



# **Council Meeting**

Tuesday – July 24<sup>th</sup>, 2018  
7:00 p.m. in Council Chambers

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## **CITY OF BROWNSVILLE**

### **Council Meeting**

Tuesday, July 24<sup>th</sup>, 2018

**Location:** City Hall in 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: June 26<sup>th</sup>, 2018
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
  - A. New Website Tour
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Public Works
  - C. Administration
  - D. Library
  - E. Court
  - F. 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:

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify City Administrator S. Scott McDowell at (541) 466-5880 in advance. Thank You.



**10) ACTION ITEMS:**

- A. Acknowledge Advertisement of Council Election Openings
- B. Acknowledge 382 Kirk Avenue Contract

**11) DISCUSSION ITEMS:**

- A. Senior Center Agreement
- B. Flower Club Agreement
- C. Chamber Agreement
- D. Remote Attendance Policy
- E. Drone or UAS Policy
- F. June 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**

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify City Administrator S. Scott McDowell at (541) 466-5880 in advance. Thank You.



## Council Minutes

June 26<sup>th</sup>, 2018

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

**PUBLIC:** Kim Clayton, Brian & Barbie Hendrickson, Jorden Parrish (*The Times*), Sgt. Greg Klein and Michael Mattingly (*LCSO*).

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** Mr. McDowell added items to the agenda, 10) D. UGB request, and 11) E. Remote attendance.

**MINUTES:** Councilor Block made a motion to approve the May 22<sup>nd</sup>, 2018 meeting minutes with the correction of one misspelling. Councilor Shepherd seconded the motion, and it passed unanimously.

### **PUBLIC HEARINGS OR PRESENTATIONS:**

1. **Budget Public Hearing.** Mayor Don Ware opened the budget public hearing and asked for comments from the public. No comments were made; the hearing was closed.
2. **Sweet Home Sanitation and Recycling – Scott Gagner/Brian White.** This item will be moved to the end of the agenda due to Sweet Home Sanitation's staff attending the City of Sweet Home's Council meeting this evening.

### **DEPARTMENT REPORTS:**

1. **Sheriff's Report.** Sgt. Greg Klein (*LCSO*) was present to recap the month of May. There were 6 traffic citations, 19 traffic warnings, with 24 traffic hours spent overall. Total hours for the month are 207. Klein said that the Pioneer Picnic events were good overall. One vendor reported that some jewelry had been stolen from their booth. Councilor Shepherd inquired as to why we are backwards on the number of traffic citations again. We need a minimum to cover our court costs. Sgt. Klein stated that he would address it with his deputies again. Michael Mattingly introduced himself as the Community Services Specialist. His duties include attending community events and functions out in the communities; he is not authorized to write tickets. He will be a liaison with neighborhood watch groups and may also be here at Council meeting giving the monthly report to Council. Mattingly would like to do more outreach in the community; if anyone has an event please give him a call. Sgt. Klein thanked Mr. McDowell for issuing the new Park rules regarding camping to him. He will ensure that the rules will be given to the patrol officers for future needs.
2. **Public Works.** Public Works Superintendent Karl Frink reported that Public Works has been busy again this month. There have been a couple of water leaks; both have been repaired or are in the process of repair. Public Works has also had a lot of equipment breakdowns and are incurring some delays from that. The Oak Street rehab project is in the works. North Santiam Paving was awarded the contract. The cemetery bridge project is getting costly. The current estimate is



\$117,000- \$130,000 to do the work. City Engineer Ryan Quigley is reviewing the project closely. The Robe Street project is out for bid and we should be receiving bids soon.

Don and Carol Neddeau are doing a great job in keeping up at the park. The lift station down by the kitchen in the park failed due to a pump issue and then a pipe broke. Public Works stayed late to repair the lift station. Frink then went to the water treatment plants to check the final points of the day and got a call from Don Neddeau informing him that the doors had been kicked in on the stage at the grandstand. LCSO was contacted and a report was filed. For some reason this seem to be a hot topic for Facebook. Comments were made that the employees were not paying attention and that was why the damage occurred. These kinds of comments are very upsetting and frustrating for Staff. These kinds of comments are not good for morale, the community, or employees. Mr. Frink would like to ask that if people are going to post on Facebook they take the time to be sure to get the facts straight first. He is not suggesting that we take away people's rights; often these comments are just inconsiderate and creates unnecessary drama. The replacement cost for the doors is \$225 each.

Public Works continues to work on street signs, more signs are on order. Another Facebook item recently accused Public Works of running over a snake deliberately. Mr. Frink was on vacation when the incident occurred, but his staff has stated that they were working on different projects and were not in that area when this report happened. Again, he would like to ask for people posting on Facebook, that they do so responsibly and make sure of the facts first. Councilor Shepherd commented that he had seen the snake come out of a mower going down the street. He then approached the dead snake to make sure of its variety. He said it was a bull snake, not a rattlesnake. Councilor Gerber asked if it was a pet snake. Councilor Shepherd said he did not know as he did not try to save the snake.

- 3. Administrator's Report.** Mr. McDowell informed Council that he and Court Clerk Carol Humphreys recently met with Oregon State Police for a CJIS audit. The audit went well, some policy changes will be coming early Fall.

McDowell reported that Bill Palmer has taken a position with Linn County and is no longer with Boldt Carlisle. Tasha Harrell will be the City's new lead auditor. The audit is scheduled for the week of October 23<sup>rd</sup>, 2018.

Judge Lemhouse will be retiring this year in December and the City's pro-tempore Judge Jessica Meyer has indicated interest in the position. She will need to be appointed by Governor Kate Brown.

McDowell recently received a survey from the League of Oregon Cities (LOC) asking the City to provide input and recommendations for the League's 2019 legislative agenda. The top four City objectives include property tax reform, third-party building inspection, wetland development permitting, and annexation flexibility. Council instructed Mr. McDowell to go forth. Council also approved the bottom four choices as requested by the LOC.

McDowell updated Council on the weeds program and how it's going for the year. Four years ago, the City posted 32 lots, three years ago it was 27 lots, last year it was 11 lots, and this year it was 5 lots. Overall the program is working fairly well; Staff still gets many complaints about the larger lots that have different mowing requirements.



The City's recent rating from S&P increased from an A- rating to an A+/Stable rating. This rating is great for a city our size.

McDowell informed Council that the Canal Company has notified him that they are still a valid entity and the City has received an insurance certificate for the year. President John Holbrook indicated that while there are no officers other than himself, he has filed with the State and is in good standing with the IRS tax status. The water was turned on in May.

McDowell continues to struggle with the website, but the new website is getting ready to launch. We are out of the design phase and hopefully it will debut around the Fourth of July. McDowell will show off the new website at the next Council meeting if the site has launched.

McDowell continues to work with the COG (*Cascade West Council of Governments*) on economic development. They are working with the State and a venture capitalist has been hired in partnership RAIN, and the project is proceeding. It is a very exciting opportunity.

The Robe Street project is out for bid. The deadline to submit bids is July 18<sup>th</sup>, 2018 at 2:00 p.m. Bids will be tabulated and available to Council at the July meeting. Costs look like they may be 15-20% higher than originally expected. If the project comes in too high, the City may have to reject all bids according to the City Engineer.

McDowell informed Council that the Chamber of Commerce is running the City-wide Garage Sale for three days this year (Friday, Saturday, and Sunday). They did not want to collaborate on portable toilets this year. They will facilitate their own agreement for units for the Garage Sale, Antique Faire, and the Willamette Country Music Festival Shuttle service. McDowell and Frink have secured portables for the Fourth of July though Best Pots.

Mayor Ware referred to a letter received from Tammy Knight praising Elizabeth Coleman for her work in the Planning Department. Ware stated that it is great to have such a wonderful person working for the City.

4. **Library Report.** Mayor Ware commented that there was a big article in the Democrat Herald regarding summer reading. He said our librarian, Miss Sherri, already does a great job with this. We're lucky to have such a great library.
5. **Court Report.** No comments.
6. **Council Comments.** Councilor Gerber stated that she recently attended a Linn County Transportation meeting. She said there are a number of grants that the City could potentially be eligible for. We might need to think about having this as part of our strategic planning. Corvallis has a program where folks can check out bicycles with an app on your phone and perhaps this is a program that would be a neat thing to have in Brownsville.

## **CITIZEN COMMENTS.**

No comments.



**LEGISLATIVE:**

- A. **Resolution 2018.13: Budget Adoption (Annual)**. Councilor Block moved to approve R 2018.13. Councilor Chambers seconded the motion, and the motion passed unanimously.
- B. **Resolution 2018.14: Water Rate Adjustments (Annual)**. Councilor Gerber made a motion to approve R 2018.14 as presented. Councilor Shepherd seconded the motion, and it passed unanimously.
- C. **Resolution 2018.15: Sewer Rate Adjustments (Annual)**. Councilor Gerber made a motion to approve R 2018.15. Councilor Chambers seconded the motion, and it passed unanimously.
- D. **Resolution 2018.16: Year in Transfers FY 2017-2018**. Councilor Block made a motion to approve R 2018.16 as presented. Councilor Shepherd seconded the motion, and it passed unanimously.
- E. **Resolution 2018.17: Emergency Solid Waste Rate Increase**. Scott Gagner and Brian White from Sweet Home Sanitation were present to discuss an emergency solid waste rate increase. There were two proposals in the agenda packet based on continued recycling or landfilling. Gagner stated this is basically a community decision. Rate changes for landfill concurrence will be approximately 5.23%, and to continue with recycling the rate will increase by approximately 11.76%.

McDowell asked what recycling really looks like even with the rate increase because as he understood it there is nowhere to send the recycling at this time. White and Gagner discussed details about China recycling contamination rates, and the huge costs they are incurring. White stated that only time will tell if the recycling crisis lasts perhaps six months or if this is the end of what we know of current recycling practices. McDowell stated that he doesn't think it is in the City's best interest to pay a rate increase of 11.76% when the material may likely end up in the landfill anyway.

Councilor Gerber wondered about the volume that would now be taken up in the garbage can as compared to the recycling bin if the City went with concurrence. Scott Gagner stated that folks would still be encouraged to put recycling type items in the recycling can, but that in reality, all of that material will be going to the landfill. If the market changes down the road and recycling flushes out, we may be able to change the accepted types of recycling again. Councilor Shepherd made a motion to approve 2018.17 (the 5.23% landfill concurrence option proposed by Sweet Home Sanitation). Councilor Block seconded the motion, and it passed unanimously. Discussion was called for. Councilor Chambers asked about the possibility of actually burning the trash as opposed to landfill options. Gagner responded that you are not allowed to burn plastics; there used to be a place in Salem, but they got closed down. Sweet



Home Sanitation is looking at options for creating their own processing facility so that they can better determine where the material goes and how it is disposed of.

