



CITY OF BROWNSVILLE

Council Meeting

Tuesday – September 26th, 2017

Regular Session 7:00 p.m.

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CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, September 26th, 2017

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: July 25th, 2017
September 19th, 2017
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Central Linn Recreation Association – Blaine Cheney
 - B. Marijuana Odors – Mr. Bryan Bradburn
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)

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

9) LEGISLATIVE:

- A. **Resolution 2017.14: Machinery Fees**
- B. **Resolution 2017.15: Cut & Fill Requirement: Public Works Standards**
- C. **Resolution 2017.16: Planning Fees**
- D. **Resolution 2017.17: Park Fees**
- E. **Ordinance 769: Architectural Front**
- F. **Arbor Day Proclamation**

10) ACTION ITEMS:

- A. **Simpson Condition Use Application – Findings of Fact**
- B. **Calapooia Food Alliance – Red Barn Agreement**
- C. **Calapooia Food Alliance – Kirk’s Ferry Agreement**
- D. **Wickett Landscaping Maintenance Agreement**

11) DISCUSSION ITEMS:

- A. **Annual Master Checklist**
- B. **July & August 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.



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July 25th, 2017

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

PUBLIC: Kim Clayton, Don Andrews, Erin Halbeisen, Kelly Halbeisen, Liza Peake, Kathleen Peake, Marilyn Grimes, Tricia Thompson, Marilee Frasier, Chenoweth Robertson, Robert Miller, Alfreda Miller, Cathy and Mike Franklin, John and Laura Holbrook, Abe Sword, Kaye Fox, Bryan Bradburn, Sherri Lemhouse, Jordan Parrish (*The Times*), and Alex Paul (*Democrat Herald*).

The pledge of allegiance was recited.

Mayor Don Ware commented that he would like to extend a big thank you to Staff for always doing a great job and maintaining the front line at City Hall. Also, a big thank you to Mr. Frink and Public Works for their work on the red shed. It is looking great.

ADDITIONS AND DELETIONS: McDowell would like to add under Action Items: A. Pioneer Park Camping, and B. Park Caretakers. There are no deletions tonight.

MINUTES: Councilor Chambers made a motion to approve the June 27th, 2017 meeting minutes as presented. Councilor Shepherd seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Transient Room Tax – Allen Buzzard.** Allen Buzzard was present to discuss the City's TRT policy and rate. He provided a lengthy report to Council via Mr. McDowell. Basically, he would like to reduce the rate from 6% to 3%, or use a flat rate option, to attract more tourists to Brownsville.

Laura Holbrook was also present in support of Mr. Buzzard's proposal. She stated that she thought it was unfair for the City's Airbnb's to be taxed when her establishment is outside of town, and therefore not taxed. She stated that she has not had any guests that were brought in by the Chamber promoting Brownsville. Mrs. Holbrook stated that she is forced to pay for ads through the Airbnb Association.

Council discussion ensued. Councilor Chambers responded with what is a "fair tax"? Taxes outside the City are less than those inside the City. Councilor Gerber stated that she has gotten a lot of information on the subject from both sides of the issue. TRT is actually not a tax on the purveyor, it is the folks coming through that pay this charge. Councilor Gerber stated that she feels it is a significant way to promote tourism in Brownsville. When looking at Oregon in general, Brownsville's rate seems like a fair percentage, as we are a bit of a touristy town. Councilor Gerber made a motion to leave the TRT rate at 6%. Councilor Shepherd seconded the motion, and it was approved unanimously.

Local Airbnb owner Kelly Halbeisen was present and requested that perhaps Council could direct the Chamber to more actively promote the Airbnb's. Councilor



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Gerber amended her motion to include this promotion of Airbnb's. Councilor Shepherd seconded the motion, and it passed unanimously.

2. **Marijuana Odors – Bryan Bradburn.** Mr. Bradburn, 522 E Washington Avenue, was present to lodge a complaint against marijuana odors in his neighborhood. He and his family have been having problems since the legalization last year. Last year his neighbor grew 4 plants, and the smell in August and September was horrendous. This year this same neighbor has 10 plants. Bradburn said that he has tried to talk to his neighbors, to no avail. They did put up a piece of plywood, but that has not done anything to abate the smell. He said that living next to a grow operation is basically hell; those that don't like it shouldn't be subjected to this unfairly.

He would like some resolution on the issue, that is why he is here tonight. Bradburn also stated that in the past, the Planning Commission has denied a coffee grinding operation due to potential odors, but there seems to be no recourse for marijuana grows. He does come with a solution tonight. The City of Eagle Point and Central Point have enacted legislation to limit marijuana grows to inside structures in residential areas.

Several neighbors, Cathy Franklin, Robert Miller, and Lisa Keith, spoke against Mr. Bradburn stating that he has offended many by walking around like private security, hanging his taxidermy skulls on his fence, bullying folks, and that he is just trying to control the neighborhood.

3. **Agreement Request – Della Klinkebiel.** Mr. McDowell stated that Mr. and Mrs. Fred Klinkebiel were present tonight and have asked for him to describe their situation to Council. In 2009, an agreement was reached with the Klinkebiel family granting the City an easement to install a new water line across their property in exchange for a non-transferrable water and sewer SDC to their property. In summer of 2010, the water line was successfully installed. In 2015 as part of the Water System Improvements Plan, the aging water line was replaced with a new line which fixed the distribution area that now services north Brownsville.

The Klinkebiels are proposing to divide their property to provide a piece of property for a daughter. They would like to transfer this SDC allowance to her. McDowell has checked with the City Attorney Ross Williamson and he said that Council can open up the contract and do as they wish. Part of the original agreement talked about a stormwater inclusion. The other neighbor is unwilling to participate in that, so that part of the agreement will be rescinded regardless of tonight's outcome. Councilor Gerber asked Mr. McDowell for his opinion. McDowell said the first thing is – non-transferrable should mean just that. Another option would be to allow the transfer, take the storm water inclusion out, re-record the agreement, and the Klinkebiels will bear all costs as the taxpayers should not have to pay again. A timeframe might also be a good idea, potentially October 31st – November 15th.

Councilor Shepherd suggested there be a documented understanding that if they should require city services in the future, they would be required to pay all SDC's. *Councilor Chambers made a motion to allow the Klinkibeils a one-time transfer of this agreement to their daughter. The contract shall be rewritten with the*



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storm water inclusion taken out, re-recorded as non-transferrable, with a deadline no later than October 31st, 2017, and the Klinkebiels will bear all costs. Councilor Shepherd seconded the motion, and it passed unanimously.

DEPARTMENT REPORTS:

1. **Sheriff's Report.** LCSO Sergeant Klein reported that June has been a busy month. There were 5 traffic citations, 5 warnings, 65 complaints, with 7 hours for traffic enforcement. There were 2 units in town for the Stand By Me event. The event went well, with no known complaints. Mayor Don Ware stated that more speeding citations would be welcome. Klein said he will address that with patrol.
2. **Public Works.** Public Works Superintendent Karl Frink reported that backflow devices were tested; two devices failed, they will be addressed. City Right of Ways are mowed; it took Staff 4 weeks to accomplish. Street painting is underway. Work will include a crosswalk in Pioneer Park, curbing in front of the Art Center, and 2 cul-de-sacs. PW Staff has graded all of the gravel streets, and dust control has been applied. This year the product was virtually odorless, but we still always get complaints.

The park hosts are continuing to do mowing, trash collection, etc. More information on that area later in the meeting. Work on the red shed continues. It is almost all painted; a cherry cola red with black trim. The cemetery has been mowed, but no time for weed eating this month. Mayor Don Ware expressed his gratitude to Public Works for the outstanding job they continue to do. Councilor Shepherd asked that Mr. Frink notify the street painter of the small sized parking spaces next to the picture gallery; they are too small for cars to park within and needs adjustment.

3. **Administrator's Report.** Mr. McDowell reported that the GO Team has a meeting scheduled for November around regional development. There are lots of folks invited to that meeting. The driving force is a regional economic development effort together with Lincoln and Benton counties, among others.

McDowell reported to Council that he and others at the monthly city managers meeting are working together to create some policy advocacy for small cities. Mayor Don Ware and Councilor Neddeau sit on the Cascade West Council of Government Board. One example of bad policy is the current BOLI rates. They have not been revised to stay current with the times in many, many years. Our restroom project cost us \$93,657 instead of the \$48,500 from the original bid. Since the amount was so close to the \$50,000 BOLI threshold allowed amount, the City decided to use the BOLI rates to stay in compliance, which nearly doubled the cost. The public bidding process is not working as it should be. Mayor Don Ware has reached out to Phil Barnhart. It is a work in progress.

McDowell informed Council that CLRA VP Blaine Cheney has been in contact. They have crafted a website for CLRA for all future sign ups. It also has a payment module where folks can pay online. There are incentives for early sign ups, as well as discounts for multiple children in the programs.

The City's first re-funded bond payment is due 7/31/2017. Staff is working on the logistics of making the payment/wiring funds.



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McDowell reminded Council of the Emergency Planning Committee August 5th, 2017 event. Councilor Neddeau will be cooking hamburgers and hot dogs for the first 150 folks. Community partners have been invited, and will have information out for folks. There will also be a short program by the EPC, Fire Chief Kevin Rogers, and CERT instructor Vickie Meyers.

McDowell reminded Council that August is our recess month. However, City Hall is starting to get a lot of kick back on the possibility of the Dollar General store coming to town. Some key factors to remember in regard to the situation is that private lands can and will be sold to other private parties. The City does not build apartments, houses, etc., they are private transactions. For the proposed Dollar General store location, a mercantile is an outright permitted use, which means they will not need to go before the Planning Commission or Council for approval. Staff will scrutinize the plans to make sure they hit all the marks as needed, city, State, and Federal regulations included. All reviews and comments will need to be addressed before the project will begin. *The Times* did a great job reporting on the potential development in a recent issue. Mayor Don Ware stated that folks seemed concerned about the look of the building. Councilor Gerber asked if this might be the role of the Historical Review Board or Council? McDowell replied that the City does not have standards such as roof styles, etc. Dollar General has made some changes to try to fit in better; the City does not have ordinances on the books to require any developer to do this however.

McDowell has heard a lot of talk about the CLRA. The City is not getting rid of the building. The deed is being redone to take out the reversion clause so that the City can own the building outright. However, the buildings in the park and the CLRA are at the end of their useful lives. An inventory needs to be taken and Council will have some tough decisions to make about the future for these buildings and needed projects. Mr. Frink and McDowell will look into hiring a professional inspection service to give the City estimates on what repairs are needed, and Council can take a look at funding options. Other options include bringing in community partners and having conversations about what needs to be done, and the best way to achieve the goals. The City is trying to be proactive in the process.

Weeds and nuisance season is in full swing. It has been a tenuous and tumultuous year. Staff has had a lot of push back from property owners when extending courtesy calls. We are 3 lots short of finishing up the first wave of abatements; hopefully our mower will get to them this week. Wave 2 will happen in the next few weeks. McDowell just received RV language back from the attorney today, so hopefully Staff will have something for Council in September.

The software conversion is on indefinite hold for now.

The Antique Faire is this weekend. McDowell and his band, the *Down Hill Gang*, will be playing for the event down in the park from about 11:00 a.m. – 1:00 p.m.

4. **Library Report.** Mrs. Sherri Lemhouse was present to recant current happenings to Council. The Summer Reading Program is going very well; she has a great team and coordinators. The Oregon College Savings Plan is sponsoring the program this year. The event has doubled in size, and over 1800 folks have attended. The Library will be open on August 21st, 2017 at 9:00 a.m. for an eclipse event.
5. **Court Report.** No comments.



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6. **Council Comments.** No comments.
7. **Citizen Comments.** Bryan Bradburn stated that he is being unfairly accused by his neighbors as being the neighborhood bully. He has recordings of his conversations with Robert Miller that will prove this is not so. He would like Council to know about Eagle Point's city statute that allows only inside marijuana grow operations within city limits. This policy seems to be working well for them, and keeping offensive odors to a minimum. Bradburn will submit documentation to Mr. McDowell about this legislation.

Tricia Thompson, Historical Review Board, stated for Council that the HRB gives input of the downtown OTC area. If Dollar General would like to ask for their review, they would love that, but they are not obligated to do that. Mr. McDowell responded that he, as City Administrator, is well aware of the HRB's role and he asked before items such as signage and building architectural choices to be reviewed and forwarded to the Planning Commission. The HRB is very knowledgeable about the towns architecture and feel. Getting their input to the Planning Commission for things such as this, that impact the whole town, is a great reason for a broader discussion and that has not happened yet.

Marilyn Grimes said there are about 2 weeks in August where there are lots of outside offensive odors, such as cow manure, and if marijuana is offensive to some, something should be done about that smell too.

Laura Holbrook spoke again regarding the TRT. She said the unfairness of the TRT tax is that many of the businesses benefit from it, but only one business pays for it. She thinks it would be more fair to tax all the businesses, not just the Airbnb's. Allen Buzzard spoke again about the TRT tax. He feels that this is a tax on him as well as his customers, because it is harder for him to compete with other towns when folks have to pay this tax. He asked for clarification on the motion, and was asked to wait until after the meeting for this information.

ACTION ITEMS:

1. **Pioneer Park Camping.** McDowell stated that it is important for Council to remember that we are a park that offers camping, Pioneer Park is not a campground. Law enforcement is not here 24 hours a day to handle any issues that arise. Last year we had a lot of issues that caused a big strain on resources. Last year we had one incident where we had to trespass folks; this year we have had 9 to date! On that note, the caretakers have resigned as of 9 days ago. Curtis & Tami Bayer have agreed to stay on until August 1st, 2017. There are several things that have led to this predicament; public nudity, cheap camping rates, facilities damage, drug use, and folks feeling threatened and unsafe in the park. Due to these conditions, Mr. McDowell is recommending suspending all camping in Pioneer Park immediately. Exceptions would be events that have already been scheduled, such as Antique Faire, family reunions, etc. Mr. Frink said that PW is spending twice as much on cleaning supplies as normal. Campsites are requiring 45 minutes -to an hour to clean each one. Debris being removed from campsites has included mattresses, old clothing, diapers, litter, pillows, even human feces in five-gallon buckets. Much of this gets hauled down to the dumpster at the City Shop, which consumes a considerable amount of time for Staff. Mr. Frink is in agreement with



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Mr. McDowell about the closing of camping in the park immediately. Councilor Block stated that we will have to get cooperation with LCSO to trespass folks out of the park as needed. Councilor Gerber stated that the park has a very different feel this year, and it is not safe or pleasant. *Councilor Shepherd moved to close camping for the rest of season, effective immediately, with the exception of contracted events, all others will be trespassed by LCSO. Councilor Gerber seconded the motion, and the motion passed unanimously.* Discussion followed. Council will need to have a joint meeting with Park Board to determine what next year might look like. Councilor Chambers would like to thank the park caretakers for their work. There are two campers there now that have paid through Friday, they can remain.

Councilor Neddeau asked if we should consider raising prices. McDowell responded that is a park charges more than \$15, recreational immunity does not apply to any accidents that may arise. The City of Brownsville just simply doesn't have the resources to deal with these types of issues. The City has recruited 2 new caretakers who are interested in fulfilling the rest of the park caretaker season obligations. They have asked that they be allowed to remain in the park until November as they are giving up their current lodging, and then will be leaving for Arizona. Mr. McDowell will draw up a new caretaker contract that will end mid-September. *Councilor Gerber moved to allow Mr. McDowell to proceed. Councilor Shepherd seconded the motion, and it was passed by all with Councilor Neddeau abstaining.*

DISCUSSION ITEMS:

1. **June Utility Bill Outcome.** McDowell stated that Staff would like to discuss the utility bill outcome from last month. A customer came to Council stating that they had paid their utility bill, to a certain staff member, but had no proof of payment. Council forgave the debt, as a one-time situation only. Staff would like to set the record straight and discuss how this Council decision has impacted City Hall and Staff.

We recognize that Council is a volunteer board, and doing public work is difficult. That being said though, it is imperative that we continue to work on Council goals and values in order to improve and further our commitment to excellence. In Council values, under organizational development, Council is tasked with understanding the financial nuances of local government in Oregon. Staff is tasked with 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.

Council's decision last month did not benefit Council, Staff, or the City on a number of fronts. Next, Mrs. Morrow spoke to the situation. After the last Council meeting she was approached by several community leaders in support of her, and claiming that they believed in her. While these claims of faith in her are very appreciated, the fact that her integrity and ethics have been called into question in the situation is very disturbing. The customer had no receipt, no proof, just allegations, and to



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the public opinion, it may look like Council is siding with the customer in forgiving the debt. If the customer had made the payment, the funds would be in the cash drawer, which simply isn't the case.

