

# **Council Meeting**

Tuesday, December 17<sup>th</sup>, 2024 **Location:** Council Chambers

#### **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: November 26th, 2024
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
  - A. Central Linn Community Foundation Request | Chenoweth Robertson
  - B. Oaths | Council-Elect
  - C. Bi-annual Cyber Security
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Public Works
  - C. Administrator
  - D. Planning | Elizabeth Coleman
  - E. Library
  - F. Office
  - 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 2024.18:** Certify 2024 Election
  - B. **Resolution 2024.19:** Humphreys Public Service



- C. **Resolution 2024.20:** Employee Handbook Modifications | *Leave Accruals & On-Call Time Calculations*
- 10) ACTION ITEMS:
  - A. Appoint Planning Commission Member
  - B. Appoint Parks & Open Space Advisory Board
  - C. January Council Meeting | Date Change
- 11) DISCUSSION ITEMS:
  - A. Goals Setting Process Review | Council Directives
  - B. November 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 <u>www.ci.brownsville.or.us</u> for the meeting agenda, agenda packet and other City information.

#### November 26th, 2024

**ROLL CALL:** Mayor Craven called the meeting to order at 7:00 p.m. with Council President Chambers, Councilor LaCoste, Councilor Humphreys, Councilor Hansen, Councilor Winklepleck, and Councilor Solberg present. Administrative Assistant Elizabeth Coleman, Administrative Assistant Jannea Deaver, Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell were also present.

ABSENT: None.

**PUBLIC:** Shantel White, Paul & Rosann Winther, Don Lyon, Joe Ayala, Sandy Saltzer, Chenoweth Robertson, Dan Murphy, Michael Rodolf, Bill Hand, Victor Aguilar, Michael and Betty Doren, Jason Rolfe, John Claasen, Kris and Pam Solberg, Tia Parrish (*The Times*), Felipe Eversull, Ryan and Karly Geider, Linda and Larry Willaims, and Sergeant Steve Frambes (*Linn County Sheriff's Office*).

The pledge of allegiance was recited.

#### **ADDITIONS AND DELETIONS:** None tonight.

**MINUTES:** Councilor Chambers made a motion to approve the October 22<sup>nd</sup>, 2024, meeting minutes as presented. Councilor Humphreys seconded the motion, and the motion passed unanimously.

#### **PUBLIC HEARING | PRESENTATIONS:**

1. **Avala Conditional Use Appeal | Mike Rodolf.** Mayor Craven opened the public hearing appeal and discussed the process for the appeal. Staff have disclosed all documents submitted to the Planning Commission including the Staff Report. Council may only consider the documents previously submitted to the Commission. Mayor Craven stated that he will abstain from the vote due to business matters and owning an abutting property. Council acted in a quasi-judicial capacity reviewing Mike Rodolf's appeal of an approval the Planning Commission made on August 26th, 2024, and reconvened on October 14<sup>th</sup>, 2024. Mrs. Coleman provided a recap of the matter including concerns from Mr. Rodolf. Mayor Craven opened the floor for public comments. Joe Ayala and Larry Williams spoke in favor of the application reviewing the steps they took to remedy concerns raised by the Planning Commission. The Commission tabled the August 26th, 2024, hearing until October 14th, 2024 so items raised could be properly researched. Williams stated that he felt that this matter has become too personal for Mr. Rodolf. Ayala explained a visit that Rodolf made to the shop when Ayala wasn't present. State OSHA wrote up two concerns that Williams & Ayala had corrected. Mike Rodolf spoke in opposition. Rodolf does not feel that this auto shop belongs in a residential neighborhood. He is mainly concerned about fire, possible hazardous waste, and marring the appearance of the area.

Councilor Winklepleck made a motion to uphold the approval made by Planning Commission in this matter. Councilor Chambers seconded the motion, and it passed unanimously with Mayor Craven abstaining.

Mrs. Coleman recapped next steps including an appeal to Land Use Board of Appeals (LUBA). The City would likely be summoned to testify at that hearing. Mr. McDowell clarified for the record that Chapter 15.125.050 of the Brownsville Municipal Code states that Mr. Williams does not have to work in the operation, but rather clarified that no more than two employees, other than the family, be employed at the operation. Councilor Winklepleck stated that Council and the Planning Commission are only responsible for the application of the Brownsville Municipal Code. All other

County and State regulatory agencies are between the applicant and those governing agencies. Nothing in Ayala's application violated the Brownsville Municipal Code according to the Staff report and the earlier Planning Commission ruling. Councilor Hansen stated that unless Council sees a compelling reason to overturn an appeal, Council will likely uphold the Planning Commission ruling.

- 2. <u>Bi-Annual Total Maximum Daily Load (TMDL) Report.</u> Staff provided the semi-annual plan review. McDowell covered the history of the U.S. EPA and the origin of these new requirements. The City is doing its best to deal with this unfunded mandate that will carry a heavy future cost. TMDL focuses on regulations and requirements pertaining to stormwater runoff. To learn more about TMDL visit, <a href="https://www.ci.brownsville.or.us/publicworks">https://www.ci.brownsville.or.us/publicworks</a>.
- 3. <u>Annual Audit Report.</u> McDowell shared numbers from the most recent audit completed by SingerLewak. The audit shows a healthy treasury, with a net position at just under \$6 million. McDowell showed the indebtedness the City currently holds as well. All funds have been returned from the General Fund to the Cemetery Trust Fund as earlier reported by McDowell. The audit has been filed with all required State and regulatory agencies. McDowell also discussed the financial month end recap and the Cemetery Trust fund.

#### **DEPARTMENT REPORTS:**

- 1. <u>Linn County Sheriff's Office (LCSO) Report | Sergeant Steve Frambes</u>. Sergeant Frambes reviewed the stats for October highlighting several items including three arrests, a DUI, a trespass, and an outstanding warrant. Frambes said the Sheriff's Office apprehended a person who had stolen a car in Eugene and ended up in Brownsville under pursuit of the LCSO. The Office was able to apprehend the suspect, but Frambes asked that people stay in their homes when these situations happen. Unfortunately, two additional people were arrested for interfering with the investigation. People were interfering with drones being used by the LCSO. Frambes responded to some criticism he had seen on Facebook about the LCSO not notifying people of this issue. Frambes explained that the only priority of the LCSO during an incident is to ensure the safe apprehension of the suspect.
- 2. <u>Public Works.</u> Superintendent Karl Frink reported that all instruments have been calibrated at the Water & Wastewater Treatment Plants. Frink is preparing the Wastwater Treatment facilities for January discharge. The new GR12 waterline project was put to good use November 1<sup>st</sup>. Frink is still working on ironing out operational logistics. Public Works closed and winterized the Park on October 31<sup>st</sup>, 2024. Frink has also been attending to operational details at the Rec Center to allow public rentals.
- 3. <u>Administration.</u> Administrator Scott McDowell discussed the finalization of the cleanup of 517 Averill.

The City has an opening on the Planning Commission and one on the Parks & Open Space Advisory Board. The deadline to apply is December 11<sup>th</sup>, 2024.

Canal Company and LAPC (Legislative Advocacy Policy Committee) meetings have been pushed out to January due to time constraints; it has been an extreme challenge to get our goals accomplished.

McDowell reported on the continuing email hosting problem. City email went down on September 21st, 2024, and has not come back online yet. Staff is still hoping that the old ci.brownsville.or.us emails will be repaired and able to be used again. Meanwhile, the website has been updated with current emails. Civic plus will be providing a new reservation calendar for the City soon. Staff will try it for a year and make sure that it suits our needs.

McDowell shared seven major unfunded mandates (including PFA's, Lead and Copper rule, FEMA/PICM, TMDL, RMA, and CWPP) being pushed on to cities by the State and Federal government. These regulations are only going to add more burden to the taxpayers of every community while the City tries to maintain a lot of community amenities including a 26-acre park, a library, a rec center, and a whole host of services. Recent priorities have been connecting the GR 12 well to the Water Treatment Plant and the Central Linn Rec Center Renovation project. McDowell shared how these regulations intersect with the City budget and what future costs could be. McDowell discussed the current goals, and that Council will be reprioritizing the goals in February 2025. Council and the Budget Committee have been very pleased to have self-funded projects over the last eighteen years.

McDowell also reported that inflation has increased exponentially over the last 4 years, making it very challenging to self-fund future projects.

Mr. McDowell discussed the sidewalk project. This project comes up each year at the training and/or goal setting sessions. This project always hits the goals discussion. Reality is that there simply are not enough funds to complete all projects the City would like to fund. Tough decisions must be made every goal setting session. The sidewalk project has several steps that would be necessary for implementation which are mostly laid out in the Brownsville Municipal Code, Chapter 3.15. Sidewalks are the responsibility of the homeowners. If the City were to tackle the project, likely the town would be broken into eight or more sections. The City would need to be able to fund the entire identified project for any given year, and then each property would be assessed their costs, and a lien would be placed on each property. The lien would be assessed over ten years. A cost analysis a few years ago for the Kirk Avenue pavement & drainage project forecast costs at about \$40,000 per abutting property; those costs are significantly higher now with inflation. The other major consideration for the Kirk Avenue project is drainage. It makes no sense to put in sidewalks if the drainage issue is not addressed first. Council considers affordability to be a major setback because the City must be able to cover the cost of the sidewalks upfront.

Mayor Craven called for a 5-minute recess at 8:16 p.m.

- 4. **Planning.** No comments.
- 5. **Library.** No comments.
- 6. **Office.** No comments.
- 7. **Council.** No comments.
- 8. <u>Citizen Comments.</u> Paul Winther was concerned that he was misidentified in a recent Facebook post regarding a political sign that was taken from the corner of Main Street and Park Avenue. He read a prepared statement (please see attached.)

Don Lyon and Sandy Saltzer expressed concern and confusion regarding a document that was placed in the Council Agenda Packet by Councilor Hansen. (See Don Lyon's statement, attached.)

Shantel White shared her concern about sidewalks throughout the City. White urged Council to make this a priority. McDowell reviewed the City's efforts and requirements to execute a sidewalk program (see above under Administrator Report).