McDowell commented that research he has done indicates that it costs about \$1 billion to build an energy generation solution as described by Councilor Chambers. Councilor Gerber said that there are people who just care only about the cost of disposal, but many people care about the environment as well. Maybe we could educate folks what they can do? Is there a way to have a drop off box for items that actually do recycle, things like cardboard and tin cans. She thinks this alternative could make all the difference. Gagner said that this is definitely an option, but keep in mind a roll off cart can easily turn into a dumping ground as well. It will have to be monitored and if the waste stream gets contaminated, it may have to be re-addressed. *A vote was called for on the motion on the floor, and the motion passed unanimously.*

**F. Resolution 2018.18: Marijuana Ballot Measure.** McDowell stated that City Attorney Ross Williamson took great care in crafting this resolution. It is very well articulated and relatively straight forward. On Council's desk, you will find an important notice provided by Marilee Frasier concerning insurance exclusions for controlled substances which now includes marijuana. Rentals will be excluded, claims will not be covered. We are just beginning to see the impact of the poor marijuana policy we have in Oregon. If the November ballot measure passes in Brownsville, the current marijuana facility would be grandfathered in. Currently, the City marijuana funds have been quarantined, and not expended. Once the ballot measure goes up, City Staff cannot talk about the measure. Council can advocate for or against, but Staff cannot. Council can campaign, etc., as well. *Councilor Gerber moved to approve R 2018.18 as presented. Councilor Chambers seconded the motion, and it passed unanimously.*

## ACTION ITEMS:

- 1. Approve Delinquent Assessments.** *Councilor Gerber moved to approve delinquent assessment as presented. Councilor Block seconded the motion, and it passed unanimously.* Councilor Shepherd asked if all of the properties water service is turned off. Councilor Block asked if there was anything that the City could do about this situation. McDowell responded that this is just normal end of the year business. These delinquent accounts will be turned over to Linn County to be assessed to those properties. The new credit card policy Council instituted a few years ago has really helped the situation as it gives folks another way to pay on their utility accounts. Council has passed a couple of resolutions that have really helped Staff effectively manage delinquent accounts.
- 2. Authorize Festival Shuttle Agreement Signatures.** Mr. McDowell reminded Council that the City is involved with this agreement, only because Mr. McDowell has been asked to facilitate. Ridership is up and seems to be effective as long as the Festival Staff promotes it through social media. McDowell indicated





that the School has expressed interest in providing this service again. It is probably the last year for the WCMF at the Highway 228 location. *Councilor Gerber moved to approve Mr. McDowell's facilitation of this agreement. Councilor Shepherd seconded the motion, and it passed unanimously.*

3. **Alyrica Franchise Agreement Negotiations.** Mr. McDowell recapped the general reasons for the agreement. Attorney Mark Wolf and McDowell have worked on this agreement. Mr. Kevin Sullivan of Alyrica provided the template agreement. It will be interesting to see if Federal funding will play a role in this project. The final, negotiated agreement will come back to Council in ordinance form when it has gone through the process. *Councilor Shepherd made a motion to direct Mr. McDowell to go forth. Councilor Gerber seconded the motion, and it was approved unanimously.*
4. **UGB Request.** McDowell has put this request together with Planning Consultant Dave Kinney at the request of Council. Linn County Commissioner Nyquist indicated that if the City could provide a map and verbiage, the Commissioners would take action to expand the City's request for a buffer zone expansion that would ban marijuana facilities around the buildable areas in town. Option 1 is basically from Worley Street to Lake Creek, and option 2 is located at the end of Kirk. Council needs to press both of these areas as they are the most likely to be built out in the future. *Councilor Shepherd made a motion to send Mr. McDowell forth with this proposal. Councilor Gerber seconded the motion, and it passed unanimously.*

## **DISCUSSION ITEMS:**

1. **Drone Policy.** Councilor Thompson has asked for this issue to be brought to Council to try and get ahead of it to avoid potential future problems. Mayor Don Ware stated that in his daily discussions with the coffee group, they did not perceive the issue to be a problem. Councilor Shepherd would like to get more information on the topic for Council's consideration. *Councilor Shepherd made a motion to send McDowell forth and bring back information for Council's consideration. Councilor Neddeau seconded the motion, and it passed unanimously.*
2. **Kirk Avenue and Beyond.** The property at 382 Kirk is a shining example of why effective Council policy matters. The City has taken a lot of negative heat on the property for many, many years. This property has been in disrepair and inadequate for years, effectively in a policy blackhole. Without proper policy and force of law, Staff has been unable to effectively get the property into compliance due to the unwillingness of the property owner and occupants. Neighbors and the community at large have been aghast with the ongoing condition of the property for far too long. The property has now been foreclosed and is being run through all the legal requirements before abatement and cleanup can begin.

Ms. Morrow has been in contact with the bank, their eviction manager, and most recently the remediation property cleanup company. The City has been patiently



waiting for the bank cleanup process and for the bank to clear certain legal requirements. The City did move forward and posted the property on June 8<sup>th</sup>, 2018 because this was the day that all legal requirements were to have been met. The City has met all the legal requirements based on the Brownsville Municipal Code and needs to begin the cleanup process on our end. Sweet Home Sanitation was contacted to get an estimate, and they responded that they were unable to give a bid or do a cleanup because there is too much material on the property that they are not licensed to take to their facility. If able to find a remediation company to do the work, the City will proceed with that process and lien the amounts back to the property if the bank does not clean the property within the next week or so.

McDowell stated that this situation was preventable and controllable by Council policy, but the City has failed on this issue repeatedly. Council needs to remember to focus on the greater good of the community overall. Recently, Council decided not to ban roosters in town, which remains a problem for neighbors, as an example. The property at 382 Kirk should have never happened to this magnitude and there are other properties in town trending toward a similar outcome. In particular, allowing tarps in town creates obstacles for Staff doing their job as evidenced in Municipal Court a year and a half ago.

Trash issues continue at several locations throughout town. McDowell is asking for two Council volunteers and an alternate to work with Staff surrounding these nuisance issues so that they can get some skin in the game and fully understand the issues that impact neighborhoods and the City itself. McDowell also wants to develop a plan for rolling out the new ordinances Council passed last month. Councilors Block, Shepherd and Chambers volunteered to serve in this capacity. Councilor Shepherd invited all of Council to come down and take a look at 382 Kirk to get a first hand look at the true scope of the problem. Only three Councilors spent the time to go look. Shepherd said that it is our responsibility as Councilors to make sure things like this don't happen in town, and we have failed terribly on this one. Mr. McDowell commented that when the City has had the ability to clean up and abate these properties, we have had several success stories, such as 108 Blakely and 903 Ash, etc. Council is on the right track, but the City needs to continue moving strongly in the right direction.

3. **Annual Master Checklist Review.** McDowell stated that he brings this to Council every year at year end. This list is used as a budgeting tool and provides a good record of tasks done through the year. It also gives Council an idea of Staff's workload, and what Staff accomplishes through the year. The list does not include all the tasks associated with each position for the City.
4. **Remote Attendance.** McDowell is asking Council if they are interested in considering a remote attendance policy. McDowell stated that many cities have changed their ordinance to allow Councilors to have telephonic, or other electronic means, of attending meetings when out of town. Councilor Gerber thought this might be helpful for all. McDowell was sent forth to bring a sample ordinance for Council's consideration.



**5. May Financials.** No comments.

**CITIZEN COMMENTS.** No comments.

**COUNCIL COMMENTS.** Councilor Chambers addressed Mayor Don Ware asking that when Council is participating in discussion, that he would allow time to accomplish this without the feeling of being rushed and moving on before discussion is finished.

Councilor Shepherd stated that he feels that someone from Council should be the one to go down and monitor the recycling dumpster.

**ADJOURNMENT:** *Councilor Shepherd moved to adjourn at 8:28 p.m. Councilor Block seconded the motion, and it passed unanimously.*

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S. Scott McDowell  
City Administrator

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Don Ware  
Mayor



# City Administrator Report

July 24<sup>th</sup>, 2018

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

**One liner of the month**

Indecision is the key to flexibility.



**Note:** The first section of this report is important because it provides information and a brief overview of the topics to be discussed the night of Council. If an item title is **highlighted in green**, that indicates the item is part of Council Goals which are on the Council room wall or in the budget. When you see this symbol, ☒, it means I will provide more information at the meeting.

“All endings are also beginnings.  
We just don’t know it at the time.”  
~ Mitch Albom, *Broadcaster*

“Nowadays people are born to find fault.  
When they look at Achilles, they see only his heel.”  
~ Marie von Ebner-Eschenbach, *Writer*

“A culture is made – or destroyed –  
by its articulate voices.”  
~ Ayn Rand, *Philosopher*



**August is Council Recess Month**

**AGENDA ITEMS DISCUSSION – The following items follow the order of the Agenda**

**6) PUBLIC HEARINGS OR PRESENTATIONS:**

A. **New Website Review** – Staff will give a quick tour and overview of the new City website.

**9) LEGISLATIVE:**

**10) ACTION ITEMS:**

A. **Advertise Council Elections Openings** – The City Charter requires notice for any upcoming election of Council members. Candidates must complete the required elections form and pay the \$10 fee to be added to the November ballot. The City will accept candidates until August 24<sup>th</sup>, 2018, 4:30 p.m. P.S.T.



# City Administrator Report

**B. 382 Kirk Avenue Contract** – Staff had to take different measures to clean up the property due to the City's franchisee, Sweet Home Sanitation, being unable to perform services as requested due to the severe nature of the property's condition. Staff is asking for a motion to affirm the decision made by Staff to hire Aaron Davidson to perform these needed services. The City was given the name of Mr. Davidson from Mr. Dennis Harlow who is the representative responsible for 382 Kirk Avenue. After waiting over a month, the City finally received a quote for the necessary services.



### **What is Council being asked to do?**

As the Contract Board for the City, Staff is asking you to publicly confer with the decision as the City's only option for services. Staff does have authority to make decisions for items under \$25,000 if budgeted, however, in this situation the selection was similar to a sole source and emergency measure due to public health and safety reasons.

## 11) DISCUSSION ITEMS:

**A. Senior Center Agreement Review** - It is time once again to review this agreement. I've enclosed the agreement we've used the last few years. This is Council's opportunity to discuss this agreement. I have sent a copy of the agreement to the leadership at the Senior Center, but have not heard anything in response. I am sure the Seniors would like to continue with this agreement.

**B. Flower Club Services Agreement Review** – Same as above.

**C. Chamber Agreement** – Possible renegotiation this Fall. Current issues need to be addressed pertaining to a few issues that have transpired over the last few months.

**D. Remote Attendance** – According to City Attorney Ross Williamson, Council could amend Resolution 718, Council Rules, to include a remote attendance provision. Something like:

- ▶ With prior arrangements approved by the Mayor (& City Administrator), a Councilor may attend a regular meeting or work session electronically.

**E. Drone Policy** – Council may be able to make the park and public land a no-fly zone. Cities have handled this through their administrative regulations instead of City Code. Brownsville would want to use the Code since we do not have administrative regulation provisions.



*Block & Clayton in Florida.*

Below is a note from City Attorney Ross Williamson:



In 2013, the Oregon legislature also created its own regulations. The statute below could be enforced by your Sheriff Deputies.

**837.370 Operation over privately owned premises; penalties.** (1) Except as provided in subsection (2) of this section, a person may not operate an unmanned aircraft system over the boundaries of privately owned premises in a manner so as to intentionally, knowingly or recklessly harass or annoy the owner or occupant of the privately owned premises.