Mrs. Morrow stated that she has lived and worked in this community her whole life. Her reputation means something to her, and to have it unfairly called into question is not acceptable. Councilor Gerber extended a heartfelt apology saying that that was not Council's intention in the slightest. Councilor Shepherd also apologized and reiterated his support for all of the office staff; he considers us above reproach. Utility Clerk Deaver spoke next asking that in the future if Council is unsure about an office situation to please table the matter. Staff keeps very good documentation records, and they are always open for Council review. While this accusation was directed at Mrs. Morrow, it really encompasses all of the office staff. Mrs. Deaver verified again that the payment was not made. She spent a whole day searching for the payment, and it was never found.

Councilor Neddeau said that the reason the matter was not tabled was because the Council does believe in Staff. Mayor Don Ware agreed that it never occurred to him that there was ever a question of Staff integrity. McDowell commented that the important thing to focus on here is that our integrity is called into question constantly, due to the nature of the job. By all rights, Council can definitely make a decision on the matters brought before them at the time; but please try to understand the ramifications on the integrity of Staff. Councilor Gerber commented that this situation is a good reminder to take our time and not always try to rush. Staff hopes that this can be a training moment, and we can all do better in the future.

2. **Disinterment Policy.** Staff has been approached by a woman who would like to disinter her grandmother and place her in a different spot where future family graves could be located. McDowell has checked with the Oregon State Mortuary Board and City Attorney Rebekah Dorman. It is imperative to remember that Brownsville's cemetery is an historic cemetery and it is important to disturb the graves as little as possible. McDowell did receive an e-mail from the attorney at 5:03 p.m. tonight. He will get information together for the September meeting for Council to consider policy and make a decision. Councilor Gerber and Councilor Chambers expressed interest in helping as needed.
3. **June Financials.** No comments.

CITIZENS COMMENTS – Kaye Fox commented that before marijuana was legal, she had a situation where folks were smoking marijuana next door. The smell made her very ill; some folks have sensitivity to certain things. LCSO was called, and the neighbor willingly complied, even though there was no force of law to do so. Mrs. Fox believes that people should have an expectation to raise their family in an environment of their choosing. She agrees with Mr. Bradburn that growing plants indoors should help the situation.



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COUNCIL COMMENTS – Councilor Chambers commented that her mother lives in front of Mr. Bradburn, and that once in a while you do get a smell from Robert Miller’s residence. He has beautiful plants, she said. Councilor Chambers also stated that her sister spoke earlier about the tree, and she doesn’t lie. She then spoke about Mr. Bradburn’s fence that seems to be a point of contention.

McDowell reminded Council that on March 28th, 2017 he addressed the issue of marijuana odor. His suggestion was the situation should be looked at; LCSO said there is nothing that they can do. They can check to make sure they have the right cards to grow, but any action beyond that would get thrown out of court. Measure 91 has massively changed marijuana, and has pitted neighbor against neighbor. McDowell suggested that the State legislature should address the problem; perhaps only allowing grows inside would mitigate the situation to some extent. This is a policy advocacy piece that he will bring to the COG, and look at what can be done at that level. This issue is bigger than just Brownsville. The olfactory (nose) is a difficult area to regulate. What is tolerable to some, is intolerable for others. The City’s animal policy also needs to be looked at. If a hog operation comes to town (and there are currently areas where one could operate), it would immensely change the character of our City. Councilor Chambers reiterated that Robert Miller is not doing anything wrong.

ADJOURNMENT: *Councilor Shepherd moved to adjourn the Council meeting at 9:06 p.m. Councilor Gerber seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell

Mayor Don Ware



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Special Marijuana Meeting September 19th, 2017

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Neddeau, Block, Shepherd, Chambers, Cole, and Gerber present. Administrative Assistant Tammi Morrow, Administrative Assistant Elizabeth Coleman and City Administrator Scott McDowell were also present.

PUBLIC: Alex Paul (*Democrat Herald*), Joel and Eleanore Stith, Vernon Landers, Patty Landers, Fred and Della Klinkebiel, Gian Mercurio, Dennis Sinnott, Terry Geil, Danna Geil, Natalie Turner, Greg Hopla, Jamie Cross, JoAnn Neddeau, J. David Erickson, Kim Clayton, Sharon McCoy, Irene Corbett, James Smith, Susan Smith, Merritt Schilling, Janet Schilling, Chad Hein, Guy Terrice, Jordan Parrish, Kelly Williams, Dan and Darlene Hartsook, Chris & Shelly Potts, Cathy MacIntyre, Greg Klein (*LCSSO*), Jannea Deaver, Kaye & Phil Fox, Randy Simpson, Gayle Ashford, Debbie Jensen, Bryan Bradburn, Roger Tetamore, Dave Erickson, Karl & Cindy Frink, and Don Neddeau.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: No additions or deletions were added to the agenda. A sign in sheet will be circulated, please sign in.

Mayor Don Ware read the public hearing format for the evening.

DECLARATIONS OF EX PARTE CONTACT, CONFLICTS OF INTEREST OR BIAS: Councilor Cole declared that she had a conversation with Tricia Thompson concerning the outcome of the Planning Commission meeting.

STAFF REPORT: Administrative Assistant Elizabeth Coleman provided a verbal staff report. On January 23rd, 2017, Randy Simpson and Gayle Ashford appeared before the Planning Commission to request permission to operate a medical marijuana facility at 221 W. Bishop Way in Brownsville. The request was granted. On May 26th, 2017, the applicants submitted a conditional use permit to operate a recreational marijuana facility at the same location. The Planning Commission meeting was held on July 17th, 2017. Questions arose and the meeting was recessed until July 31st, 2017. On July 31st, the application to operate a recreational marijuana facility was denied. Randy Simpson is here tonight because he and Ms. Ashford appealed the Planning Commission decision. Mrs. Coleman advised Council that per the City Attorney, this meeting is an open hearing, to be considered a new hearing.

APPLICANT'S PRESENTATION: Randy Simpson addressed Council stating that he hoped they had read the packet prepared for them by City Staff. After winning the local marijuana vote, he thought he was done pleading his case to the City, which has not been the case. Upon request, Mr. McDowell has provided the audio recordings from the Planning Commission meeting and Simpson quoted several members of the Planning Commission from the Commission's last meeting. City Staff has made it clear that we have met all the requirements needed by the City, and that is the bottom line on how the vote should go. He feels that they have proved that they are not making a gaudy presentation at their location. They plan to continue in this manner. Their operation has had to turn away many local people because they didn't have a medical card. He feels the Council should override the Planning Commission decision.

PROPOSERS TESTIMONY:



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Gian Mercurio was present in support of allowing the recreational marijuana facility to open. She presented a letter that she would like entered into the public record. She said that basically what is important is that a vote was taken and the issue passed by the voters. She stated that it is the sworn duty of the City Council to enact the will of the people.

Dennis Sinnott stated that he is not in association with Green Cross dispensary. Residents of Brownsville voted for marijuana. He stated Linn County is a sanctuary county, and therefore Brownsville is a sanctuary city. Sinnott feels the federal argument is not valid here. He currently has to travel to other cities to buy the product, and those cities are receiving the tax dollars that are generated, not Brownsville. He stated it is socially acceptable to smoke pot and it is time to follow the people's vote.

Debbie Jensen is an employee of the dispensary. She said they answer to state and government regulations. Other cities are using this tax revenue to improve streets, promote drug awareness programs, etc. Medical marijuana shops are not surviving because of the cost. Jensen said that it is still illegal federally, but believes it will be legal soon. She thinks this facility will help Brownsville and that the vote did pass it here.

OPPONENTS TESTIMONY:

Kaye Fox read parts of an email received from Alice Tetamore quoting that Colorado Department of Education will spend \$9.2 million the year on extra nurses, counselors, and social workers to combat marijuana use among students. Schools are bracing for the potential of more users. She said that Randy and Gayle's past behavior has been disrespectful to the City and Staff, and this speaks to the fact that they are not here for the community. Fox believes that the medical facility is sufficient. All surrounding towns have recreational suppliers and it is not that far to go.

Bryan Bradburn would rather not see a recreational facility in Brownsville. He feels that you can go anywhere and get it and is not really needed here. A deeper concern he has is the neighbors that are growing marijuana next door causing odor problems. It is an ongoing issue, and has only gotten bigger and uglier, it is not going away.

Pastor Kelly Williams is against a recreational marijuana shop. She said it is not in the best interest of the community, and more especially our youth. Her church (Brownsville Assembly of God) is located within a few blocks of the dispensary, and she feels it is not needed here. Safety is a main concern; just today a 20 year old lady smoked pot and then ran over a 10 year girl with her car in Linn County. It is not a good fit for our community.

Joel Stith is the pastor of the Brownsville Christian Church. He is concerned about preserving the quality of life in this community. He and his church are often tasked with putting lives back together after drug abuse. He said that folks come here because of our quality of life, and there are not enough homes to go around. The marijuana vote was not overwhelming; it passed by 3 votes. You are serving a divided community, but certain core values need to be upheld. It costs between \$800 - \$3,000 for every person that abuses this drug.

Roger Tetamore spoke in opposition of recreational marijuana. He is very involved with teenagers and works with them in 5 different states. He has seen marijuana contribute to a lackadaisical attitude and lack of motivation. He is for righteousness and self-control, medicines and doctors, but not through this means.

Dan Hartsook spoke about his church that is located less than one city block from the dispensary. He said that they have kids on their campus on an almost daily basis. Between



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Sunday school, church, missionettes and royal rangers programs, in effect the church is a school. He is concerned about unsavory characters in the area. Hartsook said that when he was young he experimented with the drug. It was not nearly as potent then, and the situation he found himself in was very scary. He suggests that we as adults, have a civic and moral responsibility to protect our children. He asks that Council exercise that responsibility.

Dave Erickson stated that what struck him tonight is that the applicant and the proponents seem to try to be discouraging all folks who don't have a legal point to not talk. He believes a recreational facility is the wrong decision for Brownsville, he speaks from his personal experience, not just his opinion. Erickson encouraged everyone to speak up for what you want for your town. He encouraged Council to vote no on this matter.

Merritt Schilling stated that he has been a business man in Linn County for several decades. He showed some exhibits of marijuana products that could be accessible to children and asked Council to pass them around. These items are packaged in attractive packaging and could easily be mistaken for candy. As a large employer, he is required to have drug free employees. It is becoming increasingly difficult to find employees that are drug free. OSHA is taking a strong stand on the issue. Do you really want intoxicated people doing repairs and driving on our roads? He believes the negative impacts that marijuana has on our community and society greatly outweighs any potential benefits. He said the goal of the facility will be to acquire more new customers, and a lot of these will be children. It is very disturbing to him.

GENERAL TESTIMONY:

Gayle Ashford, co-owner of Green Cross, spoke next stating that everyone who just touched the marijuana items have just broken the law. She stated that Green Cross does not sell to children, and they do not give products to children. They sell to responsible adults. The buyers treat the product as medicine because of the cost.

Cathy MacIntyre stated that she is a follower of Christ, and a proud marijuana smoker. She said that this decision is about the vote of the people, not morality.

JoAnne Neddeau stated that she is concerned about the safety of the children, and she has a problem with marijuana use. She said that Gayle Ashford cannot possibly keep each child safe. The proposed revenue from tax dollars can be found somewhere else.

Della Klinkebiel stated that she has worked in the medical field. Marijuana should be treated just like other prescription drugs. Recreational marijuana use is a problem in her opinion. She said that it is used as a treatment for epilepsy because it changes something in your brain. This is not a moral judgment, it's a fact. Klinkebiel said that drinking too much alcohol is a problem as well.

QUESTIONS OR CLARIFICATIONS FROM COUNCIL: None at this time.

APPLICANT'S SUMMARY AND REBUTTAL:

Randy Simpson said that he is hearing a lot of opposition to the dispensary based on people's knowledge of marijuana. Folks speaking against seem to be basing their testimony on how marijuana affects people. That is immaterial to the issue tonight. The bottom line is that he has met all the requirements for the dispensary. He has not heard anything negative about his facility. Council wanted to be very careful about dispensaries



Council Minutes

since so much was unknown. The cities all around us have recreational facilities and they do not have any problems. He is encouraging Council to do what the State of Oregon says they should do, and the voters have voted on it.

STAFF SUMMARY:

Councilor Gerber asked that Staff clarify the basis for the CUP denial by the Planning Commission. Basically, they have approved medical marijuana, but not recreational. McDowell quoted the Comprehensive Plan and the Brownsville Municipal Code. One condition is whether or not the proposed development will adversely affect the surrounding area. The Planning Committee was tasked with weighing the appropriateness of this application, and this is where they hung their decision. They believed that adverse outcomes outweigh the public good.

PUBLIC HEARING:

At this point the public hearing was closed. Council took a recess for 5 minutes, and reconvened at 8:00 p.m.

CITY COUNCIL DELIBERATION & DECISION:

Councilor Gerber asked if Council should be looking at this entire issue fresh, or are they looking for an error that the Planning Committee may have made? Mrs. Coleman stated that per the attorney's instructions this issue simply requires an open hearing. Mr. McDowell has provided Council with all testimony from the previous meetings for Council convenience. Council may present any research that they have done as well. Councilor Gerber commented that we may still be looking at the adverse conditions and how they apply and with the additional information provided tonight.

Councilor Block indicated that he drives over four hundred miles a week in this community as a bus driver for the local schools. Councilor Block does not think that encouraging more intoxication and distracted drivers is in the best interest of the public. Block feels that the adverse impacts outweigh the benefit to the community.

Mayor Don Ware commented that he has talked to a lot of people over the last few months. He concluded that clearly for over the last 30 years marijuana has been available here in this community. He believes Randy Simpson has met the requirements. He will vote for allowing them to open a recreational facility. He believes this can be revoked later if standards are not met.

Councilor Cole stated that this is a very emotional issue for her. Council needs to follow due process. She is putting her personal opinions aside, but cannot overlook the vote. She also can't ignore that Oregon has legalized retail operations. Staff has verified that the application was done properly and Green Cross is eligible for a business registration. She agrees with Mayor Don Ware that this application should be approved. Cole doesn't believe that Council can control what happens in homes, and that we should not try to control access in homes to marijuana products. Her vote is contrary to her emotions.

Councilor Shepherd stated that he has driven commercially for years. To qualify for this employment, he had to pass random drug testing. He has seen a lot of bad results from



Council Minutes

drug intake. He believes the adverse conditions piece of the Brownsville Municipal Code applies to this situation. His vote will be a no.

Councilor Gerber stated that she came here tonight not knowing how she would vote. Councilor Cole has summarized her thoughts well. Evidence shows that use of marijuana before a certain age can easily induce psychosis. However, she doesn't feel that access will change very much with the approval of the recreational facility. She did state that she is disappointed that for over 2 years now the applicant has been stating that they would not go recreational, they only wanted to do medical to help people, and now it feels like this has been their plan all along. The marijuana vote was extremely close. She will be reluctantly supporting the recreational facility. Gerber also stated that we should be looking at the growing of plants out in the open.

Councilor Neddeau stated that the City has not made a dime on the marijuana this far, as it has been all medical sales. He reiterated that the applicant has repeatedly stated that they were only interested in doing medical sales, they were not interested in the recreational side. He was glad to see all the people here tonight, a lot of new faces, but frankly, they were a couple of years behinds the issue. It is an unfortunate situation; he will be voting no.

Councilor Chambers spoke next on the issue. She said that she lots of friends that smoke it and grow their own plants. It has helped a lot of people. She has given rides to friends when needed to recreational facilities. She does not like how the products are packaged, in seemingly child friendly packaging. You can also get it in water, which she thinks is terrible. Chambers stated that if folks want to grow it, they can. Federal or state law can be applied here. She doesn't care if people use it, but doesn't like it recreationally. She will be voting no.

Councilor Cole made a motion to approve the application for medical and recreational marijuana at the facility at 221 W Bishop Way, overturning the Planning Commission decision, with conditions, one condition being the ability to revoke this approval in one year if adverse conditions exist. Councilor Gerber seconded the motion. A vote was called for with the following results. Ayes included Mayor Don Ware, Councilors Gerber and Cole. Nays included Councilor Block, Shepherd, Chambers and Neddeau. The motion failed.

The applicant can appeal to LUBA (Land Use Board of Appeals) if they choose to do so. LUBA will take a look at the code, state law, and make a determination from there.

ADJOURNMENT: *Councilor Cole moved to adjourn the Council meeting at 8:19 p.m. Councilor Chambers seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

September 26th, 2017

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

One liner of the month

😊 We never really grow up, we only learn how to act in public. 😊

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.

"You are your possibilities. If you know that, you can do anything."
 ~ Oprah Winfrey

"If you don't know where you're going, you might not get there."
 ~ Yogi Berra

"Ideologies separate us. Dreams and anguish bring us together."
 ~ Eugene Ionesco, Playwright



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

6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. Central Linn Recreation Association** – President Blaine Cheney will be on-hand to report about the exciting new website implemented by the Association. He will also provide a brief update of activities at the Rec Center.
- B. Marijuana Odors** – Mr. Bryan Bradburn has provided an ordinance from Eagle Point that he would like Council to consider. Mr. Bradburn is still dealing with unwanted marijuana odors. The issue has intensified with neighbors making physical threats. Neighbors have gone so far as to place an industrial fan facing Mr. Bradburn's property to blow the smell his way. Neighbors accused Mr. Bradburn of spraying herbicide to kill their plants during the massive heat wave. Weather was the most apparent "killer" of the plants. Linn County Sheriff's Office Deputy Sheets investigated the scene and found no evidence of poisoning.