#### **LEGISLATIVE:**

- 1. **Resolution 2024.15** | **Vanderstelt Reimbursement.** Mr. McDowell stated the City is seeking to reimburse a property owner for sewer costs that were incurred by the owner that should not have been. *Councilor Humphreys moved to approve R 2024.15 as presented. Councilor LaCoste seconded the motion, and it passed unanimously.*
- 2. Resolution 2024.16 | Approving FYE June 30<sup>th</sup>, 2024 Audit. Councilor Solberg moved to approve R 2024.16 as presented. Councilor Humphreys seconded the motion, and it passed unanimously.
- 3. Resolution 2024.17 | FEMA Pre-Implementation Compliance Measures (PICM). McDowell and Administrative Assistant Elizabeth Coleman are following this situation closely. It is a situation that is putting cities in a very difficult situation. Basically, non-profit environmental groups sued the Federal government, FEMA, alleging that their food protection policies are causing problems for killer whales and other sea life near water courses. This new policy will affect 30 out of 36 counties in Oregon. The Department of Land Conservation and Development (DLCD) administers FEMA in Oregon. DLCD began issuing commentary about PICM to cities in October. December 1st is the deadline for the City to elect how the City will handle the new regulations. Basically, there are three options: 1) prohibit all development in special development areas; 2) adopt model FEMA ordinance; and 3) use a permit-by-permit process. McDowell stated there is really no good option here. Option 1 is completely unconstitutional as it aims to take land rights away from property owners without due process, Option 2 gives FEMA carte blanche which is highly impactful to every property owner in the floodplain and could put the City in a terrible future position on many fronts vet unknown. Option 3 is the best choice, but is still not great. This option will force Staff to inform folks and advise them to go to FEMA for more information on complying with the regulations being imposed by FEMA. Property owners will be responsible for performing an environmental assessment prior to doing any work on their property if they are in the floodplain. Details are forthcoming. McDowell said Council will have to make a final determination by January 2026 as the timeline currently stands; more to come.

Councilor Hansen moved to approve R 2024.17, opting for Option 3. Councilor Winklepleck seconded the motion, and it passed unanimously.

#### **ACTION ITEMS:**

1. <u>717 Kay Avenue Abatement Appeal | Virgaela Brewer and Bill Hand.</u> Mr. McDowell reviewed the situation. Councilor Hansen asked if there was anything McDowell would like to add to the agreement. McDowell suggested extending the deadline until January 17<sup>th</sup>, 2025, and ask for permission to enter the property to abate the nuisance at that time if needed.

Councilor Hansen moved to authorize Mr. McDowell to create an agreement with these conditions and forward it to the party responsible. Councilor Humphreys seconded the motion, and it passed unanimously.

2. <u>Streetlight Request | Jim Smith.</u> Mayor Craven indicated that all signatures from neighboring property owners have been obtained (and possible light trespass addressed), and the light pole will withstand a new light installation. Councilor Hansen inquired as to cost to the City. McDowell responded that it will be approximately \$18 per month.

Councilor Chambers moved to approve this request and authorize Staff to move forward. Councilor Humphreys seconded the motion, and it passed unanimously.

#### **DISCUSSION ITEMS:**

- 1. Council Logistics & Council Training Schedule 2025. Mr. McDowell suggested holding the swearing in process for the new Councilors at the December 17<sup>th</sup>, 2024 meeting, pending election results received from Linn County. Council would then have the month of January available for possible Council training and goal setting sessions. Council concurred and set the first training date for Saturday, January 25<sup>th</sup>, 2025 at 9:30 a.m. The training will last approximately 3 hours, and Councilor Hansen offered to bring donuts for the group. Lunch will also be provided.
- 2. <u>Easements & Right-of-Ways.</u> McDowell reported that there has been a bit of confusion lately about easements and rights-of-way. Rights-of-way are City owned property and City personnel can legally work on the property. An easement is privately owned property but may grant the City ingress and egress typically for utility needs or for other reasons. Easements can also be between other parties including neighbors and private utility companies. Currently there are about 110 infringements on the rights-of-way around town, examples include shops, parts of houses, fences, etc. Staff would like to clarify these infringements for the property owners going forward with an annual letter aimed at defining the infringement and the City's rights.
- 3. **October Financials.** No comments.

<u>CITIZEN QUESTIONS & COMMENTS.</u> Sandy Saltzer asked for clarification about Councilor Hansen's statement in the packet. Councilor Hansen responded that he would address it under Council comments.

Bill Hand, 717 Kay Avenue, stated that he had removed another 5 cars from the property, and he appreciated the time extension for the abatement of this nuisance.

**COUNCIL COMMENTS.** Mr. McDowell stated that this month's synopsis will be sent the week after Thanksgiving.

Councilor Humphreys commented on the recently completed audit, FYE June 30<sup>th</sup>, 2024. He stated that he was very glad to see the Cemetery Trust Fund restored. Councilor Humphreys stated that he extends his kudos to Staff as it is very hard to achieve a public audit without some remarks from the auditors, job well done!

Councilor Hansen apologized to Don Lyon stating that he had never received an email that Don said he had sent. Hansen stated that it was not an intentional non-response. Councilor Hansen is always happy to engage in political ideology conversations and is happy to visit with people if they have questions.

Councilor Winklepleck applauded Councilor Hansen for issuing his statement in the packet. It is every elected official's right to express their opinion, and he celebrates it.

Mayor Craven addressed Paul Winther's concerns about a Facebook post. Mayor Craven does not have a Facebook page in his official public capacity. He does have a personal page. His post about signs being stolen around town was simply to raise awareness. Comments on public Facebook pages are out of his control. Craven stated that it was unfortunate if Paul Winther was misidentified.

**ADJOURNMENT:** Councilor Humphreys moved to adjourn at 9:10 p.m. Councilor Hansen seconded the motion, and it passed unanimously.

City Administrator S. Scott McDowell	Mayor Adam Craven

November 25,2024
Response to a recent post on Mayor Cravens Social Media

A recent post on Mayor Cravens' Facebook page, dated 11/09/2024 was brought to my attention 11/24/2024. A series of photos from a surveillance camera shows a person who resembles me stealing / vandalizing a political candidate yard sign here in Brownsville. It was shocking to my wife and myself to see this persons image and upset to see that he does resemble me.

Mr Cravens' stated purpose of the post was to 'make this person famous'. One of his Facebook followers responded to the call for identification said that he recognized this guy as he is often seen walking around town. This same person, then posted that he had it from a *trusted source* that it was Paul Winther. The expected angry comments followed along with my name being posted again.

No one contacted me, either my accuser or Mayor Craven, whose feed then perpetuated this false statement. I would have been clueless that this libel existed on a public forum. (*Libel is communicating a defamatory statement by writing or picture, while slander is defamation by oral or spoken communication.*). A comment was made to my wife that this existed so she went to Mayor Cravens Facebook page which is apparently not blocked to Non Friends and read the thread and comments. Yes, indeed, there was my name posted as 'the old tool' who'd stolen these signs.

First let me state that I too feel that this persons actions were egregious. We all have a right to express our preferences with lawn signs during election years. This is the time that all political factions should just agree to disagree and not tamper with each others expressions of support.

This post and accusation with out verification concerns me greatly as it destroys my reputation and unjustly puts a target on me. I am a fairly low profile person known locally for volunteer work at Hands on History, Carriage Me Back as we'll as supporting several local business' with patronage and frequent use of the library. As a long time outdoorsman, I do walk in our beautiful town and park several times a week.

While I have no signs, flags or banners (other then on Veterans Day, at which time I fly the banners for both of our fathers who served in WWII). I respect the right of others to do so. As an Oregon resident since 1978, without so much as a traffic citation, it is disturbing to be labeled a criminal without even being contacted. The calls to action with the 'lets make him famous' line further raises alarm in our family with concerns for the safety of my family and myself.

I am requesting the Mayor to issue a correction to this post requesting all those that reposted to their own pages, of which there were several, to do likewise. I would expect the person who claimed to have confidence in identifying me as the culprit to contact me through the Mayor, with an explanation and an apology.

Submitted by Paul Wirsthan

# Donald Lyon, 352 Kirk AV. Brownsville

Councilor Hansen has inserted a curious document into the packet on P.41. Have you all seen it? I'm sure that he has brought some copies to share. He wrote it, he is proud of it. The title, we can say, is Stealing is Wrong. That part I agreed with but all of the rest I found quite confusing. Counselor Hansen seems to be saying that when governments require individuals to pay taxes that government is stealing. He seems to be saying that anarchy is the only moral form of social organization. That is, if there were no government, if mankind lived in a state of nature we would get along just fine. I guess I'm a bit pessimistic about mankind because I agree with Thomas Hobbes that life in a state of nature would be nasty, brutish and short. Councilor Hansen apparently has not given up on the United States entirely because he groups the US in the positive column along with "moral anarchy" and "anarcho-capitalism". I won't try to explain those two concepts but I suggest that you Moral Anarchy and Anarcho-Capitalism. Google them. They are a deep dive into chaos and confusion. I appreciate Counselor Hansens efforts to educate the hoi poloi of Brownsville but I'm afraid this document is confusing and frightening. It will take more than a one page broadside to explain these concepts. I'm asking that Counselor Hansen start by explaining what this document is doing in the packet and what he intends to do with it. If he wants to schedule a lecture in the Community Room, I will attend with great interest. I did send Counselor Hanson a couple of emails asking for an explanation but heard nothing back. Thank you.

#### **December 17th, 2024**

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

**Note:** The first section of this report follows the Council meeting agenda and provides an overview of topics to be discussed the night of Council. If an item title is  $\underline{\text{highlighted in green}}$ , that means the item is part of Council Goals. When you see this symbol,  $\square$ , it means more information will be provided at the meeting.

"You cannot change what you refuse to confront." ~ Craig Groeschel, Author

"Fear doesn't stop death, it stops life." ~ Vi Keeland, Author

If a law is unjust. A man is not only right to disobey, he is obligated to do so."

~ Thomas Jefferson



# AGENDA ITEMS DISCUSSION The following items follow the order of the Agenda

## 6) PUBLIC HEARINGS OR PRESENTATIONS:

A. <u>Central Linn Community Foundation Request | Chenoweth Robertson</u> – Central Linn Community Foundation's (CLCF) Chenoweth Robertson will be asking for the City's continued support of the Foundation's community grant program. Council has partnered with CLCF for several years with the function of using CLCF as a resource when groups request funding from the City. Robertson's information is included in the agenda packet for your review.

# What is Council being asked to do?

Consider the Foundation's proposal and make a decision.