(2) Subsection (1) of this section does not apply to the use of an unmanned aircraft system by a law enforcement agency under ORS 837.335.

(3)(a) Except as provided in paragraphs (b) and (c) of this subsection, violation of subsection (1) of this section is a Class B violation.

(b) If, at the time of the offense, the person has one prior conviction under this section, violation of subsection (1) of this section is a Class A violation.

(c) If, at the time of the offense, the person has two or more prior convictions under this section, violation of subsection (1) of this section is a Class B misdemeanor.

(d) If the court imposes a sentence of probation for a violation under paragraph (c) of this subsection, the court may order as a condition of probation that the person may not possess an unmanned aircraft system. [2017 c.502 §4]

## F. June Financials

### NEW INFORMATION – Notable situations that have developed after the last Council meeting

- ▶ *Attended an informational meeting held by Senator Merkley in Albany.*
- ▶ *The property at 517 Averill was cleaned in accordance with the Brownsville Municipal Code. The City received additional permission from the property owner. Sweet Home Sanitation assisted on the clean-up.*
- ▶ *The Chamber of Commerce held a nice meet and greet in the Art Center.*
- ▶ *Public Works Superintendent and I met with City Engineer Ryan Quigley to keep the Robe Street waterline project moving forward. Administrative Assistant Elizabeth Coleman and Public Works Superintendent attended the bid opening on July 18<sup>th</sup>, 2018.*
- ▶ *Delivered the UGB information to the Linn County Commissioners Office under the direction of Mayor Ware.*
- ▶ *Finance computer was hit with a nasty ransomware attack. The City received help from the Cascade West Council of Governments. Fortunately, Administrative Assistant Tammi Morrow only lost two-weeks of information, Unfortunately, it was two of the busiest weeks of the year for finance.*
- ▶ *Attended Chamber of Commerce Executive Board to share concerns and address upcoming events.*
- ▶ *Prepare election for with the assistance of the Linn County Clerk's Office for the general election in November. Mayor Ware, Councilor Shepherd, Councilor Neddeau and Councilor Thompson will be up for re-election should they choose to run.*
- ▶ *Continued to work with Harris Computer on the upcoming transition to the cloud for utility billing and general ledger.*
- ▶ *Administrative Assistant Elizabeth Coleman and I worked closely with the Dave Fels of Municode to launch the new City website. The website isn't fully operational. Staff is training on the platform.*
- ▶ *Met with Crystal Smith and Sue Frazier to speak with downtown business owners over the City-Wide Garage Sale procedural errors.*





- ▶ *Met with Councilor Thompson to review the Council meeting and recent events.*
- ▶ *Attended a STIF webinar to better understand the new transportation funding opportunities.*
- ▶ *Worked on an agreement for the Nash Family Reunion along with a couple of other camping requests associated with events for this Summer.*
- ▶ *Successfully recorded the Klinkebiel easement.*
- ▶ *Filed the budget documents with Linn County Clerk and Assessor.*
- ▶ *Working to complete the annual agreement with the Festival of Tents. Tim Wenger is the new contact for this agreement.*
- ▶ *Staff put time into helping with certain logistics for the Rally on the River.*
- ▶ *Worked quickly to get a notice out to Oak Street residents on the paving project.*
- ▶ *Finalized a contract to clean-up the property at 382 Kirk Avenue.*
- ▶ *Attended a CIS seminar on benefits administration with Administrative Assistant Jannea Deaver.*

## HAPPENINGS

**Linn County Commissioners & Buffer Zone** ☒ – I successfully delivered the information to Commissioner Nyquist. Enclosed in the packet is a letter from Commissioner Nyquist accompanied by Mayor Ware’s request.

**From April 26, 2018:** Council decided at the last meeting to move forward preparing the necessary legislation to have marijuana zoning issues on the ballot in November. City Attorney Ross Williamson indicated Council has until the end of August to pass the necessary legislation. Due to the computer incident this month, I will be preparing the legislation for June or July. Mr. Dave Kinney and Staff are still working on the pieces needed for the Linn County Commissioners.

**From 03.27.2018:** Mayor Ware and I visited with Linn County Commissioner, Board Chair, Roger Nyquist at the direction of Council to determine what the City’s options are regarding the buffer zone request.



Linn County Building & Planning Director Robert Wheeldon also attended the meeting. Basically, Linn County took the opportunity to review and consider the buzzer zone concept as proposed by Council Resolution 2017.18. Commissioner Nyquist indicated that the buffer zone concept is not a viable option according to legal advice received by the Commissioners. The State Legislature allowed and required marijuana uses in EFU (Exclusive Farm Use)

land which legally binds the County. They both indicated the State of Oregon has pre-empted efforts to properly regulate marijuana primarily due to this EFU requirement.

Commissioner Nyquist said that the County would consider pursuing an exemption if the City could show that the Urban Growth Boundary (UGB) was expanding. Mayor Ware shared that the City is in the process of looking at the UGB and land inventory right now. Administrative Assistant Elizabeth Coleman and I have talked with Planning Consultant Dave Kinney about providing the City with a proposed UGB expansion to the south for future housing. As explained at the last Council meeting, south Brownsville is the most logical, compatible and available land for future residential growth.



# City Administrator Report

Placing a light industrial application in the middle of a residential area is in direct conflict with the State’s Land Use Compatibility Statement (LUCS) as required by State Law.

**Budget Process** – Staff delivered the finalized budget for FY 2018-2019 to the Linn County Assessor’s Office and the Linn County Clerk’s Office. Staff also put the new budget into the general ledger system this past week following a computer ransomware attack.

## U.S. Attorney Issues Marijuana Priorities and Expresses Concerns

U.S. Attorney for the District of Oregon Billy Williams issued a statement this week, detailing his concerns with overproduction in the Oregon marijuana industry and outlining the priorities his office will use in enforcing federal marijuana laws. While marijuana is legal for recreational and

medical uses in Oregon, producing, possessing and distributing it remains prohibited under the federal Controlled Substances Act. Guidance offered by Williams is similar to what was given under the previous administration. Federal resources will be focused on the following areas:

- Overproduction and out-of-state sales;
- Marijuana operations where firearms or other public safety threats are present;
- Organized crime;
- Minors accessing marijuana; and
- Marijuana on federal land.

The document, which may be found [here](#), also clearly states that the above areas are the priorities. Williams would not give a blanket statement that any commercial marijuana activity would be immune from federal scrutiny. Enforcement actions could take the form of criminal prosecution, civil forfeiture or administrative actions. Williams did praise the establishment of a grant program established by the Oregon Legislature in 2018 designed to assist local governments with marijuana enforcement.

**Contact:** Scott Winkels, Intergovernmental Relations Associate – [swinkels@orcities.org](mailto:swinkels@orcities.org)

## Linn County Sheriff’s Office Contract –

### LCSO Month-to-Month Comparison

Year	Month	Traffic Citations	Traffic Warnings	Total Hours
2018	June	8	9	213.75
2018	May	6	19	207
2018	April	14	21	203
2018	March	19	36	208.5
2018	February	5	14	201
2018	January	23	29	220

**National Night Out** – Roger Tetamore dropped off the flyer about the August 7, 2018 event sponsored by the Linn County Sheriff’s office. The information is in the Council packet for your review.

**City Wide Garage Sale Fiasco** ☒ – I’m not sure where to start with this issue. I’m not sure who decided to go with a three-day garage sale instead of the traditional one-day sale, however, Council was not notified of this event once again proved to be a logistical nightmare. Crystal Smith & Dave Brown were able to get the City an insurance certificate for the use of both City parking lots. Crystal Smith, Sue Frazier and I visited businesses that were most likely to be impacted by the event. Staff spent a lot of





time dealing with community fallout over this decision. The intent of doing the memorandum of understanding with the Chamber of Commerce and other community partners is to minimize negative impacts which was certainly not the case in this instance. Council provides financial support to nearly all of the City's community partners as well as donating Staff time, and in some cases resources, answering questions and preparing for these events.



**Ransomware Event #2** – Administrative Assistant Tammi Morrow experienced a ransomware event on her machine. I worked with the Cascade West Council of Governments attempting to recover the data to no avail. Troy Grover at the COG installed a new hard drive and made sure this machine was clean and I did the rest. Unfortunately, Tammy lost two weeks of work at a critical time. Fortunately, she had a relatively recent backup. Tammy and I just got the budget for FY 2018–2019 entered last Monday.

## STATUS UPDATES – Projects, proposals and actions taken by Council

**Nuisance Committee Outcomes** - Council Shepherd, Block & Chambers will be meeting with Staff to discuss a plan for rolling out the new nuisance ordinances.

**Alyrica Franchise Agreement** – Mr. Sullivan and I have been exchanging e-mails regarding the content of the agreement.

**From 06.26.2018:** City Attorney Mark Wolf, Speer Hoyt LLC, and I have reviewed the proposed franchise agreement from Alyrica. Included in the agenda packet is the initial draft. Council will be asked to approve this initial draft Tuesday night. Negotiations with Alyrica will then begin.

**Active: Weeds & Nuisance Abatement Program** ☒ -- Phase I Weed Notices have all been completed. The City has noticed another property owner that did not originally get noticed. The City entered into a contract with Aaron Davidson to clean up 382 Kirk Avenue. There has been a lot of activity on the property and the City has been very involved with the people in charge. Councilor Shepherd has also played a role in helping the situation along. Hopefully, the property will be cleaned up by Council meeting on Tuesday.

**From 06.26.2018:** Administrative Assistant Tammi Morrow and I posted several properties on June 6<sup>th</sup>, 2018. Rickey Currier's crew have been retained to mow five properties this first round. Staff also continues to follow-up on 382 Kirk Avenue and is working to address other nuisance issues.

**Sweet Home Sanitation & Recycling** – I will have an update regarding glass.

**From 06.26.2018:** Mr. Scott Gagner will be talking about the financial implications and the future of recycling. Council will be asked to make a decision on an additional rate increase due to the impacts of policy changes made by China. I have provided two resolutions for Council's consideration. One option continues with recycling (+11.76%) and the other options suspends the recycling program (+5.23%).

The Linn County Solid Waste Advisory Committee (SWAC) also recently recommended rate changes to the Linn County Commissioners due to the change in China's policy. Other recycling markets such as India, Vietnam and Malaysia are being flooded with material from around the World. China simply chose to enforce a rule they have had for ten years beginning in late 2017. The policy requires recycling material be clean to a level of 0.5%. Typically, the Oregon recycling



stream is about 9-10%. In the United States, the facilities that handle recycling are not designed to clean below a 3% level, so even if every person prepared their recycling materials perfectly, the U.S. would not be able to meet the new standard.

The State does not require communities to recycle when the costs eclipse landfill rates. The State of Oregon is allowing communities to landfill the material temporarily in hopes that the market will rebound. The bottom line is that haulers had a commodity in recyclable material. Haulers were receiving over \$30/ton until last October; now haulers are paying \$70 to \$80/ton to recycle the same material. Even more recently, China has not been accepting any material.

