and it passed unanimously. McDowell also stated that any public project completed by



the City have to be very durable due to high liability costs and public requirements associated with municipalities and public facilities.

DISCUSSION ITEMS:

1. **Budget Committee Preparations | Membership & Notices.** McDowell stated that there is one opening on the Park Board (POSAB). Unfortunately, no one met the application deadline. McDowell would like to recommend advertising this opening in the March newsletter. He stated that there is also an opening on the Budget Committee. Council could go with that, or advertise in *The Times* as usual. This is just information of interest for Council as Mr. McDowell handles these items as statutorily required.
2. **Annual Council Goals Review | Set a Date.** Mr. McDowell stated that the meeting will require about 2.5 hours, with 1.5 hour reserved for goal setting. Dates were discussed. Council decided that February 5th, 2022 at 9:30 a.m. in the Kirk Room would work.
3. **Pharmacy Impacts and Policy.** Mayor Ware stated that he had talked with Pharmacist Joe Ervin, trying to determine how Council could best help him and our other small businesses in town with regard to the Corporate Activities Tax (CAT). Ware stated that he decided to move ahead and send a letter to our representatives and senator and had talked with Jamie Cate, our soon to be local representative after the redistricting next year.

Jamie Cate did call Mayor Ware back and told him that the Republicans had tried to get the exemption for pharmacies, but were not successful. She thinks that the problems that are happening now can help the matter gain traction for the upcoming short session in February. Councilor Chambers and Hansen agreed that Mayor Ware's letter was great, and they appreciated him doing that. Councilor Hansen also stated that good awareness is being raised. Councilor Craven stated that the CAT tax is a big problem for all small businesses; this tax in effect, costs all of us more. Mayor Ware stated that he had talked with the Chamber as well; they indicated that they would send a letter as well.

Mayor Ware also mentioned that in the January 12th, 2022 edition of *The Times*, it was reported in the Central Linn School Board minutes that the City of Brownsville had hired an attorney and requested the school join the City in an anti-masking letter. Mayor Ware contacted the CLSD and it was determined that it was an error by *The Times*, and that it was another school district that had made this request. The City has not taken an anti-mask stance, nor hired an attorney to pursue anti-mask mandates. Mayor Ware has written an editorial to be published in *The Times* tomorrow clarifying the situation.

Mayor Ware also complimented Allen Buzzard on his volunteer work he does in the community. It is appreciated.

4. **December Financials.** No comments or questions.

CITIZEN QUESTIONS & COMMENTS. No comments.

COUNCIL COMMENTS. Councilor Craven stated that in response to the Melissa Haendel's email, he has information about the recalls of the PCR tests if anyone would like to see it; there are several documents.



He would like to commend Council for seemingly staying ahead of the curve and honoring our Oath of Office to protect the civil liberties of our constituents as well as our City's employees. Councilor Craven believes Council has shown this by taking action with Resolution 2021.22 which opened our public facilities and took a symbolic stand for our struggling businesses. This proves that by taking action and governing our City based on our own affairs, the Council is ahead of the curve as we lifted our own emergency declaration, prior to the Governor who proceeded to do the same thing a few days later.

During our final Council meeting of 2021, members of Council also voted once again to take a stand for employee's rights, personal choice, and body autonomy with the passage of Resolution 2021.25. Craven stated that roughly a month later, the highest court in the land voted in a similar fashion.

It brings Councilor Craven comfort to serve along others who are committed to honoring the preservation of our freedoms, which are not granted by flesh, and shall not be taken by flesh.

As we move into a new year, Craven is confident that Council will continue to tackle the tough issues head on through constructive debate, listening to our constituency, and consistently staying ahead of the curve in every aspect of governing the City of Brownsville. Thank you all, and cheers to 2022!

Mr. McDowell made a few clarifying comments. Tonight, Mr. Micklewright made comments about R 2021.25 and R 2022.02. It is important to note that these two resolutions are not that difficult to enforce and are not in conflict. It seems there has been a lot of misunderstanding around these two resolutions that have caused a lot of hard feelings in our community.

R 2021.25 was a show of support for Staff and body autonomy by Council. This was a symbolic gesture by Council. If OSHA, the State of Oregon, and all federal entities upheld the vaccine mandates, the City of Brownsville would have had no choice but to comply because the City would not be able to fight back with a lawsuit. Council's effort was geared toward solidarity, and many of our Staff have greatly appreciated the gesture. What caused this to be considered was that CIS (our insurance carrier) had told the Sheriff's Association that they would not be allowing medical or religious exemptions against the mandate. It was an all or nothing proposition; get vaccinated or get fired.

Recently, the United States Supreme Court has issued a struck down President Biden's mandate on this issue, but it is not clear yet what the future will hold. Some countries are beginning to take steps to end the pandemic and move on. Mr. McDowell would like to make it clear that the City has done everything possible, in terms of our offices, to meet and exceed compliance and go above and beyond. Air purification systems have been installed in the Library and at City Hall. The offices have acrylic and plastic shields, Staff members wear masks, and will continue these practices as long as Governor Brown's order is in place. Hopefully, this information will clarify the situation for certain community members.

Councilor Chambers would like to move forward with meeting with Linn County District Attorney Doug Marteeny. Would Council like to write a letter, or perhaps we could still have a contingency meet with him to discuss our mutual concerns? Mr. McDowell stated that he will reach out to Mr. Marteeny and try to reschedule this meeting. Councilor Craven stated that he is interested in going if his schedule allows.



Councilor Chambers also asked about the cemetery situation. Mr. McDowell will try to reschedule that meeting as well.

ADJOURNMENT: *Councilor Craven made a motion to adjourn at 8:22 p.m. Councilor Neddeau seconded the motion and it passed unanimously.*

ATTEST:

APPROVED:

City Administrator S. Scott McDowell

Mayor Don Ware



February 22nd, 2022

From: S. Scott McDowell
To: Mayor & Council
Re: General Business

Note: The first section of this report provides an overview of topics to be discussed the night of Council. If an item title is **highlighted in green**, that means the item is part of Council Goals. You will see [G1] or other number in front of certain items. The G number corresponds to a Council goal. When you see this symbol, ☒, it means more information will be provided at the meeting.

“One of the keys to success is to hold each other accountable.”
~ Peter Drucker, Management Expert

“You can’t move forward with backward thinking.”
~ Elwood Logan

“Gratitude is for us to see what is there instead of what isn’t.”
~ Unknown

“You don’t make progress by standing on the sidelines, whimpering and complaining. You make progress by implementing ideas.”
~ Shirley Chisholm, Congresswoman



AGENDA ITEMS DISCUSSION

The following items follow the order of the Agenda

6) PUBLIC HEARINGS OR PRESENTATIONS:

A. Central Linn Elementary School Request | Karly Geider – Karly Geider is requesting display space for an art project. The idea is to hang enlarged art work on the front of City Hall. Please find information regarding her request in the packet.

What is Council being asked to do?
Geider is asking for permission to hang art on the front of the Art Center.

B. Calapooia Food Alliance | Kathleen Swayze – Mrs. Kathleen Swayze will be asking for improvements to Kirk’s Ferry Park. Please find the CFA’s letter in the packet.

What is Council being asked to do?
The CFA is asking for improvements in Kirk’s Ferry Park to accommodate the CFA’s Farmer’s Market and to cost share on a portable toilet for the market season.



City Administrator Report

- C. **Chamber of Commerce Meeting** – Administrative Assistant Tammi Morrow and I met with Danielle Myers and Jenna Stutsman of the Brownsville Chamber. They are planning on being at the meeting Tuesday evening to report on the flower baskets decision and other updates about the Chamber. On February 10th, 2022, we talked about the opportunities involved with RAIN for Chamber members, the corporate activities tax & advocacy efforts, and how to communicate with City Hall on upcoming events and Chamber happenings. City Staff fields phone calls from the general public and it is difficult when we don't have the information to share with those who call in. The City and Chamber will be renegotiating our partnership agreement this Fall.

What is Council being asked to do?

Danille Myers & Jenna Stutsman will be reporting out on the flower baskets and the state of the Chamber of Commerce.

- D. **Sweet Home Sanitation | Brian White & Michael Grove** – Representatives from the City's solid waste provider will request a rate increase and discuss the state of refuse management. See *Legislative 9) A.* below.
- E. **City Website Review** – I will give a brief overview of the City's website and the wealth of information that is available to everyone.

9) LEGISLATIVE:

- A. **Resolution 2022.04: Solid Waste Rates (Annual)** – The Solid Waste Franchise Agreement requires an annual review of solid waste rates. Each year, Sweet Home Sanitation provides the City with a proposed rate increase for Council's consideration. The reason the City designed the agreement with this provision was to keep pace with market conditions instead of having to do large rate corrections due to a longer interval of review. It is the same concept Council employs for utility rates.

Sweet Home Sanitation is proposing a 4.94% increase. I have included the current rates, Resolution 2021.09, so you can compare the current rates with the proposed rates should you choose.

What is Council being asked to do?

Consider passing the resolution.

- B. **Resolution 2022.05: Write-off Historical Water Account** – Administrative Assistant Jannea Deaver identified several latent accounts that are still on the books from years ago. The City would like to write-off these charges for bookkeeping purposes. Please see the resolution for more details.

What is Council being asked to do?

Staff recommends passage of this resolution.

- C. **Resolution 2022.06: Downtown Sanitary Sewer (DTSS) Change Orders** – After a foreboding start to the DTSS project, some good news to report. The total change in the contract price with the removal of the old tank the crew found in Spaulding Avenue by the Library was \$13,366.41. The cost to remove the tank all-in was \$31,813.41 which was considerably less than what was reported to Council at the time of the work. The City was



credited \$18,447.00 on quantity and contract adjustments. Please see the resolution for more details.

What is Council being asked to do?

Staff recommends passage of this resolution.

- D. **Resolution 2022.07: Business Oregon ROI Grant** – Staff spoke with SingerLewak’s Jessica Luther-Haynes, City Auditor, about the receiving and passing through of these grant funds received from the State of Oregon. The resolution explains the process for handling these funds. Staff will notify Council of disbursements at regularly scheduled Council meetings as a way of tracking the expenses through the public record. See the resolution for details.



What is Council being asked to do?

Staff recommends passage of this resolution.

- E. **Ordinance 787: Cemetery (First Reading)** – Mayor Ware and I investigated some cemetery grounds issues that have occurred over the years and, as Council directed, have constructed this ordinance to address those issues along with Mr. McClain’s request to be able to close the cemetery from late, late night visitors. The ordinance is relatively self-explanatory.



What is Council being asked to do?

Consider the ordinance language and give it a first reading. March Council meeting would be a second reading of the ordinance and then thirty days later it would come into effect.

Should Council be so inclined, they could pass the ordinance as an emergency which means the ordinance would come into effect in thirty days.

Note: It will probably take a while for the signs to be made.

10) ACTION ITEMS:

- A. **Adopt Board, Committee & Commission Application** – Included in the Agenda Packet is an application that, if adopted, will be used for people interested in vacancies for the appointed positions within the City.

What is Council being asked to do?

Consider adopting the application.

- B. **Municipal Court (New)** – Mrs. Carol Humphreys announced that she will be retiring at the end of the fiscal year. I have asked City Attorney Ross Williamson to provide a letter about the possibility of the City assigning the City’s case load to the Linn County Justice Court in Lebanon. The letter is included in the agenda packet. The State continues to take more and more of the revenues generated by small, municipal courts (courts in general) over the last several years. The State also continues to redefine crimes, allow activities that once were illegal, and make procedures more cumbersome all of which continue to lead to a lack of funding for these services.





What is Council being asked to do?

Make a motion to send McDowell forward to explore options.

11) DISCUSSION ITEMS:

- A. **Oregon Government Ethics Commission (OGEC) Notifications** – Council and the Planning Commission will soon be receiving emails requesting the filing of your annual State of Economic Interest (SEI) forms with OGEC. Please adhere to the deadlines as the City will be fined if the forms are not filed by the deadline provided by OGEC. I am here to help you if you need it. The help at OGEC is also very good. Please let Administrative Assistant Tammi Morrow and I know once you have electronically filed with OGEC so that we can track who has completed this task.
- B. **Annual Council Goals Review** – Council will possibly continue any goals discussion from February 17th, 2022.
- C. **January Financials**



UPDATES, INFORMATION & HAPPENINGS

League of Oregon Cities (LOC) Region IV Meeting – Mayor Ware and I attended the latest meeting in Halsey. Small cities from our region gave a lot of feedback to the League on their Executive Director search and lobbying efforts. Most are frustrated with the lack of winning on any legislative issue and are tired of not being heard.



Recently, League of Oregon Cities parted ways with Mike Culy and Patty Mulvihill is acting as interim until a candidate is hired. Most are hoping for a new direction under new leadership.

McClain & Cemetery Maintenance – Public Works Superintendent Karl Frink and I met shortly after the last Council meeting to address the items in Mr. McClain’s letter. Karl will be installing an automatic gate at the Cemetery, addressing the stormwater runoff issue with drainage, and Public Works will resume grading the road.

McDowell & Mayor Ware reviewed the items at the Cemetery and will be forwarding a future ordinance to Council that will implement Cemetery hours, grave maintenance items and other details for future consideration.

McDowell will reach out to Linn County Road Supervisor, Parker Leigh, to discuss options once again on the County’s Local Access Road. It is possible that the County may allow maintenance to be performed on the road due to the recent change in County leadership.

McDowell and McClain talked about the Canal Company, the culvert McClain installed to access the bottom part of his property that is a source of contention for some, and the City’s Capital Improvements projects.

Planning Commission Update – Administrative Assistant Elizabeth Coleman and I attended the Planning Commission meeting on February 7th, 2022. Several administrative tasks were approved by



City Administrator Report

the Commission including looking at setbacks for Accessory Dwelling Unit/Secondary Residences, administrative reviews for residential rentals, and what to do about storage containers among others.

ODOT Annual Road Report – Filed with Danny Spaulding.

MDAC Annual Report & Verification – Filed with Christine Wilson at the Oregon State Treasury.

Pacific Power Franchise Agreement – City Attorney David Ris and I continue to go back and forth with the Pacific Power over language changes on the new agreement. As soon as we reach agreement on the details, I will forward the franchise agreement to Council for review in ordinance form.



Utility Capacity Review – The Dyer Partnership has been working closely with Staff to review utility capacity issues with the unprecedented amount of development happening in Brownsville. Council will be fully briefed once Staff verifies capacity and potential mitigation options.