- **B.** Oaths | Council-Elect | McDowell will administer the oaths of office for Councilor-Elect Lynda Chamber, Eversull & Winklepleck. Chambers & Winklepleck will continue to serve in their capacity as a City Councilor while Eversull will start his service January 1st, 2025.
- **C. <u>Bi-annual Cyber Security</u>** The City is required by CIS policy to review cybersecurity issues twice a year. McDowell will give a brief overview of cyber issues.

# 9) LEGISLATIVE:

**A.** Resolution 2024.18: Certify 2024 Election – Council must certify election results after those results have been officially posted by the Linn County Clerk's



Office. The City received the certification on December 6<sup>th</sup>, 2024. See the accompanying resolution for more details.

## What is Council being asked to do?

Pass the resolution to confirm the election results.

**B.** Resolution 2024.19: Humphreys Public Service — The City would like to thank Michael Humphreys for serving on Council for the last four years. Humphreys has served on many committees and served as a check signer for the City. He always checks in on Staff and is always ready to help.

### What is Council being asked to do?

Pass this resolution to recognize and honor Councilor Humphreys' service to Brownsville.



**C.** Resolution 2024.20: Employee Handbook Modifications | Leave Accruals & On-Call Time <u>Calculations</u> — McDowell & Frink are recommending modifications to the way leave accruals being and increading & clarifying how on-call time will be calculated. Please see the resolution for further explanation.

What is Council being asked to do? Determine whether to pass this resolution.

## 10) ACTION ITEMS:

- **A.** Appoint Planning Commission Member Applications are in the agenda packet for your review. Don Lyon, Dan Murphy, Sandy Saltzer, and Jared Sweeney have applied.
- **B.** Appoint Parks & Open Space Advisory Board Member No applications were received by the deadline.
- C. <u>January Council Meeting | Date Change</u> The League of Oregon Cities is hosting Capital Day on January 28<sup>th</sup>, 2025, which is the same night as Council meeting. McDowell is proposing that the regularly scheduled Council meeting be moved to Thursday to accommodate members attending Capital Day.

What is Council being asked to do?

Determine whether to move the meeting.

# 11) DISCUSSION ITEMS:

- **A.** Goals Setting Process Review | Council Directives | McDowell will review the City's goal setting process and why it is functionally important for the City. He will address various forms of disruptions that can derail Council goals over time. He will also focus on the variety of tasks and responsibilities Staff perform in addition to accomplishing Council directives.
- **B.** November Financials

# **UPDATES, INFORMATION & HAPPENINGS**

Green Cross Lawsuit - The lawsuit brought against the City on September 26th, 2017 has been dismissed by the United State Ninth Circuit Court.

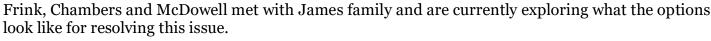
Weeds & Nuisances Update – Sergeant Frambes resolved a chronic garbage nuisance on Seven Mile Lane last week.

**Canal Company Agreement Update** △ – The City is back on track with the plan of two January Town Halls to unveil the partnership plan with the Canal Company. We have settled on Thursday,

January 23<sup>rd</sup>, 2025, and Wednesday, January 29<sup>th</sup>, 2024, for our Town Hall meetings. Both meetings will be held in Community Room at City Hall starting at 7:00 p.m. These are the dates that will go out next week in the Council synopsis. Council may be asked to authorize a direct mailing to affected parties.

Active: James Lease | North Wastewater Treatment Plant - Time did not allow for any further developments on this matter.

From 11.26.2024: Council approved McDowell's request to include Council President Lynda Chambers in a meeting with Cozetta and Joseph James.



**REAL Meeting** — McDowell will provide an oral update if available. The next scheduled meeting happens on Friday after the agenda packet is published.

From 09.24.2024: Recently launched a survey with the help of JayRay to further address the goals of their five year plan. More to follow.

**GR12 Waterline** – The City has made the final payment for this project.

From 11.26.2024: The City has yet to receive the final payments for this project.

From 10.22.2024: Public Works Superintendent Karl Frink reported that the project has officially been finalized.

**Woodblock Architecture** | **Rec Center Renovation Project** △ – Kaci Logan organized the annual Christmas Bazaar in the Rec Center. Logan stated that the use of the facility was very nice although she had hoped for more customers. Staff sent exterior paint concners to J.E. John's Kyle Marston. The paint pealed within the first four months. The City is hoping for work to be done to remedy this issue.

From 11.26.2024: Staff processed the final payment for J.E. John. Several items remain under warranty while a few other items still require attention.

From 09.24.2024: Staff has been working with J.E. John's Kyle Marston to finalize outstanding details. Continuing concerns include windows finish work, HVAC issues, and requesting an extension for the flooring system through August 2025. Staff has ordered special chairs and a new volleyball stand for the floor surface in accordance with Tarkett's specifications. Public Works has installed and prepared these items for use. Administrative Assistant Jannea Deaver is preparing the rental forms



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to match the new requirements of renting each space. Public Works Superintendent Frink has finalized many items including buildings security issues and fixing several of the ongoing lighting issues.

<u>Pending: Central Linn School District & Central Linn Recreation Association IGA</u> – The City has not heard an official response from the District on this matter.

From 11.26.2024: Staff is currently negotiating with the District as directed by Council.

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

	LCSO Month-to-	Month (	Comparison (18 1	months)
2024	November	13	23	200
2024	October	17	16	204.75
2024	September	15	17	202
2024	August	17	17	201.75
2024	July	15	23	296.75
2024	June	33	51	200
2024	May	36	32	200
2024	April	10	22	201.25
2024	March	17	28	209.25
2024	February	19	66	212.75
2024	January	13	34	204
2023	December	11	20	218.25
2023	November	11	25	221
2023	October	26	33	210
2023	September	15	19	203
2023	August	17	12	210.5
2023	July	10	20	208.25
2023	June	7	11	202
	Subtotal	302	469	3805.5
	Total Average	16.78	26.06	211.42

**LCSO Quarterly Meeting** – Linn County Sheriff's Office reported that patrol positions are hown fifteen spots right now from 52 to 37. Twenty-four of the thirty-seven have been out during 2024 on extended leaves for a variety of reasons. Sheriff Duncan reported the Office is down seven positions in Dispatch. She also gave a forewarning on the contract increase for this upcoming discussion. The Office is entering into labor negotiations soon. Overall, even with the shortages the Sheriff's Office continues to make the required contract hours for partner cities. Duncan appreciates the contract cities grace with hours over the last year or so due to personnel challenges. The group agreed to work on contingency language for the contract in light of hiring challenges and societal shifts.



**Small Municipalities Advocacy Coalition (SMAC)** 

<u>Small Municipalities Advocacy Coalition (SMAC)</u>  $\triangle$  – McDowell has been participating in discussions that have included residential fire suppression systems and gas tax cuts.

From 11.26.2024: The team continues preparations of the upcoming legislative session.

From 10.22.2024: Mayor Craven recently attended a meeting with communities showing interest in joing SMAC.



### **ACTIVE, PENDING, STALLED & COMPLETED**

Active: 717 Kay Abatement Appeal | *Virgaela Brewer/Bill Hand* – Council extended removal time until January 17<sup>th</sup>, 2025, if an agreement is signed between Mr. Hand and the City. Staff has forwarded an agreement to Mr. Hand for consideration. The agreement was based on direction Staff received from Council.

<u>Active: Streetlight Request | *Jim Smith*</u> – The City has ordered the installation from Pacific Power. Installation date is unclear. We will know when it is installed. I will continue to follow-up.

<u>Active: State Agencies</u> – Staff is working on 2024 reporting which includes the annual ODOT reporting.

From 09.24.2024: The City received a new TMDL certified letter. I have included the letter as part of the agenda packet. Department of Environmental Quality (DEQ) finally addresses NPDES permittees in the letter. Staff expects this to extend to Brownsville as soon as the City has a NPDES permit update. Oregon Water Resources Department (OWRD) also forwarded a packet of in stream water rights that will make it even more difficult for cities and water districts to obtain permits from the State according to Dyer Partnership.

**Active: TMDL Report** – McDowell and Frink are currently working on the report. This will be the first report under the new requirements.

*From 04.23.2024:* The City received approval for the required DMA Plan just before last Council meeting. Karl Frink and I will give an overview Tuesday evening. The email notification is in the agenda packet for your review.

From 12.19.2023: The Department of Environmental Quality's (DEQ) Priscilla Woolverton has contacted the City about the most recent edition of the TMDL. We are awaiting further information.

From 11.28.2023: Twice a year the City is required to report on TMDL. 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 contends that stormwater runoff is negatively impacting fish habitat and making fish unsafe to eat in copious quantities by humans. In March of

2021, the City was deemed a Designated Management Agency (DMA) by the DEQ which required the City to complete a new, more rigorous TMDL plan. DEQ approved the City's plan earlier this year.

**TMDL Five-Year Review:** The City is required to file a five-year report to the Department of Environmental Quality (DEQ) on the TMDL plan. I have placed the questionnaire on the City website at: under Supporting Documents. [...]



**<u>Active: Water Management Conservation Plan</u>** – McDowell and Frink are currently working on the report since its adoption earlier this year.

From 07.23.2024: Public Works Superintendent Karl Frink is working on installations and repairs to address the adopted plan.

From 05.23.2024: Money has been budgeted for the upcoming fiscal year to begin to address the requirements of this plan.

From 04.23.2024: Public Works Superintendent Karl Frink and I have budgeted funds for the implementation of this plan. The City has a required timeline for implementation.

From 01.23.2024: Public Works Superintendent Karl Frink is working on valve replacements and

meter replacements at key points before doing system-wide leak detection project.

From 10.24.2023: Staff will begin implementing items as identified by Staff and approved by Council. Items include the adoption of a water conservation ordinance, auditing the water distribution system, and the creation of water filling station.

From 09.26.2023: The City finally received the final requirements from the Oregon Water Resources Department for the City's newly adopted Water Management & Conservation Plan (WMCP). [...] The



plan can be found in its entirety on the City website at: <a href="https://www.ci.brownsville.or.us/citycouncil">https://www.ci.brownsville.or.us/citycouncil</a> under Supporting Documents.

This is an unfunded mandate. [...]