**Active: Land Inventory** – *From 01.23.2018:* Administrative Assistant Elizabeth Coleman and I met with Dave Kinney to begin the process of preparing a land use inventory study as approved in this year’s budget. Mr. Kinney will begin talks with Linn County GIS as they will play a key role in analyzing and compiling data. Council must be ready to make some future decisions that could cause community controversy. Once some of the initial data is compiled, we will have Mr. Kinney present the information to Council to determine course of action. I have included the current zoning map. The City is practically out of volume commercial and light industrial land. Staff feels that the State will allow the City to add these areas. Staff will also analyze the housing needs. The concern with housing, as previously discussed with Council, the City has many areas that are designated, but providing necessary utilities will be challenging and, in some areas, not financially feasible. The other issue with housing is the amount of open farm land around residential zones. Basically, the City seems to have ample land for housing developments on paper.

Mr. Kinney indicated that this entire process from start to finish will take about a year and half. Council will have several decisions to make along the way.

Discussing this issue with Staff, it became very clear that the south side of Brownsville is the most likely area for future housing development which highlights the concern over the proposed marijuana operation along Gap Road.



**Active: Utility & General Ledger Software** – Staff finalized the contract and is looking at a mid-August launch date. Theoretically, the transition should be relatively easy. Famous last words...

*From 06.26.2018:* Council authorized Staff to move forward with a contract with Harris Computer Systems. The process has been slow for a variety of reasons. Internet speed is one major barrier.

**Active: Website Update** ☒ – The new website launched. It is low on content. I will have a lot of work and time into getting useful data back on the site for the general public. I will provide a brief overview for Council on Tuesday evening.

*From 06.26.2018:* Staff continues to work on the new website.

*From 03.27.2018:* The City has hired Municode to assist with creating a new website. The new website will take about three months to launch. Administrative Assistant Elizabeth Coleman and I continue to work on revisions and content.

**Cascade West Council of Governments Regional Policy Efforts** ☒ – I will provide an oral report for Council Tuesday evening.



# City Administrator Report

**From 06.26.2018:** The Board is actively moving forward working on proposals and options for policy change.

**From 02.27.2018:** Below are initial concepts for the regional legislative approach:

1. Address Administrative ODOT Issues
2. Housing Affordability & Availability
3. Wetlands
4. Adverse Cost Impacts to Local Governments caused by the State Legislation
5. Disaster Resiliency Funding
6. Land Use Planning Reform

**Active: Go Team Next Steps** ☒ – Please check out this link [https://www.youtube.com/watch?v=WkW\\_5Htocos](https://www.youtube.com/watch?v=WkW_5Htocos) for more information on Corey Wright. Plans are underway for an event on August 23<sup>rd</sup>, 2018.

**From 06.26.2018:** Cities are moving forward collectively with RAIN. Corey Wright was recently hired to work with the eight cities Brownsville has partnered with. The group is also working on the broader effort with all cities from the region, Linn & Benton counties.

**From 04.24.2018:** I have met with several Linn County cities who are ready to move forward with a collective economic development proposal. A meeting will be scheduled soon with the Cascade West Council of Governments for discussion. Brian Latta, Harrisburg City Manager, and I recently met with Melissa Murphy from Biz Oregon to discuss the regional approach cities are taking to accomplish specific economic development goals.



**From 01.27.2018:** Several cities are developing an executable checklist to be collectively active on economic development opportunities. This effort is based on the Go Team RLED effort. I will have an oral report for Council. Council authorized \$500 toward a regional study being completed by EcoNorthwest at the last regular session Council meeting.

See past reports for historical information.

**Completed: Vintage Trailers Event** – Mr. Long’s event is this weekend in Pioneer Park.

**Active: Development Properties** – Staff continues to work on the Rivers Edge Development. Many other projects are being pursued and are currently in process as well.

**Active: Water Rights & Jon Erwin** – **From 02.27.2018:** The Oregon Water Resources Department (OWRD) has issued a few letters to the City recently that City Engineer Jon Erwin, Public Works Superintendent Karl Frink and I have reviewed. The City recently removed the hold we placed on one permit concerned the water curtailment issue. It appears that the State will continue that particular water right at the current rate which is vital for the City’s water needs.

**Completed: Solid Waste Advisory Committee (SWAC) Meeting** – The Linn County Commissioners approved an eight percent (8%) increase for the haulers servicing Linn County.

**ITEMS PENDING – Tabled, On Hold, Stalled or Waiting**



**Pending: Danny & Paula Bivens: Parking** – The Bivens are scheduled for the Planning Commission.

**From 6.26.2018:** At the last Council meeting, Danny Bivens was present to discuss an issue regarding his property. The property issue Bivens attempted to address with Council had already been reviewed several times. Administrative Assistant Elizabeth Coleman provided answers from Linn County and provided a clear path for development to potentially occur on the property. Coleman has provided the information in multiple formats.

Danny Bivens did not show up to the meeting he requested. Paula Bivens attended the meeting.

What the issue boils down to is Linn County says one of their lots is not a 'legal lot of record.' According to Paula, the other lot would cost too much to develop. The County will require them to go through an administrative process that will make the lot one of legal record. Once that process is complete, the City will require the Bivens to apply for a variance to the Planning Commission due to lot size requirements of the Brownsville Municipal Code. The Planning Commission will have to apply certain criteria to determine if the lot meets the requirements for a variance.

Staff continues to field questions.

**Active/Pending: Canal Company Solvency** ☒ **–From 06.26.2018:** President John Holbrook phoned and indicated that the Canal Company is still in existence. Holbrook has filed the appropriate paperwork with the State of Oregon. The Company does not have any other officers and is attempting to setup a meeting. Holbrook provided a valid insurance certificate for the operation of the pumps. Public Works Superintendent Karl Frink turned on the pumps several weeks ago.

**Pending: Coleman & Kinney** – **From 2016:** FEMA Implications regarding insurance and flood impact technical reviews.

## PAST MEETINGS – Memory Information

**WNHS Update** – Recently announced the following:

Willamette Neighborhood Housing Services was awarded money from the state for the Veteran's Home Improvement Program. We need a few more eligible veterans to spend down our current funding. Please include the following information in utility billings for the next two months:

"VETERANS HOME IMPROVEMENT FUNDING AVAILABLE! If you are a U.S. armed services veteran and homeowner, you may be eligible for a no-payment 0% interest loan for home repairs. If your income is low or moderate, you have equity in your home and need home repairs, please contact Willamette Neighborhood Housing Services at 541-752-7220 ext. 300."

**Homeowners:** You may be eligible for a no-payment 0% interest loan for home repairs. If your income is low or moderate, you have equity in your home and need home repairs, please contact Willamette Neighborhood Housing Services at 541-752-7220 ext. 300.

Willamette Neighborhood Housing Services will be embarking on a merger. I have included the e-mail in your materials for your review.

Please refer citizens to the following websites for more information:

<http://www.oregonhomeownersupport.gov> & <http://w-nhs.org>



WNHS provides many home rehabilitation services and counseling for those meeting certain program requirements.

**Completed: Linn County Transportation System Plan** – **From 07.25.2017:** Councilor Gerber and I attended a public meeting regarding the Linn County Transportation System Plan (TSP).

Basically, the County has categorized projects into seven general categories: 1) Walking & Biking, 2) Bridges, 3) Corridor Improvements, 4) Rural Modernization, 5) Spot Improvements, 6) Future Sites, & 7) Systemic Safety Improvements. The County has criteria for improvements to assist in ranking priorities. Factors include use, safety, traffic fatalities, and overall impact to name a few.

In short, Kirk Avenue will only have a chance to be funded if the City and the residents decide to improve the street through the LID process or other funding mechanism **perhaps** in partnership with Linn County. Kirk Avenue is not a priority for Linn County transportation based on the developed criteria.

➤ **For the history of the Kirk Avenue project, please refer to the *City Administrator Report* found in Council records from April 2016 and prior.**

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "SM".

S. Scott McDowell



## Public Works Report July 18<sup>th</sup>, 2018

Karl Frink, Public Works Superintendent

### Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of July.
- *Distribution System* – No water leaks this month. One water meter was replaced. We had the bid opening for the Robe Street Waterline Project on July 18, the bids are awaiting review and tabulation by the City Engineer. One new water service was installed with three additional services in the process of being installed.
- *Cross Connection Program*- Public Works is currently updating our records and preparing for the annual backflow testing. The City's annual testing is generally scheduled for July.
- *Water Treatment Plant* –One of the pressure reducing valves has failed at the water treatment plant and is scheduled to be repaired July 24th. The failed distribution pump has been repaired, installed and back in service.
- *Misc.* – Public Works will continue flushing fire hydrants as time allows. A new waterline is currently under construction on Depot Ave. as part of the Lepman Storage Unit Project.

### Sewer:

- *North Lagoons* – Weed spraying is complete and will soon be flail mowing the entire facility.
- *South Lagoons*- Weed spraying is complete and will soon be flail mowing the entire facility.
- *Collection System*- Currently we have two new sewer connections on Linn Way, with several other connections in the process of getting connected.
- *Misc.* – Nothing additional to report.

### Streets:

- *Mowing/Tree Maintenance* –Public Works continues to trim branches as needed.
- *Asphalt/ Gravel Road Maintenance* –The Oak Street Rehabilitation Project is slated to begin on July 20<sup>th</sup>and should be complete in one day. The City received very short notice of this project from the contractor. The City had to take advantage of the contractor's availability, otherwise it may be much later in the year before our paving is complete.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Street sign work continues as time allows. Many new locations require locates to be called in before we can bore holes to place sign posts. A sign at Kirk Putman has been broke off and will be replaced soon. We are waiting for the repairs to be complete on our tractor to use the auger to set the sign post. We are currently working on replacing the existing bridge on the road to the cemetery. The current bridge is an un-engineered wood structure that has no weight capacity rating. The bridge is aged, signs of rot are appearing.

### Parks:

- *Pioneer Park* – The park hosts have been very busy mowing and maintaining the park as needed. We are currently watering designated areas of the park for various upcoming events.
- *Blakely Park* – This park has been cleaned up and mowed. Sue Karo has been watering and maintaining this park for the City.
- *Kirk's Ferry Park* – This park has been cleaned up, mowed.
- *Remington Park* –This park has been cleaned and mowed.

### Cemetery:

- *Grounds* – The cemetery has been mowed this month.

#### Library:

- *Grounds*- This facility has been mowed as needed. Irene Corbett has been watering the park for the City.
- *Buildings*- Nothing to report this month.

#### Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *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 system has been turned on and the grass is beginning to turn green once again.
- *Community Center*- Nothing to report this month.

#### Rec. Center:

- *Grounds*- The grass is mowed weekly or as needed.
- *Buildings*- Nothing to report from this facility this month.