If Council would look past the personal attacks that happened at last Council meeting, then perhaps Council can address Mr. Bradburn's request.

9) LEGISLATIVE:

- A. Resolution 2017.14: Machinery Fees** – Every year Staff reviews personnel & machinery costs to ensure the costs are in keeping with the market. Council has not passed an update for a few years. Staff is recommending increasing the personnel costs to keep up with the City's costs. The resolution allows the City to "charge back" problems or accidents that may be caused by the work



City Administrator Report

of a developer, property owner or other public utility. For example, if the City suffers a damaged water line caused by another entity, the City has a basis to charge the repair back to the responsible party.

What is Council being asked to do?

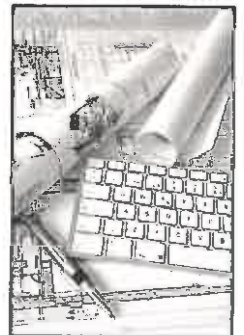
Pass this resolution to officially adopt the new rates for personnel and machinery.

- B. Resolution 2017.15: Cut & Fill Requirement: Public Works Standards** – The balance cut & fill technique is a technique commonly used in floodplain management to “balance” development impacts in flood sensitive areas. The City has been using this technique as a requirement for developers and property owners for many, many years. Recently, the City was challenged on the use of this technique by a developer. The City maintained the City’s historical use of this practice and it’s common use in other municipalities to require the developer to ensure that their work did not adversely impact the surrounding areas. The developer complied with the requirement.

What is Council being asked to do?

Staff is asking Council to pass this resolution to officially adopt the balance cut & fill requirement to the Public Works Standards. Council will be bolstering the City’s position to ensure floodplain management is done correctly with current practices and standards allowed by State and Federal laws.

- C. Resolution 2017.16: Planning Fees** – Staff reviews planning fees annually. It has been a few years since Council has considered an update. Staff is suggesting several changes to this resolution that more adequately describes fees and charges associated with City planning requirements. The resolution also adds a few new concepts that may be developed in the future. Honorable mention includes the creation of a demolition permit and the Planning Commission is considering allowing certain uses on a second lot.



What is Council being asked to do?

Staff is asking Council to pass this resolution to officially adopt this resolution.

- D. Resolution 2017.17: Park Fees** – The Parks & Open Space Advisory Board listened to several recommendations made by Staff at their meeting held on September 13th, 2017. Annually, Staff and the Board review fees and rules. This resolution will adopt the official rules and fees associated with Pioneer Park. The Board made a motion to approve these changes that include requiring camping fees at the time of a pavilion rental among a few other language modifications. The Board also recommended Council consider allowing general camping only on Friday, Saturday and Sunday. The Board also recommending extending those times on holidays such as Memorial Day, the Fourth of July and Labor Day.

What is Council being asked to do?

Pass the resolution as recommended by the Parks & Open Space Advisory Board. If Council should choose to act on the second recommendation of the Board, Staff will need to modify ordinance language for future consideration.

- E. Ordinance 769: Architectural Front** – The Planning Commission heard a Staff request for an ordinance that defines the placement of a front door for residential structures. I think the ordinance speaks for itself. The primary reason for the ordinance is public safety. Fire and other life safety responses require finding a residence quickly and efficiently. When doors are not facing



City Administrator Report

public streets their ability to respond can be impeded. A secondary reason is for orderly development.

What is Council being asked to do?

Give the ordinance a first reading.



- F. **Arbor Day Proclamation** – Annually, Mayor Ware passes a proclamation for Arbor Day and sets the day for the City’s observation. The proclamation is also

10) ACTION ITEMS:

- A. **Simpson Conditional Use Application** – Council must officially deny or approve the conditional use application. The motion at the last meeting was not sufficient. Council only failed a motion.

If Council votes to deny the application, then Council must adopt findings of fact by official motion. The Findings of Fact have been included in the agenda packet for your review.

If Council votes to approve the application, then Council should consider the conditions of approval by official motion. The Conditions of Approval have been included in the agenda packet for your review.

According to City Attorney Ross Williamson the City has 120 total days to make a final decision. September 26th is the 119th day.

What is Council being asked to do?

Make an official motion on the Simpson condition use application. Based on the outcome of that vote, pass either the Findings of Fact which is required for a denial or the Conditions of Approval for an approval of the Conditional Use Application.

- B. **Calapooia Food Alliance: Red Barn Agreement** – Time has come to review the agreement signed three years ago with the Alliance for the use of the Red Barn on Park Avenue. The Alliance uses a bay of the building to store their wares for the Farmer’s Market. Calapooia Food Alliance President Don Lyon reports that they are interested in continuing the agreement for the use of the space.

What is Council being asked to do?

Review the agreement, determine if there are any changes and consider authorizing signatures.

- C. **Calapooia Food Alliance: Kirk’s Ferry Agreement** – Many years ago, the City and the Alliance made an agreement for the potential use of Kirk’s Ferry Park. I am recommending Council make a motion discontinuing that agreement. If the Alliance should want to negotiate the use of the Park with Council, a new process should start. President Don Lyon did not address this agreement in my communications with him.

What is Council being asked to do?

Pass a motion to clear the agreement.



- D. **Wickett Landscaping Maintenance Agreement** – Three years ago Council allowed the property owner to work in the right-of-way at their request. Council is being asked to review the agreement as required by the conditions of the agreement. So far, the property owner has never worked in the right-of-way in front of their home.



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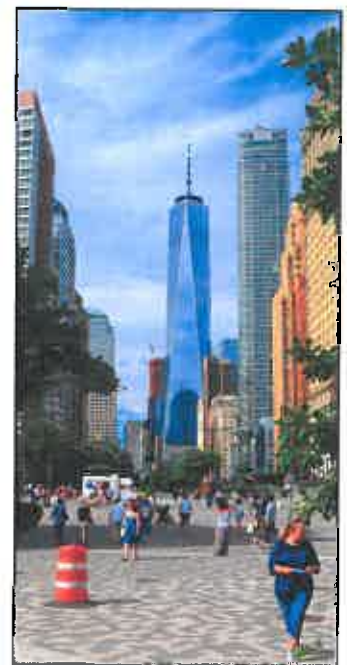
11) DISCUSSION ITEMS:

A. Annual Master Checklist – I have included the annual master checklist for Council review. This document is used by Staff during the course of the year to keep track of City budget priorities along with showing the duties and responsibilities of Staff. The document is part of the annual City Prospectus document for the Budget Committee and Council. It serves as a reminder of what the priorities of the City are for the fiscal year. All projects are not intended to be completed, though many will be. Council and Staff can use this document to see what priorities were accomplished and what was added to the list by outside circumstances.

B. July & August Financials

NEW INFORMATION – Notable situations that have developed after the last Council meeting
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- ▶ *Met with Administrative Assistant Elizabeth Coleman, Councilor Chambers and Councilor Cole to work on Noise and Animal ordinance ideas.*
- ▶ *Played at the Antique Faire with the Down Hill Gang.*
- ▶ *Hosted the EPC Event along with the City’s Community Partners.*
- ▶ *Met with Allan Meyer, Pacific Power, to discuss upgrades.*
- ▶ *Handled several camping and logistical concerns.*
- ▶ *Don and Carol Neddeau started as Park Caretakers.*
- ▶ *Attended the Planning Commission hearing for the Simpson Conditional Use.*
- ▶ *The Bi-Mart WCMF was approved by the Linn County Commissioners.*
- ▶ *Brownsville survived the Eclipse, the Music Festival, extreme heat and smoke.*
- ▶ *Attended two Council of Governments meetings that led to interesting developments.*
- ▶ *Attended a regional economic development discussion at LBCC.*
- ▶ *Met with Brownsville Art Association leadership to discuss the contract and other items.*
- ▶ *Worked with Jane MacQueen on the details of the new clock.*
- ▶ *Discussed computing options with AJ Nair.*
- ▶ *Talked with several folks about fiber optic infrastructure for Brownsville.*
- ▶ *Set in Dollar General, Glorietta Bay LLC, and Stephan Smith’s PUD conversations.*
- ▶ *Finished gathering items for the upcoming audit.*



One World Trade Center

HAPPENINGS

Development Properties – Staff has been busy working collectively on several current developments happening around town. Staff is working closely with City Engineer Jon Erwin, City Planning Consultant Dave Kinney and Linn County. Projects are in various states of approval and review. It has certainly taken a lot of time and effort.



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Active: Utility & General Ledger Software ☒ – The arrangement with the Cascade West Council of Governments is canceled. The City will be canceling the contract with Accela. I will provide an oral report for Council Tuesday evening.

From 05.23.2017: Administrative Assistant Tammi Morrow and Administrative Assistant Jannea Deaver are busy working on conversion logistics and details. The contract for services has been executed. The contract will save the City approximately \$26,000.

Newsletter Pending – Staff will be putting the finishing touches on the Fall City Newsletter for mailing on September 29th, 2017.

Volunteer Party – The City's third annual volunteer/staff appreciation party was well attended. Thank you for coming and for your service to Brownsville. I would also like to thank the hours Staff put in on the party. Thank you Councilor Neddeau for cooking. The party, like everything else we do at City Hall, would not be possible without the help of many hands.

Broadband Discussion – I will soon be attending a discussion at the Cascades West Council of Government about fiber optic systems. I also have an appointment with Mr. Kevin Sullivan, Owner of Alyrica, to discuss opportunities for the City.

Eugene Kennel Club – Long-time liaison Debbie Berry reported that this was the final year for the event. The Club will be dissolving. The Club wishes to extend their profound thanks for opening up the Park and our community to their Club. Mrs. Berry is arranging a donation for the Park.



Jane MacQueen & Bernard Gross

OST Transition – The City continues to monitor changes The Oregon State Treasury has recently made to their computer system and service delivery structure. Staff has provided all of the necessary information and continues to learn about properly interacting with the new system.

Weeds & Nuisance Abatement Program ☒ – Fire conditions have altered the way the City has delivered the weed abatement program this season. The City did have all of the identified lots mowed once. Staff has worked with a few severe nuisance situations, but is in need of policy corrections currently being reviewed by Council.

Go Team Next Steps ☒ – I attended a regional economic development discussion at LBCC with Go Team members Joann McQueary and John Morrison. Corvallis, Albany, Linn County, Oregon State University, Linn-Benton Community College, the Cascades West Council of Governments and the State of Oregon were all represented at the meeting. The Go Team recently met to talk about outcomes of this larger, regional approach. I will provide an oral report for Council Tuesday evening.

From 05.23.2017: The Team met at City Hall to talk about recent regional developments through the Cascade West Council of Governments. The Team is currently exploring those options. Sweet Home Council is looking at possibly hiring someone for economic development purposes.



City Administrator Report

From 03.28.2017: The group has convened two conference calls to discuss next steps. McDowell has been working with a few regional groups who are changing the way they are providing services to perhaps incorporate some of the approaches desired in the Go Team report and model. Planning will continue as McDowell and the Go Team work with the Cascade West Council of Governments and other major cities in our region.

Active: Economic Development – **From 12.20.2016:** Mayor Ware and I briefly outlined the highlights of the RLED presentation at the last meeting. I will have an oral update for Council which basically is the plan of the group moving forward.

From 10.25.2016: The summit/forum discussion is schedule for November 17th, 2016 at the Boulder Falls Conference Center in Lebanon, Oregon. The evening will begin at 5:30 p.m. and is planned to last until around 8:30 p.m. I still need to meet with the City of Scio and the City of Halsey on behalf of this effort. Mayor Ware and one of the other Councilors should attend on behalf of Brownsville as I will be a presenter.

Completed: Central Linn School Board Meeting ☒ – Received the revised deed from First American Title. Central Linn School District Superintendent Brian Gardner executed the documents and they are recorded at the Linn County Courthouse. The City is waiting for the hard copy for our files.



From 06.25.2017: Councilor Shepherd, Administrative Assistant Elizabeth Coleman, Administrative Assistant Tammi Morrow and I attended the June 12th, 2017 School Board meeting to ask for the Central Linn Recreation Center Deed reversion language to be removed from the deed... The Board agreed that the City should own the building outright. Chairman Mark Penrod exclaimed, “The City has done a wonderful job running the building for the last thirty-six years.” I have hired First American Title, Sue Creel, to complete the necessary legal steps to change the deed.

STATUS UPDATES – Projects, proposals and actions taken by Council

Annual Audit – The annual audit is set for the week of October 23rd, 2017.

Regional Policy Collaboration Effort – **From 07.25.2017:** Mayor Ware and the Cascade West Council of Governments are looking to convene multiple agencies with key legislators to look at ways to advocate and implement needed legislative changes for local governments and hope to improve communications, general understanding and complex nuances with legislators.

Hold: Disinterment Policy – **From 07.25.2017:** A citizen is asking to exhume a relative from the Brownsville Cemetery. Administrative Assistant Jannea Deaver has contact the State Mortuary Board to understand the process of disinterment. The process includes many administrative steps. The City does not have any policies for the cemetery. The City has never had this kind of request. Staff is concerned about the potential damage that a disinterment could cause.

City Attorney Rebekah Dohrman is currently researching options and proper process. Elements for a policy should include a security deposit, require a licensed funeral director to provide inspection to ensure rules are met at the expense of the applicant, use of a certified company capable of handling an exhumation, limiting the disturbance of other graves and ensuring the site is restored properly. The City could consider certain months of the year for disinterment to limit damages. The City could specify only



City Administrator Report

certain burial procedures such as a concrete enclosure as being eligible for disinterment. The City could designate authority to the City Administrator as the final authority on determining if a disinterment will be allowed.

Active: Canal Company Conversations – **From 07.25.2017:** The Canal Company has decided to continue insuring the canal as reported at the last meeting. Councilors Cole, Chambers and Neddeau will be taking an in-depth look at the Canal Company and the impacts on the City.

From 05.23.2017: The next meeting is set for May 30th at 6:00 in Council Chambers. The leadership of the Canal Company continue to explore their legal options.

Active: Emergency Preparedness Committee (EPC) Meeting Update – The Committee sent out letters to community partners and citizens with skills that could prove useful in an emergency. The Committee officially launched their webpage at www.ci.brownsville.or.us/epclive.html. President Norman Simms has been busy recruiting other citizens to help in the efforts of the Committee. Mr. Simms will be at the Council meeting in December to report on what has been accomplished in 2017.

From 07.25.2017: Staff continues to put the finishing touches on our gathering to be held Saturday, August 5th from 6:00 p.m. to 7:00 p.m.

From 05.23.2017: The group is planning a community gathering for August 5th after Antique Faire.

Active: Future Capital Improvements Planning ☒ – Council will consider moving forward with official inspections as part of a personal services contract to review Pioneer Park and the Central Linn Recreation Center. The report will review all of the current conditions of all structures and provide estimates for repairs or maintenance that will ensure the future use of these structures.

From 07.25.2017: In September, Council will review a series of improvements to capital infrastructure in Pioneer Park and to the Central Linn Rec Center.

From 06.27.2017: Staff will go forth and review all of the structures in Pioneer Park for structural integrity. The Rec Center will also be thoroughly reviewed to determine future costs associated with making the structure viable for the next thirty years.

From 01.24.17: Public Works Superintendent Karl Frink and I shared the presentation we gave to Council in October with the Parks & Open Space Advisory Board. The Parks & Open Space Advisory Board and Staff are currently updating the Park Master Plan.

Active: Recreational Vehicles – **From 03.28.2017:** Councilor Block and Councilor Chambers will be meeting with Administrative Assistant Tammi Morrow and I to review the ordinance and consider improvements to allow the City proper enforcement and compliance. Council can expect to see language at the May or June Council meeting.

From 02.28.2017: Language in the new emergency ordinance could help with some of the shortcomings of the existing ordinance.

From 12.20.2016: Council may need to address this with additional policy. There are several throughout town that we are aware of and working on. I will discuss the concerns Staff has with the program as it currently exists and what realistic expectations are when dealing with owners.

From 09.27.2016: Council decided to not move forward with enforcing the right-of-way boundaries until a newsletter article went to the general public. Staff moved forward with the posting of three properties all of which have appealed the City Administrator's decision.



City Administrator Report

ITEMS PENDING – Tabled or On Hold

Stalled: Visit Linn Coalition (VLC) Update – *From 04.25.2017:* Many of the same members are working on one or more of the same projects: the Go Team effort, the joint cities contract and the regional software project. Not to mention putting together budgets and learning their duties as is the case with new administrators in partner cities.