Active: Linn County Housing Rehabilitation Program (LCHRP) – From 10.24.2023: The City collaborates with the communities in Linn County to help low-income homeowners to make improvements to their houses using Federal money (HUD). The City has been a member of this organization for over forty years. Cities take turns being the lead recipient and DevNW manages the funds received. Brownsville had its turn a few years ago. Currently, the City of Lebanon is taking the lead on the current funding request.

Respectfully Submitted,

S. Scott McDowell City Administrator

Please visit the City website at <a href="https://www.ci.brownsville.or.us">https://www.ci.brownsville.or.us</a> for all kinds of information pertaining to the City's business & operations.

★ Kirk Avenue History ★ Calapooia Riverbank ★ Plus much more

# PLANNING AT A GLANCE December 2024

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

•	FIRE/Structural	Commercial Suppression System in Kitchen	203 W Bishop Way
•	Mechanical	Install New Gasline For Generator	803 River Ave
•	Structural	SFD	811 Calapooia Ave
•	Mechanical	Install Gas Stove to Existing Line	903 Washburn St
•	Mechanical	Replace Gas Furnace	309 Walnut Ave
•	Fence/Retaining W		817 Stonebrook St
•	Fence	Replacement	352 Kirk Ave
•	Fence		584 E Washington St
•	Construction	50x100 AG Exempt Structure	217 W Bishop Way
•	Construction	Accessory Structure 10x19x11	608 Oak St

#### **OTHER:**

#### River's Edge Phase 3:

Staff is scheduled to complete three more onsite setback verifications during the week of Dec. 16. There have been three additional requests for Certificates of Occupancy in the last week.

#### FEMA - Pre-Implementation Compliance Measures (PICM)

Staff is in the process of scheduling a preliminary meeting with Floodplain Consultant Dave Kinney on the Buildable Lands Inventory impacts.

#### **Property Line Adjustments & Land Partitions:**

Staff has received one Property Line Adjustment (Replat) & two Minor Land Partition Applications in the last few months. These PLAs & Partitions will potentially result in three additional single-family dwellings within the city limits of Brownsville.

Thank you,





# LINN COUNTY SHERIFF'S OFFICE

## Michelle Duncan, Sheriff

1115 S.E. Jackson Street, Albany, OR 97322 Albany, OR. 97322 Phone: 541-967-3950 www.linnsheriff.org

# 2024

# MONTHLY REPORT TO THE CITY OF BROWNSVILLE FROM THE LINN COUNTY SHERIFF'S OFFICE

FOR THE MONTH OF:	NOVEMBER	
TRAFFIC CITATIONS:	13	3
TRAFFIC WARNINGS:	2.	3
TRAFFIC CRASHES:	2	
ARRESTS MADE:	5	
COMPLAINTS/INCIDENTS INVEST	IGATED: 99	)

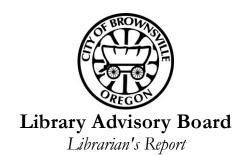
#### **TOTAL HOURS SPENT:**

**BROWNSVILLE** 200.5 hours

**CONTRACT HOURS = 200 HOURS** 

Michelle Duncan, Sheriff, Linn County

By: Sgt. Steven Frambes



November 2024

Here are a few facts about our Library for the month of November 2024. We have received 55 new books for the library. Volunteers donated 114.25 hours to our library. There were 1,353 materials checked out, 350 adult fiction books; 115 adult non-fiction books; 316 audio books; 387 children's books; 141 junior books; 49 junior reference books and 95 large print books.

There was a total of 216 electronic materials checked out. 160 adult fiction books; 27 adult non-fiction books; and 29 junior books. Of these 89 were eBooks and 135 were e-Audiobooks.

In November, we held 4 children's programs with 22 participants. There were 7 programs for adults with 21 participants. We set out 27 passive activity crafts for children.

Volunteers are all ready to set up the Book Sale (December 5-14). We had three volunteers put together over 60 Blind Date Books for the book sale. These books are wrapped in brown craft paper and decorated with some little trinkets that match the content of the book. There is also a slip telling a little bit about the book. Last year, they wrapped 20 and we sold out quickly. This year over half of the 60+ were sold before the Book Sale began. (Photo attached)

Respectfully submitted,

Stunbouse

Sherri Lemhouse

Librarian





#### RESOLUTION NO. 2024.18

# A RESOLUTION CERTIFYING ELECTION RESULTS FROM THE LINN COUNTY CLERK FOR THE NOVEMBER 2024 ELECTION

WHEREAS, the General Election was held November 5<sup>th</sup>, 2024; and,

**WHEREAS**, the City of Brownsville had three Council positions open for election; and,

**WHEREAS**, the Linn County Clerk, Marcie Richey, has certified the following results for the three open Council positions:

City of Brownsville - Council Members (Vote for 3)

1223 ballots (23 over voted ballots, 69 overvotes, 1029 undervotes), 1568 registered voters, turnout 78.00%

Mike Winklepleck	530	20.61%
Felipe Eversull	545	21.20%
Donald Lyon	450	17.50%
Lynda Chambers	516	20.07%
Michael Humphreys	463	18.01%
Write-in	51	1.98%
Write-in	12	0.47%
Write-in	4	0.16%
Total	2571	100.00%
Overvotes	69	
Undervotes	1029	

▶ Results are from the final abstracts received from the Linn County Clerk's Office on December 6<sup>th</sup>, 2024. All election results can be found on the County's website at https://www.co.linn.or.us/clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT Lynda Chambers, Felipe Eversull and Mike Winklepleck will fill the Council positions based on these election results and their public service will begin on January 1<sup>st</sup>, 2024.

Introduced and adopted this 17<sup>th</sup> day of December 2024.

	Approved:		
Attest:	Adam R. Craven, Mayor		
S. Scott McDowell, City Administrator			

**R 2024.18** Page | 1 of 1



# **RESOLUTION 2024.19**

# A RESOLUTION THANKING MICHAEL HUMPHREYS

# FOR HIS SERVICE TO THE BROWNSVILLE CITY COUNCIL

**WHEREAS**, the City of Brownsville depends on volunteers to provide many essential services for the community; and,

**WHEREAS**, the Brownsville City Council performs the most essential function and plays a vital role in the community by making major decisions, creating policy and continually working for the best interests of the City; and,

**WHEREAS**, serving as a Council member for the City of Brownsville is a challenging and important post; and,

**WHEREAS**, Michael Humphreys has served the City of Brownsville since January 2021 as City Councilor; and,

**WHEREAS**, Michael Humphreys has been a dedicated public servant to his office, represented the community with his honest, pragmatic approach and a commitment of service to others that was admirable in many ways including serving on a number of committees, providing valuable financial insights, offering practical advice on projects like the Rec Center Renovation project, pushing for advocacy of Brownsville's citizens in Salem, and helping Staff when needed; and,

**NOW, THEREFORE, BE IT PROCLAIMED** by the Mayor and Council of the City of Brownsville, Oregon:

# Thank you for your outstanding service, tireless commitment and unwavering dedication to our community!

PASSED by Council and approved by the Mayor on this 17th day of December 2024.

ATTEST:	APPROVED:		
S. Scott McDowell	Adam R. Craven		
City Administrator	Mayor		

**Page** | 1 of 1



#### **RESOLUTION 2024.20**

#### A RESOLUTION MAKING MODIFICATIONS TO THE BROWNSVILLE EMPLOYEE HANDBOOK REGARDING LEAVE ACCRUAL AND ON-CALL TIME CALCULATIONS

**WHEREAS**, the City management team recommends modifying vacation and sick leave accruals; and,

**WHEREAS**, the City management team recommends modifying the on-call compensation policy; and,

**NOW, THEREFORE, BE IT PROCLAIMED** by the Mayor and Council of the City of Brownsville, Oregon to amend the Brownsville Employee Handbook as follows:

**Section I.** The City modifies policy to allow vacation and sick leave accruals to begin immediately upon starting a full-time position (40 hours per week) or a part-time position (32 hours per week); these employees may take any accrued leave after two months of service, sixty (60) days. If this policy is adopted, it shall be retroactive to October 1<sup>st</sup>, 2024.

**Current Policy:** Employees do not accrue sick leave until after six (6) months of employment. Vacation accrual follows the same time period although language is not overly clear. Sick leave does not have any cash value and is capped at sixty (60) working days. Vacation leave does have cash value and is capped at one hundred & sixty (160) hours.

**Section II.** The City modifies on-call time calculations. Employees shall be compensated for four (4) hours for being on-call during weekends and holidays. Utility rounds are part of on-call duties that can take up to half hour. Employees also use their personal vehicles to complete these critical tasks for the City. Any extra call out required will be calculated at time and a half for hours worked. If this policy is adopted, it shall begin in the pay period immediately following adoption.

*Current Policy:* Public Works Operators receive three (3) hours for being on-call and time for additional call outs is ambiguous.

**PASSED** by Council and approved by the Mayor on this 17<sup>th</sup> day of December 2024.

ATTEST:	APPROVED:
S. Scott McDowell	Adam R. Craven
City Administrator	Mayor

**Page** | 1 of 1

RECEIVED
City of Brownsville

# NOV 1 2 2024 City of Brownsville APPLICATION FOR COMMISSION/COMMITTEE/BOARD MEMBER



Clerk	AFGO	
Name: Donald Lyon	Date: 8 November 2024	
Present Address: 352 Kirk AV		
City/State/Zip: Brownsville, OR 97327		
Phones: Work: Home:	Cell: 541 654 2052	
Email: phototraveler02@gmail.com		
Years Lived In Brownsville: 18		
Occupation: retired photography tour opera	tor	
Education: BS Psychology, MA Political Sci	.ence	
Address for Past 5 Years: same as above		
City/State/Zip:		
Registered Voter: ⊠ Yes ☐ No	Resident of Brownsville: ☑ Yes ☐ No	
Commission/Committee/Board Applying For (excluding City	Council and Mayor position):	
☐ Budget Committee ☐ P	arks & Open Space Advisory	
☐ Library Board ☐ Other (Specify)		
Planning Commission		
Why you want to apply: I feel that Brownsville		
a promise for the future. For decades sma	**	
have wasted away, unable to support loca		
bedroom communites. This trend is about		
small towns. I want to be a part of abrig		
What experience/expertise/interest do you have for this grou	p? Masters in Political Science	
with coursework in urban design. I've of	served many junique communitate	
and villages in the US and abroad. Some of		
I am interested in stydying this phenomer are for Brownsville. I've been a part of	non to see what applications there many local activities that inform	
me about Brownsville's history and cultur	e.	