Public Works Standards – City Engineer Ryan Quigley finalized the draft Public Works Standards for Staff review. We are excited to receive this document because it is an indispensable tool for properly guiding development. Administrative Assistant Elizabeth Coleman, Public Works Superintendent Karl Frink and I will review the standards and sit down with Ryan to ensure that everything we need is included.

Council will then be asked to approve the Public Works Standards at a future meeting.

Downtown Sanitary Sewer Project [G5] – *From an earlier meeting:* The City received good news shortly after last Council meeting regarding the tank found in Spaulding Avenue. The tank was an old heating oil tank. EWFF, based out of Philomath, is the environmental company who handled the required testing. All tests came back clean. EWFF is handling the disposal of the physical tank & it’s contents along with the Department of Environmental Quality (DEQ) paperwork. The City’s engineer is Dyer Partnership. Jessie McElwain is currently handling on-site inspections on their behalf.

Public Works Superintendent Karl Frink and Administrative Assistant Elizabeth Coleman have been monitoring progress. Councilor Neddeau visited the site during the removal of the tank.

The City filed a report with the U.S. Department of Commerce. The City was randomly selected to provide reports for the project. McDowell certified payroll reports and handled a couple of financial pieces with Administrative Assistant Tammi Morrow.



From 10.27.2021: Pacific Excavation got to work on the installation. Staff spoke with several abutting property owners including Mr. Steve LaCoste and Mr. Michael Worthing. The letter sent to property owners and tenets can be found on the City website. Simply click the orange banner on the top of the website.

*From 10.27.2021:*The project is underway and met unforeseen challenges “right out of the gate.” Public Works Superintendent Karl Frink and I will provide an update.



City Administrator Report

From 09.28.2021: I have included a letter sent to property owners and tenets two weeks ago explaining the details. I will have more information Tuesday evening.

From 07.27.2021: The City opened bids on Wednesday of last week. Public Works Superintendent Karl Frink, Administrative Assistant Elizabeth Coleman, and I attended with Dyer Partnership personnel included City Engineer Ryan Quigley. Four contractors submitted bids. All bids qualified for consideration, two had minor exceptions. Below are the results:

<u>Bid</u>	<u>Contractor</u>
\$518,986	Pacific Excavation, Inc.
\$599,000	North Santiam Paving Co.
\$629,000	Trench Line Excavating, Inc.
\$679,550	James W. Fowler Co.

MVP Meetings | [G3] – The group has made significant progress on a new name, mission & vision statements and the website is being built.

From 12.21.2022: The group met in Lebanon to discuss positive steps forward. The group received good news from BizOregon, RAIN received the Rural Opportunities Initiative (ROI) grant. The group is also looking to secure additional funding.

The group met late last week in Sweet Home with JayRay to discuss branding and marketing efforts. The group worked on developmental ideas for a shared website. I will have more information at the meeting Tuesday evening.

From 10.27.2021: The next scheduled meeting is set for October 28th, 2021 in Adair Village. The group will focus on meeting the objectives of the intergovernmental agreement with the third-party contractor who will be developing a website and branding materials with the assistance of the group.

RAIN Grant Coordination | [G3] – The City received the grant from Business Oregon. Resolution 2022.07 shares details on how the funds will be expended and such. Staff continues to work out the details for disbursement with RAIN.

From 10.27.2021: I met with Caroline Cummings (RAIN), Kelly Hart (City of Lebanon) and the State to address a few concerns. The group is still working through the details while waiting on the outcome of the grant funding submitted last month.

From 09.28.2021: The City has volunteered to be the sponsor for the Rural Opportunities Initiatives (ROI) grant for the MVP and RAIN. RAIN Staff will help with the logisitics and details. Council may be asked to pass legislation in the future for this application if the proposal is approved. Awards will not be made until October 2021. The application can be found on the City Council webpage under supporting documents for this meeting.



Linx Transportation Opportunity – It is time to start gathering support from community partners if this project is something the City wishes to pursue. Mayor Ware & Councilor Thompson were the Council representatives for this project. We will need to sit down and create a strategic plan for implementation and meet again with Ms. Oliver to line out the details.



From 12.21.2022: Ms. Oliver is still working on compiling the initial information.

From 10.27.2021: Mayor Ware and I met with Kindra Oliver last week to review the key components of the Lebanon transportation system and to discuss the operational logistics of how Linx may include service to Brownsville. Mayor Ware, Councilor Thompson and I will meet once we receive the printed materials from Lebanon and make a plan to talk with community partners.

D-Prep Status [G4] – The group is still waiting to get together to make a decision on a vendor. As was reported last month, illnesses caused the delay in all three communities.

From 12.21.2022: The group met to refocus the Scope of Work. Soon the group will put out another RFP. January 2022 is the target for accepting a proposal.

From 10.27.2021: The group met last Wednesday to review the solicited proposals. Upon discussion, the group decided to reissue the ‘Scope of Work’ because none of the vendors actually submitted a proposal that adequately covered what we were asking for. Work will take place next week to address this issue.

From 09.28.2021: A Request for Proposals (RFP) was put out for consideration. The deadline was September 24th, 2021. The group will meet very soon to select a vendor. Staff, including Administrative Assistant Tammi Morrow, Public Works Superintendent Karl Frink and I will be involved with this project.

From 09.28.2021: The City of Sweet Home is coordinating the Request for Proposals (RFQ) process for the group. I hope to have more information for Tuesday evening.

From 06.22.2021: The group finalized the IGA and begins conversations with third-party vendors.

Remington Park [G5] ☒ – EO Landscaping finished up the remaining items in Remington Park. I will provide an overview of the project Tuesday evening.

From 12.21.2022: Public Works is dialing in a few details as requested by the Parks & Open Space Advisory Board. Contractor EO Landscaping will be completing the natural play area in the bark area as soon as they have the necessary materials.

From 10.27.2021: Public Works Superintendent Karl Frink and Administrative Assistant Elizabeth Coleman have worked cooperatively on the installation of Remington Park on the northside of town. The project is coming along nicely. Next week Public Works plans on installing a bench, a picnic table, a trash receptacle and a dog waste station.



Policy

fyi

fyi

i

📄

↻

Meeting Logistics

Now and again, actually three times over the last fifteen years, people get upset about the way the City handles the dissemination of meeting information. It has happened over the following topics, 1) the State of Oregon’s cannabis policies adopted by the State from 2014 through 2018, 2) Council considering banning roosters, and 3) Covid-19.



City Administrator Report

Agenda Posting

The City posts the agenda of the upcoming Council meeting at the Library and on the front of City Hall. The City has done this for decades. The City also posts the agenda on the website along with the complete agenda packet for public inspection.

Cities all over the world post agendas in a similar fashion.

Agenda Packet

The next complaint usually involves the posting of the agenda packet and access to the information. The City exceeds standards for posting the agenda packet. The City publishes the Council Agenda Packet online, the Thursday prior to the Tuesday Council meeting. Nearly all other cities in the State publish their agenda packet on Friday prior to a Monday meeting. Staff provides Councilors and citizens with an additional forty-eight (48) hours to review any resolution, ordinance or other decision Council will be considering. The general public gets the information the exact same time that Council gets the information.



It is the responsibility of the citizen to know where to go for the information and stay in tune with what is happening in their community. For years, the City made packets for several regular attendees and will make a physical copy upon request.

Several citizens have asked to be put on the email list for Council meetings and related materials. They receive a link to the Agenda, the Agenda Packet and instructions on how to connect to the Council meeting via video conferencing should they prefer that option.

Meeting Recordings

Anyone wanting a recording of a Council meeting is more than welcome to have a copy of that recording. All they have to do is let Staff know. Staff will send a link to the audio so folks can download the link, or folks can make an appointment, bring an USB drive to City Hall with the meetings they would like to have.



Typically, the City receives four or five of those requests a year – top end.

Reports

The City Administrator and Staff are required to inform Council of things that are happening in the County, State and Federal governments. It is one of the chief reasons why the City has administrative personnel. Policies that have been enacted by the State Legislature sometimes do not work, or work to a varying degree, and sometimes these policies hit the mark. Staff must evaluate the information based on the impact that it can have on the City. All pertinent information must be reported to the elected officials of Brownsville.



Goal 1 | Focus on Fundamentals



Linn County Sheriff’s Office Monthly Report | [G1] – The City is under contract for 200 hours per month. The eighteen-month average looks like this:

LCSO Month-to-Month Comparison (18 months)

Year	Month	Traffic Citations	Traffic Warnings	Hours
2022	January	11	11	244.5
2021	December	19	17	200
2021	November	12	16	220.75
2021	October	13	25	204
2021	September	9	3	230
2021	August	10	5	218
2021	July	19	8	233.25
2021	June	9	9	184.25
2021	May	40	15	209
2021	April	14	13	210
2021	March	18	14	213.25
2021	February	28	11	208.4
2021	January	14	10	204
2020	December	14	12	226
2020	November	26	30	204
2020	October	16	18	202
2020	September	18	12	208
2020	August	20	14	211
	<i>Subtotal</i>	310	243	3830.4
	Total Average	17.22	13.50	212.8

LCSO Quarterly Meeting | [G1] – The next meeting with the LCSO is slated for March 2nd, 2022. The group will be interested in hearing the outcome from the meeting with Linn County District Attorney Doug Marteeny. Councilors Craven, Chambers and Hansen will be meeting with Mr. Marteeny the day after Council meeting.

TMDL & Designated Management Agency (DMA) | [G1] – Work continues.

From 01.25.2022: Total Maximum Daily Load (TMDL) Bi-annual Report – Twice a year the City is required to report on TMDL requirements. As you know, the once ‘voluntary’ program has now blossomed into requirements with the force of law and possible fines from the State. Many cities in Oregon are charging citizens for stormwater runoff based on impervious surfaces such as roofs, concrete and pavement. The requirements stem from the Clean Water Act passed by the United States Congress. In Oregon, the Department of Environmental Quality (DEQ) administers the program. The basic premise of TMDL is that stormwater runoff is negatively impacting fish habitat and making fish unsafe to eat in large quantities by humans. The requirements come from an ever growing list of unfunded mandates handed down to the states by the Federal government.

Staff will prepare the annual report for Council review and approval at the January meeting. Staff is still in the process of reviewing the DMA requirements.



From 10.27.2021: Staff have been reviewing requirements and have briefly discussed how to accomplish the required work with the City Engineer.

From 05.25.2021: Public Works Superintendent Karl Frink and I attended a webinar detailing the City’s new responsibilities as a DMA. Many folks on the call expressed sincere concern about these regulations, the validity of the process and the associated costs. Many were frustrated.

From 04.27.2021: The State Department of Environmental Quality requires this topic be placed on Council agenda twice a year. Staff will outline basic components of the City’s TMDL plan. The City placed an article in the March Newsletter that was also a requirement of the plan. The basic premise of TMDL is that stormwater runoff is negatively impacting fish habitat and making fish unsafe to eat in large quantities by humans. The City recently received a letter from the Department of Environmental Quality (DEQ) that now threatens findings and orders if cities are not compliant.



Linn County Planning & Building Department Meeting Outcome | [G1] – No new news. Everyone is still working on Accela, the County’s on-line permitting system.

*From 10.27.2021:*Linn County recently held a training session and is working on the logistics for their newly implemented e-permitting system. The group still needs to clarify UGB agreements that have not been updated for forty years.

From 6.22.2021: I met with the cities of Halsey, Harrisburg & Scio. We have scheduled a meeting for this upcoming Monday with Linn County Commissioner Sherrie Sprenger. Administrative Assistant Elizabeth Coleman will be attending an informational meeting with the Department regarding the implementation of the new software that will allow electronic filing of permits.

From 05.25.2021: The group continues to wait on the County to upgrade and implement an e-permitting system. Future meetings will be required to continue to move this goal and other items forward.

Civic Partnership Agreements | [G1] – The CFA has a request for Council’s consideration as discussed earlier. Please see the informational letter contained in the packet for details. I have also included the current agreement for the CFA. All other civic partnership agreements are current.

From 11.22.2022: Council will consider continuing the use agreement for Kirk’s Ferry Park with the Calapooia Food Alliance (CFA) for the 2022 Farmer’s Market. The agreement is on a year-to-year basis. The current agreement is in the agenda pack for your review. CFA representatives Kathleen Swayze and Natalie Wade have written a letter for your consideration as well. Parks & Open Space Advisory Board is in favor of continuing the agreement for another year.



From 10.27.2021: Council will consider a new agreement with the Central Linn Recreation Association. Please see notes above. Council will review the Calapooia Food Alliance agreement at the November Council meeting.

From 09.28.2021: Council has agreements with many civic partners for various reasons. Each of those agreements are generally three year terms; some are shorter. The reason for this term length is so current Council members are aware of the details of those past agreements. It is done this way due to the overlapping terms of Council members. Any of the agreements are available for review upon request.



2

Goal 2 | Water Rights

Oregon Association of Water Utilities (OAWU) | [G2] – Public Works Superintendent Karl Frink and I continue to provide information for the WCMP plan to Mr. Tim Tice at OAWU.



From 06.22.2021: Public Works Superintendent Karl Frink provided a tour of the City's facilities to Mr. Tim Tice.

From 05.25.2021: Council contracted with OAWU to work on the Water Conservation Management Plan (WCMP) as required by the Oregon Water Resources Department (OWRD). Staff has been gathering information for the study.

Mr. Tim Tice is the lead representative from OAWU working on the project.

Oregon Water Resources Department (OWRD) | [G2]

From 05.25.2021: I contacted the State to make sure they were aware that the City is working with OAWU as required. Kerri Cope acknowledged the City's current project status.

From 04.27.2021: Mr. Rolfe has taken a position with a law firm in Washington State. The City will continue our representation through Schroeder Law.

From 03.23.2021: Staff has received an estimate from the Oregon Association of Water Utilities (OAWU) to complete the Water Management Plan required by the State. I will provide a resolution on Monday, January 25th, 2021.

From 12.15.2020: The City must complete this project this upcoming fiscal year to stay in compliance with the order from OWRD.

3

Goal 3 | Economic Development Plan

Mid-Valley Partnership (MVP) | [G3] – See above.

From 09.28.2021: The group is in full swing once again. We are trying to put together a Request for Proposals on marketing, branding and building a comprehensive website for MVP as was the plan that was stalled by the Pandemic. I will have more information at the meeting Tuesday.

From 06.22.2021: Halsey City Administrator Hilary Norton moved forward on behalf of the group to apply for grant funding to start making progress on the agreement that Council signed with other regional partners at the beginning of 2020, end of 2019. I have included Mayor Ware's letter of support in the agenda packet for your review.