From 07.26.2016: The City recently contributed \$500 to assist in continuing the VLC mission.

Pending: Emergency Contractor Resolution Concept – *From 06.23.15:* Attempting to organize an effort has proven to be too difficult. The City needs a larger community buy-in to really tackle the public education piece.

From 11.25.2014: Staff is planning to host a meeting to discuss this and other concepts with a group of individuals who are interested in helping the City work in this effort. Staff is dealing with false comments that came out regarding the Brownsville Rural Fire District. The City seeks only to work with community stakeholders and partners on these issues in the future. Cooperation is the hallmark of this effort.

Pending: Water Rights – *From 07.26.2016:* Now the City will wait to see what this concurrence really means:

Municipal Water Supply Receives House Concurrence

On Wednesday, the House concurred with Senate amendments to [HB 2099-B](#), and the bill now moves to the governor's office for signature. HB 2099 was introduced at the request of the League and the Special Districts Association of Oregon as a legislative fix to a 2013 Oregon Court of Appeals decision in which fish persistence conditions, adopted in statute in 2005, were applied retroactively to municipal water permits that were issued prior to 1998. Without a legislative fix, the impact of the court's decision would be a retroactive reduction of existing water supply for approximately 10-15 communities.

Despite efforts to negotiate a bill that would protect existing drinking water supplies for all impacted communities, HB 2099 establishes June 29, 2005, as the date for which fish persistence

would apply moving forward. This means if a community developed water after June 29, 2005, that quantity of water developed would be subject to conditions which would reduce that amount during certain times of the year. The amount of reduction would be determined by the Oregon Department of Fish & Wildlife. Because these communities have demonstrated that they currently rely on this water to support their existing population, it is unclear how each community will address the reduction in water supply. For communities that developed water prior to 2005, the bill protects that portion of water supply up until June 29 of that year.

Contact: Tracy Rutten, Intergovernmental Relations Associate – trutten@orcities.org

From 09.27.2016: The City is working with the Oregon Water Resources Department (OWRD) to prove use of the City's primary water right. An interest group known as WaterWatch of Oregon has brought lawsuits against the State of Oregon and municipalities to ensure that water is available for fish persistence. In 2013, one of those cases involving the City of Cottage Grove was appealed. The Supreme Court found in favor of WaterWatch of Oregon which could have major implications for the City's water rights. Staff is currently trying to prove the water being used for municipal purposes including future



City Administrator Report

growth. It is unclear what the changes could mean, but the one outcome that seems most likely is that the water right may be limited to the water usage of 1999.

Active: 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). Council may recall the County has hired a consulting firm to review possible capital improvements projects that fall within County responsibility. The County has also included State projects. The County is trying to ready themselves for current and future funding possibilities. One mention was the intersection of OR 20 and OR 226 which is the site of many fatal accidents.

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.



Linn County Courthouse

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.

Completed: Linn County Sheriff's Office – **From 05.23.2017:** Mayor Ware and I recently put the finishing touches on the contract.

From 03.28.2017: Mayor Ware and I attended the third meeting with the LCSO and the contract cities in Millersburg on March 10th. The representatives of the cities felt the LCSO had heard the concerns of the group. The concerns with the LCSO agreement were the same for all contract cities. Patrol, code enforcement, event coverage, drug enforcement and annual increases to the contract are highlights from those discussions. Sheriff Riley shared the struggles his office has with personnel, operations and provided 24/7, 365 coverage. The union contract drives price per hour along with a major shift in PERS costs this year, medical costs and associated training. Riley pointed out the many benefits of having a jail that is not at capacity and proper equipment to provide productive law enforcement. ...

PAST MEETINGS – Memory Information

Pending: Telecommunications Franchise – **From 02.28.2017:** I have contacted City Attorney Ross Williamson to begin planning for the renegotiation of this important franchise. The current agreement is set to expire in September 2017.



Pending: Park Board & Public Works – **From 09.27.2016:** Public Works Superintendent Karl Frink and crew will be removing the road west of the playground structure this Fall. Council and the Park Board passed a retreatment strategy to deal with the ever encroaching Calapooia River. Staff plans on creating a cul-de-sac by the dumpster north of the playground to accommodate traffic per the plan.



City Administrator Report

Coleman & Kinney – FEMA Implications –Pending.

From 09.27.2016: Here is the quick paragraph that will appear in the newsletter: Flood regulations are soon to be changing. The National Marine Fisheries Service (NMFS) found that the Federal Emergency Management Agency (FEMA) have been carrying out practices and policies have proven to be detrimental to endangered species. FEMA is scrambling to correct these findings. Flood premiums will be on the rise as will the regulations required to do construction anywhere in the floodplain. The National Flood Insurance Program (NFIP) is making changes to more adequately cover the losses incurred when flooding occurs around the United States which is why premiums are set to increase 25% over the next five to seven years.

Moody Court & Unenumerated Nuisance – The cat numbers remain low. The current property owner has the house for sale.

From 11.25.2014: The City has paid out \$2,875 to have cats removed from the neighborhood...

WNHS Update – 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.

➤ **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 "S. Scott McDowell".

S. Scott McDowell



PLANNING AT A GLANCE

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

- | | |
|---|----------------------|
| • Mechanical (Gas Furnace & AC) | 1004 Pine Street |
| • Plumbing (Underground Site Work – Glorietta Bay) | 315 Depot Avenue |
| • Mechanical (Replace 30BTU HP) | 221 Galbraith Street |
| • Building Permit (Manufactured Home) | 609 Washburn Street |
| • Building Permit (Duplex w/Attached Garages) | 1170 Linn Way |
| • Accessory Structure | 220 E Blakeley |
| • Fence | 930 Kirk Avenue |
| • Fence | 304E Blakeley Avenue |
| • Accessory Structure (Garage w/upstairs living no kitchen) | 536 Henshaw |
| • Fence | 668 Calapooia Avenue |

Land Use Applications

- | | |
|--------------------------------------|----------------|
| • Conditional Use Permit Application | 620 Oak Street |
|--------------------------------------|----------------|

Updates

A Conditional Use Permit application for a Home Occupation (Airbnb & Ayurvedic Medicine practice) has been submitted. The Planning Commission has been notified that an October 16th date is requested. Staff, City Engineer & City Planning Consultant met with Progressive Design Builders and engineering firm Scott Morris on September 12th to discuss the proposed planned unit development on the west Depot Avenue property (approximate 27 acres). The Planning Commission hearing is set for Monday September 25th. The mini-storage facility is working on preparing the site and is still in negotiations with the adjacent neighbor (900 Depot Avenue) on a stormwater easement. Cross Development is moving forward with process to locate a Dollar General in the Volume Commercial Zone. Currently, the developer has met the requirements of the Public Works Superintendent, City Engineer, & Floodplain Consultant. Cross is working with the Linn County Road Department to obtain access off Main Street.

"Let's be part of the solution, not part of the problem."

Elizabeth E. Colman



LINN COUNTY SHERIFF'S OFFICE

Bruce W. Riley, Sheriff

1115 S.E. Jackson Street

Albany, OR 97322

Phone: 541-967-3950

www.linnsheriff.org

2017

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

FOR THE MONTH OF:

August

TRAFFIC CITATIONS: -----	13
TRAFFIC WARNINGS: -----	17
TRAFFIC CRASHES: -----	1
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	5
JUVENILES CITED / VIOLATIONS: -----	1
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	86
TRAFFIC HOURS -----	15

TOTAL HOURS SPENT IN: BROWNSVILLE 200

CONTRACT HOURS= 200 HOURS

**Bruce W. Riley,
Sheriff, Linn County**

By: Sergeant Greg Klein

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR AUGUST**

2017

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	25	3	2	26	2
Violations	30	5	3	32	
Contempt/Other	29	5	3	31	
TOTALS	84	13	8	89	2

BALANCE SHEET FOR THE MONTH

Court Revenue

Total Deposits +	\$ 3,134.00
Total Bail Forfeits +	
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ (51.00)
Total NSF's -	\$ -

Court Payments

City	\$ 2,737.50
Restitution	\$ -
Oregon Dept Revenue	\$ 260.40
Linn County	\$ 85.10
State Misc.	\$ -
DUII Surcharge	\$ -

TOTAL COURT REVENUE	\$ 3,083.00	TOTAL COURT PAYMENTS	\$ 3,083.00
----------------------------	--------------------	-----------------------------	--------------------

Credit given for Community Service	\$ -
------------------------------------	------

Other Credit Allowed Against Fines	\$ -
------------------------------------	------

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

TOTAL CASH PAYMENTS TO:

CITY	\$ 2,737.50
STATE	\$ 260.40
COUNTY	\$ 85.10
*REFUND/RESTITUTION	\$ -
TOTAL:	\$ 3,083.00



Library Advisory Board

Librarian's Report

August 2017

The Summer Reading Program had 56 children and 35 teens registered this year! This is a record! I will be ordering 100 bags for the program next year. 58 reading logs and the young adults turned in logs that they read 7,488 pages (I don't think all the logs were turned in). We had four programs in July with 165 participants. I have submitted the Ready to Read Grant for the Summer 2018: Libraries Rock! Summer Reading Program. Coordinators and Staff are already thinking about the great programing we can have.

The library participated in the Emergency Preparedness BBQ that the City hosted. We brought a variety of books for display and conversation starters. Library Advisory Board member Mrs. Gwen Landon and Friends of the Library President Mrs. Kathy Rogers were on hand to help answer questions about the Library services and their experiences with the Library through the years.

I have completed the statistical report for the 2016/2017 reporting year. The City spent \$85,869 including \$18,690 for our wonderful new roof. We have 19,203 books and 610 audio books. The Friends of the Library have purchased 23 magazine subscriptions and 1 e subscription (Ancestry) for us this past year. 2 are magazines for children (Zoo Books and National Geographic Kids). We had 11,480 people visit/use our library asked 1,250 reference questions. Circulations totals were as follows: Adult Fiction: 4,972; ANF: 1,908; LP: 767; JR 3,669; JRREF 389; CH 3,327; CHNF 477; AUDIO 1,165. Our Library hosted 107 children's program (SRP, Parents and Pals Story Time, Friday Story Time, Learning Tree Story Time) with 1,884 participants; 5 young adult programs (SRP) with 51 participants; 65 adult programs (Book Club and Stitchery Group) with 362 participants. We had 47 volunteers with 2,057 hours * \$24.14= \$49,655* savings to City! (*According to Independent Sector Releases New Value of Volunteer Time of \$24.14 Per Hour. (WASHINGTON, April 20, 2017))

We handed out 400 solar viewers and I really enjoyed the total Solar Eclipse fun in the Library Park.

Here are a few facts about our library the month of August 2017. We have received 30 new books for the library. Volunteers donated 192.5 hours to our library. There were 1,626 materials checked out. 416 adult fiction books; 168 adult non-fiction books; 193 audio books; 414 children's books; 311 junior books; 65 junior reference books and 59 large print books.

Respectfully submitted,

Sherri Lemhouse
Librarian



RESOLUTION NO. 2017.14

A RESOLUTION SETTING THE COSTS FOR MACHINERY, MATERIALS AND RESOURCES FOR WORK PERFORMED BY CITY PERSONNEL

WHEREAS, City resources are utilized on various occasions to complete tasks which should have been completed by a contractor, subcontractor, resident, property owner or other entity; and

WHEREAS, the following rate schedule for machinery, materials and human resources shall be utilized when invoices are sent to any contractor, subcontractor, resident, property owner or other entity for these tasks; and

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

SECTION I. That the following costs for machinery, materials and resources for work performed by City personnel be and are hereby set:

Human Resources Per Hour

Regular Pay = \$44.19/individual Overtime Pay = \$66.29/individual

Machinery Rates Per Hour

Backhoe	\$90.00	Dump Truck	\$75.00
Pickup Truck	\$50.00	Grader	\$70.00
Sweeper	\$75.00	6" Trash Pump	\$50.00
Air Compressor & Hammer	\$65.00	Lawn Mower	\$35.00
Weed Trimmer	\$15.00	Boring Machine	\$500 Flat Rate + \$7.00/linear foot

Materials

Appurtenances	Cost + 20%	Stone	Per Contract
<i>Examples Include:</i>		Blacktop	Market Price
▶ Hydrants		▶ Fittings	
▶ Meters		▶ Light Poles	
▶ Pipe Sizes Vary			

SECTION II. That this Resolution be in force and effective immediately and repeals all previous resolutions include Resolution 2014.15.

PASSED AND ADOPTED by the Council of the City of Brownsville this 26th day of September, 2017.

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION NO. 2017.15

A RESOLUTION CREATING A MINOR AMENDMENT TO THE CITY'S PUBLIC WORKS STANDARDS TO REQUIRE BALANCED CUT AND FILL WITHIN THE 100 YEAR FLOOD HAZARD AREA

WHEREAS, City Staff has utilized and required a balanced cut and fill approach for many years when dealing with flood hazard areas; and

WHEREAS, the City would like to formalize this practice to ensure that all developers of property within the City of Brownsville follow this important requirement(s); and

WHEREAS, the City would like to ensure that all new and existing properties are protected as best as possible based on flood hazard area regulations as set forth by the State of Oregon and FEMA; and

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

SECTION I. That the following language is officially adopted and included in the City's Public Works Standards for all present and future development:

1. SPECIFIC CONSTRUCTION REQUIREMENTS; "FILL AND EXCAVATION":

- a. All fill placed at or below the base flood elevation shall be balanced with at least an equal amount of material removed either on site or from an approved nearby area at or below the base flood elevation in the same drainage basin or the applicant may provide a "No-Rise" certification prepared by an engineer as per Section 1.b.v. below.
- b. All fill shall comply with the requirements of Title 15 of the Brownsville Municipal Code, Chapters 15.05 "Special Flood Hazard Areas" and Chapter 15.10 "Land Fill Regulations." The City's flood plain administrator may authorize a balanced cut and placement of fill within 100-year flood hazard area when:
 - i. A development permit is obtained;
 - ii. The net effect of fill and excavation operations (onsite) constitutes no positive change in fill volume;
 - iii. The proposed fill or excavation will not change the direction or velocity of flood water flow;
 - iv. The proposed fill or excavation will not cause a compounding of flood hazards; or
 - v. A registered professional engineer has provided a "No-Rise" certificate that certifies the proposed project will not cause a rise in the base flood elevation during a 100-year flood event or create conditions that would be detrimental to adjacent or neighboring



RESOLUTION NO. 2017.15

properties. The “No-Rise” certification shall be provided with the development permit application.

- c. The City may require an applicant to obtain a Letter of Map Change (LOM-C), a Letter of Map Amendment (LOMA) or Letter of Map Revision Based on Fill (LOMR-F) from the Federal Emergency Management Agency prior to or concurrently with the issuance of a flood plain development permit.

PASSED AND ADOPTED by the Council of the City of Brownsville this 26th day of September, 2017.

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION NO. 2017.16

A RESOLUTION MODIFYING FEES IN CONNECTION WITH LAND USE PERMITS AND APPLICATIONS; ESTABLISHING POLICIES RELATING TO SAID FEES; REPEALING ANY OTHER RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, costs associated with processing land use actions within the City of Brownsville have increased substantially and the fees charged shall be monitored by Council from time to time,

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

Section 1: The City of Brownsville establishes the following schedule of fees and procedures which are imposed outright for administrative, planning, engineering and publication costs associated with processing land use permits and applications.

Administrative Review

Sign Permit	N/C
-------------	-----

NOTE: Signage requested along Highway 228 is subject to Oregon Department of Transportation Regulations.

