



CITY OF BROWNSVILLE

Council Meeting

Tuesday – December 20th, 2016

Regular Session 7:00 p.m.

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2017

January						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Pieces of the Moon: 10:00-10:27:00

Holidays and Observances: 1: New Year's Day, 2: 'New Year's Day' observed, 16: Martin Luther King Day

February						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Pieces of the Moon: 10:00-10:23:00

Holidays and Observances: 14: Valentine's Day, 20: Presidents' Day

March						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
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Pieces of the Moon: 10:00-10:23:00



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, December 20th, 2016

AGENDA

Regular Session

7:00 p.m.

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: November 22nd, 2016
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Emergency Preparedness – Mr. Norman Simms
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
 - ✦ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.

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.



9) **LEGISLATIVE:**

- A. **Resolution 2016.20:** Certify 2016 General Election Results
- B. **Resolution 2016.21:** Approve Department of Revenue IGA
- C. **Resolution 2016.22:** Setting Marijuana Tax Rate
- D. **Ordinance 762:** Voter Approved Marijuana Tax
- E. **Ordinance 763:** Business Registration Amendment
- F. **Ordinance 764:** Marijuana Taxation Amendment

10) **ACTION ITEMS:**

- A. Approve Marijuana Tax Collection Agreement with the Department of Revenue
- B. Brownsville Municipal Code Considerations

11) **DISCUSSION ITEMS:**

- A. Goal Setting Sessions
- B. November Financials

12) **CITIZEN QUESTIONS & COMMENTS**

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

13) **COUNCIL QUESTIONS & COMMENTS**

14) **ADJOURN**

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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November 22nd, 2016

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

PUBLIC: Doug Block, Kim Clayton, Tricia Thompson, Greg Klein (*LCSO*), Elizabeth Coleman, Patty Linn (*The Times*), Marilee Frazier, Chenoweth Robertson, Roger and Alice Tetamore, and Alex Paul (*Democrat Herald*).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: Mr. McDowell informed Council that on the desk there is information regarding the election certification. After conferring with Derrick Sterling, Linn County Elections Office, he told McDowell that it would be wise not to pass any resolutions before the election is actually certified. They are certifying the machines soon, and will certify results within a few weeks. McDowell will bring the certification resolution to the December meeting. At this time, it looks like Doug Block will fill Councilor Van Sandt's seat, and Councilor Gerber and Councilor Chambers will retain their seats on Council. This item will be deleted from the agenda tonight.

MINUTES: *Councilor Cole made a motion to approve the October 25th, 2016 meeting minutes as presented. Councilor Shepherd seconded the motion, and it passed unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Total Maximum Daily Load – McDowell reviewed a brief history of TMDL. TMDL is a regulatory term contained in the Clean Water Act (CWA), adopted into law in 1972 that describes the maximum amount of particular pollutants that a body of water can legally receive while meeting water quality standards. Basically the State of Oregon under the CWA is making a strong effort toward requiring NPDES (National Pollutant Discharge Elimination System) permits for storm water. Lee Engineering did a drainage study after the 1996 flood, and determined that the City does not have a storm water system. These systems are very expensive to install, typically \$100-\$200 a foot, and often are not as effective as hoped or promised.

The City's current TMDL plan, under what the EPA refers to as Phase II, includes four general categories, 1) Bacteria, 2) Mercury, 3) Temperature, and 4) Illicit Discharges. Recently, the Federal government has attempted to pass Waters of the United States (WOTUS) which would give the Federal government, through the EPA, sweeping regulatory power over all public drainage ways. It is amazing how far reaching this power extends and is argued by many to be unconstitutional. The tangible concern is the result of this policy could mean future mandated requirements that could cost the City of Brownsville millions of dollars. The EPA through the State's DEQ could require the construction of a separate storm water collections system and, possibly, a treatment facility. Preliminary cost of such a system would be between \$10M and \$12M based on the 1996 Brownsville Storm Water Study. Mr. Frink and McDowell are in the process of re-writing the City's TMDL plan. The City is also working on the City's NPDES permit for the Wastewater Plants, which must be renewed every three years. Westech Engineering is assisting in this process. The bottom line is that Council must understand the



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implications of the TMDL programmatic effort and incorporate these requirements as part of Council goals. The City's size makes it nearly impossible to focus Staff's efforts in so many different directions when Staff already struggles with the myriad of tasks required by the State and Federal governments. Council may want to consider engaging State and Federal officials to demonstrate the local burden to the residents of our communities.