The City also extended the RAIN agreement for two years as previously authorized by Council.

4

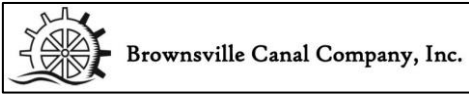
Goal 4 | Community Development Plan



City Administrator Report

Active: Canal Company & the Mill Race | [G4] – Canal Company | Agreement Proposal – The City obtained video footage to help in telling the story and highlighting the importance of the Canal. I am working on the agreement and the ‘roll out’ plan.

From 11.22.2022: Councilor Craven and I met with Mr. Holbrook and Mr. Babcock to discuss the expanded Canal Company partnership possibility that was paused due to the pandemic. I will have more at the meeting.



I have met with Mr. Bob Babcock who is working on setting up a meeting with the City and Canal Company leadership. I have briefed Councilor Craven and provided him with key documents in preparation for those meetings.

From 10.27.2021: Councilor Craven and I will reach for a meeting prior to Thanksgiving. The City may experience some physical logistics issue with public meetings.

RV Ordinance & the Zoning Code Amendment | [G4] – *From 10.27.2020:* Administrative Assistant Elizabeth Coleman and Planning Consultant Dave Kinney have been working on a major amendment to Title 15 of the Brownsville Municipal Code. The proposed RV ordinance from last meeting falls within Title 15. City Attorney Ross Williamson said that any amendments to Title 15 will require a special process as it falls within the Measure 56 rule that requires two separate public hearings and a direct mailing to all effected property owners.

From 09.22.2020: Council appointed Councilors Thompson, Hansen and Chambers to review the RV Ordinance from City Attorney Ross Williamson with Staff. Enclosed in the agenda packet is a draft version of that ordinance for discussion. We will review the highlights prior to the discussion.

From 07.28.2020: City Attorney Ross Williamson developed the language for a revision and clarification on RV’s. How would Council like to proceed? I would suggest a volunteer to work through the changes with Staff and bring those changes to Council for consideration at a future meeting.

Land Inventory | [G4] – Mr. Kinney continues to prepare. See above. *From 03.26.19:* Please review the letter from Planning Consultant Dave Kinney. I asked Mr. Kinney to provide this letter to show Council the process and the political will that is going to be necessary for this important project. See past reports for more information.

Right-of-Ways & Storage Containers | [G4] – *From 12.17.19:* Council considered **two** ideas moving forward at the last meeting. Idea #1) consider permitting for temporary storage containers, and Idea #2) consider future requirements for storage containers as permitted living spaces.

From 11.26.19: Councilor Thompson, Councilor Neddeau, Administrative Assistant Tammi Morrow and I met to review right-of-way infringements, the ordinance and storage containers. Staff will share information with Council for possible next steps.



Goal 5 | Capital Improvements Plan



Facilities Review Committee Recommendation Outcomes | [G5] – Staff met with Jonathan Dunn’s architecture firm on February 16th, 2022 to start the process at the Rec Center.

From 01.25.2022: Council accepted Woodblock & Associates proposal.

From 12.21.2022: Staff is looking into architectural services as directed by Council.

From 11.26.19: The Ad Hoc Committee met to discuss the structural engineering report from VLMK and to discuss ideas, strategies, and options.

6

Goal 6 | Organizational Development

Council Retreat allows for this goal to be implemented and improved upon.

From 10.27.2021: Councilor Thompson provided a good article on the *Ten Traits to be an Effective Councilmember*.

7

Goal 7 | Advocacy Plan

Council and the Chamber are working on the Corporate Activities Tax and watching the State Legislature closely during this short-session.

ACTIVE, PENDING & STALLED

Active: Rec Center & Pioneer Park Pavilion | Moving Forward – See above.

From 12.21.2022: The next step is to gather accurate cost estimates for work to be performed so Council can determine what happens next.

From 09.28.2021: Council will discuss the next steps for this project. Council had developed a Facility Review Committee (FRC) that had made some formal recommendations which Council completed in 2019. An informal, ad hoc committee was created to review logistics and details however due to the pandemic, the project has been on hold. The City was working with representatives from the Central Linn School District, the Central Linn Rec Center, Park Board, the Linn County Pioneer Association, the Chamber and the City of Halsey. Council and the Budget Committee have set aside a substantial amount of money for this project.



Active: WCMP Information Update | [G2] – *From 09.28.2021:* Staff has been working with Mr. Tim Tice on the Water Conservation & Management Plan (WCMP). Public Works Superintendent Karl Frink has been working diligently on the numbers to make sure consumption is accurate and fairly reported.

Active: River’s Edge Outcome – Staff continues to work closely on complaints, inspections and permitting issues.



From 11.23.2021: Staff and the Planning Commission met to give final instructions to the developer for the landscaping plan which was an integral component of the Planning Commission’s decision to move forward with the development as a Planned Unit Development (PUD). The City is waiting to receive a bond for the work, or for the work to be completed to the satisfaction of the City. The landscaping plan and area will be managed into the future by the homeowner’s association for River’s Edge which currently is under the custody of Chad E. Davis Construction.

From 10.27.2021: Staff continues to work on getting a landscaping plan that will meet the requirements of the Planning Commission.

From 09.28.2021: Staff has spent considerable time on this project. On September 9th, 2021, Staff review many items that remain incomplete. The City is working with the developer and the construction company to complete these items. Staff is working under the direction of the Planning Commission for a number of issues relating to this development.

From 04.27.2021: The City is in the process of finalizing concerns with Pacific Power over streetlights. The Planning Commission is also hearing a proposal for Phase III of the subdivision. The City still will need to accept the water and sewer utilities and the streets once officially deemed complete by the City.

*From 03.23.2021 :*The new sanitary sewer extension has been completed and has passed all necessary tests according to Public Works Superintendent Karl Frink.

NIMS Training – *From 01.25.2022:* I will show the NIMS website and training as recommended by the EPC at the last Council meeting.

Approve Annual TMDL Report – The report was filed with Department of Environmental Quality (DEQ) and acknowledged by Dylan Whitney.

From 01.25.2022: The City is required by the State of Oregon to submit this report annually. Council reviews and approves the report each year. I will be preparing this report over the weekend. I will post it to the City website and send you an email so you can review the document prior to Tuesday evening.

Downtown Sanitary Sewer Project | Change Orders – *From 01.25.2022:* I will be meeting with City Engineer Ryan Quigley to discuss final costs on the DTSS project on Monday the 24th. I may have a change order request for Council to consider Tuesday evening.

Woodblock & Associates Proposal – *From 01.25.2022:* Council had sent Staff forward for a proposal for the upgrades to the Rec Center. The proposal is included in the agenda packet for your review.

Budget Committee Preparations | Membership & Notices – *From 01.25.2022:* Annually, I make Council aware that the City will be placing the necessary, required advertisements for the budgetary process.

COMPLETED

- ✓ The annual TMDL Report was filed with the Department of Environmental Quality (DEQ).
- ✓ The annual financial and debt report was filed with the Oregon State Treasury.
- ✓ The annual ODOT roads report was filed.



City Administrator Report

- ✓ Mayor Ware & McDowell reviewed the cemetery issues.
- ✓ Agreed to new terms with Valley Telephone on the electronic door installation.
- ✓ Made US Bank Bond Payment #1
- ✓ Resolved most of the computer issues for now.
- ✓ Finished the Prospectus update.
- ✓ Finished the Project Outlook; Master TTDL update.
- ✓ Reached an agreement for Park Caretakers.
- ✓ Updated Personnel & Payroll for 2022.
- ✓ Completed the Remington Park project.
- ✓ Administrative Assistant Elizabeth Coleman and I finished depositions with Kenny Montoya.
- ✓ Filed all easements pertaining to the Downtown Sanitary Sewer & Waterline project.

Please visit the City website at <https://www.ci.brownsville.or.us/currentevents>.

★ *Kirk Avenue Project History*

★ *Calapooia Riverbank*

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be "SM", representing Scott McDowell.

City Administrator Scott McDowell



Public Works Report February 16, 2022

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of January.
- *Distribution System* – There were four small water leaks this month.
- *Cross Connection Program*- Nothing to report this month.
- *Water Treatment Plant* – New instrumentation has been installed and near completion. The repaired turbidimeter has been reinstalled and is operating correctly. We were running the wells as a water source but had problems with two wells. One well pump failed and one well is unable to produce more than 5 gallons per minute. The week of February 21st we will be having the low volume well cleaned and blown out to try to recover lost flow.
- *Misc.* – Public Works has stopped hydrant flushing until our water source is switched back to the Infiltration Gallery. A new water line has been installed along the east end of Calapooia Ave for the development of two new homes. The fire hydrant for this project has been installed. No testing has been done on this new water line. Work is under way to develop our required water management and conservation plan. All the information required from the City has been prepared and ready for review and moving forward to the next phase of the plan. Five years worth of water and sewer data has been submitted to Dyer Partnership for review to determine our current capacity load and future needs.

Sewer:

- *North Lagoons* – Discharge from this facility began December 28, 2021 and finished January 27th. A total of 30.317 million gallons were safely discharged to the Calapooia River. Additional discharging will be required before April 30th to prepare the facility for summer holding.
- *South Lagoons*- Public works began discharging from this facility on December 13th and finished February 5th. A total of 51.98343 million gallons were safely discharged to the Calapooia River.
- *Collection System*- There are several new sewer connections pending with several new homes being constructed.
- *Misc.* – The downtown sewer project is near completion. Clean up and landscaping should be happening soon.

Streets:

- *Mowing/Tree Maintenance* –Public Works continues to trim branches as needed. Public works has begun mowing and will begin mowing rights-of-ways soon.
- *Asphalt/ Gravel Road Maintenance* –Nothing to report at this time.
- *Storm Drainage* – Nothing to report at this time.
- *Misc.* – Street sign work continues as time allows. Many new locations have new posts set and the new signs installed. We will be creating a map that indicates all the areas in town that public works mows and maintains. Several street lights have burned out and have been repaired as needed.

Parks:

- *Pioneer Park* –Leaf clean-up is complete and mowing has begun. Public works continues to collect trash and pick up debris as needed.
- *Blakely Park* – The Park has been mowed, leaves picked up and maintained as needed.
- *Kirk's Ferry Park* – This Park has been mowed, leaves picked up and maintained as needed.

- *Remington Park* – The rehabilitation project of this park is near complete. The natural play structures have been installed. Public works will be installing a new park sign and pet waste station once the ground is drier.

Cemetery:

- *Grounds* –Several plots have been marked for burial or headstone placements.

Library:

- *Grounds*- This facility has been mowed, leaves picked up and maintained as needed.
- *Buildings*- Some minor building repairs are complete.

Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed.
- *Garbage cans* – Downtown garbage cans are emptied every Friday, or more frequently as needed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – Nothing to report this month.

City Hall:

- *Buildings*- Nothing to report this month.
- *Grounds* –The grass is mowed and maintained weekly, or as needed. The irrigation has been turned off at this facility.
- *Community Center*- Nothing to report from this facility this month.

Rec. Center:

- *Grounds*- The grass is mowed weekly or as needed.
- *Buildings*- The gymnasium lights have been replaced with LED lights. A toilet and a door have been repaired.

Public Works:

- *Grounds*- This facility has been mowed and maintained as needed.
- *Buildings*- Cleaning and organizing continues as time allows.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All the equipment at public works has been repaired or in the process of being repaired to prepare for use.
- *Training*- Nothing to report this month.

Respectfully Submitted,



Karl Frink, Public Works Superintendent

PLANNING AT A GLANCE JANUARY 2022

Permits *Building, Plumbing, Mechanical, Fence, Etc.*

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> • Mechanical • Fence • Fence | <ul style="list-style-type: none"> Replace Gas Furnace | <ul style="list-style-type: none"> 926 Oak St. 840 Pebble St. |
| <ul style="list-style-type: none"> • Accessory Structure • Construction | <ul style="list-style-type: none"> 12 x 40 Hoophouse Front and Back Porch | <ul style="list-style-type: none"> 216 Washburn St. 1127 Ash St. 111 Blakely Ave. |

Updates

An application for a Home Occupation has been submitted to the City for review. The Planning Commission will review the application in February.

Mrs. Coleman will attend the first Contract City Quarterly meeting with Linn County Planning & Building of the year. The group will receive updates on applicable building code changes & discuss any questions or concerns the contract cities may have regarding Accela, permits, and other areas of planning.

Elizabeth E. Coleman

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR JANUARY 2022**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	20	1	0	21	
Violations	153	10	20	143	
Contempt/Other	48	2	0	50	
TOTALS	221	13	20	214	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 3,510.00	City	\$ 2,510.00
Total Bail Released +	\$ -	Restitution	\$ -
PayGov Adjustment	\$ -	Oregon Dept Revenue	\$ 776.00
Total Bail Held -	\$ -	Linn County	\$ 224.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -
Cash Shortage -	\$ -	Misc Deposit	\$ -
Miscellaneous Income	\$ -		

TOTAL COURT REVENUE	<u>\$ 3,510.00</u>	TOTAL COURT PAYMENTS	<u>\$ 3,510.00</u>
----------------------------	---------------------------	-----------------------------	---------------------------

Credit given for Community Service	\$ -
Other Credit Allowed Against Fines	\$ -
Total Non-Revenue Credit Allowed	<u>\$ -</u>

TOTAL CASH PAYMENTS TO:

CITY	\$ 2,510.00
STATE	\$ 776.00
COUNTY	\$ 224.00
*REFUND RESTITUTION BAIL HELD	\$ -
TOTAL:	<u>\$ 3,510.00</u>



Library Advisory Board

Librarian's Report

January 2022

Here are a few facts about our library the month of January 2022. We have received 46 new books for the library. Volunteers donated 112.5 hours to our library. There were 1,191 materials checked out. 438 adult fiction books; 147 adult non-fiction books; 93 audio books; 283 children's books; 115 junior books; 59 junior reference books and 56 large print books.

In January, we held 14 children's programs with 136 participants. There were 6 programs for adults with 28 participants. Our Library partners with the Central Linn Early Literacy Program at The Learning Tree Preschool. This allows for these young students to connect with our Library in a positive way. Every other week, we check out 15 books based on the letters or subject they are studying. It is a terrific partnership. I also continue to be an administrator for the Dolly Parton Imagination Library Program. This small opportunity allows me to admit and transfer children into the wonderful world of reading. Each child registered for the Imagination Library receives a free book mailed to their home each month. In partnership with Corvallis Morning Rotary Club and Linn County United Way our area of service is the entire Linn County. It is very rewarding.