Weapons Discharge Permit	N/C
RV Permit	N/C
Garage Sale Permit	N/C
Sidewalk Permit	N/C
Old Town Commercial (OTC) Exterior Alteration	N/C
Drainage Ditch Improvement Permit & Review***	N/C
Demolition Permit	N/C
Second Lot Usage/Storage Permit	\$ 30.00
Change of Occupancy or Use**	\$ 30.00
Special Development Zone (SDZ) Forestry Permit**	\$ 250.00



RESOLUTION NO. 2017.16

Site Plan Review

New Construction Permit* (<i>Primary, Accessory and/or Fence</i>)	\$	30.00
Floodplain Development Permit***	\$	200.00
Special Flood Development Review***	\$	150.00
Residential Site Plan Review (<i>Non-Subdivision</i>)	\$	200.00
Commercial Site Plan Review***	\$	700.00
Industrial Site Plan Review***	\$	700.00
Special Development Zone (SDZ) Simple Review**	\$	300.00
Property Line Adjustment	\$	300.00
Manufactured Home Park	\$	1,200.00

NOTES:

- * *Not charged when civil engineering site plan review is required.*
- ** *Indicates that these can be referred to the Planning Commission and additional costs may apply.*
- *** *Additional review fees of the City Engineer and/or the Floodplain Consultant will be the responsibility of the developer.*

Planning Commission (Public Hearing)

Conditional Use Permits

Aggregate Mineral Resource Development	Publishing Costs
Home Occupations	\$ 250.00
Old Town Commercial (OTC) Change of Use	\$ 250.00
OTC New Construction***	\$ 250.00
OTC Secondary Residential	\$ 250.00
Planned Unit Development (PUD)***	\$ 1,200.00 + \$25.00 per lot



RESOLUTION NO. 2017.16

Listed Conditional Uses (<i>Excluding Home Occupation & OTC</i>)	\$	750.00
<i>Alteration or Expansion of Conditional Use***</i>		
RESIDENTIAL	\$	400.00
COMMERCIAL	\$	800.00
<i>Alteration or Expansion of Non-Conforming Use***</i>		
RESIDENTIAL	\$	400.00
COMMERCIAL	\$	800.00
<u><i>Variances – Public Hearing***</i></u>		
Residential Lots	\$	200.00
Commercial Lots	\$	800.00
Partitioning Standards	\$	800.00
Subdivision Standards	\$	800.00
<u><i>Partitioning or Subdividing of Land***</i></u>		
Land Partition	\$	1,000.00
Major Land Partition	\$	1,600.00
Subdivision	\$	1,800.00 + \$35.00 per lot
<u><i>Planning Commission & City Council (Two Hearings)***</i></u>		
Zone Change & Zoning Map Amendment	\$	1,500.00
Zoning Ordinance & Text Amendment	\$	1,500.00
Comprehensive Plan Map Amendment	\$	1,500.00
Comprehensive Plan Text Amendment	\$	1,500.00
Urban Growth Boundary Amendment	\$	1,800.00



RESOLUTION NO. 2017.16

City Council***

Street Vacation	\$ 250.00
Alley/Easement Vacation	\$ 250.00
Annexation	\$ 1,000.00
Appeal	3/4 of the Original Fee

SECTION 2. When more than one land-use action is requested, (such as a variance and a conditional use permit), a separate fee will be charged for each land-use action requested due to separate standards and/or criteria requirements.

SECTION 3. Refunds for fees accompanying an application may be made when the application is withdrawn prior to any substantial review of the application and prior to the publication and issuance of any public notice. Refunds shall be made upon authorization of the City Administrator.

SECTION 4. All fees shall be due and payable at the time of application submittal. An application shall be stamped as "Received" when City staff has determined that the application is complete and all fees have been paid.

SECTION 5. Passage of this resolution shall repeal and replace older versions such as Resolution 2015.18.

SECTION 6. The fees provided for herein shall be effective starting October 1st, 2017.

This Resolution shall become effective October 1st, 2017 upon being passed and approved by the City Council.

Passed and approved by the City Council this 26th day of September, 2017.

Attest:

Mayor Don Ware

City Administrator S. Scott McDowell



RESOLUTION NO. 2017.17

A RESOLUTION REAFFIRMING PARK RULES AND SETTING THE ASSOCIATED CHARGES FOR RENTAL SERVICES

WHEREAS, City requires rules for Pioneer Park for the safety and general welfare of all who use the buildings, grounds and facilities; and

WHEREAS, the attached rate schedule shall be in force for the Pioneer Park; and

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

SECTION I. That the attached rates shall replace all past rates in conflict with this resolution; and

**CITY OF BROWNSVILLE
PARK FACILITIES & RULES
1/01/18**

RESERVATIONS FOR CITY FACILITIES

Reservations for Pioneer Park facilities are done through a lottery drawing. The reservation deadline is December 15th for the upcoming season. The lottery drawing is held on the first working day in January. Please contact City Hall at (541) 466-5666 between 8:00 a.m. – 5:00 p.m. Monday through Friday for more information.

RENTAL FEES AND DEPOSITS

Standard Package – \$ 150 plus \$150 deposit

Includes: Pavilion
Kitchen
Dance Hall

Deluxe Package – \$ 180 plus \$150 deposit

Includes: Pavilion
Kitchen
Dance Hall
Community Arts Building

Wedding Package – \$ 250 plus \$150 deposit

Includes: Pavilion
Kitchen
Dance Hall
Community Arts Building
Grandstand

Grandstand Only – \$50 plus \$100 deposit.

Fees for groups over 300 are as follows:

<i>Attendees:</i>	<i>Rent:</i>	<i>Deposit:</i>
300 +	\$250.00	\$200.00*

Deposits are refundable if the premises are left in good condition and free of damages.

* Large groups are required to provide extra portable toilets and may also require an agreement with the City.

City of Brownsville residents pay half of the listed facilities rental fees.

Camping for Events – The City requires parties to pay for camping in advance of your event. Special permits will be issued. Please contact City Hall.

MEETING ROOMS

The City has three rooms are available for public use. City meetings are given precedence. Fisher Hall and the Community Room at City Hall, and the Kirk Room at the Library.

Kirk Room & Fisher Hall is \$10.00 per meeting. *Community Room* is \$25.00 per meeting; may be subject to a \$50.00 deposit depending on use.

All rental fees and applicable deposits are payable in advance. Keys are to be picked up and returned to City Hall.

PARK HOURS



The park is open to the public from 7:00 a.m. to dusk.

\$ 10.00 per tent

FIRES

Fires are allowed in designated areas only. Pioneer Park is subject to fire restrictions enacted by the State, Linn County & the Brownsville Rural Fire District.

Camping days are subject to change, contact City Hall.

PICNIC AREAS AND TABLES

All picnic areas and tables are on a first-come, first-serve basis. The pavilion, kitchen, dance hall and their adjacent areas are to be reserved in advance. Reservations for these facilities are made at City Hall.

PETS & HORSES

Keep pets under control at all times, on a leash or confined to a vehicle. Please clean up after your animals. Keep horses on the roads or designated areas. Horses are not permitted on the ball diamond, picnic area or overnight areas.

VEHICLES

Vehicles must observe a 5-m.p.h. speed limit.

CAMPING

The Park Caretakers collect camping fees daily from Memorial Day to Labor Day. In the absence of the Park Caretakers, campers should make payment at City Hall. Fees are per night as follows:

POLICE

Police protection is handled by the Linn County Sheriff's Department. Call 911 for emergency response, 1 (800) 884-3911 for non-emergency concerns.

\$ 15.00 per RV

EMERGENCY

POLICE, MEDICAL OR FIRE **911**

SECTION II. The rates shall become effective January 1st, 2018.

PASSED AND ADOPTED by the Council of the City of Brownsville this 26th day of September, 2017.

S. Scott McDowell
City Administrator

Don Ware
Mayor



**CITY OF BROWNSVILLE
PARK FACILITIES & RULES
1/01/18**

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POLICE

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EMERGENCY

POLICE, MEDICAL OR FIRE

911



ORDINANCE NO. 769

**AN ORDINANCE AMENDING TITLE 15 OF THE
BROWNSVILLE MUNICIPAL CODE, CHAPTER 15.40.040**

WHEREAS, Chapter 15.40, Section 15.40.040 of the Brownsville Municipal Code (BMC) sets out provisions for Lots, and;

WHEREAS, the Council at the recommendation of the Planning Commission and Staff desires to clarify the architectural front of homes placed on lots for public safety reasons;

WHEREAS, the Brownsville Municipal Code currently reads as follows:

15.40.040 Lots.

A. Size and Shape.

1. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. Lot sizes and dimensions shall be consistent with the lot size and width standards of the zoning code.
2. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

NOW THEREFORE, the City of Brownsville ordains that Section 14.40.040 be amended to read as follows:

15.40.040 Lots.

A. Size, Shape & Orientation.

1. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. Lot sizes and dimensions shall be consistent with the lot size and width standards of the zoning code.
2. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes



shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

3. If the subject property fronts a public street or future public street, the architectural front of the home shall face the street.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day of _____, 2017.

Mayor

City Administrator



PROCLAMATION

ARBOR DAY 2017

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and;

WHEREAS, Arbor Day is now observed throughout the Nation and the World, and;

WHEREAS, trees can reduce the erosion of precious topsoil by wind and water, lower heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide more habitat for wildlife, and;

WHEREAS, tree are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood based products, and;

WHEREAS, trees in our community increase property values, enhance the economic vitality of business areas and beautify our community, and;

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal;

NOW THEREFORE, I, Mayor Don Ware of the City of Brownsville, do hereby proclaim **October 14th, 2017** as **Arbor Day** in the City of Brownsville and I urge citizens to celebrate Arbor Day and to support the efforts to protect our trees and woodlands, to plant and care for trees for future generations.

Dated this 26th day of September, 2017.

ATTEST:

S. Scott McDowell
City Administrator

APPROVED:

Don Ware
Mayor

S. Scott McDowell

From: Blaine Cheney <VP@clrasports.org>
Sent: Monday, July 31, 2017 9:50 PM
To: admin@ci.brownsville.or.us
Subject: CLRA New Website Launch

Previous email got cut off. Please disregard.

Good Morning Scott,

Earlier this year the Central Linn Recreation Association began efforts to bring registration for our sports program more in-line with the needs of parents/families today. I am pleased to announce that the new CLRA website is currently up and available for online registration. (visit us at www.clrasports.org)

That being said, I personally want to express my gratitude to the City of Brownsville for their willingness to go above and beyond in helping us collect applications, funds and disseminate information on the City's website.

I would like to take 3 minutes at the September 26th City Council meeting and to share updates regarding the new CLRA website and express my 'thanks' to the City Council for their continued support of the Central Linn Recreation Association and Brownsville Recreation Center.

The new website has many benefits:

- ❖ 24/7 online registration
- ❖ Expanded Payment Options: Credit/Debit, Cash, Check, eCheck
- ❖ Payment Plan options (when paying by credit/debit)
- ❖ Family Discounts
- ❖ Early Registration Discounts
- ❖ Electronic Scholarship Requests
- ❖ Sports Program Highlights Page
- ❖ CLRA Contacts Page
- ❖ Sponsors Page
- ❖ Schedules & Scores Links

What does all this mean?

- ❖ The Central Linn Recreation Association will no longer be accepting paper registrations or payments in person.
- ❖ All sports program registrations will be handled online at www.clrasports.org .
- ❖ Any funds that need to be paid after registering online should be mailed to: CLRA PO BOX 97, Brownsville, OR 97327
- ❖ All paper registration forms at the City of Brownsville can be removed and recycled.
- ❖ I would like to begin working together in the coming days to discuss the best way to redirect inquiries to CLRA's new website.

Again, from all of us at the Central Linn Recreation Association, THANK YOU!

Regards,

Blaine Cheney, PMP | Vice President

S. Scott McDowell

From: mail@theautumnaddiction.com
Sent: Wednesday, July 26, 2017 5:40 PM
To: admin@ci.brownsville.or.us
Subject: Eagle Point ordinance that will work for Brownsville

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Today

Mr. McDowell:

Per my statements in last night's City Council meeting, I am sending you the information I have on the City of Eagle Point's handling of the home-grow marijuana issue.

I spoke with Henry Lawrence on 07/25/17. He said the City approached the issue as a land use issue. He said the State of Oregon gives the City authority over health and safety issues. The City wrote a nuisance ordinance that is of complaint-driven enforcement. The Council voted on the ordinance and passed it without public vote. The ordinance states that marijuana home-grows must be done within a structure, permitted by the City and built to code. This keeps people from slapping together a shack and calling it "enclosed." Mr. Lawrence said that for the most part, people have been happy with the ordinance. He added that many growers didn't realize there was an ordinance and grew outdoors. As complaints came in, the City worked with the growers to come into compliance. Violators didn't like having to comply, but they did comply. Mr. Lawrence did say that the enclosures are required to be vented, so some odor does escape if the operation is large enough, but that any operation that was large enough to do so was likely not for self-use.

Mr. Lawrence said that he did not believe the City had the authority to prohibit home-grow outright, but did have the authority to regulate the odor as a nuisance through zoning and land use.

Mr. Lawrence said that the ordinance has been a successful compromise between home growers and home-owners who opt not to endure the odor of marijuana. Mr. Lawrence said he believes the City of Central Point used the same code successfully.

The Eagle Point Homegrown and Medical Marijuana ordinance is located at:

<http://www.codepublishing.com/OR/EaglePoint/>

and is written as follows:

Chapter 8.30

HEMEGROWN AND MEDICAL MARIJUANA

Sections:

8.30.010 Intent and purpose.

8.30.020 Definitions.

8.30.030 Homegrown and medical marijuana subject to regulation.

8.30.040 Public nuisance remedy.

8.30.050 Violation.

8.30.060 Conflict of laws.

8.30.070 Severability.

8.30.010 Intent and purpose.

The city council of the city of Eagle Point recognizes that citizens of the state of Oregon may engage in both recreational and medicinal use of marijuana in accordance with state law. However, the city council also recognizes that cultivating, drying, producing, processing, keeping, or storage of marijuana, without appropriate safeguards in place, can have a detrimental effect upon public safety and neighboring citizens. The city council finds and declares that the health, safety, and welfare of its citizens are promoted by requiring marijuana cultivators engaged in recreational or medicinal cultivation, drying, producing, processing, keeping, or storage of marijuana to ensure that said marijuana is not accessible, visible, or odorous to other persons or property, or otherwise illegal under Oregon state law. [Ord. 2016-02 § 1].

8.30.020 Definitions.

“Homegrown marijuana” means any marijuana cultivated, dried, produced, processed, kept or stored for personal recreational use by a person 21 years of age or older in accordance with state law.

“Homegrown marijuana grow site” means a location in which a person 21 years of age and older cultivates, dries, produces, processes, keeps or stores homegrown recreational marijuana in accordance with state law.

“Household” means a housing unit, and includes any indoor structure or accessory dwelling unit in or around the housing unit at which the occupants of the housing unit are cultivating, drying, producing, processing, keeping, or storing homegrown marijuana.

“Housing unit” means a house; a mobile home; a manufactured home; and/or a group of rooms, or a single room that is occupied as separate living quarters, in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall including an individual residential unit in an apartment, duplex, townhome, condominium, or senior living facility.

“Indoors/indoor structure” means within a fully enclosed and secure structure that complies with the Oregon Residential Specialty Code (ORSC) or Oregon Structural Specialty Code (OSSC), as adopted by the city of Eagle Point, which has a complete roof enclosure supported by connecting walls extending from the foundation/slab to the roof. The structure must be secure against unauthorized entry, accessible only through one or more lockable doors, and constructed of solid materials that cannot easily be broken through, such as two-inch by four-inch or larger wood studs covered with three-eighths-inch or thicker weather-resistant siding or equivalent materials. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.

“Marijuana” means all parts of the plant Cannabis family Moraceae, including, but not limited to, its dried leaves and flowers, and any marijuana products derived therefrom. The term includes any and all homegrown marijuana, medical marijuana, nonmedical marijuana, and marijuana products as defined in this section.

“Marijuana cultivator” means a medical marijuana grower, recreational marijuana homegrower, patient, and any landlord or property owner allowing marijuana to be cultivated, dried, produced, processed, kept or stored at a premises.

“Marijuana products” means products that contain marijuana or marijuana extracts and are intended for human consumption.

“Medical marijuana” means the marijuana cultivated, dried, produced, processed, kept or stored for medicinal use in accordance with the OMMA.

“Medical marijuana grow site” means a location registered pursuant to ORS 475.304 where medical marijuana is produced for use by a patient.

“Medical marijuana grower” means any person engaged in the cultivation, drying, production, processing, keeping or storage of medical marijuana in accordance with state law, and includes, but is not limited to, the meaning set out at OAR 333-008-0010(11) and (21).

“Patient” means a person who has been diagnosed by an attending physician with a debilitating medical condition and for whom the use of medical marijuana may mitigate the symptoms or effects of the person’s debilitating medical condition, and who has been issued a registry identification card by the Oregon Health Authority.

“Premises” means a household, medical marijuana grow site, homegrown marijuana grow site, and/or primary residence of a patient.

“Property” means any home, business or public right-of-way.

“Recreational marijuana homegrower” means a person 21 years of age and older engaged in the cultivation, drying, production, processing, keeping, or storage of homegrown marijuana in accordance with state law. [Ord. 2016-02 § 1].