#### Public Works:

- *Grounds*- The grass is mowed weekly.
- *Buildings*- Cleaning and organizing continues as time allows.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.
- The new post hole auger has finally been delivered

K7 



## PLANNING AT A GLANCE

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

- |                                       |                      |
|---------------------------------------|----------------------|
| • Structural (Single Family Dwelling) | 808 NP Loop          |
| • Plumbing (Backflow Device)          | 803 Kirk Ave         |
| • Mechanical (Ductless HP)            | 521 Calapooia Ave    |
| • Plumbing (Replace Water Service)    | 157 Holloway Heights |
| • Construction Permit                 | 808 NP Loop          |
| • Accessory Structure                 | 725 Amelia Ave.      |
| • Construction                        | 620 Washburn St.     |
| • Fence                               | 111 West Blakely     |
| • Fence                               | 459 Main St.         |
| • Fence                               | 133 Sage St.         |
| • Accessory Structure                 | 927 Pine St.         |

### Updates

#### **River's Edge: Depot Avenue/Henshaw Drive**

The Planning Commission has reviewed the River's Edge preliminary Covenants, Conditions & Restrictions (CCnR's) and the Architectural Design Plans. Staff will submit changes to the developer. Final development plans will be officially modified and/or approved at a regular meeting when the Final Development Plans that include Henshaw Drive Improvements, Public Improvements, & Floodplain Development requirements are submitted.

#### **Glorietta Bay/Lepman Mini Storage Facility: Depot Avenue**

The Glorietta Bay/Lepman Mini Storage facility project is moving forward slowly. Site preparation and the foundation for the first set of storage units has been poured.

*Elizabeth E. Copwa*

*"There is some good in the worst of us and some evil in the best of us. When we discover this, we are less prone to hate our enemies." - Martin Luther King, Jr.*

*The biggest communication problem is we do not listen to understand, we listen to reply...*





# LINN COUNTY SHERIFF'S OFFICE

**Jim Yon, Sheriff**

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

## 2018

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

**FOR THE MONTH OF: June**

TRAFFIC CITATIONS: -----	8
TRAFFIC WARNINGS: -----	9
TRAFFIC CRASHES: -----	0
ADULTS CITED/VIOLATIONS: -----	1
ADULTS ARRESTED : -----	1
JUVENILES CITED/VIOLATIONS: -----	2
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED:-----	62
TRAFFIC HOURS-----	13.5
ADMINISTRATION HOURS-----	13.75
<b>TOTAL HOURS SPENT: BROWNSVILLE</b>	<b>213.75</b>

**CONTRACT HOURS= 200 HOURS**

**Jim Yon,  
 Sheriff, Linn County**

**By: Sergeant Greg Klein**

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT  
STATISTICAL REPORT FOR JUNE 2018**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	37	1	4	34	
Violations	61	13	10	64	
Contempt/Other	48	0	0	48	
<b>TOTALS</b>	<b>146</b>	<b>14</b>	<b>14</b>	<b>146</b>	

**BALANCE SHEET FOR THE MONTH**

**Court Revenue**

**Court Payments**

Total Deposits +	\$ 1,964.00	City	\$ 1,499.00
Total Bail Released +	\$ -	Restitution	\$ -
Total Bail/Bank Fees -	\$ 165.00	Oregon Dept Revenue	\$ 220.00
Total Bail Held -	\$ -	Linn County	\$ 80.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -

<b>TOTAL COURT REVENUE</b>	<b>\$ 1,799.00</b>	<b>TOTAL COURT PAYMENTS</b>	<b>\$ 1,799.00</b>
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Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

**TOTAL NON-REVENUE CREDIT ALLOWED** \$ -

**TOTAL CASH PAYMENTS TO:**

CITY	\$ 1,499.00
STATE	\$ 220.00
COUNTY	\$ 80.00
*REFUND/RESTITUTION	\$ -
<b>TOTAL:</b>	<b>\$ 1,799.00</b>

LOCAL COURT REPORT QUESTIONNAIRE - 2018 REPORT

COURT NAME: BROWNSVILLE MUNICIPAL COURT CONTACT: SCOTT MCDOWELL  
 2016-2017 FISCAL YEAR 2017-2018 FISCAL YEAR

	2016-2017 FISCAL YEAR	2017-2018 FISCAL YEAR
2 NUMBER OF CASES FILED	148	167
2B PARKING		3
2C TRAFFIC	136	128
2D OTHER VIOLATIONS	2	9
2E MISDEMEANORS	7	24
2F CITY ORDINANCES	3	3

3 FINES IMPOSED	23,370.00	19,940.00
3B PARKING		100.00
3C TRAFFIC	20,975.00	17,485.00
3D OTHER VIOLATIONS	1,750.00	540.00
3E MISDEMEANORS	125.00	1,550.00
3F CITY ORDINANCES		265.00

4 GROSS FEE/FINE REVENUES	24,631.35	28,273.60
4A VIOLATIONS REVENUES	19,250.35	20,053.10
4B CRIMES REVENUES	5,381.00	7,905.50
4C CIVIL REVENUES		

5 REVENUES DISTRIBUTED TO THE STATE	3,767.20	3,402.00
6 REVENUES DISTRIBUTED TO COUNTIES- UNRESTRICTED		
7 REVENUES DISTRIBUTED TO COUNTIES- JAIL AND DRUG & ALCOHOL	1,160.80	1,054.00
8 REVENUES DISTRIBUTED TO COUNTIES- COURT FACILITIES SECURITY		
9 REVENUES DISTRIBUTED TO CITIES	19,703.35	23,817.60

ADDITIONAL INFORMATION

RESPONSE

A HOW DID YOU DEFINE CRIMINAL CASES (BY CITATION, OFFENSE, OTHER DEFINITION?) DEFINE BY OFFENSE

B OTHER COMMENTS/EXPLANATIONS (IF NEEDED)

C OTHER COMMENTS/EXPLANATIONS (IF NEEDED)



## Library Advisory Board

*Librarian's Report*

June 2018

Here are a few facts about our library the month of June 2018. We have received 53 new books for the library. Volunteers donated 121 hours to our library. There were 1,163 materials checked out. 405 adult fiction books; 108 adult non-fiction books; 82 audio books; 338 children's books; 167 junior books; 29 junior reference books and 34 large print books.

Yearly Totals: Volunteers donated 2,040.25 hours to our library. There were 16,646 materials checked out. 4,988 adult fiction books; 1,805 adult non-fiction books; 1,652 audio books; 4,526 children's books; 2,719 junior books; 510 junior reference books and 621 large print books. Yearly Visits totaled 11,121.

In June we had 7 programs for children and 5 for adults with 113 people attending. Volunteer Training Tip of the Week has been well received by volunteers. Our week away was rewarded by beautifully clean carpets, many books returned and lots of visitors our first week back. We are eagerly awaiting the Summer Reading Program, our first Lawyer in the Library and some sunny summer days in which to read all the wonderful books in our Library!

Respectfully submitted,

A handwritten signature in blue ink, which appears to read "Sherri Lemhouse". The signature is written in a cursive style and is positioned above the printed name.

Sherri Lemhouse  
Librarian



## **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. Brownsvilleans 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.

**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
3. Strategize/Develop Action Steps
4. Implement/Execute
5. Review Outcomes

#### **LEXIPOL'S 10 FAMILIES OF RISK MODEL**

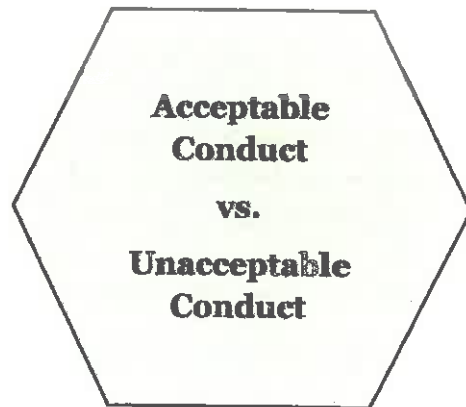
1. External Risks



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





- **Focus on the Fundamentals**
  - *Protect & Manage Brownsville's Treasury.*
  - *Foster Cooperative & Productive Relationships in the community, with Linn County, State and Federal Agencies.*
- **Water Rights**
  - *Explore Possible Water Source Options.*
  - *Continually work on perfecting Water Rights.*
- **Economic Development Plan**
  - *Participate in Regional Efforts & Opportunities.*
  - *Work on Economic Analysis & Land Inventory.*
- **Community Development Plan**
  - *Refine Zoning Rules & Requirements.*
  - *Consider & Adopt New Policies & Standards.*
  - *Emergency Preparedness Planning.*
  - *Support Youth Activities in Cooperation with CLRA.*
  - *Improve Partnerships with CLSD.*
- **Capital Improvements Plan**
  - *Plan & Construct Waterline Improvement Projects.*
  - *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
- **Organizational Development**
  - *Continue Developing an Effective Working Relationship between Council & Staff.*
  - *Focus on Council Leadership Development.*



**GOALS PROGRESS UPDATE**

**1. Focus on the Fundamentals.**

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

***Plan:*** Staff will continue to work diligently with the annually adopted budget to ensure financial and infrastructure vitality. Staff will honor the necessary parameters to keep rates as low as possible while providing services effectively. Staff will execute the planned projects found in the FY 2017-2018 budget as time and priority allow.

Staff will bid, construct and complete the Main Street and Robe Street Waterline Projects. Staff will plan for and execute the engineering for the redevelopment of sewer lines in Old Town Commercial and determine appropriate construction schedule depending on overall costs.





## 2017-2018 Council Goals

Staff will continue to strive for excellence in all relational aspects of service delivery. Mr. McDowell will complete his service on the State's OPRD Grant Advisory Committee in 2017. McDowell will continue to be involved with the Visit Linn Coalition (VLC), the Ford Foundation's Go Team Effort, the Solid Waste Advisory Committee (SWAC), the Linn County Sheriff's Office (LCSO) Joint Cities Coalition, 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. Mr. Frink works with various groups including 811.

Staff is also very involved at a local level. McDowell serves on 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 to name two. Administrative Assistant Elizabeth Coleman serves on the Sharing Hands Board. Councilor Chambers serves on the Linn County Pioneer Picnic Association Board. Councilor Shepherd serves on the Canal Company Board and several Councilors serve on various boards and committees for the City including the Central Linn Recreation Association (CLRA) and the Cascade West Council of Governments (COG).

**April 2018 Update:** The Cascade West Council of Governments is actively working on a policy advocacy agenda for the upcoming session in 2019.

Council will be hosting a Town Hall meeting as part of a Council meeting to discuss the current condition of the structures in Pioneer Park and the Central Linn Recreation Center. Inspections Unlimited completed their report recently.

Staff is working on several administrative projects for the end of the fiscal year including a water line reconstruction project on Robe Street, website redevelopment, new general ledger and utility billing software among other projects.

McDowell continues to serve of the SWAC which recently worked on recycling issues. A meeting in late May will determine how the County decides to handle new restriction created by China.

Council is awaiting a response for the Brownsville Canal Company regarding the operation of the pumps for the Mill Race.

**January 2018 Update:** Staff will be racing to June to complete several projects including a website redesign, new software selection & implementation and working on the land use inventory project and consider fiber optic internet options to name a few. Recent developments around marijuana still take a lot of time away from other priorities.