The major factor/contributor of water runoff is the forty-four miles of land between the beginning of the Calapooia River and the City of Brownsville. The agriculture lobby has exemptions that are unfairly burdening cities and counties. The State and Federal governments do not care about these major obstacles and have done nothing to assist by 'changing laws that would make them responsible for their "degradations"; under Federal law. Instead they have doubled their efforts to force cities and counties to find solutions, without any funding, and take the full brunt and anger of the general public. As Council moves forward, it is imperative to have a strategy that can be incorporated into Council goals. Administrative Assistant Elizabeth Coleman and McDowell recently attended a meeting in Harrisburg. Ms. Coleman recapped the meeting for Council. She said the first topic was enforcement, and that basically the cities are going to be forced to deal with this program. It was not mentioned where the funding for these requirements was going to come from. An average utility bill could easily go up \$80 on top of what they are already paying (which would double the average bill). There is no easy answer. Another question posed at the meeting, was "How does the City charge for a utility that we don't even have?" Mr. McDowell thinks that Council needs to redouble our efforts in talking to legislators and try to keep the matter in front of us. There is no easy answer.

Future Capital Improvements Planning – Part II – Mr. McDowell stated that the City is in serious need of infrastructure replacement and repair and planning for these issues must be addressed soon. The City made past decisions that have set precedence moving forward that eliminates some funding options. The City funded projects for water and sewer lines, for example, and did not assess the fees against the adjoining property owners (tax lots). Since this is the historic policy, it is too late to change that policy and do it differently now. It is important to remember that street improvements are different, those same precedents have not been set. Another option to remember is the fact that the City is not levying the full bond on the tax payers. We have supplemented the bond payment by levying a \$15 sewer bond debt on each utility bill so that the users are sharing the tax burden, instead of just the property owners. This funding goes into a special fund which generates about \$100,000 - \$150,000 each year. Council could change the percentages should they so choose.

Brownsville Community Foundation – Chenoweth Robertson – Mayor Don Ware declared a conflict of interest as he is on the Board for the organization. He will not participate in the discussion. Ms. Robertson stated that they have changed their name to the Central Linn Community Foundation to better reflect their service of the Central Linn area. Robertson stated that the Foundation awarded several grants last year, supporting various programs in the area, and totaling about \$5,000. She is here tonight to request funding for this year's grants. Last year the City donated \$1,250, and any amount the City could provide would be greatly appreciated. Councilor Cole stated that she has watched this organization grow over the last few years, and it is an impressive organization, with a very important goal. *Councilor Cole made a motion to approve a \$1,250 donation again this year. Councilor Gerber seconded the motion.* Discussion was called for. Councilor Shepherd stated that he would like to ramp it down a bit because of all the other commitments the City is facing. He sees a need to take control of the budget, and spend very wisely. Councilor Gerber feels that the City gives to a limited number of organizations, and this has a great benefit for our community and is a way help our most



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vulnerable folks. This donation allows Council an opportunity to direct folks to the BCF to apply for grants. Councilor Cole also stated that the BCF can be used as a conduit as a way to do good in the community, instead of having to entertain all requests at the Council level. Councilor Shepherd feels strongly that we need to give less; it is a very worthwhile organization, but we need to do what's right for everyone in town. Councilor Chambers thinks that this organization does encompass a lot of stuff that we are individually supporting. She does agree with Councilor Shepherd that we need conserve funding where possible. Councilor Shepherd stated that he would feel comfortable matching the \$500 that the City of Halsey donated. *Councilor Cole would like to amend her motion to give \$1,000 to the BCF. Councilor Gerber seconded the motion. It was voted on and passed, 4-1, with Councilor Shepherd opposing, and Mayor Don Ware abstaining.*