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:
	Manuala Danisiani

DEC 02 2024

# City of Brownsville Clerk OVV APPLICATION FOR COMMISSION/COMMITTEE/BOARD MEMBER



Name: DAN MUYPHY	Date: 12.02.24
Present Address: 417 Depor Aut	,
City/State/Zip: Brownsville, DR 97327	
Phones: Work: Home:	Cell: 541. 974-0567
Email: dan Murphy office @ gmail. com	
Years Lived In Brownsville: LAST 3 YEARS Plvs 19:	14-1965 + 1969-1984
Occupation: Retired	·
Education: J.D. Law	
Address for Past 5 Years: 3315 Ermme & Alba	ny (928 2012-202)
City/State/Zip: 417 Depot Ave Brownsvill.	OR 97527 2021-NOV
, ,	sident of Brownsville: 🗹 Yes 🗌 No
Commission/Committee/Board Applying For (excluding City Council a	nd Mayor position):
☐ Budget Committee ☐ Parks & Op	pen Space Advisory
	cify)
▶ Planning Commission	
Why you want to apply:	
To be of service to Brownsville + its	residence
	9,000
What experience/expertise/interest do you have for this group?	
	attornes +
3 years law school, 40 years as an	1
9	

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.

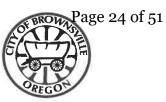
A resume may be attached to this application but is not required.

For City Use Only

Dated Received:

Mavor's Decision:

# City of Brownsville APPLICATION FOR COMMISSION/COMMITTEE/BOARD MEMBER



Name: SANDY	SALTZER			Date: 12 11	2624
Present Address:	100 HAUSMAN	) AVE		10 X	
City/State/Zip: B	ROWNSUIUE	OR	97327	-	
Phones: Work:		Home:		Cell: 206 - 59	52-1964
Email: SANOVU	ASALTZER @ G	mail. Com			
Years Lived In Bro	ownsville: 9 yes				
Occupation: RE	GISTERED NUNS	Ę			
Education: MAS	STERS IN PUBLI	C ADMINISTRA	MOITI		
Address for Past 5	Years: 100 HAL	ISMAN AVE			
City/State/Zip: 1	Brownsulus	DR 97327			
Registered Voter:	⊻Yes □ No		Res	ident of Brownsvil	le: ⊠ Yes ☐ No
	mittee/Board Applyin	g For (excluding (	City Council a	nd Mayor position	):
	Committee			en Space Advisor	I
☐ Ļibrary	Board	[	Other (Spe	cify)	
☐ Plannin	g Commission				
	Community				
	expertise/interest do				
	ADMINISTRATOR				NEMOT HOSPITAL
	4 COUNCIL 20				
PRESIDENT GA	RDEN CLUB	MEMBER L	IBRARY BL	PARD Gyrs	
SECRETARY	WOMENS STUDY	CLUB 1	nember D	F RED CROSS	
RESPONSIBLE FO	IR MAIN ST WH	ISKEY BARREL	2		
actively par the evening	pply, it is understo ticipate. Commission hours. Some group FOR A CITY COUNCIL (	ons/Committees/Eups may meet me	Boards genera ore often, if r	ally meet once n	nonthly during FORM IS NOT AN RECEIVED
	A resume may b	e attached to this	application bu	t is not required.	City of Brownsville
For City Use Only	Dated Received: _		_		DEC 1 1 2024
	Mayor's Decision:				Clork

# **City of Brownsville** APPLICATION FOR COMMISSION/COMMITTEE/BOARD MEMBER



Name: Jared Swezey	Date:12/5/2024							
Present Address: 1117 Ash Street								
City/State/Zip: Brownsville, OR 97327								
Phones: Work: 541-554-1851 Home:	Cell: 541-579-1867							
Email: swezeyholdings@gmail.com								
Years Lived In Brownsville: 1.5 years								
Occupation: Information Technology Executive / Technology Consulting								
Education:								
Address for Past 5 Years: 604 Wimbledon Court								
City/State/Zip: Eugene, OR 97401								
Registered Voter: ☑ Yes ☐ No Resident of Brownsville: ☑ Yes ☐ No								
Commission/Committee/Board Applying For (excluding City Council and Mayor position):								
☐ Budget Committee ☐ Parks & Op	en Space Advisory							
☐ Library Board ☐ Other (Spe								
✓ Planning Commission								
Why you want to apply:								
I am interested in joining the planning committee to ensure the balance of economic growth while								
also ensuring the preservation of our historic community and asse								
What experience/expertise/interest do you have for this group?								
have extensive board experience having served on boards for: Eugene Science Center,								
Parenting Now, Eugene Economic Development Council, Willamette Internet Exchange,								
Technology Association of Oregon, Lane County Historical Society (Board President)								

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:



## **December 10th, 2024**

**To:** Mayor & Council **From:** EPC Committee **Re:** Annual Report 2024

### **EMERGENCY PREPAREDNESS COMMITTEE**

**Summary:** EPC completed regular, annual preparedness tasks in accordance with Brownsville Municipal Code, Title 2, Chapter 2.15.

Main Goal: Increase Public Awareness and Participation

The EPC's focus continues to be education by creating a place to share resources with citizens for their personal use. The Committee strives to promote personal readiness by providing practice guides and examples for citizens to be ready for any type of wide-scale emergency.

## Accomplishments included:

- ▶ Issued the EPC's bi-annual newsletters in January 2024 & August 2024. Included several preparedness communications in the City's Council Synopsis and bi-annual newsletters in March and September which are sent by USPS direct mailing to everyone in the 97327 Zip Code. EPC's stand-alone communications also reach everyone in Halsey (97348) & Shedd (97377).
- ▶ The Committee continued information dissemination at a variety of events including Field Day at the Central Linn Elementary School.
- ▶ The Committee continued to maintain website content.
- ▶ 2025 Meeting Schedule:
  - o Meetings are held quarterly at locations to be announced starting at 10:30 a.m.
    - ★ February 13th, 2025
    - **★** May 8<sup>th</sup>, 2025
    - ★ August 14th, 2025
    - ★ November 13th, 2025

- ▶ Norman Simms and Marilee Frazier regularly attend the Linn County Emergency Preparedness meeting and are both involved in CERT. Simms has been asked to serve as a trainer for CERT. Simms would like to see a class held in either Halsey or Brownsville this upcoming year.
- ▶ The Committee planned on hosting an open house in conjunction with the Grand Re-opening of the Rec Center. Due to construction delays, the effort was completed in February 2024.

The Committee will issue newsletters two times per year with the next one planned for January 2025. We also plan on continual updates and promotion of the website, holding events to demonstrate preparedness methods, and will continue working with participating community partners to increase awareness of this important effort.

Sincerely,

Norman Simms

#### College of Urban and Public Affairs

Population Research Center

Mail Code PRC (tel) 503-725-3922 P.O. Box 751 askprc@pdx.edu Portland, Oregon 97207 www.pdx.edu/prc

November 15, 2024

- IMPORTANT NOTICE -

Attn: City Official

City of Brownsville

PO Box 188

Brownsville, OR 97327

#### **Preliminary 2024 Population Estimate**

Listed below are the preliminary population estimates for your jurisdiction as of July 1, 2024, and revised estimates for years since the most recent census. Please review the information below, and in case of questions or comments, please contact the Population Research Center. The preliminary estimate is subject to revision before certification on December 15, 2024.

The basis of the population estimates is the 2020 U.S. Census enumeration of the total resident population, net of approved adjustments to the census results, as of April 1, 2020. For each year since the most recent census, population estimates are made based on net housing unit and group quarters (GQ) population changes, average household size, and occupancy rate, accounting for natural increase (births less deaths) and migration. Changes in housing units and GQ populations are based on responses obtained from your jurisdiction through participation in the Annual Housing Updates and Population Survey (AHUPS).

#### Preliminary estimates (2024):

		Pct.	Population in			
Date:	<b>Total Population</b>	Change	Group quarters	<b>Housing Units</b>	Vacancy Rate	Household size
4/1/2020	1,694	-	0	716	4.9%	2.49
7/1/2020	1,697	0.2%	0	718	4.9%	2.49
7/1/2021	1,698	0.1%	0	724	4.9%	2.47
7/1/2022	1,832	7.9%	0	787	5.0%	2.45
7/1/2023	1,823	-0.5%	0	787	5.0%	2.44
7/1/2024	1,830	0.4%	0	789	5.0%	2.44

The certified population estimates will be posted online by the end of the day on December 15, 2024 (www.pdx.edu/prc/population-estimate-reports). Jurisdictions may petition for changes to population estimates on the basis of information they provide that is related to the data herein. Questions and comments should be directed to the Population Estimates program at popest@pdx.edu or (503) 725-3922.

/s/ Huda Alkitkat

Huda Alkitkat, Ph.D. Population Estimates Program Manager Population Research Center Portland State University



# Public Announcement

November 2024

# Conservation easement acquisition to benefit fish and wildlife in Oregon

## What is happening

The Bonneville Power Administration is proposing to fund Greenbelt Land Trust to purchase a conservation easement on the Oak Basin property, which consists of two separate parcels of land totaling 428-acres located in Linn County, Ore. GLT would hold a conservation easement over the property, and BPA would hold third party rights of enforcement for the purposes of mitigation and permanent protection, conservation, and potential restoration and enhancement of identified wildlife, wildlife habitat, and other conservation values. BPA would also provide stewardship funds toward land management and maintenance of the property to GLT.

GLT has developed a land management plan to guide activities on the property, including management, restoration and enhancement of habitat and other resources on the property. The management plan has been reviewed by BPA for consistency with the conservation easement and the purpose of the acquisition. If BPA proposes to fund any additional activities on the property, further environmental review may be conducted.

# Where is this happening?

The property being acquired is located about 4.5 miles south of Brownsville in Linn County, Ore. See the map on the reverse side for a precise location.

# Why is this happening?

Funding the purchase of this property and providing long-term stewardship funds would partially fulfill BPA's obligations under the Northwest Power Act to protect, mitigate, and enhance fish, wildlife and their habitat affected by the Federal Columbia River Power System. It would also specifically satisfy some of BPA's commitments made in the 2010 "Willamette River Basin Memorandum of Agreement Regarding Wildlife Habitat Protection and Enhancement between the State of Oregon and the Bonneville Power Administration".