City Administrator S. Scott McDowell is involved in a regional policy advocacy movement with the Cascade West Council of Governments. Many positive things are happening around this effort. Mayor Ware & COG's Executive Director Fred Abousleman have been in communication with local, state representatives about this new approach and they are interested as well. McDowell is still working on regional economic development issues which are a part of the Go Team/RLED effort. Recently, McDowell resigned from the OPRD Grant Advisory Committee citing personal reasons. McDowell is also serving in an advisory role to the Chamber of Commerce's Board of Directors instead of being a director.

Council will be hosting a town hall style meeting to discuss the future of Pioneer Park and the Central Linn Rec Center. The structures are in need of attention if they are to last another 25 years. Council hopes, through a series of meetings and maybe a subcommittee, to develop a plan



## 2017-2018 Council Goals

for lasting improvements. Staff has secured nearly all agreements from community partners for the upcoming event season in Pioneer Park.

### 2. Water Rights.

- *Explore Possible Water Source Options.*
- *Continually work on perfecting Water Rights.*

**Plan:** The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that exist in other areas around Brownsville. Staff will continue to work with City Engineer Jon Erwin and City Attorney Rolfe Wyatt on issues as they arise through the State Legislature and other agencies of the State. Council recognizes water as the City's most precious resource.

**April 2018 Update:** Staff will be working with Mr. Erwin to transition to another City Engineer over the next few months. Mr. Erwin will retire soon. He has served the City for nearly twenty-five (25) years.

**January 2018 Update:** City Engineer Jon Erwin, Public Works Superintendent Karl Frink and City Administrator Scott McDowell have been working on various letters received from Oregon Water Resources Department. Staff has not had time to review the procurement of any upstream water rights to date, but is still interested in pursuing any opportunities that may be there for the City.

### 3. Economic Development Plan.

- *Participate in Regional Efforts & Opportunities.*
- *Work on Economic Analysis & Land Inventory.*

**Plan:** Continue working with Rural Linn communities and the Ford Foundation on economic development efforts. The Go Team continues to forward their proposal and spur conversations with other groups doing economic development in the County and the region. Continue working with the Brownsville Chamber of Commerce, Visit Linn Coalition and the Bi-Mart Willamette Country Music Festival to help drive opportunity for local businesses.

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

The City will budget for procedures required by the Department of Land Conservation & Development (DLCD) in order to possibly expand areas for commercial and light industrial development. The City will also be including additional residential land if possible.

**April 2018 Update:** Many meetings have been happening locally for a regional effort. The group will be meeting with the Cascade West Council of Governments soon to determine the COG's involvement with the group and how economic development will work in the future. The City is currently working on being included in an enterprise zone resolution which will provide certain tax incentives to possible job creators. Council should see this legislation in May.

Brownsville was part of a successful grant opportunity through the State of Oregon, which included Lebanon, Sweet Home, Halsey, Harrisburg, Adair Village, Philomath & Monroe. Policy Advocacy



## 2017-2018 Council Goals

is moving at the Cascade West Council of Governments and developments are progressing on addressing bureaucratic responses from the State.

Dollar General has finished and are planning a Grand Opening. A few new businesses have opened this year and are doing well downtown. Several residential developments are in the planning and construction phase as the market continues to thrive.

**January 2018 Update:** City Administrator Scott McDowell has been working with regional partners to advance common economic development goals. The effort is from the Council supported Go Team/RLED effort as mentioned above. Staff is also working on the initial data for the buildable lands inventory. Council will have to budget over the next fiscal year to accomplish this goal. The future of Brownsville depends on developable land. The City is nearly out of Volume Commercial and Light Industrial options for potential businesses. Council voted unanimously to move forward with a cooperative study by EcoNorthwest to possibly advance a regional approach.

### 4. Community Development Plan.

- *Refine Zoning Rules & Requirements.*
- *Consider & Adopt New Policies & Standards.*
- *Emergency Preparedness Planning.*
- *Support Youth Activities in Cooperation with CLRA.*
- *Improve Partnership with CLSD.*

**Plan:** Council would like to explore ways to positively affect community livability. Council will take a look at strengthening certain policies such as nuisance abatement, junk vehicles and public use of the right-of-way and others to achieve this goal. The City Administrator formed an ad hoc volunteer committee that continues to work on community emergency preparedness issues as defined by the Brownsville Municipal Code. Council continues to support the efforts of the CLRA. Organizational development pieces will still be important over the next two years due to the recent infusion of new members. Continue to work with the CLRA to develop and strengthen youth activities as a vibrant community amenity. Continue attempts to develop effective working relationship with the Central Linn School District (CLSD).

**April 2018 Update:** Council is currently considering several ordinances that were identified in March of 2017. The Central Linn School District Board recently sold the Blakely Avenue property to a group interested in using the property as a Christian school.

The EPC continues their work toward the goals established by Council.

**January 2018 Update:** Council will be reviewing several ordinances in January that were identified during the goal setting session last March. Council will make decisions on which items to move forward over the next few months.

The Emergency Preparedness Committee (EPC) exceeded their own expectations doing many things for community preparedness. Please refer to the report provided to Council in the November 28<sup>th</sup>, 2017 agenda packet. The EPC will be meeting in February to outline goals for 2018.

Councilor Shepherd, Administrative Assistant Elizabeth Coleman, Administrative Assistant Tammi Morrow and City Administrator Scott McDowell met with the Central Linn School District Board to get approval and outright ownership of the Central Linn Rec Center. The Board voted unanimously to remove the revision clause from the deed language. Superintendent Gardiner



## 2017-2018 Council Goals

facilitated nicely during this process. Council is currently in the process of reviewing all of the structures to determine need at the Rec Center and Pioneer Park. Council will be meeting with community partners to make future plans for the facilities.

### 5. Capital Improvements Plan.

- *Plan & Construct Waterline Improvement Projects.*
  - Plan & Construct Main Street Waterline Replacement.
  - Plan & Construct Robe Street Waterline Replacement.
- *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
  - Develop Plan for Collection System replacement.

**Plan:** Council will attempt to complete two waterline projects that were too expensive to complete as part of the 2015 Water System Improvements project. Council will be planning for the wastewater concerns in downtown Brownsville.

**April 2018 Update:** Council authorized a contract and agreement with The Dyer Partnership Engineers & Planners, Inc. to work on the Robe Street water line project. Staff is working on completing street improvements as well as looking at a solution for the bridge at the cemetery.

**January 2018 Update:** Public Works Superintendent Karl Frink and City Administrator Scott McDowell did not recommend the downtown sanitary sewer project due to the projected costs associated with the reconstruction. The City simply did not have the money. The Main Street waterline was also put off due to costs. The City has budgeted enough to possibly complete the Robe Street waterline project, but a few logistical issues are still presenting challenges.

### 6. Organizational Development.

- *Continue Developing an Effective Working Relationship between Council & Staff.*
- *Focus on Council Leadership Development.*

**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.

**April 2018 Update:** Council discussed meeting conduct and operational ways to better handle situations as they arise during public meetings.

**January 2018 Update:** Council should consider holding a work session to discuss recent developments and plan for certain pressing issues that are putting a strain on City Hall. Council could discuss positive ways to impact the community on a number of issues and refocus a few of the goals. November will be a big election for the City and Council should be prepared.



# Oregon

Kate Brown, Governor

Department of Environmental Quality  
Western Region Eugene Office  
165 East 7th Avenue, Suite 100  
Eugene, OR 97401  
(541) 686-7838  
FAX (541) 686-7551  
TTY 711

July 2, 2018

TRANSMITTED VIA ELECTRONIC MAIL

Scott Gagner  
Sweet Home Sanitation  
PO Box 40  
Sweet Home OR 97386

RE: Conditional Material Handling Concurrence

Dear Scott,

China's ban on grades of mixed paper and plastic combined with a stringent recyclable contamination standard of 0.5 percent continues to disrupt Oregon's recycling system. Oregon's processors have mostly been unable to meet china standards and have had shipments rejected for containing a single prohibited item. In response, several communities have change their program by dropping materials or enacting rate increases to cover the cost of recycling.

As you know, DEQ has been providing guidance to help collectors, processors and local government's determine what to do with collected recyclables, including as a last resort disposing of materials where the cost of recycling exceeds the cost to landfill the materials.

DEQ will continue working closely with representatives from the recycling industry and local governments and continue our short-term stopgap solution to help alleviate the flow of materials throughout the collection and processing system. When all options to find markets for recyclable commodities have been exhausted, DEQ concurs that landfilling these materials on a temporary basis is an unfortunate but needed option at this time.

This concurrence is subject to the conditions set forth below:

**Effective date:** June 29, 2018

**Duration:** This concurrence will expire August 1, 2018 unless otherwise notified. Adjustments may be made if conditions change.

**Required conditions**

The following required conditions must be met prior to disposal of the materials identified below. DEQ may in the future also verify that the conditions continue to be met.

- 1.1. Prior to disposal, good faith efforts were made to find recycling processors or end markets for the materials. (Documentation that at least three processors or end markets were solicited should be available upon DEQ request); and

- 1.2. The material disposed of can no longer be collected (including consideration of storage, processing and safety constraints) and sold at a net cost equal to or less than the cost of collection and disposal. (Financial documentation demonstrating this should be available upon DEQ request). Where no feasible market exists, costs for recycling are assumed to exceed the costs for disposal; and
- 1.3. Impacted local governments have been informed and required approval obtained.

### **Notification Summary**

The following information has been provided to DEQ:

- 1.4. Material type(s)
  - Mixed Commingle Recycling
- 1.5. Estimated amount(s) of material to be disposed per month
  - Mixed Commingle Recycling: 35-40 tons/mo.
- 1.6. Estimated amount of recyclable material sent to market or a processing facility for recycling
  - Mixed Commingle Recycling 0 tons/mo.
- 1.7. Source(s)
  - Residential and Commercial Routes
- 1.8. Geographic area of material origin
  - City of Brownsville
- 1.9. Proposed start date
  - July 1, 2018
- 1.10 Proposed disposal site
  - Sweet Home Transfer Station/ Wasco County Landfill

### **Reporting Requirements**

The following information shall be completed by an authorized representative, and submitted to DEQ by the 15<sup>th</sup> of the following month until the end date or the expiration date. A web link for data submittal will be provided.

- 2.1. Actual material types disposed (i.e. mixed plastics codes 3-7)
- 2.2. Actual amounts of material disposed
- 2.3. Actual sources of materials — Commercial, Residential or Depot
- 2.4. Actual geographic area of material origin (City, County, etc.)
- 2.5. Actual disposal date(s)
- 2.6. Actual disposal location(s)
- 2.7. Actual amount of recyclable material sent to market or a processing facility for recycling
- 2.8. What efforts have you made to determine if recycling of this material can resume?
- 2.9. DEQ staff will make a monthly phone call to each concurrence holder to discuss if any changes have taken place, such as changes to recycling costs, program changes, current state of affairs and efforts made to resume recycling.

Provided all the information submitted above is correct, DEQ concurs that landfilling of these materials on a temporary basis is an unfortunate but necessary option. Please let DEQ know if any of the above information changes. DEQ will provide a web link to you for you to submit your monthly report to us. We will notify you when it is available.