8.30.030 Homegrown and medical marijuana subject to regulation.

A. Marijuana cultivators shall be allowed to cultivate, produce, and/or process homegrown marijuana and medical marijuana subject to the following conditions:

1. Cultivation, production, possession, and processing of marijuana must be in full compliance with all applicable provisions of OMMA and Measure 91.
2. Cultivation, drying, curing, storage, production, or processing of marijuana shall be conducted indoors.
3. Cultivation, production, processing, or storage of marijuana shall not be perceptible from the exterior of the household, housing unit, and/or indoor structure including but not limited to:
 - a. Common visual observation, which would prohibit any form of signage;
 - b. Odors, smells, fragrances, or other olfactory stimulus;
 - c. Light pollution, glare, or brightness that disturbs the repose of another;
 - d. Undue vehicular or foot traffic, including excess parking within a residential zone; and

- e. Excessive noise that disturbs the repose of another in violation of EPMC 9.04.170.
4. Cultivation, production, or processing of marijuana plants shall be within a secure, defined area.
5. Cultivation, production, or processing of marijuana shall meet the requirements of all adopted city building and life/safety codes.
6. Cultivation, production, or processing of marijuana shall meet the requirements of all adopted water and sewer regulations promulgated by the city or any special district having jurisdiction.
7. Disposal of any excess or unused marijuana, marijuana products, or other byproducts thereof, shall meet any and all local and state requirements for disposal, and shall be disposed of in a secure fashion so as to avoid access by children, visitors, casual passersby, vandals or anyone not licensed or authorized to possess medical or homegrown marijuana.
8. Cultivation, production, or processing of marijuana in residential zones or in a housing unit shall meet the following requirements:
- a. Cultivation, production, or processing of marijuana shall only be conducted within the primary residence of the marijuana cultivator;
- b. Marijuana plants shall not be cultivated, processed, or produced in the common areas of a multifamily or attached residential development such as townhomes and condominiums; and
- c. For purposes of this chapter, “primary residence” means the place that a person, by custom and practice, makes his or her principal domicile and address and to which the person intends to return, following any temporary absence, such as vacation. Residence is evidenced by actual daily physical presence, use, and occupancy of the primary residence and the use of the residential address for domestic purposes, such as, but not limited to, slumber, preparation of and partaking of meals, regular mail delivery, vehicle and voter registration, or credit, water, and utility billing. A person shall have only one primary residence, which may include an indoor structure or accessory dwelling unit, provided that the indoor structure or accessory dwelling unit is located on the same tax lot as the primary residence.
9. For purposes of this chapter, “secure” area means an area within the primary residence or indoor structure accessible only to the patient or primary caregiver, or marijuana cultivator. Secure premises shall be locked or partitioned off to prevent access by minors, visitors, casual passersby, vandals, or anyone not licensed and authorized to possess medical or homegrown marijuana.
- B. Licensed commercial grows, as defined in Measure 91, are prohibited in all residential zones. [Ord. 2016-02 § 1].

8.30.040 Public nuisance remedy.

A. Any household, housing unit, premises, property, building, structure or place of any kind where medical or homegrown marijuana is grown, processed, manufactured, bartered, distributed or given away in violation of state law or this chapter, or any place where medical or homegrown marijuana is kept or possessed for sale, barter, distribution or gift in violation of state law or this chapter, is a public nuisance and may be abated as provided in EPMC 9.04.550.

B. In addition to the foregoing, three or more violations in a 30-day period shall constitute a chronic nuisance subject to the provisions of EPMC 9.04.480.

C. In addition to any remedies provided in EPMC Title 9, the city may institute an action in municipal or circuit court in the name of the city to abate, and to temporarily and permanently enjoin, such nuisance. The court has the right to make temporary and final orders as in other injunction proceedings. The city shall not be required to give bond in such an action. [Ord. 2016-02 § 1].

8.30.050 Violation.

In addition to treatment as a nuisance, all violations of this title are subject to punishment under the general penalty provisions in EPMC 1.20.010. Each day in which a violation continues shall constitute a separate violation. [Ord. 2016-02 § 1].

8.30.060 Conflict of laws.

In the event of any conflict between the provisions of this chapter and the provisions of any other applicable state or local law, the more restrictive provision shall control. [Ord. 2016-02 § 1].

8.30.070 Severability.

The sections, subsections, paragraphs and clauses of this chapter are severable. The invalidity of one section, subsection, paragraph or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses. [Ord. 2016-02 § 1].

I suggest the following additions to this ordinance:

1. The home grow must be on the property of the grower's primary residence, of which he or she can have only one.
2. Prohibited disposal shall include the burning of any waste part of the plant.

This is a fair compromise. If it contains or diminishes the odor to levels of acceptability by the complainant, everybody wins. I will not stop pushing until there is a solution to this problem. The livability of the property we live on and pay for depends upon it. My daughter's childhood memories and safety depend on it. The right to protect that childhood and safety is a God-given right and it will not be taken from us.

Thank you for your consideration.

Sincerely,

Bryan Bradburn
522 E. Washington Avenue
Brownsville, OR 97327
541 952-0111



Staff Report

Hearing Date:	September 19 th , 2017
Proposal:	Conditional Use Request To Open A Recreational Marijuana Facility With Limited Medical Marijuana Sales In The Light Industrial Zone (Li)
Applicant(s):	Randy Simpson & Gayle Ashford P.O. Box 700 Brownsville, OR 97327
Location:	221 W. Bishop Way, Brownsville, OR 97327 Tax Lot 0700, T13S, R2W, SECTION 01AA
Zoning:	Light Industrial
Comprehensive Plan Designation:	Commercial
Exhibits:	A. Location Map B. Vicinity Map C. Application and Site Plan D. Ordinance

Summary

On January 23rd, 2017, the applicants came before the Planning Commission to request permission to operate a medical marijuana facility at 221 West Bishop Way in Brownsville, under the Conditional Use Permit requirements. The Planning Commission granted the request. In addition to a Conditional Use Permit, in order to operate the proposed use, the applicant must be appropriately registered with the Oregon Health Authority and must obtain a City of Brownsville business registration as required by Brownsville Municipal Code sections 15.111.020.B.2 and 5.20.030.A.

On May 26th, 2017, the applicants submitted a Conditional Use Permit application to operate a recreational marijuana facility with medical marijuana sales at the same location. In order to operate that proposed use, the applicant must be appropriately registered with the Oregon Liquor Control Commission to sell recreational marijuana & must obtain a City of Brownsville business registration as required by Brownsville Municipal Code sections 15.111.020.B.2 and 5.20.030.A.

The subject property is located in the Light Industrial Zone. A recreational marijuana facility is a conditionally permitted use in the Light Industrial Zone. According to the OLCC, if a medical marijuana facility operator is approved for a recreational marijuana license through the OLCC, the OHA registrations must be surrendered. However, medical marijuana stock can be sold on the same premises as recreational marijuana.

Background

Applicant proposes to operate a recreational marijuana facility located at 221 W. Bishop Way in Brownsville.

On March 24th, 2015, the Brownsville City Council adopted Ordinance No. 751, establishing land use regulations for marijuana facilities in the City of Brownsville. Ordinance No. 751 amended the Zoning in the Brownsville Municipal Code (BMC) to allow registered medical marijuana dispensaries
2017 Simpson Conditional Use



and marijuana retailers as a conditionally permitted use in the Volume Commercial & Light Industrial Zones.

In addition to the regulations adopted by the City of Brownsville, marijuana dispensaries are regulated by the State of Oregon. In order to operate, recreational marijuana dispensaries are required to register with the Oregon Liquor Control Commission. BMC Section 15.111.020 imposes additional conditions on the location of marijuana dispensaries. This staff report and the proposed findings focus on the criteria and conditions located in BMC Chapter 15.125 as well as the additional conditions located in BMC Chapter 15.111.

Surrounding land uses and zoning are as follows:

	<u>Land Use</u>	<u>Zone</u>
North:	Commercial/Residential	Volume Commercial, Medium Density Residential
East:	Commercial	Volume Commercial
South:	Light Industrial/Residential	Medium Density Residential, Light Industrial
West:	Industrial	Light Industrial

None of the property is located within the 100-year flood plain.

Process and Criteria

The applicant's conditional use permit application was deemed complete on May 30th, 2017.

On May 30th, 2017, within 60 days after the applicant's request for a conditional use was received, in accordance with BMC 15.125.030.C, a letter was sent to the applicant, scheduling a public hearing before the Planning Commission for July 17th, 2017. The July 17th, 2017 Planning Commission hearing will be held within 60 days of the date applicant's CUP application was deemed complete.

In accordance with BMC 15.125.030.B, on June 28th, 2017, at least two weeks prior to the Planning Commission hearing, notice of the hearing was posted at Brownsville City Hall, the Brownsville Post Office and the Brownsville City Library.

In accordance with BMC 15.125.030.B, notice of the Planning Commission public hearing was published in *The Brownsville Times*, a newspaper of general circulation in the City, twice within the two weeks prior to the hearing, on July 5th, 2017, and July 12th, 2017.

In accordance with BMC 15.125.030.B, notice of the hearing was mailed on June 28th, 2017, to all owners of property located within at least 200 feet from the exterior boundaries of the property for which the conditional use has been requested. The date of mailing of the notice was at least 20 days before the date of the original hearing.

The appeal was received and accepted on August 8th, 2017.

Mayor Ware set a special meeting for the open hearing on September 19th, 2017.

The Brownsville City Council must take formal action on the conditional use application appeal at the September 26th, 2017 regular session Council meeting.

Possible Actions By The Council

In considering the proposed amendments, Council may take the following actions:



1. **Propose Conditions of Approval.** If Council elects to approve the application, Staff recommends conditions of approval listed below as part of the official decision.

Motions

“To adopt the findings entitled FINDINGS REGARDING AN APPLICATION FOR A RECREATIONAL MARIJUANA FACILITY AT 221 W BISHOP WAY, BROWNSVILLE, and **approve** the application for a Conditional Use Permit for a recreational marijuana facility located at 221 W Bishop Way.”

~ OR ~

“To **deny** the application to operate a recreational marijuana facility in the Light Industrial Zone, because the application does not fully comply with the conditional use criteria & City of Brownsville comprehensive plan & policies.

FINDINGS REGARDING AN APPLICATION FOR A RECREATIONAL MARIJUANA RETAIL FACILITY AT 221 W BISHOP WAY, BROWNSVILLE

Findings

PROCEDURES

1. The applicant filed an appeal to the Planning Commission’s decision on August 8th which was within the fifteen (15) day appeal period.
2. The City Administrator officially accepted the Appeal and worked with Mayor Ware to set a Special Council Public Hearing date for September 19th, 2017.
3. A Staff report was provided the City Council on September 15th, 2017 along with the entire Public Record from the Planning Commission on July 17th, 2017 and the continuation on July 31st, 2017.
4. In accordance with BMC 15.75.020 on September 13th, 2017, five (5) days prior to the Council hearing, notice of the hearing was published in *The Brownsville Times*, a newspaper of general circulation in the City.
5. All written public comment was submitted into the record at the Council Hearing.
6. Pursuant to BMC 15.75.020, a public hearing on the applicant’s appeal of the Planning Commission decision to deny the application to operate a recreational marijuana retail facility was conducted on September 19th, 2017, before the Brownsville City Council.

Applicable Criteria And Requirements

Brownsville Municipal Code Chapter 15.125.010 through Chapter 15.125.050 provides procedures and criteria for considering a Conditional Use request.

BMC 15.125.010

In judging whether a Conditional Use should be approved, approved with modifications, or denied, the Planning Commission shall weigh the proposal’s appropriateness and desirability for the public convenience or necessity to be served against any adverse conditions that would result from authorizing *2017 Simpson Conditional Use*



the particular development at the location proposed. In making its decision, the Planning Commission must adopt Findings of Fact addressing the following decision criteria listed in Chapter 15.125:

- 1. The proposal shall be consistent with the applicable policies of the Comprehensive Plan, the applicable provisions of the zoning code and other applicable policies, regulations and standards adopted by the City of Brownsville.**

RECOMMENDED CONDITIONS OF APPROVAL

If the Council elects to approve this request, Staff recommends the following condition(s) of approval:

1. Applicant shall comply with all requirements of applicable laws, ordinances and development regulations, including Uniform Building Code requirements and State regulations.
2. The applicant may not expand or otherwise operate beyond or above the proposed level without additional review by the Planning Commission or committee appointed by the Planning Commission.
3. The applicant shall comply with the provisions of the sign code if signage is used.
4. As there is currently no data available to determine the impact of surrounding uses (business or residential), Staff, two Planning Commission members, along with the applicants, shall conduct a review annually of the proposed use. If it is found that the proposed use negatively impacts the adjacent properties, the Planning Commission may revoke the Conditional Use Permit.
5. Conditional Use Permit is non-transferable and does not run with the property.



**FINDINGS REGARDING AN APPLICATION FOR A
RECREATIONAL MARIJUANA RETAIL FACILITY AT 221 W
BISHOP WAY, BROWNSVILLE**

FINDINGS

PROCEDURES

1. The applicant filed an appeal to the Planning Commission's decision on August 8th which was within the fifteen (15) day appeal period.
2. The City Administrator officially accepted the Appeal and worked with Mayor Ware to set a Special Council Public Hearing date for September 19th, 2017.
3. A Staff report was provided the City Council on September 15th, 2017 along with the entire Public Record from the Planning Commission on July 17th, 2017 and the continuation on July 31st, 2017.
4. In accordance with BMC 15.75.020 on September 13th, 2017, five (5) days prior to the Council hearing, notice of the hearing was published in *The Brownsville Times*, a newspaper of general circulation in the City.
5. All written public comment was submitted into the record at the Council Hearing.
6. Pursuant to BMC 15.75.020, a public hearing on the applicant's appeal of the Planning Commission decision to deny the application to operate a recreational marijuana retail facility was conducted on September 19th, 2017, before the Brownsville City Council.

September 19th, 2017

The motion from the hearing is listed below:

Councilor Cole made a motion to approve the application for medical and recreational marijuana at the facility at 221 W. Bishop Way, overturning the Planning Commission decision, with conditions, one condition being the ability to revoke this approval in one year if adverse conditions exist. Councilor Gerber seconded the motion. A vote was called for with the following results. Ayes included Mayor Don Ware, Councilors Gerber and Cole. Nays included Councilor Block, Shepherd, Chambers and Neddeau. The motion failed.

Applicable Criteria And Requirements

Brownsville Municipal Code Chapter 15.125.010 through Chapter 15.125.050 provides procedures and criteria for considering a Conditional Use request.

BROWNSVILLE MUNICIPAL CODE 15.125.010



In judging whether a Conditional Use should be approved, approved with modifications, or denied, the Planning Commission shall weigh the proposal's appropriateness and desirability for the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed. In making its decision, the Planning Commission must adopt Findings of Fact addressing the following decision criteria listed in Chapter 15.125:

1. **The proposal shall be consistent with the applicable policies of the Comprehensive Plan, the applicable provisions of the zoning code and other applicable policies, regulations and standards adopted by the City of Brownsville.**

Consistency with the Comprehensive Plan:

Policy P-L55

The City of Brownsville shall review all ... conditional uses for the following factors:

- A. Will all public facilities (water, sewer, streets) be built to City standards?

Finding: The proposed recreational marijuana facility will be located in a pre-existing structure which is served by existing public facilities. The applicant is not required to construct any public facilities related to this conditional use permit application.

- B. Will the proposed development adversely impact the surrounding uses?

Finding: The proposed use of the property is similar to the previous use in that the proposed recreational marijuana facility, current medical marijuana facility and the hair salon previously located on the property are considered retail businesses. At this time, empirical evidence that would indicate whether the proposed retail marijuana facility will adversely impact the surrounding uses has not been found for this location. **The Planning Commission [weighed the proposal's appropriateness and desirability for the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development] (Retail Marijuana Facility) at the proposed location, and found the adverse conditions outweighed the proposed use. Adverse conditions being the potential impact on the surrounding area and uses in relation to the increased potential risk that children and youth could be negatively impacted by a recreational drug facility in the community.**

Motion

"To adopt the findings entitled FINDINGS REGARDING AN APPLICATION FOR A RECREATIONAL MARIJUANA FACILITY AT 221 W BISHOP WAY, BROWNSVILLE, and deny the application for a Conditional Use Permit for a recreational marijuana facility located at 221 W Bishop Way because the



application does not fully comply with the Conditional Use Criteria and City of Brownsville Comprehensive Plan & Policies as follows:

BROWNSVILLE MUNICIPAL CODE 15.125.010

In judging whether a Conditional Use should be approved, approved with modifications, or denied, the Planning Commission shall weigh the proposal's appropriateness and desirability for the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed. In making its decision, the Planning Commission must adopt Findings of Fact addressing the following decision criteria listed in Chapter 15.125:

The proposal shall be consistent with the applicable policies of the Comprehensive Plan, the applicable provisions of the zoning code and other applicable policies, regulations and standards adopted by the City of Brownsville.

The Council weighed the appropriateness and desirability of the proposal against any adverse conditions, and found the potential adverse conditions outweighed the proposal.

The Council found the proposal was not consistent with the Comprehensive Plan in reference to P-L55 (B):

Will the proposed development adversely impact the surrounding uses?

Finding: The proposed use of the property is similar to the previous use in that the proposed recreational marijuana facility, current medical marijuana facility and the hair salon previously located on the property are considered retail businesses. *Council [weighed the proposal's appropriateness and desirability for the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development] (Retail Marijuana Facility) at the proposed location, and found the adverse conditions outweighed the proposed use. Adverse conditions being the potential impact on the surrounding area and uses in relation to the increased potential risk that children and youth could be negatively impacted by a recreational drug facility in the community.*



Rental Agreement

BETWEEN: City of Brownsville (City)
AND: Calapooia Food Alliance (CFA)
DATE: May 2014

RECITALS

- A. CFA is interested in entering into a rental agreement with the City to provide storage space for the Farmer's Market.
- B. City believes that CFA provides a valuable public service by offering the Farmer's Market and desires to provide storage space to support their effort.