The Oak Basin property consists of mosaic grasslands and mixed forest habitat that support Endangered Species Act-listed Fender's blue butterfly.

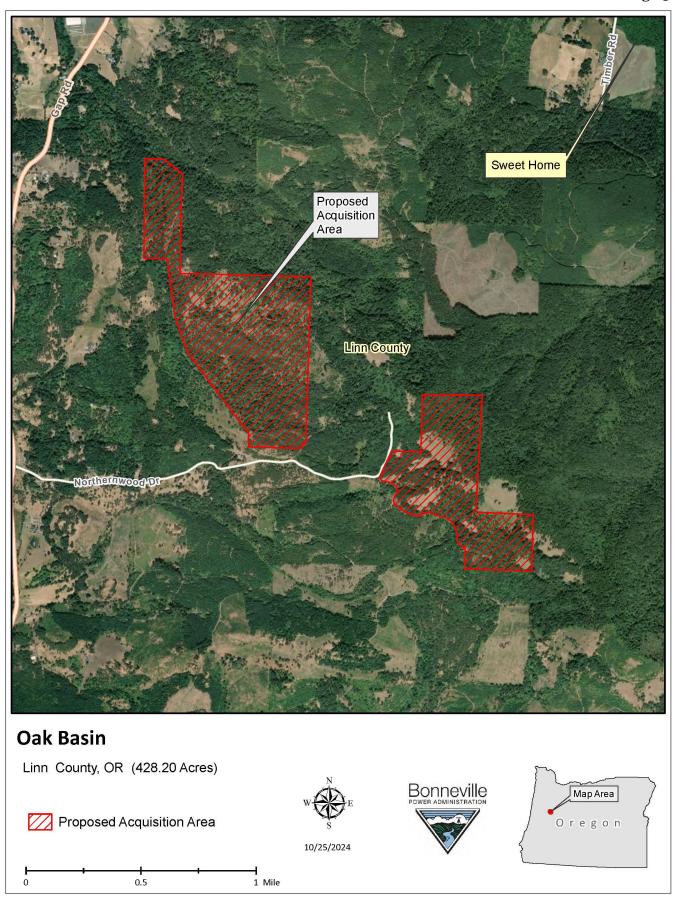
The Oak Basin property consists of mosaic grasslands, oak woodland, conifer and mixed forest habitat which supports Endangered Species Act-listed Kincaid's lupine and Fender's blue butterfly.

This property also provides habitat that supports Oregon Conservation Strategy species like the chipping sparrow, willow flycatcher and western gray squirrel, and is an important anchor site in the north Coburg Hills Conservation Opportunity Area, providing travel corridors to adjacent public and WWMP lands, including BPA-funded and GLT-owned Courtney Creek and C-Bowl and U.S. Bureau of Land Management's Oak Basin Prairies Area of Critical Environmental Concern.

#### For more information

If you have any questions regarding this land purchase, contact the project manager, Matthew Schwartz, at 503-230-4225 or <u>dschwartz@bpa.gov</u>. You can also call BPA's Communications Office toll-free at 800-622-4519. Please refer to the "Oak Basin" conservation easement.





#### S. Scott McDowell

From: Kyle Marston <kmarston@jejohn.com>
Sent: Friday, November 22, 2024 8:16 AM

To: admin@brownsvilleor.org
Cc: Karl Frink (Alt.); Ken Shields

**Subject:** RE: Brownsville, OR | Windows Update | Other Items

Good morning Scott,

I've reached out to Brandsen Floors and requested they dispatch a tech to reglue carpet tiles in the Meeting Room as needed. I'll let you know timing when they'll be onsite.

The mullions on the front windows have been very frustrating to say the least. Jeld-Wen ordered the wrong materials originally so that caused the first delay. They recently received the correct mullions but we are not above the minimum temperature for them to install. Below is the follow up email I received yesterday.

"This case is on hold until spring. Due to the temperatures, we are unavailable to finish putting on the SDLs until the temperatures reach a certain level so that the SDLs will adhere to the glass. I have discussed this with the customer and told him I will follow up at the end of March to discuss temperature levels in that area."

The window film in Family Restroom has to be installed after the mullions. The mullions can't be adhered overed the film.

In the basement, yes unfortunately it appears no ductwork or vents were shown to be installed into the (2) larger rooms.

On the exterior painting I'm surprised you are experiencing peeling as the painter spent considerable time scrapping and prepping the existing siding prior to paint. I don't expect we'll be able to receive an extended warranty from the painter at this point but I'd recommend documenting with pictures the peeling that is occurring. The painter's warranty expires January 5, 2025 so we'll want to provide them that info prior to that date. Are you or Karl able to send me photos of the areas that are peeling?

Thank you,

#### **Kyle Marston**

Senior Project Manager



James E. John Construction Co, Inc. | 1701 S.E. Columbia River Dr. | Vancouver, WA 98661

Main Office: 360-696-0837 | Cell: 360-984-0950

kmarston@jejohn.com www.jejohn.com



# Goals 2023-2024 (Compilation Date: December 2024)

- Focus on the Fundamentals.
  - ★ Protect & manage Brownsville's treasury.
    - The City fielded a full Budget Committee with the addition of Felipe Eversull & Matt Schoemaker. Staff shared the audit findings from the previous fiscal year. Council executed gap financing for the completion of the Rec Center Renovation project. Government Capital Corporation was able to find a great rate given market conditions. Council passed a supplemental budget in February 2024 to appropriate the funds for expenditure. Council received a good price for the completion of the GR12 Waterline & Pump Station Improvements project. Council passed ordinances to push back against Salem for unfunded mandates that continue to take away local funding for local projects.
    - Final Update | Council received the annual audit report at the November 26th, 2024, Council meeting. Staff reported that while overall surplus is down, two major projects were recently completed: GR12 Waterline and the Rec Center Renovation projects. The General Fund looks healthy, as do the remaining funds. Staff presented slides outlining the City's bond obligations. Inflation and future capital infrastructure were discussed. Council will address priorities as the new Council seats in January 2025.
  - **★** Foster cooperative and productive relationships both internally & externally.
    - The City continues working closely with the State of Oregon's Department of Environmental Quality (DEQ), Oregon Water Resources Department (OWRD), the Linn County Commissioners Office and several other agencies. Regional efforts including Rural Economic Alliance (REAL), RAIN, the Sheriff's Office contract, the Planning & Building Department contract, and the development of SMAC. Connections have been maintained with the League of Oregon Cities, the Cascade West Council of Governments, and CIS. Local agreements have been extended with the Calapooia Food Alliance (CFA), Sweet Home Sanitation, the Chamber of Commerce, and the Central Linn Recreation Association.
    - Final Update | Staff and Council worked very closely with all the above referenced organizations during 2024 as well as the Central Linn School District on a partnership for the use of public lands. REAL continued to work on advancing their collective mission in conjunction with nine cities and both Linn & Benton counties. The report is due soon from JayRay. Councilor Winklepleck and Councilor Chambers attended all the LCSO quarterly meetings with McDowell. Council streamlined multiple ordinances over the course of the year to match Linn County and other partner cities codes to make enforcement easier and more consistent for deputies. Administrative Assistant Elizabeth Coleman worked very closely to advance the relationship between the City and the Linn County Planning & Building Department. Mayor Craven and the Legislative Advocacy & Policy Committee (LAPC) worked on legislative efforts with Tate Affairs. SMAC is preparing a legislative slate for the upcoming legislative session in Salem. Several members were added to SMAC and others are considering joining the effort. The City worked on the Recycling Modernization Act (RMA) with the Sweet Home Sanitation management team to address yet another unfunded



mandate being imposed by the Department of Environmental Quality (DEQ). Staff worked with the Central Linn Recreation Association (CLRA) on organizational development issues within the Association as well as tending to many logistics for the opening of the newly renovated Rec Center. The City continued many agreements with our local community partners. McDowell spoke to the American Legion in September providing them with an update on City affairs and the current advocacy effort. Council considers determining the value of having a relationship with the Cascade West Council of Governments and the League of Oregon Cities. Neither organization changed any of their posititions as it relates to small, local governance.

## Advocacy Plan.

- ★ Create an advocacy committee charged with developing an advocacy strategy complete with written policy statements as an effort to participate in the State legislative process and in the Federal legislative process when appropriate.
  - Council created the Legislative Advocacy & Policy Committee (LAPC) through ordinance early in 2023. The Committee made several framework recommendations that were passed and implemented by Council. Position papers on key advocacy items were created for internal use and provided to the other members of SMAC and to Sean Tate.
  - Final Update | The Legislative Advocacy & Policy Committee (LAPC) will meet soon to review legislative priorities for the upcoming legislative session. One major driving point for the City is the continuance of the recreational immunity protections that the State has always had. Recreational immunity has been under attack from the Oregon Trial Lawyers Association. If the immunity goes away, it will drastically impact park services statewide. SMAC also has a slate of issues being championed for the upcoming session. The State continues to press Governor Kotek's four pillars that include Climate Change policy, the Housing Crisis policy, Homelessness policy, and DEI. Recent United States Supreme Court decisions including a reversal of the Grants Pass ruling and the Chevron reversal should cause the State to reprioritize their efforts in at least two of these areas, but the State maintains defiant ambivalence to these and other Federal actions.
- ★ Focus on home rule with other stakeholders, partnerships, and other regional efforts to strengthen City policy positions.
  - Council attended several meetings and continues to stay connected to key issues facing the City through the League of Oregon Cities and Sean Tate. Staff have communicated through partnerships the path for execution. Mayor Craven met with House Representative Jami Cate on several occasions and attended a luncheon with Governor Kotek to express the City's policy priorities and concerns.
  - Final Update | Mayor Craven has continued to press City issues with legislators as has Council and Staff. Council has addressed concerns with the League of Oregon Cities priorities. Over the last few legislative cycles, the League continues pushing policy priorities largely aimed at larger cities and that support Governor Kotek's core policy directions. League committees are overrepresented by people with a particular political persuasion. The League has segregated membership into caucuses including the Women's caucus, the Hispanic caucus, the Black



caucus as an effort toward DEI goals. Segregation is not the answer. Segregation has never been the answer. Rosa Parks and Martin Luther King, Jr. agree, the later gave his life for the cause of integration.