If you have any questions, please contact Cathie Rhoades at 503-378-5089 or rhoades.cathie@deq.state.or.us.

Sincerely,

  
Brian Fuller, Manager  
Western Region Materials Management and Solid Waste Programs

BRF/cdr

cc: S. Scott McDowell, City of Brownsville  
Holly Jeffryes, Linn County Wasteshed Representative  
Ken Lucas, DEQ Eastern Region



[www.ci.brownsville.or.us](http://www.ci.brownsville.or.us)

**City Hall**  
255 N. Main Street • P.O. Box 188  
Brownsville, OR 97327 • 541.466.5666  
Fax 541.466.5118 • TT/TDD 800.735.2900

July 2<sup>nd</sup>, 2018

**Linn County Board of Commissioners**

**Attn:** Chairman Roger Nyquist  
Linn County Courthouse, Room 201  
300 SW 4<sup>th</sup>, Street  
P.O. Box 100  
Albany, Oregon 97321

**RE:** Future Urban Growth Boundary Expansion

Dear Chairman Nyquist,

I am following up our March 19<sup>th</sup>, 2018 meeting when we discussed the implications marijuana operations are having on Brownsville. I have included the zoning map of Brownsville that highlights the two areas Council is pursuing for an Urban Growth Boundary (UGB) expansion later this year. Council has retained Mr. Dave Kinney, a planning consultant, who is currently working on this important project. As you may recall, there was a proposed marijuana facility project south of town that would have had a major impact on residential properties in south Brownsville. Council found this use incompatible with the land use in the area, but jurisdictional implications made this a County issue as the property was located 0.06 miles outside of city limits.

Linn County Code, Chapter 940, Section Title 940.300 Applicability, prohibits marijuana uses in Urban Growth Boundaries. Council unanimously moved to forward this proposal to your attention at the June 26<sup>th</sup>, 2018 Council meeting. The City's hope is that the Linn County Commissioners can consider this a prohibited area until the City completes the process for an Urban Growth Boundary expansion. I appreciate your time and consideration. If you should need additional information or have any questions, please contact me at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Don Ware" with a long horizontal flourish extending to the right.

Don Ware  
Mayor

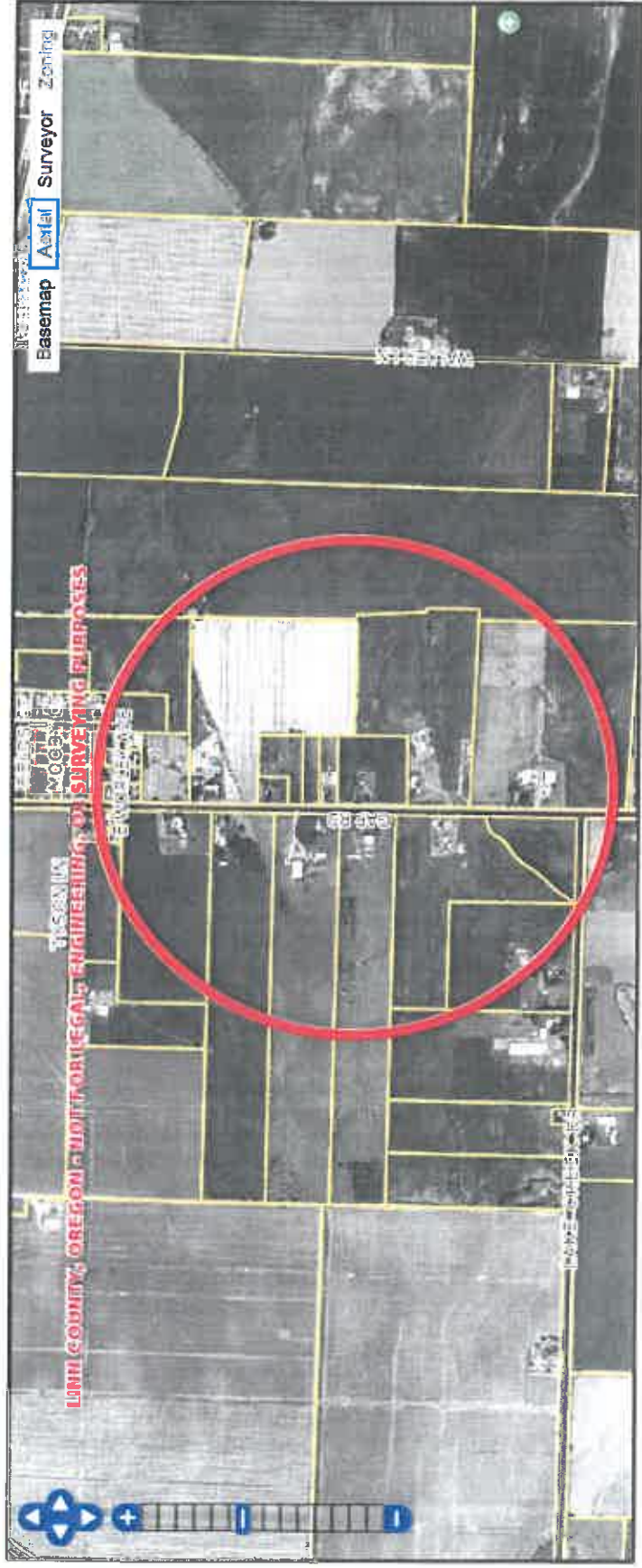
c: Brownsville Council  
S. Scott McDowell  
File





The City of Brownsville will be proposing an expansion of the Urban Growth Boundary (UGB) that will include residential growth south of town from Worley Avenue to Lake Creek Drive. All other areas of town are abutting Exclusive Farm Use (EFU) land that have historically been used as farm land. The City is also proposing option #2. The City is concerned about future Federal regulations that could impact the Calapooya River. The City anticipates FEMA will be changing flood plain regulations in order to protect endangered salmon/steelhead in the Willamette Basin. Therefore, future growth areas will need to be located outside the 100-year flood plain area of the Calapooya River.

**Option #1**





**Option #2**



# LINN COUNTY BOARD OF COMMISSIONERS



**JOHN K. LINDSEY**  
*Commissioner*

**WILL TUCKER**  
*Commissioner*

**ROGER NYQUIST**  
*Commissioner*

---

*Linn County Courthouse*  
*P.O. Box 100, Albany, Oregon 97321*  
*(541) 967-3825 FAX: (541) 926-8228*

**RALPH E. WYATT**  
*Administrative Officer*

July 5, 2018

Don Ware, Mayor  
City of Brownsville  
255 N Main Street  
PO Box 188  
Brownsville, OR 97327

RE: Future Urban Growth Boundary Expansion

I'm in receipt of your letter dated July 2, 2018. Thank you for forwarding it to me; I have provided the correspondence to our Planning Director and I will discuss the matter with him in the next week and get back to you. I appreciate your approach to the situation and I look forward to working with you on it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roger Nyquist", is written over a light blue horizontal line.

Roger Nyquist, Chairman  
Linn County Board of Commissioners



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**City Hall**  
255 N. Main Street • P.O. Box 188  
Brownsville, OR 97327 • 541.466.5666  
Fax 541.466.5118 • TT/TDD 800.735.2900

July 17<sup>th</sup>, 2018

**Re: Oak Street Pavement Project**

Dear Resident:

Recently, the City entered into a contract with North Santiam Paving (NSP) from Stayton, Oregon to complete a paving project on your street. Council is very excited about this project. Public Works Superintendent Karl Frink will be performing inspection services for the installation. The City has worked with NSP in the past and they have done good work. We expect a great result on Oak Street as well.

The project could begin as early as this Friday, July 20<sup>th</sup>, 2018 depending on NSP's schedule. The project should be done in a timely manner. The City will do its best to minimize any interruptions. If you have any questions or concerns, please contact Karl or myself at your convenience.

Cordially,

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

S. Scott McDowell  
Administrator

A handwritten signature in blue ink, appearing to be "KF" followed by a stylized "D", representing Karl Frink.

Karl Frink  
Public Works Superintendent

c: Mayor & Council  
File



## LINN COUNTY SHERIFF'S OFFICE

# National Night Out

August 7, 2018

Neighborhood Watch groups throughout the county are having an impact on crime reduction. Calls for suspicious activities have increased and the results have helped us direct our Focus Patrols to those areas that you have indicated need additional support. As we continue to build our Neighborhood Watch program and our Focused Patrol process, together we will continue to improve our crime reduction results. National Night Out events provide an opportunity to recognize your group's efforts and to respond to questions or concerns that you might have.

On a national scale, National Night Out is designed to: (1) Heighten crime and drug prevention awareness; (2) Generate support for, and participation in, local crime efforts; (3) Strengthen neighborhood spirit and sheriff – community partnerships; and (4) Send a message to criminals letting them know neighborhoods are organized and fighting back.

Please start making plans for your August 7, 2018, National Night Out event now! If you would like us to come to your event, please contact us no later than July 20, 2018, in order for us to schedule support from our office. We enjoy the opportunities to meet with your neighborhoods and look forward to hearing from you.

Please use the attached form to register your event.

Thank You,

A handwritten signature in black ink, appearing to read 'Michael Mattingly', with a stylized flourish extending to the right.

Michael Mattingly  
Community Services Specialist  
Linn County Sheriff's Office

## 2018 NATIONAL NIGHT OUT EVENT NOTIFICATION FORM

The \_\_\_\_\_ neighborhood is planning an event for National Night Out on Tuesday, August 7, 2018.

**Event Location:** \_\_\_\_\_

**Event Time:** \_\_\_\_\_ to \_\_\_\_\_

Please describe event: (i.e. block party, potluck, BBQ, flashlight walk, youth activities, etc.)

\_\_\_\_\_  
\_\_\_\_\_

Estimated # attendees \_\_\_\_\_

**NEIGHBORHOOD EVENT CONTACT INFORMATION:**

1. Event Organizer: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

2. Event Organizer: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Are you currently a Neighborhood Watch group? \_\_\_\_\_

Members of the Linn County Sheriff's Office will visit your National Night Out event on the evening of August 7, 2018. Returning this completed form by July 6, 2018, assists in scheduling those visits.

**Please return form by Friday, July 20, 2018 to:**

Michael Mattingly  
Community Services Specialist  
Linn County Sheriff's Office  
1115 Jackson Street SE  
Albany, OR 97322  
(541) 967-3950  
mmattingly@linnsheiff.org

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ENVIRONMENT

# China Has Refused To Recycle The West's Plastics. What Now?

June 28, 2018 · 4:02 PM ET

SARA KILEY WATSON



A worker sorts plastic bottles at a recycling center in China.

*Jie Zhao/Corbis via Getty Images*

For more than 25 years, many developed countries, including the U.S., have been sending massive amounts of plastic waste to China instead of recycling it on their own.

Some 106 million metric tons — about 45 percent — of the world's plastics set for recycling have been exported to China since reporting to the United Nations Comtrade Database began in 1992.

But in 2017, China passed the National Sword policy banning plastic waste from being imported — for the protection of the environment and people's health — beginning in January 2018.

Now that China won't take it, what's happening to the leftover waste?

According to the authors of a new study, it's piling up.