Together with Don Lyon, the Library has begun hosting the World Cultures and Travel Programs. There will be four presented by Don Lyon this winter along with another by local resident Paul Winther. Masks are required for ages 5 and older in the Library. Seating is also spread out to allow for social distancing. Looking forward to spring, the Library will be partnering with Sharing Hands and the OSU Extension Service in helping people learn to plant seeds! More details to come. Read on!

Respectfully submitted,

Sherri Lemhouse
Librarian



2021-2022 Council Goals
(Compilation Date: March 2021)

Goals 2021-2022

1. Focus on the Fundamentals.

- *Protect & Manage Brownsville's Treasury.*
- *Foster Cooperative and Productive Relationships in Brownsville with the Central Linn Community, Linn County, & State & Federal Agencies.*

2. Water Rights.

- *Explore Possible Additional Water Source Options.*
- *Continually Work on Perfecting Water Rights.*
- *Complete Water Conservation Plan required by the State.*

3. Economic Development Plan.

- *Participate in Regional Efforts and Opportunities in Real-Time.*
- *Implement the Mid Valley Partnership Agreement.*
- *Finalize Economic Analysis, Land Inventory and Urban Growth Boundary.*

4. Community Development Plan.

- *Refine Brownsville Code Requirements & Public Works Standards.*
- *Adopt Building Rules and Standards to Preserve Historic Aesthetic.*
- *Emergency Preparedness Planning: Participate in Local and Regional Efforts to Expand Public Awareness and Readiness.*
- *Monitor Tort Limits, Recreational Immunity & Case Law impacting Local Amenities.*
- *Continue Promoting Youth Activities with Community Partners.*

5. Capital Improvements Plan.

- *Construct Downtown Wastewater Improvements.*
- *Plan for the GR 12 Waterline Extension.*
- *TMDL Review, Monitoring and Implementation Elements.*
- *Work toward Recreation Center Renovation & Construction of New Pavilion.*

6. Organizational Development.

- *Focus on Council Leadership Development & Training.*
- *Continue Positive and Effective Working Relationship between Council and Staff.*
- *Emphasis on Volunteer Training and Meeting Logistics & Procedures for All Boards & Committees.*

7. Advocacy Plan.

- *Develop a Standing Committee to develop an advocacy strategy, to write policy statements and stay abreast of legislative developments at the State & Federal level.*
- *Focus on Home Rule, the League of Oregon Cities, the Cascade West Council of Governments, and other regional efforts to strengthen the City's policy positions.*



Goals Progress Plan

1. Focus on the Fundamentals.

- *Protect & Manage Brownsville's Treasury.*
- *Foster Cooperative and Productive Relationships in Brownsville with the Central Linn Community, Linn County, & State & Federal Agencies.*

Plan: Council, the Budget Committee and Staff will continue working carefully with the annually adopted budget to ensure financial well-being and to complete the goals of the City. Staff will strive to provide services efficiently and effectively to maintain low costs. Staff will work to maintain the City's outstanding financial rating. Staff will execute the planned projects found in the FY 2020.2021 and FY 2021.2022 budgets, as time, priority and possible financial constraints allow.

Staff will continue to strive for excellence in all relational aspects locally and regionally. McDowell will continue his involvement with the Solid Waste Advisory Committee (SWAC), the Linn County Sheriff's Office (LCSO) Joint Cities Coalition, the Linn County Planning and Building Department meetings, City/County Insurance Services (CIS), International City Management Association (ICMA), Oregon City/County Management Association (OCCMA) and the League of Oregon Cities (LOC) as needed. Public Works Superintendent Frink works with various groups including 811. Administrative Assistant Elizabeth Coleman works with the Linn County Planning and Building Department and the Park Board.

Staff is also very involved at a local level. McDowell serves as a liaison to the Board of Directors for the Chamber of Commerce and attends other civic organization meetings as requested or required. Mayor Ware serves on the Central Linn Community Foundation and the Lions Club, among others. Councilor Thompson serves as the liaison to the Central Linn Recreation Association (CLRA). Mayor Ware serves on the Cascade West Council of Governments (COG) Board. Councilor Gerber serves on Cascade West Council of Government's Transportation Board. Councilor Humphreys will serve as the liaison to the Linn County Sheriff's Office (LCSO).

September 2021 Update

- ★ **Treasury** | The City passed a balanced budget with many exciting projects for 2021.2022. Council refinanced debt to save money. Council and Staff, namely Administrative Assistant Tammi Morrow, have been effective using CARES Act money to backfill expenditures related to the Pandemic. Singerlewak recently completed the annual audit visit and is currently preparing the final report for FY 2019.2020. Staff will make sure the documents are sent to the proper agencies including the Secretary of State's Office. New housing developments will cause an increase in the General Fund for the fourth year in a row. It is also important to remember that the tax bill will look different this year due to the refinancing. The City already collected the money for this year's payment, so it will not reflect on the tax bill this year.
- ★ **Relationships** | The summer months have been busy with regional efforts heating up due to the removal of the State lockdown requirements. The City signed an IGA with Lebanon and Sweet Home for disaster preparation (D-Prep). The group is currently working on received proposals for the execution of Phase I of that program.

The City has been working with the LCSO and the Linn County Planning and Building Department on continued improvements. LCSO will be making several changes in personnel due to the retirement of Undersheriff Paul Timms.



Personnel changes at the LCPBD led to a meeting with Commissioner Sprenger to discuss possible outcomes with the Department. The County is currently working on filing the top position in the Department.

Council and Staff are reviewing the guidelines and requirements for the American Rescue Plan Act (ARPA) money.

2. Water Rights.

- *Explore Possible Additional Water Source Options.*
- *Continually Work on Perfecting Water Rights.*
- *Complete Water Conservation Plan required by the State.*

Plan: Council recognizes water as the City's most valuable resource. The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that may exist in areas around Brownsville. Staff will continue to work with City Engineer Ryan Quigley and City Attorney Rolfe Wyatt on issues as they arise through the State Legislature and other agencies of the State such as the Oregon Water Resources Department (OWRD). Staff will continually work on the Water Conservation Plan with Oregon Association of Water Utilities as hired in early 2021.

September 2021 Update

- ★ **Water Rights** | The City is now working with Attorney Sarah Liljefelt at Schroeder Law out of Portland. Long-time representative Wyatt Rolfe took a new position with a different firm. The City shut off the water to the Mill Race in early August due to extremely low water levels. The State Water Master did not send notice on the Mill Race to date.
 - ★ **Conservation Plan** | Council hired Oregon Water Utilities Association (OAWU) to complete the necessary reporting to comply with the Oregon Water Resources Department (OWRD) requirement that the City have a Water Conversation & Management Plan completed by March 2022. Mr. Tim Tice of OAWU is working with Staff on this report. Staff and OAWU have notified the State of Oregon about where the City is in this process.
-

3. Economic Development Plan.

- *Participate in Regional Efforts and Opportunities in Real-Time.*
- *Implement the Mid Valley Partnership Agreement.*
- *Finalize Economic Analysis, Land Inventory and Urban Growth Boundary.*

Plan: Continue working with partners on regional economic development efforts.

Definition: The two chief focuses of Economic Development are 1) retaining existing business and 2) attracting new business.

The City will incorporate several new ideas from the Goal Setting session into the Land Inventory and Update.

September 2021 Update

- ★ **Mid-Valley Partnership** | The Mid-Valley Partnership (IGA) is moving ahead with the deliverables contained in the agreement signed in December 2019. The Pandemic slowed this



project to a standstill for over a year. The group is currently out for proposals on the development of a stand-alone, joint website and marketing & branding materials.

- ★ **Land Inventory** | Administrative Assistant Elizabeth Coleman continues to work closely with Mr. Dave Kinney to prepare for the completion of the land inventory and review process through Linn County and the State of Oregon, namely the Department of Land Conservation & Development (DLCD). Council & the Planning Commission will be heavily involved in public hearings to complete this project.
-

4. Community Development Plan.

- *Refine Brownsville Code Requirements & Public Works Standards.*
- *Adopt Building Rules and Standards to Preserve Historic Aesthetic.*
- *Emergency Preparedness Planning: Participate in Local and Regional Efforts to Expand Public Awareness and Readiness.*
- *Monitor Tort Limits, Recreational Immunity & Case Law impacting Local Amenities.*
- *Continue Promoting Youth Activities with Community Partners.*

Plan: Council would like to continue to explore ways to positively affect community livability. Council will explore building rules and standards to solidify the historic look and feel of Brownsville. The City continues working with ad hoc volunteer committee promoting community emergency preparedness efforts as defined by the Brownsville Municipal Code. Staff will work with the Brownsville Rural Fire District, Halsey-Shedd Rural Fire Protection District, the City of Halsey and the Central Linn School District to accomplish Council directives. Council will continue to explore options for the Central Linn Rec Center and the Pioneer Park Pavilion with various partners including the City of Halsey and the Central Linn School District. Council will continue to monitor attacks against recreational immunity through various sources such as the League of Oregon Cities (LOC) and CIS.

September 2021 Update

- ★ **EPC** | The Emergency Preparedness Committee continues work on their annual goals. Several outreach projects have been curtailed due to the Pandemic. D-Prep is also a new dynamic that assists the City in emergency preparedness operations. Linn County also recently hired Ric Lentz as the new EMA Coordinator.
 - ★ **State Legislation** | Council and Staff will soon review all the bills that were passed in Salem this last long-session. There were many concerns that could several hamper municipal operations being considered as always. Three areas of major concern were increases to tort limits, abridgement of recreational immunity and discretionary immunity.
 - ★ **Youth Activities** | Councilor Craven recently was appointed as the liaison with the Rec Center. Council opened facilities and allowed the Rec Center to operate their baseball/softball program this summer. Librarian Lemhouse operated the summer reading program at the Library. Council also passed a budget that includes renovations to the Rec Center and the pavilion.
-

5. Capital Improvements Plan.

- *Construct Downtown Wastewater Improvements.*
- *Plan for the GR 12 Waterline Extension.*



- *TMDL Review, Monitoring and Implementation Elements.*
- *Work toward Recreation Center Renovation & Construction of New Pavilion.*
- *Move forward with Canal Company plans.*

Plan: Staff will continue to execute engineering and manage the construction of the old, sewer lines in Old Town Commercial. Staff will prepare for the design and installation of the GR 12 waterline. Staff and Council will work as required to cautiously move forward with TMDL requirements. Staff will continue working with the Ad Hoc Committee assigned to looking into the renovation of the Central Linn Rec Center and the relocation of the Pioneer Picnic Pavilion.

September 2021 Update

- ★ **Downtown Sanitary Sewer (DTSS)** | Council entered into a contract with Pacific Excavation to build the sanitary sewer and water line in the downtown area. Projected start date is October 4th, 2021. The contract will probably be a ninety day contract for completion. The City is stretched budgetarily on this project. Public Works Superintendent Karl Frink will serve as project inspector and City Engineer Ryan Quigley will also provide contract oversight and direction.
- ★ **GR 12 Water Line** | Council and Staff budgeted for this project to start. ARPA money may allow this project to happen this fiscal year. The line is important for future water capacity for the City. Improvements need to be made to the Water Treatment Plant to fully capitalize on the water capacity for the citizens.
- ★ **TMDL Plan** | The State of Oregon deemed the City a Designated Management Agency (DMA) which requires an official plan to be submitted to the State for review and approval. Council has continually been warned about the financial impacts of this unfunded mandate. Now the full power of the State can be levied against cities on compliance issues. Major fines have been assessed in communities across the United States.
- ★ **Recreation Center & Pavilion** | The City was working on the renovation of the Rec Center and the citing of a new pavilion at Pioneer Park prior to the Pandemic. Council needs to consider next steps for the project as many players have changed and the dynamics of community need has also been impacted.

6. Organizational Development.

- *Focus on Council Leadership Development & Training.*
- *Continue Positive and Effective Working Relationship between Council and Staff.*
- *Emphasis on Volunteer Training and Meeting Logistics & Procedures for All Boards & Committees.*

Plan: Council recognizes the need for additional training & development. Council will continue to improve in two ways, 1) collectively through regular group discussions and evaluations, and 2) executing their individual roles as community leaders. Council will look at new ways to work together to accomplish shared organizational goals and address community issues with Staff. Council will work to ensure that all Boards and Committees are properly trained, and procedures are periodically reviewed. Council will take a more proactive role with volunteer support. Council will continue to check in with Staff and stay abreast of community happenings.

September 2021 Update



- ★ **Council Training** | Council is actively working on leadership development and group dynamics issues. Council will continue to check in and monitor progress as the new group moves through meetings and community issues they are faced with in real-time.
 - ★ **Council-Staff** | The City has some work to do in this area. Working together has been the hallmark of the City's success. Council has done well with preparing for meetings and learning about the issues that are being discussed or what issues should be discussed by Council.
-

7. **Advocacy Plan.**

- *Develop a Standing Committee to develop an advocacy strategy, to write policy statements and stay abreast of legislative developments at the State & Federal level.*
- *Focus on Home Rule, the League of Oregon Cities, the Cascade West Council of Governments, and other regional efforts to strengthen the City's policy positions.*

Plan: Council recognizes the need for advocacy and would like to engage during the current legislative session while exploring other ways to engage both regionally and locally. Actively working on protection of Home Rule, recreational immunity, keeping and supporting tort limits and monitoring other impositions by the State government into local affairs. Council may develop a local advocacy plan that would include, 1) specific legislative items being considered by the State of Oregon, 2) prepare policy statements on those items, and 3) form letter writing efforts to improve municipal authority as allowed by the Oregon Constitution.

September 2021 Update

- ★ **Advocacy** | Council has not officially started this piece.



2021-2022 Council Values

Council Vision Statement

The Brownsville City Council works collaboratively and effectively with each other, staff, and community partners to preserve the historic character and economic health of our town and to create a high quality of life for our citizens.

A Vision for Brownsville

For a tiny rural Oregon community, Brownsville has a huge presence. It is well-known throughout the state for its friendly welcome and for being a safe, clean, and attractive town. It is clear that residents value its historic character and make special efforts to preserve and enhance it. Talk to business owners in the thriving north and south business areas and you will find that it is the creative working relationships between city government and private, county, state, and federal partners that sustain our economic health and well-being. Residents participate in Brownsville's inclusive process of growing and enhancing our high quality of life. Brownsville citizens care about healthy city finances, they expect infrastructure that delivers, and they elect a City Council that works for the benefit of the community. Public spaces are a vital part of Brownsville's sense of place; citizens' and city government's attention to the appearance and cleanliness of parks, streets, and neighborhoods adds to the town's livability.