- ★ Monitor new laws, tort limits, and recreational immunity protections for local amenities.
  - Cities in Oregon received bad news in the case, *Fields v. the City of Newport*. The City has been active in working toward a fix with CIS. SB 1576 is currently being voted on in the House for passage. If this loophole cannot be closed with this legislation, the impact on the City park system will be devastating. The State's raising of the tort limits is wreaking havoc with the insurance rates. Property & liability insurance has risen nearly 60% due to these limits being raised and the continued passage of terrible public policy that is dramatically impacting cities and counties across the State.
  - Final Update | City Insurance Agent Darrin Godfrey reported late in the year that insurance costs will continue to soar for the foreseeable future due to properties being undervalued, the devastation of the recent fires, and many flood and hurricane losses nationwide. The State has effectively allowed special interests to increase tort limits, which has a direct correlation to insurance rates and risk management practices. CIS has become more and more restrictive toward cities ability to self-govern. Cyber policy is a prime example.

# ▶ Capital Improvements Plan.

- **★** Complete Rec Center Renovation project.
  - Open House was held in February. The City has successfully completed this important project. Staff continue detailed work to prepare the facility for public rentals.
  - Final Update | The Rec Center was finally opening to the public in late November. Staff continue to run down details on the windows and the exterior paint. Public Works Superintendent Karl Frink and McDowell worked all year on finalizing details to have the place ready for the public. Administrative Assistant Jannea Deaver has been instrumental in preparing rules and regulations for the proper use of the space. The City has been out a considerable sum to add furniture and sports equipment that was not planned for due to concerns with the newly installed floor.
- ★ Complete the GR 12 Waterline extension.
  - The project is underway and progressing nicely overall. Staff hope the project will be completed by the end of March 2024.
  - *Final Update* | Several delays caused this project to not be completed until November. Staff are making the final payment arrangements in December 2024. Public Works Superintendent Frink reported that he is using the water generated by this project for this year's treatment effort.
- **★** *Plan for new sewer lagoon along with operational improvements.*



- The City Engineer continues to work on the initial planning for a new sewer lagoon. The City is also looking into making a chemical change at the Treatment Plants. Any formal plans will have to be rolled into a bond with the improvements planned for the Water Treatment Plant. The City will have some high-cost items that must be addressed per State Law and to continue providing critical services to the residents.
- Final Update | Dyer Partnership is still investigating options for the City. Recent determinations made by FEMA could impact the City's ability to cite a new lagoon at the South Wastewater Treatment Plant due to the proximity to the Calapooia River. The major issue is that the City has capacity for nearly 140 units until a major upgrade is required for sewage treatment.
- $\star$  Plan for construction of new pavilion and relocation of the playground.
  - Funding will delay these projects. Council will need to reassess during the upcoming Budget Season FY 2024.2025.
  - *Final Update* | The Budget Committee appropriated \$100,000 for the new playground with plans to complete this project in FY 2025.2026. Funds were moved to finish the Rec Center Renovation project. The pavilion has been put on hold until the new Council considers options for the replacement of the building.
- ★ Analyze new TMDL plan.
  - Department of Environmental Quality (DEQ) has not officially approved the City's new plan.
     Council approved submitting the edited report at the January 2024 Council meeting.
  - *Final Update* | Staff are in the process of creating our first annual report under the new system imposed by the State's Department of Environmental Quality. This unfunded mandate will eventually lead to findings and orders against cities in the name of climate change which will force major stormwater capital improvements projects on all communities in Oregon.
- ▶ Community Development Plan.
  - ★ Refine Brownsville Municipal Code to better reflect actual practice.
    - Council passed several ordinances including parking, towing, curfew, camping, and administrative laws toward this effort. Council authorized Staff to review the nuisance abatement process for repeat offenders at the February Council meeting.
  - ★ Adopt building rules and standards to preserve and promote the historic aesthetic.
  - ★ Continue the local & regional emergency preparedness efforts.
    - Council supported the EPC who has been sending stand alone newsletters twice a year to all residents in Brownsville, Halsey, and the corresponding fire districts. The City ordinance is centered around public education and individual preparedness efforts.



- Final Update | The EPC continued their efforts to address the ordinance in hopes of making resources available to families and individuals to prepare for disruptions caused by natural disasters and other emergencies. Council discussed policy and preparedness strategies considering the ice storm that happened in January 2024. The State pushed two Federal programs the Natural Hazard Mitigation Plan (NHMP) and the Community Wildfire Protection Plan (CWPP). Council and Staff viewed these two programs as more unfunded mandates that will cause major implications to our citizens/taxpayers that are unnecessary. The State's Department of Land Conservation (DLCD) told McDowell that there was no penalty for not participating in this process, however the City would have to create their own plan that would meet the criteria adopted by the State if there were to be a disaster. Originally, the State said they would withhold Federal disaster funds if cities did not participate.
- **★** Support youth activities with community partners.
  - Council spent over \$2M renovating the Rec Center, adopted a new agreement and helped with organizational development and custodial services. Staff continues to assist the Central Linn Recreation Association with operational issues.
  - *Final Update* | Council also is in the process of entering into a partnership with Central Linn School District for the use of public green space for youth sports programming. The details are still being worked out between the School District and Council. The Association continues working through Board development, policy and funding

## Economic Development Plan.

- ★ Participate in regional efforts and opportunities with partner cities.
  - Council finalized the financial agreement with Business Oregon for the partnership with REAL. Council entered into a new agreement with RAIN through the end of 2025.
- $\star$  Support and implement the Rural Economic Alliance's 5-year strategic plan.
  - The group continues to prioritize items in the strategic plan. REAL is close to signing a deal
    with JayRay Marketing to survey regional businesses to get a better understanding of needs
    and priorities. This survey will be done in partnership with Business Oregon.
- $\star$  Complete and implement the Land Use inventory.
  - Administrative Assistant Elizabeth Coleman, Planner Dave Kinney continue work with Linn County's GIS Department preparing for this process.

# Water Rights.

- $\star$  Explore possible additional water source options.
- $\star$  Continually work on monitoring and perfecting City water rights.
- ★ Implement the State required Water Management & Conservation Plan.



Staff are actively working on the implementation of the items identified in the Plan.

*Note:* Staff continually monitor water rights. The life blood of any community will always revolve around a viable source of drinking water.

## ▶ Organizational Development.

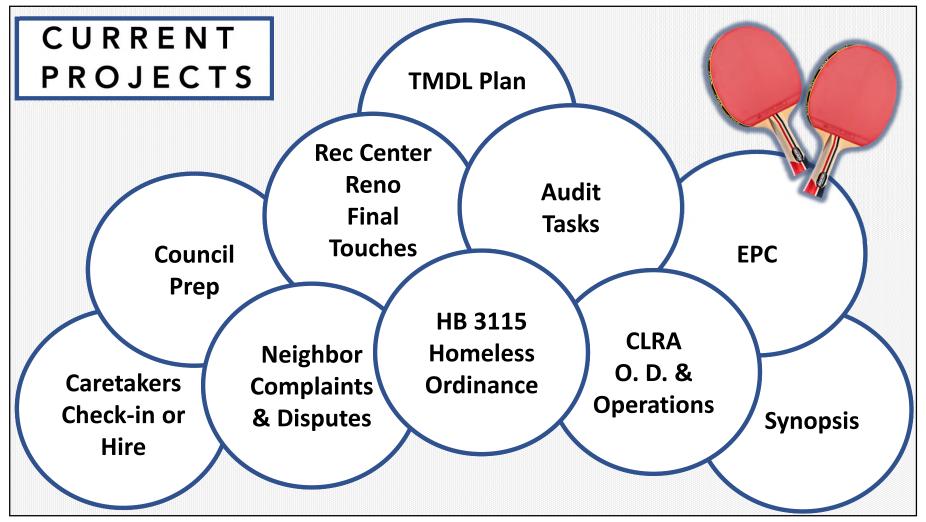
- ★ Review Council rules and policies.
  - Council passed a new officials handbook.
  - *Final Update* | Council was challenged during the Summer of 2024 on their policy handbook. City Attorney Ross Williamson held that the handbook applied to Council members and City business, not personal conduct. Council will consider modifications during their upcoming goal setting session in 2025.
- ★ Focus on Council leadership development & training.
  - Council met several times throughout 2023 to work on group dynamics and interactions. Great progress was made in the overall cooperation of the Council. Council held a Staff appreciation dinner for Staff.
  - *Final Update* | Council met a few times during the year to discuss logistics, member interaction, and how to address issues dealing with the media. Mayor Craven attended a League of Oregon Cities communications seminar that he found very important to share with Councilors. Mayor Craven and Staff are preparing for an extended training session in January 2025.
- **★** Foster positive and effective working relations between Council and Staff.
  - Council held a Staff appreciation dinner for Staff. Staff & Council held a volunteer appreciation party in September at the pavilion in Pioneer Park. Mayor Craven and Council have increased their efforts in working with Staff and are maintaining extremely effective relationships with Staff.
  - Final Update | Mayor Craven continually checks in on progress and daily happenings with Staff. All Councilors have made a tremendous effort to meet with Staff on Council related matters prior to meetings. Councilor Humphreys was always available to sign checks and review this important process. Councilor Hansen and Councilor Winklepleck worked with a variety of citizens during the year to bring points of interest to Council. A host of other issues were addressed in real-time although there is room for improvement of the processes of the City to better handle situations as they arise during any given year. Public pressure and certain tactics continued to manifest during the entire year.
- ★ *Maximizing social media efforts to promote City projects and events.* 
  - Council revisited this item. The City will not publish Council meetings in a television format. Council members are doing a great job monitoring social media conversations without creating more community drama and turmoil.