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

DELIVERABLES.

1. **Storage Space:** The City offers the continued use of the Red Barn, behind the Picture Gallery, situated along Park Avenue across from the Linn County Museum for general, operational storage. The City has allowed the use of the Red Barn since 2008. The City does not allow for food or other organic materials that could attract insects and other pests to be stored at this location.
2. **Logistics:** The CFA will be issued one key for accessing this storage area. The City has walled off the far east bay of the Red Barn for CFA use. Any physical modification to the space should be approved by the Public Works Superintendent & City Administrator. The City shall have permission to access the storage space as needed.

COMPENSATION. City believes the fair market value for rent to be \$200 per month. City will contribute \$150 per month as an in-kind contribution to support the work of the CFA. The CFA shall remit the balance of \$50 per month for use of the space.

TERM. The term of this Memorandum shall commence upon execution hereof and shall continue for three years to be revisited and renegotiated in June 2017.

ENTIRE AGREEMENT. This document embodies the entire agreement between the parties. There are no promises, terms, conditions or obligations other than those contained herein. This agreement shall supersede all prior communications, representations or agreements, either verbal or written, between the parties.



MODIFICATION AND WAIVER. No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.

INTENT. The intent of this Agreement is to cooperatively work together to create a working relationship that will be mutually beneficial.

City:

CFA:

Mayor

Calapooia Food Alliance President

Date:

Date:



RIGHT-OF-WAY MAINTENANCE BEAUTIFICATION AGREEMENT

Purpose

The City of Brownsville (City) maintains the right-of-way along Main Street from Depot Avenue to Locust Street as part of an agreement with Linn County. Ashley Slaughter & Blake Wickett (Residents) would like to beautify the right-of-way strip between the west and east edge of their property located at 729 N. Main Street, Brownsville, OR 97327.

Definitions

Right-of-way – As used in this agreement, right-of-way means any non-paved area next to a County roadway or publicly owned property.

Right-of-way Maintenance – As used in this agreement, right-of-way maintenance means the ordinary mowing, bush-hogging, removal of dead trees, fertilizing, watering, trimming, edging, litter removal, sodding, seeding or other activity to keep County property neat in appearance and free from obstructions and/or safety hazards.

Resident – As used in this agreement, Ashley Slaughter made the request to plant flowers and Blake Wickett is the owner of record for 729 N. Main Street, Map 13SO2W31BC 5500, Linn County Account Number 282679 according to the public records of Linn County. The resident means the people responsible for the appearance of the requested right-of-way.

Recitals

Resident prefers to perform and pay for all maintenance at a higher level on the right-of-way in front of their property. City allows the beautification as long as standard, routine maintenance is performed.

Conditions

1. Landscaping shall be installed and maintained at the expense of the Resident.
2. Resident shall facilitate the development of healthy vegetation and an aesthetically pleasing site, while at the same time pruning and/or trimming parts thereof which could present a visual hazard for those using the roadway.
3. Resident understands that landscaping may have to be removed, relocated, etc., during roadway construction or modifications, and that such relocation or replacement of landscaping will be done at Resident's expense.
4. The City of Brownsville shall be granted permission by the Owner to maintain the stop sign in accordance with accepted standards such as the Manual on Uniform Traffic Control Devices (MUTCD.)



- 5. Resident agrees that this agreement may be revised by the City of Brownsville or Linn County on an as-needed basis. Any changes will be provided in writing.
- 6. The agreement may be terminated by either party with thirty (30) days written notification.
- 7. The agreement shall be in effect indefinitely, but will be reviewed by Council every three (3) years.

RESIDENT

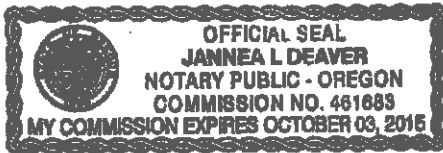
Blake Wickett
 Blake Wickett

Ashley Slaughter
 Ashley Slaughter

Date: 6-12-14

STATE OF OREGON }
 }
 COUNTY OF LINN }

On this 13 day of June, 2014, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named known to me to be the individual described herein and who acknowledged to me that they freely and voluntarily executed this instrument.



Jannea L. Deaver
 Notary Public for Oregon

My Commission Expires: Oct 3, 2015

CITY

Don Ware
 Don Ware, Mayor

Date:



2017-2018 Project Outlook

PROJECT

NOTES:

1. **Hire Inspection Services** Ⓞ (McDowell & Frink)
Time Frame: 09.2017 – 10.2017
 Engage Inspection Services (CLRC & Pioneer Park) 08.31.2017
 Prepare Specifications
 Finalize Contract
 Council Discussion

2. **Weed Abatements (Phase II)** Ⓞ (McDowell & Morrow)
Time Frame: 08.2018 – 09.30.2018
 Execute Spreadsheets
 Pull Contractor PO
 Execute Necessary Paperwork
 Execute Final Contract
 Review Work
 Pay Contractor(s)
 Send Invoices to Property Owners

3. **Marijuana** Ⓞ (Council & Staff)
Time Frame: On Going (Please refer to 2014-2015 FY Annual Checklist)
(Please refer to 2015-2016 FY Annual Checklist)
(Please refer to 2016-2017 FY Annual Checklist)
 Planning Commission CU Denial 07.31.2017
 OLCC Policy Implementation Pending
 Legal Avenue Exploration On Going
 Council Hears CU Appeal 09.19.2017
 City forward Council Outcome Letter
 Ordinance Changes
 Council Adoption
 Law Enforcement Options

4. **September Newsletter** Ⓞ (Morrow)
Time Frame: 8.2017 – 09.2017
 Call for Articles 08.23.2017
 Staff Complete Necessary Articles
 Staff Assemble
 Edit Reviews
 Copy
 Prepare for Mailing including Out-of-Town copies
 Prepare Post Office (Bulk Process)
 Post to WS
 Send

5. **Arbor Day** Ⓞ (Coleman)
Time Frame: 08.2017 – 10.2017
 Contact Partners 09.07.2017



2017-2018 Project Outlook

PROJECT

NOTES:

- Contact the State
- Determine Planting Location
- Park Tree Planting: Discuss with Frink
- Make Arrangements for Refreshments (Optional)
- Event Day

6. **Boldt, Carlisle & Smith** Ⓞ (*Deaver, Morrow & McDowell*)

Time Frame: 08.2017 – 12.2017

- Schedule Audit (10.23-10.27)
- Pre-Audit Information Gathering
- Prepare Information
- Execute Checklists
- Complete Engagement Letter
- Prepare Information
- Answer Follow-Up Questions
- Track Completion
- Review Audit
- Provide M D & A Report
- File with Secretary of State
- File with S & P
- Finalize Contract

May 2017

7. **Backhoe Implement** Ⓞ (*Frink & McDowell*)

Time Frame: 09.2017

- Identify Implements
- Pull Purchase Order
- Procure Equipment
- Add to CIS Insurance List

8. **TMDL Five Year Review** Ⓞ * (*McDowell & Frink*)

Time Frame: On Going

- Review TMDL Plan
- Continue Periodic Updates of Council
- Review Implementation Items
- File Matrix Update

9. **Website Update** * (*McDowell*)

Time Frame: 11.2017 – 02.2018

- Prepare Logistics
- Prepare Specifications
- Investigate Companies
- Hire Consultant
- Design Options
- Manage Content
- Complete Edits
- Go Live
- Finalize Contract



2017-2018 Project Outlook

PROJECT

NOTES:

10. **OPRD Grant Advisory Responsibilities ⑥ (McDowell)**
Time Frame: 08.2017 – 06.2018 [Year 7 – Excused; Last Year]
 Finish Report (See Notes)
 Attend Debrief (Salem)
 Review Grants & Requests
 Salem Conference

11. **Christmas Decorations ⑥ (Frink & McDowell)**
Time Frame: 11.2017 – 01.2018
 Make Installation Arrangements
 Make Removal Arrangements

12. **Hire Park Caretakers ⑥ (Frink, Morrow & McDowell)**
Time Frame: 11.2017 – 04.2018
 Negotiations (Don & Carol Neddeau) ~OR~
 Prepare Advertisement
 Prepare Questionnaire
 Interviews
 Prepare Contract
 Execute Contract

13. **Update Capital Improvements Plan ⑥ [CUPSS Development]**
Time Frame: 09.2017 – 01.2018
 Review Current CIP
 Make Changes
 Frink & McDowell Review
 Adopt New Plan
 Council Approval

14. **Judges Pro-Tempore ⑥ (McDowell)**
Time Frame: 01.2018
 Create Resolution
 Council Approval

15. **EPC Follow-Up * (McDowell & Morrow)**
Time Frame: 09.2017 – 06.2018
 Council Strategy Discussion
 Order PDF Software
 Fix Website
 Community Outreach
 Emergency Plan
 Resolution & Agreements

16. **Robe Street Water Improvements Project * (Frink, Erwin & McDowell)**
Time Frame: 10.2017 – 06.2018
 Develop Engineering & Documents
 Bid Deadline



2017-2018 Project Outlook

PROJECT

NOTES:

- Execute Contracts
- Pre-Construction Meeting
- Letter to Residents
- Mobilization & Construction
- Weekly Inspections
- Execute Mid-Point Check
- Complete Punch List Items
- Move Money to Escrow
- Execute Final Check
- Finalize Contract

17. **Street Paving & Rehabilitation Projects** * (*Frink & McDowell*)

Time Frame: 09.2017 – 06.2018

- Create Specifications
- Request & Obtain Quotes
- Execute All Quote
- Council Resolution of Acceptance
- Execute Contract
- Pre-Construction Meeting
- Letter to Residents
- Mobilization & Construction
- Punch List Items
- Finalize Contract
- Execute Final Check

18. **Playground Equipment** (*McDowell & Frink*)

Time Frame: 11.2017 – 02.2018

- Discuss Logistics
- Prepare Specifications
- Investigate Specialty Companies
- Park Board Approval
- Council Conference

19. **Water Filter Project** ⊕ (*Frink, Erwin & McDowell*)

Time Frame: 10.2017 – 05.2018

- Create Specifications
- Request & Obtain Quotes
- Execute All Quote
- Council Resolution of Special Conditions & Acceptance
- Execute Contract
- Pre-Construction Meeting
- Mobilization & Construction
- Punch List Items
- Finalize Contract
- Execute Final Check



2017-2018 Project Outlook

PROJECT

NOTES:

20. Land Inventory * (Kinney, Coleman & McDowell)

Time Frame: 11.2017 – 06.2018

- Review & Prepare Scope
- Engage Linn County GIS
- Engage DLCD
- Review Details
- Final Edit
- Submit to State
- Complete Contracts
- Payment Checks

21. General Ledger & Utility Billing Software Upgrade *
(Deaver, Morrow & McDowell)

Time Frame: 09.2017 – 06.2018

- COG Software Coordination Effort
- Review Initial Specifications & Sheets
- Setup Accela Software Review
- Create Specification Sheet
- Request & Obtain Quotes
- Execute Contract
- Conversion & Training
- Punch List Items
- Finalize Contract
- Execute Final Check

Stalled

22. Park Projects (Frink, Coleman & McDowell)

Time Frame: 09.2017 – 06.2018

Pioneer

- Cleanout River Debris
- Paint Sidewalk Distance Indicators
- Playground Relocation
- Execute Contracts

Kirk's Ferry

- Fill Work

Remington Park

- Open Space Property

23. Brownsville Municipal Code & Policy Review © (Staff & Council)

Time Frame: 08.2017 – 06.2018

- Review Code
- Make Recommendations
- Council Approval
- Prepare & Update Checklists in Council Agenda Packets
- Refer to Policy Checklists in Council Agenda Packets



2017-2018 Project Outlook

PROJECT

NOTES:

- 24. Fireproof Filing Cabinets (Deaver & McDowell)**
Time Frame: 01.2018
 Decide on Specifications
 Shop Cabinets
 Order Cabinets
 Install Cabinets
- 25. Zoning Code Provisions Review ★ (Coleman, McDowell & Frink)**
Time Frame: 10.2017 – 02.2018
 Review Current Standards
 Council Approval
In Progress
- 26. City Hall Safety Improvements ⊕ (Staff)**
Time Frame: 09.2017 – 12.2017
 Review CIS Recommendations
 Decide on Solutions
 Create Specifications
 Obtain Quotes
 Create Contract
 Execute Contract
 Finish Construction
 Finalize Punch List Items
 Finalize Contract
- 27. Canal Company ⊕ (Council & McDowell)**
Time Frame: 10.2017 – 06.2018
 Disbanding Conversation
 Council Awareness (Cole & Neddeau)
 Review Implications
- 28. Central Linn School District (CLSD) Facilities Discussions**
Time Frame: Pending/On Going
 Halsey Discussions
 Information Sharing
 Council Updates
- 29. Event Agreement Negotiations (McDowell)**
Time Frame: 12.2017 – 02.2018
 Chamber of Commerce
(Process – Street Closures, freezer, storage, receipt books etc.)
 Pioneer Picnic *(New as of 2017)*
 Trailer Rally Opportunity {Replace EPC}
 Willamette Valley Cycling Tour
 Willamette Agility Group
 Festival of Tents
 Eugene Kennel Club *(2017 Last Planned Year)*



2017-2018 Project Outlook

PROJECT

NOTES:

- 30. Evaluations** Ⓞ (*McDowell & Frink*)
Time Frame: 10.2017 – 01.2018
- Vacation Cash Out Option (November Payroll)
 - Perform Evaluations
 - Calculate Potential Increases
 - Prepare Benefits Letters
 - Prepare Payroll Changes
 - Send Payroll Changes to BCS
 - Execute Personnel Meetings
- 31. Budget Process** (*Morrow & McDowell*)
Time Frame: 02.2018
- Prepare & Review Checklists
 - Refer to Budget Checklists
 - Finalizes in July
- 32. Staff Prospectus** ★ (*McDowell*)
Time Frame: On-going
- Continue to Define the New Era
 - Create Shared Expectations
 - Monitor Execution
- 33. Hire Seasonal Public Works** (*Frink, Morrow & McDowell*)
Time Frame: 01.2018 – 04.2018
- Negotiations (*Clint Taskinen*) ~OR~
 - Prepare Advertisement
 - Prepare Questionnaire
 - Interviews
 - Prepare Contract
 - Execute Contract
- 34. City Hall Mini Subs** (*Staff & McDowell*)
Time Frame: 12.2016 – 02.2017
- Create Specifications
 - Request & Obtain Quotes
 - Execute Quote Tabulation
 - Execute Contract
 - Mobilization & Construction
 - Punch List Items
 - Finalize Contract
 - Execute Final Check
- 35. Records Project** ★ (*Deaver, Coleman, Morrow & McDowell*)
Time Frame: 09.2016 – 06.2017
- Line Out Filing Cabinets *In Progress*
 - Organize E-Files (Ordinances & Resolutions)
 - Create Easement File



2017-2018 Project Outlook

PROJECT

NOTES:

- Create Contracts File

- 36. Public Works ROW Maintenance Checklist (Frink)**
Time Frame: 11.2016 – 01.2017
 - Create Photo Checklist
 - Seasonal Employees Training Piece
 - Demonstrate Workload
 - Council Review

- 37. Wastewater Collections Cleaning Checklist (Frink)**
Time Frame: 12.2016 – 05.2017
 - Identify Areas
 - Contact Inspection Service
 - Review Findings
 - Complete Recommendations
 - Create Maintenance Checklist
 - Implement Cleaning Process

- 38. March Newsletter ☺ (Morrow)**
Time Frame: 1.2018 – 03.2018
 - Call for Articles
 - Staff Write Necessary Articles
 - Staff Assembly
 - Edit Reviews
 - Copy
 - Prepare for Mailing including Out-of-Town copies
 - Prepare Post Office (*Bulk Process*)
 - Post to WS
 - Send

- 39. Central Linn Recreation (CLRA) Partnership ***
(Deaver, Morrow & McDowell)
Time Frame: On Going
 - Administrative Policies
 - Operational Policies
 - Facility Management
 - Equipment Management
 - Capital Improvements Components
 - Management Policies
 - Develop Basic Position Descriptions
 - Develop Basic Things to Do Checklist
 - Develop Training Program
 - Fine Tune Programmatic Logistics
 - Develop General Maintenance Guidelines & Procedures
 - Create New Fee Structures
 - Create Fundraising Committee



2017-2018 Project Outlook

PROJECT

NOTES:

- 40. Internal Controls Project** ⑥
Time Frame: 09.2016 – 02.2017
- Low Cost policy Adoptions
 - Develop Written Standards
 - Implement Policy Recommendations
 - Provide Council Drafts
 - Council Approval
 - Incorporate New Procedures
- 41. Shuttle to Town MOU** ③ (McDowell)
Time Frame: 04.2018 – 07.2018
- Chamber looking at Ridership...
 - Part of Shuttle to Town Committee
 - Create MOU
 - Negotiate Contract with CLSD
 - Discuss details with outside parties
 - Solidify Details
 - Coordination with WCMF
 - Finalize Contract
 - Debrief of Event
- 42. CIS/Barker-Uerlings** ③ (McDowell & Staff)
Time Frame: 01.2018 – 07.2018
- Annual Survey
 - Attend Annual Conference (February)
 - Pass Workers Compensation Resolution
 - Review Workers Compensation Figures (JD)
 - Review General Liability Coverage (KF)
 - Review Flood Insurance (KF)
 - Mobile Equipment List (KF)
 - Property Coverage Review
 - Open Enrollment (July)
- 43. Budget Finalization Process** ③ (McDowell & Morrow)
Time Frame: 07.2018
- Certify Budget
 - Budget Checklist Update
 - Complete Compilation
 - Microfund – Populate FY 2017-18
 - Budget Documents Forward '18
 - Schedule Forward '17
- 44. Antique Faire Preparations** (Frink & McDowell)
Time Frame: 07.31.2018
- Provide Signs
 - Open Back Gate
 - Electricity & Vendors
 - Move rocks for staging

2017-2018 Master TTDL

⑥ = First Six Months; ③ = Last Six Months; * = All Year



2017-2018 Project Outlook

PROJECT

NOTES:

- Caretakers Arrangements
- Chain down in back for chicken people

45. Dust Control & Greg Tilley (*Frink*)

Time Frame: 05.2018

- Prepare & Review Streets [Grader Broke Down '17]
- Fax Greg List of Streets
- Add Pearl Street (*Check with Lemhouse*) City paid ¼ of 735' Last 3 FY

46. Fourth of July Preparations (*Frink & McDowell*)

Time Frame: 06.2018 – 07.2018

- Prepare Caretakers
- Rent Light Banks (*Karl: 2 Total*)
- Coordinate Volunteer Help (*Liz*)
- Contact Vendors
- Contact Sweet Home Sanitation (*Scott*) 30 Cans
- Order Additional Toilets (*Karl: 10 Weekend; 6 on Weekday Total*)
- Execute Cleanup

Agreements & Miscellaneous

Time Frame: Various

FY 2017-2018 Agreements Reviews

- ◆ Wickett & Slaughter at 729 N. Main Street Flower Agreement [*Next Review: 09.2017*]
[*Completed: 05.2014*]
- ◆ Calapooia Food Alliance [*Next Review: 09.2017*] [*Completed: 05.2014*]
- ◆ Calapooia Food Alliance (*Kirk's Ferry*) [*Pending: 09.2017*]
- ◆ Chamber of Commerce [*Next Review: November 2017*] [*Completed: 12.2013*]
- ◆ Solid Waste: Sweet Home Sanitation [*Next Review: November 2017*]
[*Completed: 01.22.2013*]
- ◆ Valley Telephone Services Agreement [Annual] [*Next Review: June 2018*]

Annual Agreements

- | | |
|--|--|
| <ul style="list-style-type: none"> ◆ Senior Center Agreement
[<i>Next Review: November 2017</i>] ◆ Prepare Annual Park Agreements <ul style="list-style-type: none"> <input type="checkbox"/> Eugene Kennel Club (<i>D. Berry</i>) <input type="checkbox"/> Willamette Agility Group
(<i>C. Widdell & J. Oaks</i>) <input type="checkbox"/> Festival of Tents (<i>D. Rainbolt</i>) | <ul style="list-style-type: none"> <input type="checkbox"/> Revenge Cycling (<i>K. Graham</i>) <input type="checkbox"/> Miscellaneous Bicycle, Motorcycle & Running Events ◆ Sattler Planning & IT Agreement
[<i>Next Review: January 2018</i>] ◆ DAS ORCPP Agreement
[<i>Next Review: May 2018</i>] |
|--|--|

Future Agreement Reviews

- | | |
|---|--|
| <ul style="list-style-type: none"> ◆ LCSO Agreement
[<i>Next Review: 07.2018</i>]
[<i>Completed: 07.2017</i>] ◆ Brownsville Garden Club | <ul style="list-style-type: none"> [<i>Next Review: 07.2018</i>]
[<i>Completed: 07.2015</i>] ◆ Central Linn Recreation Board
[<i>Next Review: 12.2019</i>] |
|---|--|

2017-2018 Master TTDL

Ⓜ = First Six Months; Ⓢ = Last Six Months; ★ = All Year



2017-2018 Council Goals

- 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).

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.

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.

4. Community Development Plan.

- *Refine Zoning Rules & Requirements.*



2017-2018 Council Goals

- *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).

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.

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.



2017-2018 Council Values

Note: I have divided Council Values and Council Goals for the sake of convenience for the agenda packet.

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. Brownsvillians 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.



2017-2018 Council Values

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



2017-2018 Council Values

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





Policy & Planning Considerations

Purpose: Council has identified several policy and planning items that need review and further discussion. Council will assign specific members to work with Staff to develop language for consideration by the full Council, if necessary.

Policy

Brownsville Municipal Code

Title 8 – Health & Safety

Nuisances

Junk

Weeds

Trash

Junk Vehicles

Council Assignment:

Councilor Cole & Councilor Gerber

Staff Assignment:

S. Scott McDowell & Tammi Morrow

Timeline:

September – 1st Council Discussion

October – Possible 1st Reading

November – Possible 2nd Reading

Overview:

The topics above, under Title 8, are being reviewed for proper definitions, notification requirements, enforcement timelines and making clarifications to procedure and enforcement.

Title 15 – Uniform Development Code

RV Uses & Parking

Council Assignment:

Councilor Block & Councilor Chambers

Staff Assignment:

S. Scott McDowell, Tammi Morrow & Elizabeth Coleman

Timeline:

September – 1st Council Discussion

October – Possible 1st Reading

November – Possible 2nd Reading

Overview:

To ensure that use of recreational vehicles is in keeping with zoning requirements and enforcement can be pursued in a meaningful way if the law is violated.



Noise Mitigation

Council Assignment: Carla Gerber & Lynda Chambers
Staff Assignment: S. Scott McDowell & Elizabeth Coleman
Timeline: July – 1st Discussion

Overview: To create guidelines for Commercial & Light Industrial noise levels.

Agriculture in Residential Areas (Animals & Uses)

Council Assignment: Lynda Chambers & Mandy Cole
Staff Assignment: S. Scott McDowell & Elizabeth Coleman
Timeline: September – 1st Discussion

Overview: To create guidelines for farm animals and uses in residential zones.

Public Works Standards & Infill

Staff Assignment: S. Scott McDowell, Elizabeth Coleman & Karl Frink
Timeline: October – 1st Council Discussion
 November – Possible 1st Reading
 December – Possible 2nd Reading

Overview: To modify the Public Works Standards so they will allow infill development in residential zones.

Title 6 – Animals

Farm Animals

Council Assignment: Lynda Chambers & Mandy Cole
Staff Assignment: S. Scott McDowell & Tammi Morrow
Timeline: November – 1st Council Discussion

Overview: To review the kinds and numbers of animals allowed within city limits.

Attractant

Council Assignment: Mike Neddeau & Lynda Chambers
Staff Assignment: S. Scott McDowell & Tammi Morrow
Timeline: December – 1st Council Discussion

Overview: To limit feeding of wild, feral animals in hopes of preventing overpopulation and spread of disease.



Title 12 – Streets and Sidewalks

Right-of-Way Infringements

Council Assignment: Carla Gerber & Mandy Cole
Staff Assignment: S. Scott McDowell, Tammi Morrow & Karl Frink
Timeline: December – 1st Council Discussion

Overview: To review the number and kinds of vehicles being stored in the right-of-way, landscaping, fences and other structures encroaching public land.

Title 13 – Utilities

Water Curtailment

Staff Assignment: S. Scott McDowell, Tammi Morrow & Karl Frink
Timeline: February – 1st Council Discussion

Overview: To implement water curtailment procedures in the event of a water shortage or emergency.

P l a n n i n g

- A. **Park Buildings** – Assess structures to determine next steps for rehabilitation.
- B. **Recreation Center** - Assess structure to determine next steps for rehabilitation. Last year, a subcommittee of Council reviewed costs that were in excess of \$750,000 for needed remodeling if the building is to last into the future.

Note: 05.23.2017 – (Items A & B) Next step is for a formal inspection of the property to be completed to determine the extent of the renovations needed.

- C. **Picture Gallery** – A conversation with the Linn County Pioneer Picnic Association (LCPPA) will happen in September to discuss the future of the Picture Gallery. Several years ago, the City was told that the foundation was not worth replacing due to the general condition of the structure. The City had a lease agreement with the LCPPA that expired in 2012. The City and the LCPPA have been going year to year. It is time to discuss the future of this structure.

Note: 05.23.2017 – Council will meet with the Linn County Pioneer Association in September or October of this year to discuss the future of the building.



D. **Telecommunications Franchise** – Staff is working on language and will engage CenturyLink this Summer. The franchise is set to expire in September. The City is very interested in getting fiber optic internet for residents.

Note: 05.23.2017 – McDowell will begin work on the renegotiation toward the end of June.

E. **Water Treatment Plant** – The City is hoping to stretch out a system replacement until 2025.

F. **Water Reservoir** – The City needs to replace the 250,000 gallon water reservoir. Council decided that the replacement will need to wait for the WTP bond. Staff estimates the new 1,000,000 gallon reservoir to cost over a million dollars. The City is following the Water Master Plan that was completed in 2012.

Note: 05.23.2017 – (Items E & F) A major upgrade to the Water Treatment Plant and Distribution system will be required in 2024-2025.

G. **History Plaques** – Mayor Ware would like to discuss infusing pieces of history throughout town and has a few ideas to run by Council.

H. **City Shop** – Council has discussed location and the associated flooding concerns with this facility. Council should make a decision on this issue.

Note: 05.23.2017 – (Items G & H) Awareness items.

To: Administration and City of Brownsville, Oregon
From: Kevin Keenan, Patrice Keenan / Keenan Counseling
Attn: Scott McDowell / Brownsville City Council
Re: 382 Kirk Avenue

We're writing about several deteriorating conditions present at 382 Kirk Avenue and its effect on the surrounding properties and neighborhood in general.

We have lived at 378 Kirk Avenue for approximately 20 years and have experienced a number of negative attributes peculiar to this neighboring property since the family purchased it after Bruce Buckmaster's death, approximately 17 years ago.

There have been ongoing issues with trash, inoperative cars, boats, a medium-duty truck and an abundance of other vehicles that surround this property (often 10-12 cars that extend onto our easement and block our driveway), particularly at night.

Over the years, we have endured a junk hauling business and demolition of sheet metal in the driveway, witnessed a horse being neglected and left alone in the backyard for ages on end, a porch cluttered with accumulated merchandise and a house that is falling into sinking disrepair.

We love Brownsville and have always appreciated the efforts of the city to present a quaint and homey atmosphere that is represented in the Moyer house, our pride in "Stand by Me", our excellent fireworks shows, antique faires, "Carriage Me Back" and numerous other civic activities.

But, this one address is attracting a cluster of like properties, three of which are rentals (two directly across the street and one to its east). It now looks like a hub of lower economic housing and the excess parking makes it even difficult to get into our postal boxes at times.

We know our previous city councils have been concerned with the rights of the individual homeowners or the cost of litigation in addressing these issues, but what about the rights of all the other property owners that surround this blight?

Not only does this condition appear unsightly and unattractive, it directly impacts our property values and the potential sale of our land.

We appreciate the efforts of folks like Scott McDowell and Mayor Ware in addressing this problem, but we need the help from the city council in helping offer some constructive solutions to this dilemma.

Sincerely,

Kevin and Patrice Keenan

S. Scott McDowell

From: Meneses, Stacey R <Stacey.Meneses@northwestfcs.com>
Sent: Monday, September 11, 2017 5:37 PM
To: clschoolbond@gmail.com
Subject: CL School Bond update

Hello everyone,

Wanted to update you all on what has been happening with the school bond support committee!

We have officially registered our PAC, and have named it "Yes for Central Linn Schools". The steering committee has been meeting weekly to put together a strategic plan for bond awareness and promotion. Over the next two weeks we will be actively reaching out to volunteers to attend events, help with phone calls, etc.

We invite you to visit the website, www.CLSBond.org, where you can learn more about the proposed bond, endorse the campaign, contribute financially and find out about volunteer opportunities. We encourage anyone who has questions to do so through the website, by email (clschoolbond@gmail.com), or by phone at 541-409-7882.

Our social media page is also up, www.facebook.com/clsbond.

Please share the website and Facebook page with others! We will be updating both as new information comes in...we are expecting architectural renderings by the end of this week!

Thanks!
-Stacey

www.CLSBond.org

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This institution is an equal opportunity provider and employer.

S. Scott McDowell

From: SHERONDA ALLEN <sallen@linnsheiff.org>
Sent: Friday, August 04, 2017 4:22 PM
To: Brownsville - Scott; Harrisburg - Brian; Harrisburg - Michele; Mill City - Stacie; Scio - Ginger; Scio - Sheila
Subject: National Drug Take Back Initiative XIV - Oct 28, 2017

Hello All!!!!!!

I know this is early but we just received word that the next Drug Take Back event will be held Oct 28, 2017. I wanted to get this out early and will send more information next month so that you all can start publishing in your local papers.

I am changing the order of locations this time we will start in South County and move North. The following is the time for your city:

Following locations and times:

Harrisburg (9am – 10am)
City Hall
120 Smith St

Brownsville (10:30am – 11:30am)
City Hall
255 N. Main St

Scio (12:30pm – 1:30pm)
Fire Hall
38975 SW 6th Ave

Mill City (2pm – 3pm)
City Hall
444 S. 1st Ave

Thank you,

Sheronda Allen
Service Aide - Property/Evidence
Linn County Sheriff's Office
Desk: (541) 917-6653
sallen@linnsheiff.org

MONTH END RECAP

		AUGUST 2017							
		REVENUE	EXPENDITURES	YTD	%	Unexpended			
1	GENERAL	\$ 33,612.09	\$ 41,619.69	\$ 106,184.42	8.22%	\$ 1,184,875.58	1		
2	WATER	\$ 38,567.99	\$ 22,285.58	\$ 60,417.16	7.78%	\$ 716,582.84	2		
3	SEWER	\$ 28,082.18	\$ 13,950.24	\$ 44,735.55	7.08%	\$ 586,939.45	3		
4	STREETS	\$ 12,698.39	\$ 11,328.35	\$ 31,165.04	5.94%	\$ 493,334.96	4		
5	WATER BOND	\$ 89.24	\$ -	\$ -	0.00%	\$ 71,421.00	5		
6	SEWER BOND	\$ 10,607.14	\$ -	\$ 225,268.90	68.23%	\$ 104,895.10	6		
7	SEWER DEBT FEE	\$ 669.41	\$ -	\$ 11,838.00	3.59%		7		
8	BUILDING & EQUIPMENT	\$ 414.59	\$ -	\$ -	0.00%	\$ 615,200.00	8		
9	WATER RESERVE	\$ 49.68	\$ -	\$ -	0.00%	\$ 79,340.00	9		
10	HOUSING REHAB	\$ 253.00	\$ -	\$ -	0.00%	\$ 201,210.00	10		
11	WATER SDC	\$ 2,142.66	\$ -	\$ -	0.00%	\$ 46,180.00	11		
12	SEWER SDC	\$ 5,525.56	\$ -	\$ -	0.00%	\$ 296,704.00	12		
13	STORMWATER SDC	\$ 2,042.32	\$ -	\$ -	0.00%	\$ 61,461.00	13		
14	BIKEWAY/PATHS	\$ 132.76	\$ -	\$ -	0.00%	\$ 41,398.00	14		
15	LIBRARY TRUST	\$ 7.54	\$ -	\$ -	0.00%	\$ 5,968.00	15		
16	CEMETERY	\$ 341.13	\$ -	\$ -	0.00%	\$ 72,570.00	16		
17	TRANSIENT ROOM TX	\$ 74.03	\$ -	\$ -	0.00%	\$ 3,470.00	17		
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18		
19	LAND ACQUISITION	\$ 12.59	\$ -	\$ -	0.00%	\$ 9,972.00	19		
20	COMMUNITY PROJECTS	\$ 273.96	\$ 250.00	\$ 2,058.50	1.03%	\$ 198,691.50	20		
		\$135,596.26	\$89,433.86	\$ 469,829.57					

Key Bank Account	2017-2018	YTD	% of Total
General Checking	Appropriated	\$ 5,260,043.00	8.93%

Oregon State Treasury	DEBT Payments	Totals
Community Improvements	Water	\$ 45,327.00
	Wastewater	\$ 486,663.00

Total Debt	Total
Water	\$ 745,639.00
Wastewater	\$ 5,975,539.00
	Total
	\$ 6,721,178.00