Tag line

Brownsville: Where People Care, Business Thrives, and History Lives

Who we are?

Brownsville is a City that is proud of its past while constantly improving toward the future for the benefit of our citizens. We are a group of citizens that honor each other by carefully balancing the social contract (Brownsville Municipal Code) to keep peace and order. The Brownsville Municipal Code and Comprehensive Plan help define the role of the City. Organizational transparency is a focus of Council. Council is working closely with Staff, volunteers, civic organizations, appointed officials and the citizenry to execute identified goals and carry out the responsibilities of the City.

Brownsville has a tremendous sense of place and synergy between City Hall and our residents. Active citizens are the true strength of Brownsville as evidenced by the volunteers who give freely of themselves to provide many municipal functions and civic services. Many civic organizations implement their missions actively in our community which provides a quality of life and vibrancy that is uncommon. Community events are planned and designed to invite people into town to share what Brownsville has to offer.

Council recognizes that many civic organizations and the City government are working diligently on implementing organizational development concepts in order to more efficiently provide services. Council recognizes that we are in a transition period between an authoritative model and are collectively moving toward a new, participatory approach within the organization and throughout the community.

What do we want for Brownsville?

Brownsville should honor the past, maintain a healthy present and strive to assure a dynamic future by focusing on fundamental municipal services such as:



- | | |
|-------------------------|----------------------------|
| 1. Treasury Health | 7. Contract Administration |
| 2. Water | 8. Personnel |
| 3. Sewer | 9. Police Protection |
| 4. Capital Improvements | 10. Municipal Court |
| 5. Parks | 11. Library Services |
| 6. Streets | 12. Planning & Zoning |

Organizational Development

1. *Elected & Appointed Officials.* People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.
2. *Staff.* People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
3. *Organizational Axiom.* Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.
4. *Diversity, Equity, and Inclusion.* The City creates an environment of equal access to opportunities for all individuals in Brownsville. The City is committed to equal access through Federal and State laws, but also through local practice principled in the elimination of bias and barriers that may exist in the community and from developing in the City's organization. Council shall continue to consider implications of new and past policies that may create unnecessary barriers for members of minority groups, women, veterans and vulnerable populations.

NOTES: Council has discussed many organizational theories & objectives as well as identifying important critical thinking models that will serve as a guide for making better decisions. Below are a few of those models:

THE PROCESS OF PROGRESS

1. Recognize & Identify
2. Accept & Agree



2021-2022 Council Values

- 3. Strategize & Develop Action Steps
- 4. Implement & Execute
- 5. Review Outcomes

LEXIPOL'S 10 FAMILIES OF RISK MODEL

- 1. External Risks
- 2. Legal & Regulatory Risks
- 3. Strategic Risks
- 4. Organizational Risks
- 5. Operational Risks
- 6. Information Risks
- 7. Human Resources Risks
- 8. Technology Risks
- 9. Financial and Administrative Risks
- 10. Political Risks

How are expectations set in City Government?

- ◆ Laws & Municipal Code
- ◆ Standards
- ◆ Requirements & Rules
- ◆ Memoranda of Understanding
- ◆ Contracts
- ◆ Agreements
- ◆ Employee Handbook
- ◆ Societal Norms
- ◆ Cultural Nuances
- ◆ Public Opinion





RESOLUTION 2022.04

A RESOLUTION INCREASING SOLID WASTE RATES BY 4.94% AND SETTING FEES AS AUTHORIZED BY THE FRANCHISE AGREEMENT AND REPEALING AND/OR SUPERCEEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.

WHEREAS, Ordinance 737 was passed by the Council and approved by the Mayor on January 22nd, 2013 which defined the Solid Waste Franchise Agreement that authorizes charges and fees to be set by Resolution of the Council and reviewed as needed and recommended by the Franchisee;

WHEREAS, the City requires the passage of a resolution each time rates are increased in order to fully review and articulate the charges of and by the Franchisee to the general public and;

WHEREAS, the rates shall also include a \$.60 per month charge for an annual Household Hazardous Waste Day to be held in Sweet Home and;

WHEREAS, the Franchisee has experienced increased overhead costs such as recycling and landfill tipping fees and;

NOW THEREFORE BE IT RESOLVED that the rates and fees will be as follows:

Residential Service:	2022
Cans and Carts	
1-20 gallon weekly	\$14.27
1-35 gallon weekly	\$31.85
1-90 gallon weekly	\$39.60
Other Services	
Yard Debris Only	\$6.43
Recycling Only	\$6.43
Recall Fee	\$11.50
Access Fee	\$7.60
Extra Can/bag/box (up to 32gallon)	\$5.02
 Commercial Service:	
90 gallon cart	\$40.34
35 gallon cart	\$34.60



RESOLUTION 2022.04

1 Yard Container

Rental	\$65.38
Once per Month	\$89.39
Every Other Week	\$110.45
Weekly	\$141.68
2X per Week	\$255.24
Extra Dump	\$40.72

1.5 Yard Container

Rental	\$65.38
Once per Month	\$97.11
Every Other Week	\$127.16
Weekly	\$172.77
2X per Week	\$328.28
Extra Dump	\$46.77

2 Yard Container

Rental	\$65.38
Once per Month	\$104.63
Every Other Week	\$141.79
Weekly	\$224.69
2X per Week	\$403.16
Extra Dump	\$52.23

3 Yard Container

Rental	\$65.38
Once per Month	\$114.30
Every Other Week	\$215.95
Weekly	\$323.70
2X per Week	\$581.26
Extra Dump	

4 Yard Container

Rental	\$65.38
Once per Month	\$134.33
Every Other Week	\$224.76



RESOLUTION 2022.04

Weekly	\$377.26
2X per Week	\$678.61
Extra Dump	\$94.35
<i>Temporary 4 Yard Container</i>	
3 Days	\$119.15
Extra Dump	\$94.35
Demurrage per Day After 3 Days	\$4.29
3 Tab Roofing (3 days)	\$177.18
Extra Dump	\$139.77
Roll-Off Services:	
20 Yard Box/per Haul	\$194.70
30 Yard Box/per Haul	\$222.55
48 Yard Box/per Haul	\$250.34
Tonnage	\$82.83
Delivery	\$35.98
Demurrage – after 3 days	\$9.72
Relocation Fee	\$67.90
Monthly Rental	\$109.46

This Resolution shall become effective March 1st, 2022.

Passed by the City Council on this 22nd day of February 2022.

Don Ware
Mayor

Attest:

S. Scott McDowell
City Administrator



RESOLUTION 2021.09

A RESOLUTION INCREASING SOLID WASTE RATES BY 1.74% AND SETTING FEES AS AUTHORIZED BY THE FRANCHISE AGREEMENT AND REPEALING AND/OR SUPERCEEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.

WHEREAS, Ordinance 737 was passed by the Council and approved by the Mayor on January 22nd, 2013 which defined the Solid Waste Franchise Agreement that authorizes charges and fees to be set by Resolution of the Council and reviewed as needed and recommended by the Franchisee;

WHEREAS, the City requires the passage of a resolution each time rates are increased in order to fully review and articulate the charges of and by the Franchisee to the general public and;

WHEREAS, the rates shall also include a \$.59 per month charge for an annual Household Hazardous Waste Day to be held in Sweet Home and;

WHEREAS, the Franchisee has experienced increased overhead costs such as recycling and landfill tipping fees and;

NOW THEREFORE BE IT RESOLVED that the rates and fees will be as follows:

Residential Service:	<u>2021</u>
Cans and Carts	
1-20 gallon weekly	\$13.60
1-35 gallon weekly	\$30.35
1-90 gallon weekly	\$37.74
Other Services	
Yard Debris Only	\$6.13
Recycling Only	\$6.12
Recall Fee	\$10.96
Access Fee	\$7.24
Extra Can/bag/box (up to 32gallon)	\$4.78
 Commercial Service:	
90 gallon cart	\$38.44
35 gallon cart	\$32.97



RESOLUTION 2021.09

1 Yard Container

Rental	\$62.30
Once per Month	\$85.18
Every Other Week	\$105.25
Weekly	\$135.01
2X per Week	\$243.22
Extra Dump	\$38.80

1.5 Yard Container

Rental	\$62.30
Once per Month	\$9254
Every Other Week	\$121.17
Weekly	\$164.64
2X per Week	\$312.83
Extra Dump	\$44.57

2 Yard Container

Rental	\$62.30
Once per Month	\$99.70
Every Other Week	\$135.12
Weekly	\$214.11
2X per Week	\$384.18
Extra Dump	\$49.77

3 Yard Container

Rental	\$62.30
Once per Month	\$108.92
Every Other Week	\$205.78
Weekly	\$308.46
2X per Week	\$553.90
Extra Dump	\$55.36

4 Yard Container

Rental	\$62.30
Once per Month	\$128.01
Every Other Week	\$214.18
Weekly	\$359.50
2X per Week	\$646.66

Current Rates




RESOLUTION 2021.09


Extra Dump	\$89.91
 <i>Temporary 4 Yard Container</i>	
3 Days	\$113.54
Extra Dump	\$89.91
Demurrage per Day After 3 Days	\$4.09
3 Tab Roofing (3 days)	\$168.84
Extra Dump	\$133.19
 Roll-Off Services:	
20 Yard Box/per Haul	\$185.53
30 Yard Box/per Haul	\$212.07
48 Yard Box/per Haul	\$238.56
Tonnage	\$78.93
Delivery	\$34.29
Demurrage – after 3 days	\$9.26
Relocation Fee	\$64.70
Monthly Rental	\$104.31

This Resolution shall become effective March 1st, 2021.

Passed by the City Council on this 23rd day of February 2021.



 Don Ware
 Mayor

Attest:


 S. Scott McDowell
 City Administrator

CPI for All Urban Consumers (CPI-U)
Original Data Value

Series Id: CUURN400SA0,CUUSN400SA0

<https://data.bls.gov/timeseries/cuurn400sa0,cuusn400sa0>

Not Seasonally Adjusted

Series Title: All items in West - Size Class B/C, all urban consumers,

Area: West - Size Class B/C

Item: All items

Base Period: DECEMBER 1996=100

Years: 2011 to 2021

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2011	134.917	135.826	137.200	138.174	138.598	138.269	138.128	138.171	138.564	138.696	138.411	138.017	137.748	137.164	138.331
2012	138.465	138.997	140.235	140.619	140.834	140.375	139.645	139.971	140.600	140.847	140.287	139.768	140.054	139.921	140.186
2013	139.865	141.072	141.573	141.788	141.838	141.805	141.940	142.228	142.277	141.954	141.736	141.751	141.652	141.324	141.981
2014	141.998	142.120	142.813	143.077	144.253	144.522	144.435	144.317	144.506	144.214	143.398	142.669	143.527	143.130	143.923
2015	142.022	143.005	143.887	144.426	145.346	145.198	144.917	144.752	144.507	144.379	143.595	143.398	144.119	143.981	144.258
2016	143.932	144.128	144.264	145.128	145.942	145.866	145.850	145.829	146.130	146.328	146.004	145.918	145.443	144.877	146.010
2017	146.469	147.451	147.880	148.496	148.789	148.792	148.691	149.255	149.954	150.336	150.003	149.920	148.836	147.980	149.693
2018	150.564	151.200	151.702	152.350	153.201	153.546	153.464	153.797	154.158	154.729	154.625	154.228	153.130	152.094	154.167
2019	154.328	154.671	155.178	156.523	157.488	157.564	157.465	157.654	157.738	158.635	158.482	158.496	157.019	155.959	158.078
2020	158.599	159.183	159.129	158.824	158.301	158.857	159.752	160.528	160.846	161.141	161.069	160.840	159.756	158.816	160.696
2021	161.199	162.042	163.257	165.088	166.813	168.425	169.267	169.477	169.977	171.226	172.214	172.722	167.642	164.471	170.814

2012	1.67%
2013	1.14%
2014	1.32%
2015	0.41%
2016	0.92%
2017	2.33%
2018	2.89%
2019	2.54%
2020	1.74%
2021	4.94%

Data extracted on: January 19, 2022 (1:10:23 PM)

CPI for All Urban Consumers (CPI-U)

Series Id: CUURN400SA0,CUUSN400SA0

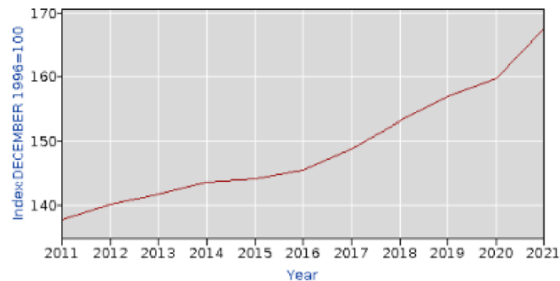
Not Seasonally Adjusted

Series Title: All Items in West - Size Class B/C, all urban consumers, not seasonally adjusted

Area: West - Size Class B/C

Item: All items

Base Period: DECEMBER 1996=100





RESOLUTION 2022.05

A RESOLUTION TO WRITE OFF LONG-TERM, OUTSTANDING BALANCE ON CERTAIN UTILITY ACCOUNTS

WHEREAS, the City charges monthly utility usage to its customers; and,

WHEREAS, the City has on its books numerous delinquent accounts for past due utility payments and/or fees disputed; and,

WHEREAS, the Council recognizes that the ability of the City to effectively collect on these historical outstanding payments and/or overdue fees has become a cumbersome activity, and the likelihood of collecting is extremely minimal; and,

WHEREAS, many of the delinquent accounts for outstanding payments and/or fees are still maintained as available revenue on the accounts receivable ledgers of the City; and,

WHEREAS, it is the desire of City Staff and Council to clean up the financial records and books of the City and avoid the carry-over of accounts receivables as available revenue, which stand a minimal possibility of collection; and,

WHEREAS, the Board has determined that writing off delinquent accounts receivables would clear up the books and financial records of the City; and,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BROWNSVILLE CITY COUNCIL, does hereby authorize Staff to take appropriate action to write off the accounts listed below:

- ★ Gabriel St. Germaine, Past Brownsville Saloon Owner, **\$32.25**
- ★ Gina Willcox, 725 Calapooia, **\$138.00**
- ★ James Delahunt, 403 Kirk, **\$142.80**
- ★ Jessica Labrum, 115 Millhouse, **\$78.42**
- ★ Bank Repossession, 374 Kirk, **\$191.20**
- ★ Brett Terri, 216 Washburn, **\$13.80**
- ★ Christopher Powell, 190 Main, **\$148.30**
- ★ Del Freeman, 1124 Ash St., **\$50.00**

- ★ **Total Amount = \$794.77**



Introduced and adopted this 22nd, day of February 2022.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION 2022.06

A RESOLUTION AUTHORIZING CHANGE ORDERS TO PACIFIC EXCAVATION, EUGENE, OREGON FOR THE 2021 DOWNTOWN SANITARY SEWER & WATERLINE IMPROVEMENTS (DTSS) PROJECT IN THE AMOUNT OF \$13,366.41

WHEREAS, the City contracted with Pacific Excavation, Eugene, Oregon, for the construction of the 2021 Downtown Sanitary Sewer & Waterline Improvements (DTSS) Project; and

WHEREAS, Council has appropriated sufficient funding to cover the costs associated with these change orders in the FY 2021-2022 Budget; and

WHEREAS, Change Order #1 was necessary for the exposure, decommissioning and removal of an unknown buried fuel tank found in the right-of-way of Spaulding Avenue west of the Library; the Department of Environmental Quality (DEQ) requirements and reporting were completed by NWFF Environmental from Philomath, Oregon; the total amount for the removal was **\$31,813.41**; and

WHEREAS, Change Order #2 was necessary for the adjustment of line item materials and quantities utilized for the project; the contract decreased by the amount of **\$18,447**; and

WHEREAS, the City Engineer, Dyer Partnership, has verified these change orders to be accurate, correct and reasonable for the work being performed; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon:

- That the City of Brownsville authorizes these change orders increasing the total contract by **\$13,336.41**.