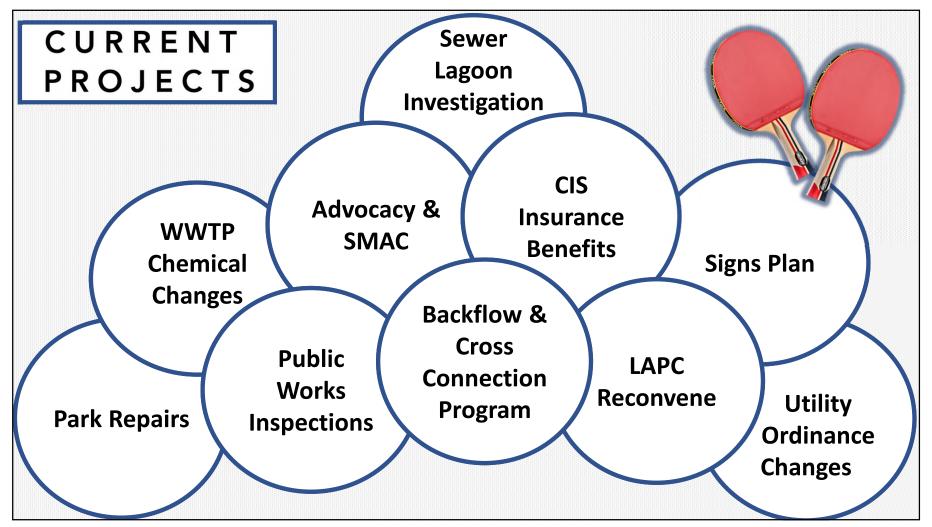


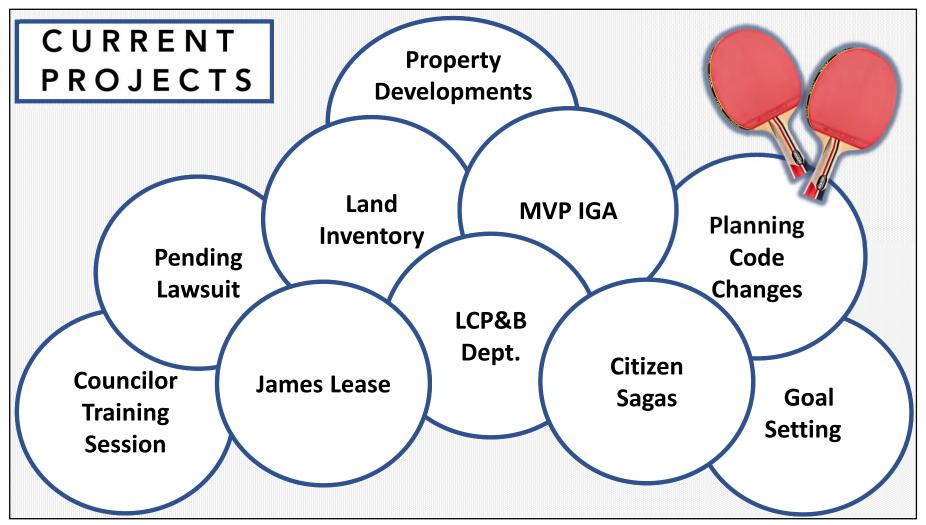
- Final Update | Social Media posts and commentary led to a lot of bandwidth taken away from Council and Staff time. Council should review related policies and practices to determine the best course of action.
- ★ Focus on recognizing volunteers, meeting training and procedures for all official boards & committees.
  - Council held both a volunteer appreciation cookout & a Staff dinner this past year as mentioned above. Librarian Sherri Lemhouse also does a very good job recognizing Library volunteers with appreciation events during the year.
  - *Final Update* | Due to the controversial recent election, Council decided to hold the annual appreciation dinner early in 2025. Many folks are still upset over the election results.

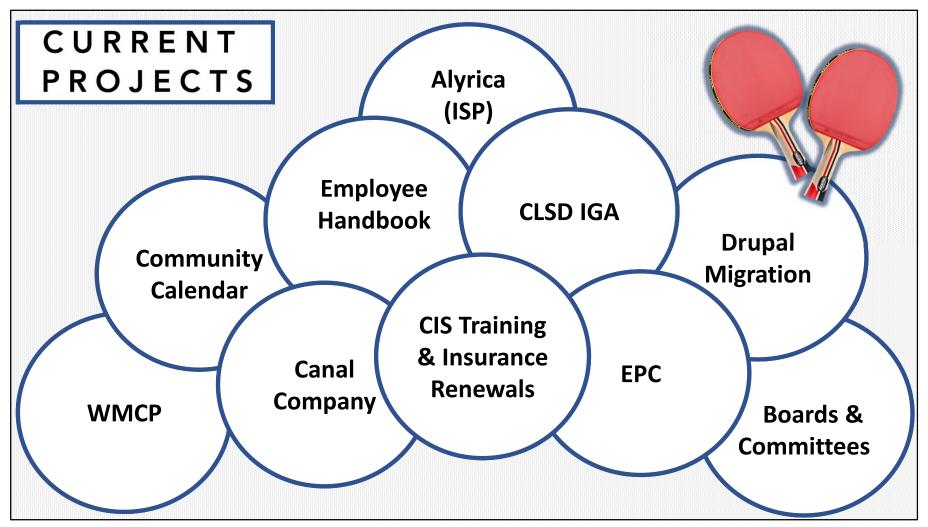


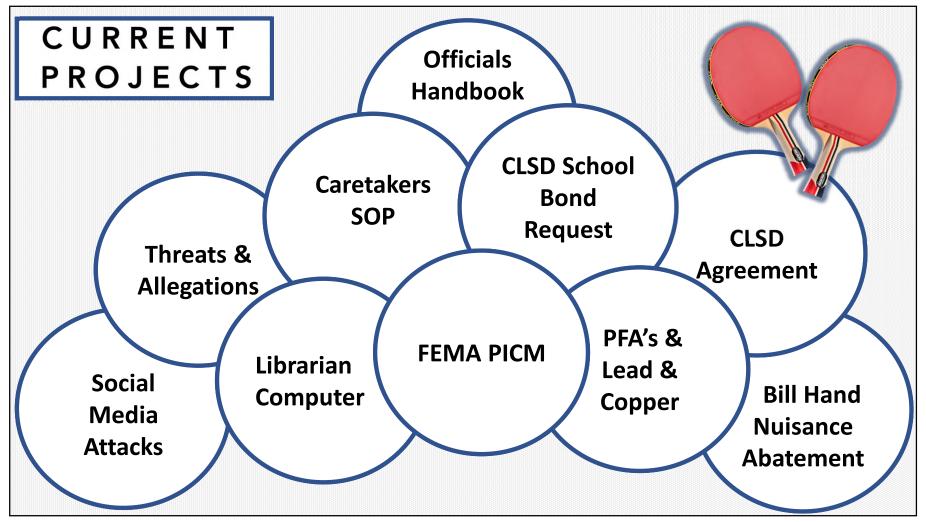












Water & Sewer Plant Operations	Utility Billing	The Daily Grind	State Reporting	Permits & Customer Care
Utility Samples	Inquiries, Complaints & General Business	Website, IT & Computer Care	LOC Surveys	Purchasing & Supplies
Building & Facility Care	Vouchers, Checks & General Ledger	E-mail, Mail & Phones	Reports, Meetings & Presents	Parks & Cemetery
Planning Assistance & Reporting	Personnel & Payroll	Minutes & Newsletter Production	Records & Filing	811 Calls & Monitoring



- ★ Record Keeping
- ★ Council, Boards & Committees
- ★ Budgeting & Financial Management
- ★ Procurements & Contracting
- ★ Personnel Management
- ★ Risk Management & Insurance















## **MONTH END FINANCIAL RECAP**

		NOVEMBER 2024								
			REVENUE	EX	PENDITURES	YTD	%	Ţ	Unexpended	
1	GENERAL	\$	912,052.82	\$	104,894.40	\$ 591,398.09	16.34%	\$	3,027,456.91	1
2	WATER	\$	42,003.98	\$	36,940.08	\$ 279,952.18	24.85%	\$	846,447.82	2
3	SEWER	\$	41,355.12	\$	32,498.20	\$ 143,002.83	12.79%	\$	979,797.17	3
4	STREETS	\$	18,697.15	\$	17,066.12	\$ 82,505.28	20.18%	\$	326,344.72	4
5	WATER BOND	\$	210.70	\$		\$ 33,587.40	66.64%	\$	16,812.60	5
6	SEWER BOND	\$	951.53	\$	20,089.39	\$ 223,626.98	45.39%	\$	269,073.02	6
7	SEWER DEBT FEE	\$	11,742.41	\$		\$ 66,315.02	43.84%	\$	· -	7
8	BUILDING & EQUIPMENT	\$	613.18	\$	-	\$	0.00%	\$	191,600.00	8
9	WATER RESERVE	\$	2,509.92	\$	-	\$ -	0.00%	\$	204,000.00	9
10	HOUSING REHAB	\$	729.41	\$	-	\$ -	0.00%	\$	231,100.00	10
11	WATER SDC	\$	740.19	\$		\$	0.00%	\$	62,500.00	11
12	SEWER SDC	\$	2,451.97	\$	-	\$ 	0.00%	\$	793,500.00	12
13	STORMWATER SDC	\$	900.18	\$	-	\$ _	0.00%	\$	291,000.00	13
14	BIKEWAY/PATHS	\$	335.41	\$	-	\$ -	0.00%	\$	69,070.00	14
15	LIBRARY TRUST	\$	25.15	\$	-	\$ -	0.00%	\$	7,920.00	15
16	CEMETERY	\$	27.39	\$	-	\$ 	0.00%	\$	98,292.00	16
17	TRANSIENT ROOM TX	\$	(A)	\$	-	\$	0.00%	\$	-	17
18	SEWER CONSTRUCTION	\$		\$	-	\$ - //	0.00%	\$		18
19	LAND ACQUISITION	\$	-	\$	-	\$ - ////	0.00%	\$	9,985.00	19
20		\$	243.08	\$	6,060.84	\$ 8,660.20	11.37%	\$	67,539.80	20
		\$	1,035,589.59	\$	217,549.03	\$ 1,362,732.96				

Key Bank Account	
General Checking	\$ 121,631.36
Oregon State Treasury	
General Account	\$ 5,475,501.42
Community Improvements	\$ 42,228.55
Project Escrow Holding	\$ 107,625.96
CLRC Renovation Acct	\$ 532,474.60
TOTAL OST / LGIP	\$ 6 157 830 53

Annual	Bond	<b>Payment</b>
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Water	\$ 45,167.05
Wastewater	\$ 307,259.95
Total	\$ 352,427,00

2024-2025	YTD	% of Total
Appropriated	\$ 491,050.00	15.29%

## Total Bonded Debt (Principal Only)

\$ 6,142,195.00 **Total Bonded Debt is \$8,691,081** (*Principle & Interest*)

ARPA Funds | SLFRP \$ 404,801.67 Total Funds Received (American Rescue Plan Act) \$ 202,457.75 Funds Disbursed

Previous Month Court Revenue \$ 1,144.50