DEPARTMENT REPORTS:

1. **Sheriff's Report.** LCSO Sgt. Klein reported that there were 20 citations, 27 traffic warnings, 5 adults arrested, and the burglary investigations are continuing. They also spent 30 hours on traffic in October. LCSO has also assisted the City in citing ordinances, with two more to be cited shortly.
2. **Public Works.** Mr. Frink was excused from the proceedings.
3. **Administrator's Report.** Mr. McDowell reported that the person who vandalized the trees on Main Street has been caught. The City has been summoned to court in December; more information to follow. It may be too late to get replacement trees this year; it is weather dependent, time will tell. Under the Clean Water Act (CWA) every city or other public discharge point is required to have a NPDES Permit, which is required to be reviewed every three years. Westech Engineering is working with Staff on this project.

While Mr. Frink has been on vacation, Public Works Operators Josh Kometz and Andy Day have been holding down the fort. Mayor Don Ware stated that he had attended the Go Team Summit in Lebanon recently where McDowell was a speaker. Alex Paul, *Democrat Herald*, wrote a great article about the event. McDowell stated that Mayor Don Ware had also attended the last COG meeting.

The Cascade West Council of Governments has undertaken a study of how many rural cities have now lost their financial institutes. The COG held a meeting to discuss options. Yachats, Brownsville, and Scio were represented at the meeting. Scio is pursuing different options, but Brownsville and Yachats are very interested in a solution. One idea is for rural cities to compile a lump sum to lure some sort of banking into the area. No one is sure what that another model might look like, but perhaps a location could be a part of Dari-Mart, the Post Office or another like location. A follow-up meeting will happen in a month or two. McDowell stated that he thought it is a great idea to leverage several small cities over several rural counties together. The shock was initially very difficult, but we are now conditioned to go to town for groceries, hair appointments, and now, for banking services. For some businesses in town, the impact of not having a bank is a very big obstacle. One comment from the crowd was that every day from here forward, fewer folks are actually walking into a bank to do their banking. At least here in Brownsville, store fronts have never been filled; maybe we do nothing instead of trying to leverage some factors. More information to follow.

The City was recently hit with a ransomware attack. Basically this kind of attack is inadvertently downloaded, often through a disguised website that is one that you



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normally use. It locks up all your files, and basically holds them for ransom. If you pay the perpetrator, they will unlock the virus allegedly. This particular virus shut down the City computers for several hours while repairs were made. The COG sent down a computer technician, and he and Mr. McDowell found a un-encryption program to remove the ransomware from the system. The City was very lucky that the ransomware was discovered immediately, and contained to one computer. One of the major concerns would be if this ransomware uploaded to Gemini (the daily backup system initiated from New York through our software provider). McDowell's concern is what is the City's liability if a ransomware attack or virus is inadvertently uploaded from here during the backup operation? He has contacted CIS and they are delving into that matter further. This a growing concern every day, and no one seems immune. Cities are spending a ton of money on firewalls, etc. to try to prevent this from happening.

COG is working on the possibility of acquiring Accela (Springbrook) software that they might be able to subcontract out to cities for a fraction of the prices that we are paying now for general ledger and utility software.

McDowell reported that two of the RV's in non-compliance have complied. There are still a couple under review. LCSO is actively working on those situations.

McDowell asked Council how they would like to proceed with the leash law request from Jim Hagan last month. After discussion, it was mutually agreed that Council would not change the ordinance. Council would like Mr. McDowell to write Mr. Hagan a letter and advise him of Council's decision.

4. **Library Report.** No comments.
5. **Court Report.** No comments.
6. **Council Comments.** No comments.
7. **Citizen Comments.** No comments.

LEGISLATIVE:

1. **Resolution 2016.20.** Tabled, discussed earlier.