PASSED AND ADOPTED by the Council of the City of Brownsville this 22nd day of February 2022.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION NO. 2022.07

**A RESOLUTION RECEIVING, EXPENDING & TRACKING BUSINESS
OREGON RURAL OPPORTUNITY INITIATIVE (ROI)
PASS THROUGH GRANT FUNDS**

WHEREAS, the City of Brownsville applied for a ROI grant on behalf of Mid-Valley Partnership (MVP) and was awarded **\$120,000** from Business Oregon in October of 2021; and

WHEREAS, the funding will be spent as required per the grant contract with the Oregon Business Development Department (OBDD) which is **\$100,000** pass through to RAIN and **\$20,000** for marketing & website development through JayRay, a third-party vendor retained by MVP; and

WHEREAS, the City will be received in the *General Fund Grants*, 100.000.470, and expended from line item 100.010.675.000.00.00, *Economic Development*. These funds were not anticipated to be received at budget time; and,

WHEREAS, ORS 294.325 (3) provides that local budget law shall not apply to the expenditure in the year of receipt of grants, bequests or devises transferred to a municipal corporation in trust for specific purposes, and further provides that expenditure of such shall be lawful only after enactment by the governing body of the municipal corporation of appropriation ordinances or resolutions authorizing the expenditure; and,

NOW, THEREFORE BE IT RESOLVED, the City will expend these funds as described above and in accordance with the grant agreement as follows:

- ★ **OBDD** Project Number is C2021627
- ★ **Total Award** is \$120,000
- ★ **RAIN** to receive \$100,000
- ★ **MVP** to receive \$20,000
- ★ **Council** will be notified when funds are expended at regularly scheduled Council meetings and will acknowledge payments by motion of Council.

This Resolution shall become effective immediately.

Passed and approved by Council on this 22nd day of February, 2022.

Approved:

Attest:

Mayor Don Ware

City Administrator S. Scott McDowell



ORDINANCE NO. 787

AN ORDINANCE ADDING PROVISIONS REGARDING THE CITY CEMETERY TO THE BROWNSVILLE MUNICIPAL CODE UNDER TITLE 2, ADMINISTRATION & PERSONNEL, SECTION 2.70.

WHEREAS, Council recognizes a need to adopt clarifying rules for the municipal cemetery, and;

WHEREAS, Title 2 of the Brownsville Municipal Code (BMC), Administration & Personnel, categorizes and accommodates the new language, and;

WHEREAS, Section 2.70 entitled, Cemetery, shall be added to the Brownsville Municipal Code to include the language and to better define responsibilities governing the use of the cemetery, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

Chapter 2.70 | CEMETERIES

2.70.010 Definitions.

- A. "Burial Site" means a burial site shall consist of a land area of four feet (4') wide and ten feet (10') long.
- B. "Cemetery" means a cemetery owned and operated by the City.
- C. "Interment" means The permanent disposition of the remains of a deceased person by burial.
- D. "Monument" means a tombstone or memorial of granite, or other stone of equivalent durability approved by the City Administrator or designee, which is flush with or extends above the surface of the ground.
- E. "City" means the City of Brownsville , a municipal corporation.

2.70.010 Sale or transfer.

- A. "Sale" means rights of burial shall be sold by the Clerk, utilizing a form approved by Council. The sale shall grant a right of burial only and shall not convey any other title to the burial site. The Clerk shall execute the sale form and record it with the cemetery burial rights records. Administrative staff and/or contracted agents, as directed by the City Administrator, will be responsible to provide information and consultation to persons seeking to purchase burial rights from the City.
- B. "Burial" means burial rights in a lot shall be restricted to the owner of such lot or his/her spouse, parents, children and grandchildren. If other than those individuals mentioned above, written authorization for burial rights must be obtained from such owner or his/her heirs.



- C. “Price” means the price for a right of burial for City residents and nonresidents shall be established and amended from time to time by resolution of the Council. Administrative staff shall collect and deposit the payments for the sale of each right of burial. A record of the sale shall be recorded for burial site purposes and for financial purposes.
- D. “Transfer” means a right of burial may be transferred by the owner of record, but only if first approved in writing by the City Administrator. No right of burial may be purchased, sold or transferred for speculative purposes. Rights of burial may only be transferred to those persons eligible to be original purchasers of City rights of burial.
- E. “Record” means the Clerk shall keep a permanent written record on all sales and approved transfers of burial rights.

2.70.015 Flowers, containers, and grave decorations.

- A. Floral Regulations — All flower containers that are abandoned or have dead flowers may be removed by the City. The City may remove and dispose of any and all growth, emblems, displays or containers that through decay, deterioration, damage or otherwise become unsightly, a source of litter or a maintenance problem.
- B. Flower Containers — Flower containers shall be the traditional green, moveable metal-handled flower container. Any other containers are prohibited including, but not limited to, those placed on shepherd's rods which prohibit mowing along the side of the Monument. Each burial site is permitted only one flower container. In-ground plantings are not permitted.
- C. Concrete Flower Pots — Concrete flower containers shall not be permitted. Concrete flower containers maintained with live flowers that were in place prior to July 1, 2022, may be allowed to remain until such time as the City Administrator or designee determines that the flowers are not adequately maintained. If the City Administrator or designee removes said containers the owner has one (1) year to reclaim them. Containers unclaimed for a twelve month period will be disposed of by the City.
- D. Fencing — The fencing and placing of any structures around or on a burial site is prohibited.
- E. Chairs — Chairs, settees, benches, or similar items must adhere to construction and materials standards set by the City.
- F. Surface — Any ground surface other than sod is prohibited.

2.70.020 Maintenance.

Maintenance of the City cemetery will be performed according to the City's discretion and may include, without limitation, the cutting, trimming, sprinkling and fertilizing of the grass, the raking and cleaning of the ground, the replacing of turf under certain conditions, and the pruning of shrubs or trees, and cleaning headstones all at intervals determined by the City.

2.70.025 Burial Site.



- A. Responsibility — The opening and closing of any burial site, prior to and following interment, shall be the responsibility of the funeral director. This shall include the payment of any costs associated with the opening or closing of the burial site. The burial site and surrounding grounds shall be returned to their original conditions within a reasonable period of time, as determined by the City Administrator or designee.
- B. Burial Regulations — All burial related issued shall be done in accordance with State law and guidelines from the Oregon Mortuary & Cemetery Board (OMCB) for Historic Cemeteries.

2.70.030 Monuments.

- A. Placement — Monuments and markers may not exceed a size of 42" long x 14" wide x 30" high (not including the foundation). Monuments and markers are to be made of natural stone, bronze, cast aluminum, or other similar material of lasting quality.
- B. Number — Burial sites may have a maximum of one above ground monument. A second military stone may be placed flush with the ground on the burial site. Additional in-ground markers shall not be permitted, including but not limited to, wood or concrete curbing or concrete slabs.
- C. Monument Foundations — The footing or foundation upon which any monument is to be placed shall be at least three and one-half inches (3.5") in depth and shall be three inches (3") longer and three inches (3") wider than the above ground monument. All markers are to be placed with a foundation.
- D. Monument Maintenance — The City shall not be responsible for the maintenance, repair, or replacement of any monument or any other memorial placed upon any burial site, or the performance of any special or unusual work which the City determines to be beyond the scope of general maintenance by the City at its discretion.

2.70.035 Interment Regulations.

- A. Subject To Laws — In addition to the provisions of this Ordinance, all interments and removals shall be subject to all laws, regulations, ordinances and others of the City and any other governmental agency having jurisdiction.
- B. Burials — Burial sites are limited to the burial of the human remains of one person.
- C. Notice — The City Administrator or designee shall be notified in writing or by electronic means at least forty-eight (48) hours prior to any interment to allow for the identification of the burial site.
- D. Concrete Vaults — All burials, except for cremains, shall be in a reinforced concrete burial vault. Cremated remains shall be buried in a suitable container.

2.70.040 Records.



The City Recorder shall maintain records concerning all burials, burial permits, sales of rights of burials, and other communication. This information shall be available to the City Administrator and Council at any time.

2.70.045 Cemetery Hours.

The Cemetery shall be as follows:

April 1st through October 31st the cemetery will open at 7:00 a.m. and close at 9:30 p.m.

November 1st through March 31st the cemetery will open at 7:00 a.m. and close at 6:00 p.m.

The gate will be open and closed each day. Violators will be prosecuted.

2.70.050 Liability.

- A. Damage** — With respect to the Cemetery, the City shall not be held responsible for any damages caused by the elements, acts of God, common enemies, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or the order of any military or civil authority, whether the damages be direct or collateral.
- B. Non-City Employees** — All non-City employees working in the Cemetery shall be fully responsible for any damage done by them or their agents. Upon completing their work, such non-City employees must immediately remove all tools, equipment and debris from the Cemetery, and they must repair any and all damages they do to the Cemetery grounds.
- C. Administrative liability** — No officer, agent or employee of the City, or member of the City Board, shall be rendered liable for any damage that may occur to any person as a result of any act, decision or other consequence or occurrence arising out of the discharge of their duties and responsibilities pursuant to this Ordinance.

2.70.055 Exceptions.

Special cases may arise in which the literal enforcement of a provision of this Ordinance may impose an undue and unnecessary hardship. Notwithstanding any such provision to the contrary, the City Administrator or designee, with the concurrence of the City Council, may make such exceptions, suspensions or modifications of any applicable provision as the City Administrator or designee deems appropriate. Any such exception, suspension or modification shall not be construed as affecting the general application or intent of the provisions of this Ordinance.

2.70.035 Penalties.

Any violation of this chapter shall be subject to Chapter 1.05 General Penalties.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR, this ____ day of



_____, 2022.

Attest:

Approved:

Administrator S. Scott McDowell

Mayor Don Ware

S. Scott McDowell

From: Karly Geider
Sent: Monday, January 24, 2022 3:58 PM
To: S. Scott McDowell
Subject: Re: Meeting tomorrow

Sure, could you put me on the February agenda?



On Mon, Jan 24, 2022 at 3:54 PM S. Scott McDowell <admin@ci.brownsville.or.us> wrote:

From: Karly Geider
Sent: Monday, January 24, 2022 3:03 PM
To: admin@ci.brownsville.or.us
Subject: Meeting tomorrow

Hello,

I am the Wellness coordinator for central linn school district. I'd like to be put on your agenda for tomorrow nights meeting, all I need is about two minutes.

The city of Coburg, Coburg Art Association and Coburg charter school did an art contest with grades k-8. Each child from each grade made a drawing of what a they thought historic Coburg represented to them. Their Art Association picked the best drawing from each grade and had it blown up into a weather proof poster and hung on their city grange hall. I'd like to do the same thing here. I would like to start ask that the city allow us to hang CLSD posters above the Art Center in Brownsville. I'd like this event to happen in May and the pictures to stay up until at least after pioneer picnic.

Let me know your thoughts and if you can fit me into tomorrow's meeting? I promise, I'll be very brief. I've attached pictures of what they've done in Coburg for reference.

Thanks,

Karly Geider

This email is solely intended for use by the recipient to whom it was addressed. Its contents and any attachments may contain information that is confidential and proprietary, and protected from disclosure. If you are not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error, please reply and notify the original sender and immediately delete this message from your computer. Thank you.



*The Calapooia Food Alliance encourages healthy living and community resilience through education and the promotion of sustainable food production.
Building Community one bite at a time!*

City Councilors,

The Calapooia Food Alliance appreciates the partnership with the city in providing what turned out to be a lovely site for the Thursday Market and a portion of the jail for storage. We have, over our market season, made an effort to promote the park, we have worked hard to keep it tidy and clean, and feel we have now put it on the map for our community and even Google maps!

As I mentioned at the November council meeting there are a couple things that the CFA would like you to consider for this year. The first is the 4 to 6 foot cut in the east bank for a gravel ramp making it more accessible for wheel chairs, strollers and to get dollies and carts up for our vendors. The CFA would be willing to do the work if you could provide the gravel and a compactor to smooth out the ramp. There is actually a pile of gavel by the jail and possibly we could use that. This would be a benefit to the community through the year and an enhancement to the park overall.

The second item is a port a pot that would be placed on the south side of the jail so it is not an eyesore or an attraction for mischief. Since we would only be using it on Thursdays we thought the city might be willing to share the monthly cost from June through September. (Possibly the city gets a discount?) Again it would be another enhancement to those that use the park for lunches, picnics, etc. through the summer. It is a long walk to the public bathrooms in the middle of town.

We have found the park has attractive features, easy parking and now with more of the community aware of it maybe it's time to see some of these enhancements that will make it more accessible to all our citizens.

Something to think about; when you move the play equipment out of the Pioneer Park due to the river movement possibly a few pieces could be moved to the Kirk's Ferry Park. Sure would be terrific!

Our time line for the ramp is April. We won't need the port-a-pot until June.