"We have heard reports of waste accumulating in these places that depend on China," says Amy Brooks, a doctoral student of engineering at the University of Georgia and the lead author of the study published in *Scientific Advances* last week.

She says some of it is ending up in landfills, being incinerated or sent to other countries "that lack the infrastructure to properly manage it."

**Article continues after sponsorship**

The logo for Little Passports, featuring the brand name in a blue, rounded, sans-serif font. Below the name, the tagline "A GLOBAL ADVENTURE" is written in a smaller, blue, all-caps font.A rounded rectangular button with an orange-to-red gradient background and the text "Learn More" in white, sans-serif font.

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By 2030, an estimated 111 million metric tons of plastic waste will be displaced because of China's new law, the study estimates. This is equal to nearly half of all plastic waste that has been imported globally since 1988.



#### GOATS AND SODA

The Continent That Contributes The Most To E-Waste Is ...

Rapid expansion of disposable plastics in the 1990s — and single-use containers — drove imports up rapidly. Yearly global imports grew 723 percent, to around 15 million megatons, from 1993 to 2016.

For developed nations like the United States, it can be more economical to push plastics out of the country rather than recycling them, says Jenna Jambeck, an associate professor of engineering at the University of Georgia and another of the study's authors.

The U.S., Japan and Germany are all at the top of the list when it comes to exporting their used plastic. In the U.S. alone, some 26.7 million tons were sent out of the country between 1988 and 2016.

Hong Kong is the biggest exporter of plastic waste, at 56.1 million tons. But it has acted as an entry point to China — having imported 64.5 million tons from 1988 to 2016 from places like the U.S. (which sent more than 372,000 metric tons there in 2017) and then having sent most of that on to China.

Other nations can buy and recycle these plastics and manufacture more goods for sale or export, as China did, making it profitable for them as well, the study notes.

Industry publication Waste Dive reports that the U.S. sent 137,044 metric tons to Vietnam in 2017, up from 66,747 in 2016.

But nations like Malaysia, Thailand or Vietnam, which have picked up some of what China is leaving behind, don't have as well-developed waste management systems.

Jambeck says Vietnam has already reached a cap on how much waste it can handle: The country has announced it will not accept any more imports of plastic scraps until October.

"Not one country alone has the capacity to take what China was taking," Jambeck says. "What we need to do is take responsibility in making sure that waste is managed in a way that is responsible, wherever that waste goes — responsible meaning both environmentally and socially."

Marian Chertow, the director of the program on solid waste policy at Yale who was not involved in the study, says these new findings are useful because it confirms what experts thought they knew — nearly half of plastic waste exports have ended up being recycled in China.

"There's a tremendous shift in the market when China won't take half of these plastics. I really think that this export mindset that has developed in the U.S. is one that has to change," she says.

plastic recycling china

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# Cities Planning Supervised Drug Injection Sites Fear Justice Department Reaction

LISTEN · 3:44

QUEUE

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Transcript

July 12, 2018 · 5:21 AM ET

Heard on Morning Edition

BOBBY ALLYN



At safe injection sites like Insite, in Vancouver, Canada, drug users can inject drugs under the watch of trained medical staff who will help in case of overdose.

into their veins," he says. "That is killing them at rates we have never seen before in the history of the world. So, it's not something we can just say, 'Wow, that's a really great idea.' "



#### PARALLELS

In Portugal, Drug Use Is Treated As A Medical Issue, Not A Crime

It is not just prosecutors who are unsettled by the concept. Massachusetts state Sen. Will Brownsberger sponsored a bill to jump-start a safe injection site there, but some Boston elected officials and residents remained leery that a supervised injection site would enable and even exacerbate drug use.

"If we had a place where people were ready for it, then we could probably get it done. But we don't have that right now," says Brownsberger.

While the issue has recently heated up in the U.S., in Canada, the city of Vancouver has run a safe injection site called Insite for 15 years. It navigated its own legal challenges. The Supreme Court of Canada ruled in 2011 that the facility should be granted an exemption from federal law since, the court wrote, saving lives outweighs any benefit of prohibiting the use of illegal drugs at the site.

In the U.S., where all official supervised injection sites remain pending, the issue has never been tested in the courts. Still, legal scholars are already gearing up for future legal fights by considering federal drug law loopholes or novel arguments that could persuade a judge to rule in favor of harm reduction.

Yet before the courts weigh in, a site has to open.

In May, New York City Mayor Bill de Blasio endorsed a proposal to open four safe injection spaces. The plan still needs the blessing of the state Department of Health. Some drug users say they would embrace such a facility. Take Jeff, who says he has been struggling with addiction for more than 25 years.

When officials with the Justice Department are asked where Sessions stands on the issue, they offer a statement issued late last year by a U.S. attorney in Vermont saying health workers at a supervised injection site would be vulnerable to criminal charges and the property could be at risk of being seized by federal law enforcement.

Burris says there could be a public backlash to Justice Department lawyers asking a judge to sign warrants for the arrest of social workers and nurses working to save lives in the facilities, but the fear of a hardline response is still giving local officials pause.

In Philadelphia, where overdoses kill four times as many people as murder, it has been six months since top city officials, including the mayor and the city's district attorney, announced they were advancing the idea of a supervised injection site. Now, city officials say they are still searching for private funders and launching new outreach efforts in many neighborhoods to help make the controversial concept more palatable.

Eva Gladstein, deputy managing director of the city's Health and Human Services, says it's time to act.

"We estimate that we would save up to 75 lives in one year, and if any of those 75 people are a member of your family, you would, I think, agree that that's something that's desirable," she says.

In a survey Gladstein's department conducted in Philadelphia's Kensington neighborhood, seen as ground-zero of the city's opioid crisis, more than two-thirds of drug users said they would go to a supervised injection site.

"In communities that have been living with this addiction," she says. "Everybody knows someone or has a family member who is affected."

Philadelphia-based federal prosecutor Louis Lappen is more skeptical. "You're talking about an extremely dangerous situations with people injecting these drugs

Elana Gordon/WHYY

In parts of the country hit hard by addiction, some public health officials are considering running sites where people can use heroin and other illegal drugs under medical supervision. Advocates say these facilities, known as supervised injection sites, save lives that would otherwise be lost to overdoses and provide a bridge to treatment.

There are at least 13 efforts underway in U.S. cities and states to start an official supervised injection site — with advocates in several cities saying they want to be the first. And the forms vary. Seattle is planning a safe injection van; Philadelphia is considering portable structures; some elected officials in places like Denver, Vermont, Delaware and San Francisco, are trying to gather support for proposals.

Harm reduction advocates hope supervised injection sites can follow the path of needle exchange programs which have gained wider acceptance over the years, thanks to their role in containing the spread of HIV and AIDS. There are now needle exchange programs in 39 states.

But many safe injection site proposals seem to be waylaid in community debate and legal uncertainty.

Scott Burris, director of Temple University's Center for Public Health Law Research, says municipalities are worried about a showdown with Jeff Sessions' Department of Justice.

"You can talk about cities racing to be first," Burris says. "But my guess is that you have a lot of cities who are actually racing to be second."



#### SHOTS - HEALTH NEWS

Desperate Cities Consider 'Safe Injection' Sites For Opioid Users

"This thing is not a joke. It really isn't," Jeff says. (NPR agreed to use just his first name since he uses illegal drugs.)

Jeff says using on the streets is risky — especially when using alone. If New York's safe injection sites open, people would bring their own drugs and use them under the eye of trained health care providers, who stand by with the overdose-reversing drug naloxone.

"It's not good to have a person strung out on this stuff. But you definitely don't want them doing this alone," Jeff says. "And you definitely don't want to find out that they died alone."

*Elana Gordon contributed to this report.*

[supervised injection site](#) [harm reduction](#) [opioid addiction](#) [heroin](#) [opioids](#)

## Here's To Your Health

We're reporting on the latest in medical research, insurance coverage, plus managing your health and the health of the people you love. Coming to your inbox once a week!

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**MONTH END RECAP**

	JUNE 2018							
	REVENUE	EXPENDITURES		YTD	%	Unexpended		
1 GENERAL	\$ 47,445.63	\$ 105,198.32	\$	781,657.51	60.54%	\$ 509,402.49	1	
2 WATER	\$ 31,628.83	\$ 30,134.15	\$	309,911.29	39.89%	\$ 467,088.71	2	
3 SEWER	\$ 29,838.25	\$ 20,545.85	\$	214,292.92	33.92%	\$ 417,382.08	3	
4 STREETS	\$ 15,327.47	\$ 43,127.58	\$	180,335.08	34.38%	\$ 344,164.92	4	
5 WATER BOND	\$ 152.62	\$ -	\$	46,573.44	65.21%	\$ 24,847.56	5	
6 SEWER BOND	\$ 1,144.78	\$ -	\$	305,385.25	92.50%	\$ 24,778.75	6	
7 SEWER DEBT FEE	\$ 11,163.42	\$ -	\$	140,668.49	42.61%	\$ -	7	
8 BUILDING & EQUIPMENT	\$ 709.00	\$ -	\$	-	0.00%	\$ 615,200.00	8	
9 WATER RESERVE	\$ 84.95	\$ -	\$	-	0.00%	\$ 79,340.00	9	
10 HOUSING REHAB	\$ 432.65	\$ -	\$	-	0.00%	\$ 201,210.00	10	
11 WATER SDC	\$ 4,270.93	\$ -	\$	-	0.00%	\$ 46,180.00	11	
12 SEWER SDC	\$ 10,945.15	\$ -	\$	-	0.00%	\$ 296,704.00	12	
13 STORMWATER SDC	\$ 4,063.10	\$ -	\$	-	0.00%	\$ 61,461.00	13	
14 BIKEWAY/PATHS	\$ 191.03	\$ -	\$	-	0.00%	\$ 41,398.00	14	
15 LIBRARY TRUST	\$ 12.89	\$ -	\$	-	0.00%	\$ 5,968.00	15	
16 CEMETERY	\$ 155.84	\$ -	\$	-	0.00%	\$ 72,570.00	16	
17 TRANSIENT ROOM TX	\$ 13.13	\$ -	\$	3,040.00	87.61%	\$ 430.00	17	
18 SEWER CONSTRICTION	\$ -	\$ -	\$	-	0.00%	\$ 9,972.00	18	
19 LAND ACQUISITION	\$ -	\$ -	\$	-	0.00%	\$ -	19	
20 COMMUNITY PROJECTS	\$ 468.50	\$ 2,278.48	\$	17,440.08	8.69%	\$ 183,309.92	20	
	\$158,048.17	\$201,284.38	\$	1,858,635.57				

**Key Bank Account**

General Checking \$ 66,319.38

Oregon State Treasury \$ 4,755,605.68

Community Improvements \$ 6,101.57

TOTAL OST / LGIP \$4,761,707.25

2017-2018 YTD % of Total  
 Appropriated \$ 5,260,043.00 35.33%

DEBT Payments Totals  
 Water \$ 45,327.00

Wastewater \$ 486,663.00

Total Debt \$ 745,639.00

Water \$ 5,975,539.00

Wastewater \$ 6,721,178.00

Total \$ 6,721,178.00