Thank you for your consideration,

Kathleen Swayze
for the Calapooia Food Alliance



USE AGREEMENT

BETWEEN: The City of Brownsville (City)
AND: Calapooia Food Alliance (Alliance)
DATE: April 1, 2021 [Originally Proposed]
November 23rd, 2021 [Renewed]

RECITALS

- A. City is the owner of certain real property (Kirk's Ferry Park) located at the southeast corner of Main Street and Kirk Avenue in Brownsville, Oregon.
- B. The Alliance desires to use the premises for a weekly Farmers Market.

FOR AND IN CONSIDERATION OF THE MUTUAL OBLIGATION
HEREIN, THE PARTIES AGREE:

1. **USE.** Alliance shall have the right to use the Premises for operating and maintaining a Farmers Market each Thursday (2:00 p.m. to 7:00 p.m.) from April to October and for no other purpose or time without City's prior consent. The Alliance agrees to require vendors and Market coordinators to park in areas other than the spaces provided on site.
2. **TERM.** The term of this lease shall commence upon execution hereof and shall continue for one year with a one-year option. Council will consider renewal at the end of the term.
3. **TERMINATION.** Either party may terminate this use agreement without cause upon thirty (30) days written notice to the other sent First Class and Certified mail to the addresses listed. Upon termination, all rights extended under this Agreement are terminated.
4. **CONDITIONS.** City grants use to Alliance at Kirk's Ferry Park subject to the following conditions:
 - a. Alliance shall always maintain vehicular access to the driveway on the east side of the property. The City operates utilities and Alyrica operates their main fiber optic terminal in the area.
 - b. Require vendors to park off premises at either the Rec Center parking lot or the City owned lot at the southwest corner of Averill Street and Stanard Avenue.
 - c. The Alliance shall visit with all neighbors on Main Street, Kirk Avenue to the Mill Race/Tail Race, all property owners on Averill Street including Park Avenue to the Centurylink Building at the corner of Spaulding and Averill and address efforts and plans to minimize parking disruptions during the market hours.



- d.** Monitor and limit on-street parking during market hours. The Kirk Avenue, Main Street intersection is busy. The City does not want to experience parking issues at this intersection.
 - e.** If the market uses the asphalt area, the northside basketball hoop must be left open and available to the public.
 - f.** Canopies cannot be left standing.
 - g.** The Alliance shall provide the City with an insurance certificate naming the City additionally insured at the level required by the City's insurance agent and City requirements.
 - h.** Any damages sustained to any Alliance property or appurtenances shall be the sole responsibility of the Alliance. The City will not be responsible for any theft, vandalism or any other damages sustained by the Alliance or any of their affiliates during their use of this site.
- 5. SIGNAGE.** The Alliance may place their wooden market sign on the Kirk's Ferry sign.
 - 6. IMPROVEMENTS.** During this initial trial use of public space, future improvements will not be considered.
 - 7. MAINTENANCE.** The City is responsible for making repairs and performing necessary maintenance to or upon the Premises. The Alliance is responsible for cleaning up any debris left after each Farmers Market.
 - 8. INDEMNIFICATION.** To the extent legally possible, Alliance agrees to indemnify, hold harmless and defend City from and against any and all claims, damages, losses and expenses, including attorney fees, made by or paid to others, arising from Alliance's use of the Premises or from Alliance's performance or failure to perform its obligations under this agreement. The Alliances agree to pay for insurance to cover the period of their use of the property.
 - 9. ATTORNEYS FEES AND LEGAL EXPENSES.** In the event any legal proceeding is commenced for the purpose of interpreting or enforcing any provision of this agreement or to collect any indebtedness hereunder, the prevailing party in such proceeding shall be entitled to recover reasonable attorney fees in the proceeding, or any appeal thereof, to be set by the court without the necessity of hearing testimony or receiving evidence, in addition to the costs and disbursements allowed by law. Such sum shall include an amount estimated by the court as the reasonable costs and fees to be incurred by the prevailing party in collecting any monetary judgment or award or otherwise enforcing any order, judgment, or decree entered in such suit or action. In addition, in the event of default by either party in performance of this agreement, the defaulting party agrees to pay all reasonable attorney fees and legal expenses incurred by the non-defaulting party in collecting any such sums due hereunder even though no litigation is filed.
 - 10. SUCCESSORS AND ASSIGNS.** The terms, provisions, covenants and conditions contained in this agreement shall apply to, bind and inure to the benefit of the heirs, personal



representatives, administrators, legal representatives, successors and assigns of City and Alliance.

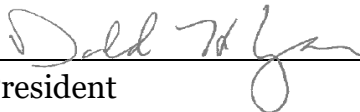
- 11. **ENTIRE AGREEMENT.** This agreement embodies the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein. This agreement shall supersede all prior communications, representations or agreements, either verbal or written, between the parties.
- 12. **MODIFICATION AND WAIVER.** No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.


ALLIANCE:

CALAPOOIA FOOD ALLIANCE

CITY:

CITY OF BROWNSVILLE

By: 
President

By: 
Mayor

Address: 255 N. Main Street
P.O. Box 188
Brownsville, OR 97327

City of Brownsville
APPLICATION FOR COMMISSION/COMMITTEE/BOARD MEMBER



Name:		Date:	
Present Address:			
City/State/Zip:			
Phones:	Work:	Home:	Cell:
Email:			
Years Lived In Brownsville:			
Occupation:			
Education:			
Address for Past 5 Years:			
City/State/Zip:			
Registered Voter: <input type="checkbox"/> Yes <input type="checkbox"/> No		Resident of Brownsville: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Commission/Committee/Board Applying For (excluding City Council and Mayor position):			
<input type="checkbox"/> Budget Committee		<input type="checkbox"/> Parks & Open Space Advisory	
<input type="checkbox"/> Library Board		<input type="checkbox"/> Other (Specify) _____	
<input type="checkbox"/> Planning Commission			
Why you want to apply:			
What experience/expertise/interest do you have for this group?			

When you apply, it is understood that you will be volunteering to attend all meetings and to actively participate. Commissions/Committees/Boards generally meet once monthly during the evening hours. Some groups may meet more often, if necessary. THIS FORM IS NOT AN APPLICATION FOR A CITY COUNCIL OR MAYOR POSITION.

A resume may be attached to this application but is not required.

For City Use Only

Dated Received: _____ Mayor's Decision: _____
--

Carolyn H. Connelly
Ross M. Williamson*
Diana Moffat
Mark A. Wolf
Emily B. Guimont
*Also Admitted in Washington

February 8, 2022

Via Email Only To: admin@ci.brownsville.or.us

S. Scott McDowell
City of Brownsville
P.O. Box 188
Brownsville, OR 97327

Re: Transferring Municipal Court duties to Justice Court

Dear Scott:

I understand that the City is considering transferring the functions of the City's municipal court to the Linn County Justice Court. You indicated that the City of Halsey uses Line County Justice Court and that it could also make sense for Brownsville. You asked for an opinion letter as to whether the City could lawfully transfer its municipal court duties to a justice court.

In short, the Brownsville City Charter would allow this contemplated transfer and state law also specifically contemplates a justice court providing judicial services to a city.

The Brownsville City Charter addresses your municipal court in Section 19. Subsection 4 of Section 19 provides in full: "Notwithstanding any other provision of this Charter, the council may provide for the transfer of the powers and duties of the municipal court to the appropriate district or justice of the peace court of the State of Oregon."

A "justice of the peace" is the judicial official that sits in a "justice court" under ORS Chapter 51. So, the phrase "justice of the peace court" used in your City Charter is synonymous with "justice court" as used in ORS Chapter 51. As a result, your City Charter specifically contemplates transferring municipal court judicial power to a justice court.

In addition, state law also contemplates a transfer of this nature. ORS 51.037 specifically authorizes a city and county to enter into an IGA for the county to provide judicial services to the city through the county's justice of the peace. Relatedly, ORS

Scott McDowell
February 8, 2022
Page 2

221.315(1) provides that a city and county may enter into an IGA for the prosecution of municipal violations in a justice court.

In pursuing a transfer of services to the Linn County Justice Court, you will want to consider BMC Chapter 2.55, which provides your current municipal court procedures. At least some changes to these code sections should be made, with the changes coinciding with any transfer of judicial services to Linn County Justice Court.

I hope the above information is helpful as you contemplate your options for municipal court services. Please contact me if you have additional questions on this matter.

Sincerely,



Ross Williamson

RMW:arl



RESOLUTION 2017.19

**A RESOLUTION DECLARING & RECOGNIZING THE USE OF
BROWNSVILLE & CENTRAL LINN AREA CITIZENS AND
BUSINESSES IN DURING NATURAL DISASTERS AND OTHER
EMERGENCIES**

WHEREAS, Brownsville’s Emergency Preparedness Committee and City Staff have identified a need to enlist resources and help during emergency situations, and;

WHEREAS, Brownsville has many skilled residents and the Central Linn Community has many skilled citizens who could perform a variety of tasks in an emergency situation, and;

WHEREAS, Brownsville and the surrounding area has numerous civic organizations, area churches and non-profit organizations that could also assist in these situations, and;

WHEREAS, the Emergency Preparedness Committee and City Staff have compiled a list of citizens, businesses, non-profit & civic organizations to request help and support, and;

WHEREAS, the City Recorder will keep an up-to-date list on file with the appropriate contact information for those individuals and organizations.

NOW, THEREFORE, let it be known that the Brownsville City Council declares and recommends that these volunteers be covered by City insurance during emergency situations as needed.

BE IT FURTHER RESOLVED, that the Brownsville City Council declares and recommends these persons and resources be eligible for any disaster relief funds that may be available through local, State or Federal agencies depending on the emergency situation or disaster.

PASSED AND ADOPTED by the Council of the City of Brownsville this 28th day of November, 2017.

ATTEST:

A blue ink signature of S. Scott McDowell.

S. Scott McDowell
City Administrator

A black ink signature of Don Ware.

Don Ware
Mayor

EMERGENCY PARTNERS
Reso. In Effect



Oregon

Kate Brown, Governor

January 20, 2022

Department of Environmental Quality
 Northwest Region
 700 NE Multnomah Street, Suite 600
 Portland, OR 97232
 (503) 229-5263
 FAX (503) 229-6945
 TTY 711

CITY OF BROWNSVILLE
 400 HUME ST
 BROWNSVILLE, OR 97327-2327

Re: Brownsville Library
 File No.: 22-21-1063

RECEIVED
 City of Brownsville
 JAN 25 2022
 Clerk _____

Dear City Of Brownsville:

The Department of Environmental Quality has received a report and NWFF Environmental certification concerning the heating oil underground storage tank (HOT) assessment and/or cleanup conducted at 146 Spaulding Ave, in Brownsville, Oregon.

NWFF Environmental was licensed to provide heating oil tank services and has certified that the cleanup has met the Department's requirements. The Department has registered this report and certification and closed its file on the project.

The decision to register the report and certification and to close the Department's file will no longer apply if new or undisclosed facts show that the project does not comply with the rules governing heating oil tank cleanups.

Please note that you are required by state law (ORS 105.464) to provide potential buyers a disclosure statement that includes information regarding underground storage tanks, HOTs and the environmental conditions on your property.

Accordingly, we recommend that you keep a copy of this letter, the certification and any reports of testing or corrective actions relating to your HOT with the permanent property records.

Your efforts to comply with Oregon's environmental rules and regulations to ensure that your heating oil tank has been adequately addressed have been appreciated. Proper decommissioning and cleanup helps ensure protection of the environment from future heating oil tank leaks and ensures that the heating oil does not adversely impact human health or the environment. If you have any questions, please feel free to contact the HOT Program at (503) 229-6170.

Sincerely,

 Michael H Korten Hof, Manager
 DEQ Heating Oil Tank Program

cc: Contractor by email

S. Scott McDowell

From: DEQ Online Subscriptions
Sent: Wednesday, February 9, 2022 3:22 PM
To: admin@ci.brownsville.or.us
Subject: DEQ Rulemaking Total Maximum Daily Loads, Division 42 The Environmental Quality Commission adopted the proposed rules

DEQ Rulemaking – Total Maximum Daily Loads, Division 42 The Environmental Quality Commission adopted the proposed rules

Summary

On Feb. 3, 2022, DEQ proposed permanent rule amendments to the Environmental Quality Commission to allow water quality Total Maximum Daily Loads (TMDLs) to be adopted as rules in addition to issuing TMDLs by Department order. These revisions to chapter 340 of the Oregon Administrative Rules are consistent to what is currently authorized in ORS 468B.110.

This rulemaking also included minor changes to update the following rule language to reflect current EPA requirements established by case law:

- Clarifying that “daily load is required” to the TMDL definition
- Clarifying language to reasonable assurances of implementation

At the Feb. 3, 2022, Environmental Quality Commission meeting, the proposed rule was adopted. The final rule is online at the [Oregon Secretary of State Page](#).

Additional Information

Information from the EQC meeting can be viewed online: [Feb. 3-4, 2022, regular meeting](#)

To view copies of the rulemaking documents, you can view the rulemaking web page at: [Total Maximum Daily Loads, Division 42 rulemaking](#).

If you want to receive future email notices about this or other rulemakings for TMDLs, you can sign up at: [Total Maximum Daily Loads GovDelivery](#).

NEWS AND ANNOUNCEMENTS:

 [Follow us on Twitter](#)  [Find us on Facebook](#) or



Visit [Oregon DEQ](#)

S. Scott McDowell

From: DEQ Online Subscriptions
Sent: Tuesday, February 15, 2022 2:05 PM
To: admin@ci.brownsville.or.us
Subject: DEQ Rulemaking Fish and Aquatic Life Use Updates 2022 Advisory Committee Meeting #2 to be held Feb. 28, 2022

DEQ Rulemaking – Fish and Aquatic Life Use Updates 2022 Advisory Committee Meeting #2 to be held Feb. 28, 2022

Summary

DEQ formed a Rulemaking Advisory Committee to seek input on the development of new proposed rules to update and clarify Oregon's Aquatic Life Use Subcategory designations based on newly available data.

The designated use subcategories of aquatic life determine which of the species-specific or community-specific criteria in Oregon's temperature and dissolved oxygen standards are necessary to protect aquatic life in particular places and times. The fish use and salmon and steelhead spawning use subcategories associated with various temperature criteria will be updated based on new data. The subcategories associated with various dissolved oxygen criteria will be designated in rule for the first time. These updates make use of the best available and objective information about habitat distribution, life stages, and timing of use by sensitive species.

Stakeholder involvement

DEQ is convening the advisory committee to review the policy issues and fiscal impacts related to the proposed rules. In convening this committee, DEQ has appointed members from organizations that represent and coordinate the interests of multiple communities likely to be affected by the rule.

Meeting time: 9 a.m.- 4 p.m., Monday, Feb. 28, 2022

Join Zoom Meeting

<https://us02web.zoom.us/j/89901239265?pwd=YUNwN2t0QjgrZXl6L1RSQzA0MDZrUT09>

You can also attend the meeting by telephone.

Meeting ID: 899 0123 9265

Passcode: 598095

888 475 4499 US Toll-free

[Instructions for joining a Zoom webinar or teleconference](#)

This meeting will be open to the public. Community members may attend committee meetings, but only to observe and not to actively participate. The committee may designate time on the agenda to hear community comments as time allows. Later in this rulemaking proceeding DEQ will invite public comments on the

proposed rules and will hold a public hearing. At that time any member of the public may submit comments on the rule or participate in the public hearing.

Additional information

For more information, please contact:

James McConaghie
Water Quality Standards Specialist

To learn more about this rulemaking and the advisory committee you can view the rulemaking webpage: <https://www.oregon.gov/deq/rulemaking/Pages/aquaticlife2022.aspx>

If you want to receive future email notices about this rulemaking, you must sign up at: [DEQ Govdelivery](#).

NEWS AND ANNOUNCEMENTS:

 [Follow us on Twitter](#)  [Find us on Facebook](#) or



Visit [Oregon DEQ](#)

SUBSCRIBER SERVICES:

[Manage Subscriptions](#) | [Unsubscribe All](#) | [Help](#)

This email was sent to admin@ci.brownsville.or.us using GovDelivery Communications Cloud on behalf of the Oregon Department of Environmental Quality (DEQ)
700 NE Multnomah St., Suite #600, Portland, OR 97232 · 503-229-5696

S. Scott McDowell

From: Oregon DEQ News <ordeq@public.govdelivery.com>
Sent: Thursday, January 27, 2022 9:26 AM
To: admin@ci.brownsville.or.us
Subject: DEQ issues 10 penalties in December for environmental violations



State of Oregon
Department of Environmental Quality

NEWS RELEASE

DEQ issues 10 penalties in December for environmental violations

Date: Jan. 27, 2022

The Oregon Department of Environmental Quality issued 10 penalties totaling \$83,261 in December for various environmental violations. A detailed list of violations and resulting penalties is at <https://ordeq.org/enforcement>.

Fines ranged from \$1,154 to \$30,814. Alleged violations included illegal dumping, discharging raw sewage to local waterways, failing to monitor stormwater discharges and operating a dry cleaner and gas station without an air quality permit.

DEQ issued civil penalties to the following organizations:

- Althea C. Bradley, \$6,420, Shady Cove, solid waste
- Blue Sky Martinizing, \$1,800, Medford, air quality
- Calbee North America, \$4,400, Boardman, air quality
- CDR Maguire Inc., \$12,400, Medford, asbestos
- City of The Dalles, \$13,200, The Dalles, wastewater
- DAR USA Inc., \$1,154, Medford, air quality
- Grain Craft Inc., \$1,700, Pendleton, air quality
- Mondelez Global LLC, \$9,873, Portland, stormwater
- Rogue Valley Stations Inc., \$1,500, Ashland, air quality
- U.S. Army Corps of Engineers, \$30,814, Eagle Point, solid waste

Organizations or individuals must either pay the fines or file an appeal within 20 days of receiving notice of the penalty. They may be able to offset a portion of a penalty by funding a supplemental environmental project that improves Oregon's environment. Learn more about these projects at <https://ordeq.org/sep>.

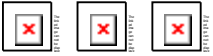
Penalties may also include orders requiring specific tasks to prevent ongoing violations or additional environmental harm.

DEQ works with thousands of organizations and individuals to help them comply with laws that protect Oregon's air, land and water. DEQ uses education, technical assistance, warnings and penalties to change behavior and deter future violations.

Media contact: Laura Gleim, public affairs specialist, 503-577-3697, laura.gleim@deq.oregon.gov

[Read news release online here.](#)

STAY CONNECTED:



Oregon.gov/DEQ

SUBSCRIBER SERVICES:

[Manage Subscriptions](#) | [Unsubscribe All](#) | [Help](#)

This email was sent to admin@ci.brownsville.or.us using GovDelivery Communications Cloud on behalf of the Oregon Department of Environmental Quality (DEQ)
700 NE Multnomah St., Suite #600, Portland, OR 97232 · 503-229-5696

S. Scott McDowell

From: Robin Prunty
Sent: Tuesday, February 8, 2022 10:09 AM
To: admin@ci.brownsville.or.us
Subject: Credit Outlook For U.S. Public Finance: Positive Momentum Continues

S&P Global Ratings

U.S. Public Finance



S&P Global Ratings expects credit conditions to be favorable for U.S. public finance (USPF) in 2022. All of our sector views are now stable except the airport subsector, which is positive, and the parking subsector, which remains negative. A recap of all of our sector outlooks has been published which includes links to all articles and outlook webcast replays. We have also provided an overview on inflation and the mixed effects it has on state and local government credit quality. Our Chief U.S. Economist comments on the January employment numbers, inflation, and provides an update on expected interest rate increases. Finally, we provided our views on the Biden administration's plan to enhance cybersecurity for water and sewer utilities and what the key pension issues are for the year ahead.

To view recently published commentaries and research, simply register or log in when you are directed to the article page. You can read all our commentary on our [U.S. Public Finance](#) page.

Latest Research From Our U.S. Public Finance Analysts

[Credit Outlook For U.S. Public Finance: Positive Momentum Continues](#)

[How Inflation Has Mixed Effects On U.S. State And Local Government Credit Quality](#)

[Five Public Pension And OPEB Credit Considerations To Watch In 2022](#)

[State Brief: South Carolina](#)

[Biden Administration Plan To Boost Water And Sewer Sector Security Could Cut Risk, Align Essential Utility Standards](#)

Global Research From Other Sectors

[The January Jobs Report: Resisting Omicron And Climbing Higher](#)

[Tender Option Bond Ratings 2021 Recap: Improved Credit Conditions, But New Issuance Levels Remained Low](#)

[ESG Sustainable Finance Newsletter, January 2022](#)

[ESG In Credit Ratings Newsletter January 2022](#)

[U.S. Public Finance Nonhousing 2021 Summary](#)

Rating List

[U.S. Not-For-Profit Health Care Rating Actions, 2021 Year-End Review](#)

[History Of U.S. State Ratings](#)

[U.S. State Ratings And Outlooks: Current List](#)

[U.S. Not-For-Profit Health Care Rating Actions, December 2021 And Fourth-Quarter 2021](#)

[U.S. Charter Schools Rating Actions, 2021](#)

[U.S. Public Finance Housing Rating Actions: Fourth-Quarter 2021](#)

['AAA' Rated U.S. Municipalities: Current List](#)

['AAA' Rated U.S. Counties: Current List](#)

['AAA' Rated U.S. School Districts: Current List](#)

Events

Register for our Inaugural **Transportation Infrastructure Conference** being held on February 16 & 17, 2022

Register to listen replays of our **2022 Outlook Webinar** series



Robin Prunty
Managing Director

Chief Analytical Officer
S&P Global Ratings

S. Scott McDowell

From: nate=oregonrain.org@mg.hyperscalemarketing.com on behalf of Nate @ RAIN
Sent: Tuesday, February 8, 2022 2:20 PM
To: admin@ci.brownsville.or.us
Subject: Linn-Benton RAIN Report Q4 2022 / March 11th Film Showing + Lunch
Attachments: Q4 2021 Linn-Benton Venture Catalyst Report.pdf

Dear Linn-Benton partners,

Please find attached a copy of the Quarter 4 Report for RAIN activities in Linn & Benton Counties. As the pandemic slows you will notice even more in-person activities.

A full list of RAIN activities are available on our Facebook page [here](#), as well as via a shared Google Calendar, [here](#).

Speaking of events, **please hold Friday, March 11th, 11-1pm** for lunch and showing of the Mid-Valley Partnership videos at the beautiful Rio Theatre in Sweet Home. We are excited to showoff the wonderful footage and interviews of from local businesses in your communities (with everyone in a room together!).

Lastly, we have simplified the process for entrepreneurs, or community partners, to schedule one-on-one time with us. Please feel free to use and share the following link with entrepreneurs who you connect with: <https://raincatalysts.org/connect>

Thank you for the opportunity to support entrepreneurs in our communities.

- Nate

S. Scott McDowell

From: Oregon Department of Revenue <oregondor@public.govdelivery.com>
Sent: Wednesday, February 16, 2022 10:00 AM
To: admin@ci.brownsville.or.us
Subject: Law change affects CAT filing in 2022

**Corporate Activity Tax Update**

Law change affects CAT filing in 2022

For tax years 2021 and forward, returns for taxpayers that use a federal tax year other than a calendar year are due on or before the 15th day of the fourth month following the end of the tax year. Taxpayers who use a calendar year for federal income tax purposes will not be impacted by this change.

To address the gap between the end of the 2020 calendar year and the start of the taxpayer's fiscal year that began in 2021, taxpayers that use a federal tax year other than a calendar year must:

- Prorate the annual registration, filing, and payment thresholds based on the number of days in the short-year return as described in the instructions (even though it does not specifically say to prorate on the forms).
- File a short period return, if the taxpayer reaches the prorated filing threshold.
- Prorate the \$500,000 cap on compensation to a single employee when calculating labor costs included in the short-year return.
- If required, file the short-year return by April 15, 2022.
- File a short year return on forms for the tax year in which the short year ends. Short year periods ending in 2021 should be filed on the 2021 tax forms. An extension is available. Note: Corporate Activity Tax returns cannot be filed through Revenue Online. Information on how to file electronically is available [here](#).

Helpful hint: Line 7 on the 2021 OR-CAT return is a calculation field. Unless your percentage is zero, you must enter a percentage in this field for our system to allow a subtraction. For example, if 100 percent of your commercial activity is in Oregon, you should enter 100 percent on line 7.

An example of how to calculate the prorated thresholds for a short year return can be found in the [2021 Corporate Activity Tax Training presentation](#) used during the December 7 live Zoom training event. A series of [frequently asked questions and answers](#) about the CAT, including changes made in Senate Bill 164 (2021), is also available on the CAT page of the Department of Revenue website.

For general questions about the CAT, email cat.help.dor@oregon.gov or call 503-945-8005 between 8 a.m. and 4 p.m. Monday-Friday.

Stay Connected with Oregon Department of Revenue:

[Department of Revenue Homepage](#) | [Contact us](#)



SUBSCRIBER SERVICES:
[Manage Subscriptions](#) | [Help](#)

This email was sent to admin@ci.brownsville.or.us using GovDelivery Communications Cloud on behalf of: Oregon Department of Revenue · 955 Center St NE · Salem, OR 97301-2555



MONTH END FINANCIAL RECAP

	JANUARY 2022		YTD	%	Unexpended	
	REVENUE	EXPENDITURES				
1 GENERAL	\$ 20,387.65	\$ 108,183.13	\$ 713,540.83	20.90%	\$ 2,700,936.17	1
2 WATER	\$ 33,211.20	\$ 27,969.81	\$ 207,328.01	22.49%	\$ 609,921.99	2
3 SEWER	\$ 33,920.35	\$ 31,608.25	\$ 501,723.45	42.49%	\$ 580,476.55	3
4 STREETS	\$ 19,204.14	\$ 15,161.99	\$ 103,387.42	28.24%	\$ 262,662.58	4
5 WATER BOND	\$ 68.61	\$ 13,833.04	\$ 46,248.00	30.33%	\$ 28,054.00	5
6 SEWER BOND	\$ 171.16	\$ 83,116.84	\$ 299,691.23	99.37%	\$ 17,658.77	6
7 SEWER DEBT FEE	\$ 11,442.00	\$ -	\$ 79,956.07	63.96%	\$ -	7
8 BUILDING & EQUIPMENT	\$ 100.05	\$ -	\$ -	0.00%	\$ 192,400.00	8
9 WATER RESERVE	\$ 1,926.18	\$ -	\$ -	0.00%	\$ 100,800.00	9
10 HOUSING REHAB	\$ 99.87	\$ -	\$ -	0.00%	\$ 215,271.00	10
11 WATER SDC	\$ 2,118.26	\$ -	\$ -	0.00%	\$ 44,600.00	11
12 SEWER SDC	\$ 5,362.73	\$ -	\$ -	0.00%	\$ 415,675.00	12
13 STORMWATER SDC	\$ 2,020.53	\$ -	\$ -	0.00%	\$ 104,505.00	13
14 BIKEWAY/PATHS	\$ 161.19	\$ -	\$ -	0.00%	\$ 52,990.00	14
15 LIBRARY TRUST	\$ 3.44	\$ -	\$ -	0.00%	\$ 7,412.00	15
16 CEMETERY	\$ 3.78	\$ -	\$ -	0.00%	\$ 8,826.00	16
17 TRANSIENT ROOM TX	\$ 1,848.84	\$ 1,000.00	\$ 1,000.00	100.00%	\$ 2,120.00	17
18 SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19 LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,995.00	19
20 COMMUNITY PROJECTS	\$ 65.28	\$ 2,147.14	\$ 7,872.14	5.54%	\$ 129,502.86	20
	\$ 132,115.26	\$ 283,020.20	\$ 1,880,791.08			

Key Bank Account

<i>General Checking</i>	\$ 326,854.55
Oregon State Treasury	\$ 6,156,422.29
<i>Community Improvements</i>	\$ 167.75
<i>Project Escrow Holding</i>	\$ 16,320.52
<i>Project Holding Acct #2</i>	\$ 102,814.36
TOTAL OST / LGIP	\$ 6,275,724.92

Annual Bond Payment

<i>Water</i>	\$ 45,167.05
<i>Wastewater</i>	\$ 307,259.95
Total	\$ 352,427.00

	2021-2022	YTD	% of Total
Appropriated		\$ 7,857,013.00	23.94%

Total Bonded Debt (Principal Only)

<i>Water</i>	\$ 847,897.50
<i>Wastewater</i>	\$ 5,126,135.50
	\$ 5,974,033.00

Total Bonded Debt is \$9,157,976 (Principle & Interest)

ARPA Funds

(American Rescue Plan Act)

\$202,343.92	Received 8/25/2021
\$113.83	Received 10/25/2021
\$202,457.75	Total Funds Received
\$202,457.75	Funds Disbursed YTD