ACTION ITEMS:

1. **Marijuana Tax Collection IGA Option.** McDowell provided Council with an email from Wendy Johnson, League of Oregon Cities, containing a 15 page document that contains details concerning the State collecting the marijuana tax on behalf of the City. McDowell expressed that he thought this would be a valuable service. There is a 4% fee for collection. Mayor Don Ware and Councilor Cole volunteered to review the document. Council is comfortable moving forward with their direction. When the election results are certified, and if the marijuana issue passes, Council may need to move forward with that matter. Councilor Chambers stated that she had read the email from the Simpson's and stated that it is one of the nastiest letters they have written to us. She feels that Council has always been very polite and respectful to them. Two summers ago they showed their disrespect for the City and Staff by opening up and giving away free marijuana when they



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were told they could not open as a retail establishment. Chambers said that they have alienated folks around town, and have shown that they are not the good neighbors they purport themselves to be. If anyone disagrees with them, name calling ensues, and it would be nice if they started to show some respect in return. Quite honestly, Councilor Chambers says, that she is fed up with this kind of behavior.

2. **Brownsville Senior Center MOU.** At the last Council meeting McDowell was directed to move forward with a MOU with the Brownsville Senior Center with general purpose language. *Councilor Gerber moved to authorize Mr. McDowell to go forth with the MOU as written. Councilor Cole seconded the motion.* Discussion ensued. Mayor Don Ware and Councilor Shepherd excused themselves from the vote as they are members of the Senior Center. Councilor Chambers stated that she is uncomfortable with the 3-year term. Cole stated that she understands her position, but felt that this MOU supports the quality of life for the town, keeping the community tight and networked. She acknowledged that Council has massive budget concerns coming up, but that it is important to balance infrastructure versus benefit. Gerber remarked that the Senior Center provides a huge benefit to many people and other organizations in our community. Mrs. Marilee Frazier, Senior Center President, spoke next highlighting a few of the services that are offered to seniors through this Center. They help folks find services, loan out equipment, help with transportation to get to town, offer Medicare counseling, and have an emergency calling tree for seven different zones around the community. They also open up their facility when the town has an event for restrooms and respite. *A vote was called for, with Councilor Gerber and Councilor Cole voting yes, and Councilor Neddeau and Chambers opposing. Motion failed. Councilor Neddeau made a motion to modify the agreement to an annual term. Councilor Chambers seconded the motion with Councilor Neddeau, Chambers, and Gerber voting yes, and Councilor Cole opposed. Motion passed.*
3. **Chamber of Commerce MOU.** McDowell stated that Chamber President John Morrison was unable to be here. McDowell highlighted some of the Chamber activities. *Councilor Gerber made a motion to authorize McDowell to facilitate the Chamber MOU. Councilor Cole seconded the motion and it passed unanimously.*
4. **Alyrica and Fiber Optic Internet.** McDowell has been approached in regards to interest in a fiber optic internet option for the City. Alyrica is currently installing a fiber optic system in Halsey, and is looking for interest to install the same in Brownsville as the company's next project. McDowell stated that it may be the most expensive of internet options, but feels that it is vital system for the City to have access to because of the myriad of opportunities it opens for citizens of Brownsville. Councilor Gerber asked about the cost difference. McDowell replied that we have no information on that just yet. McDowell asked Council members to chat this up with folks around town to see if they are interested in this better internet service.

DISCUSSION ITEMS:

1. **Canal Company Update.** McDowell asked to table this item for now.



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2. **LOC Councilor Basic Training.** Councilor Cole informed Council of an upcoming training titled “Elected Essentials” in Lebanon on January 25th, 2017 from 8:30 a.m. – 4:15 p.m. This is a free workshop offered through the League of Oregon Cities, and it sounds like it would be extremely important for Council to attend. Topics range from: how to use your League, the role of elected official and staff, land use, city finances and budget, legal issues (ethics, meetings, and elections), and risk management. You will need to register to attend the training. This topic will be discussed again in December.

3. **October Financials.** No comments.

CITIZENS COMMENTS – No comments.

COUNCIL COMMENTS – No comments.

EXECUTIVE SESSION – Executive session was entered into at 8:16 p.m.

- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
 - ▶ Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session.
 - ▶ A final decision may be made after this Session.

Executive session was exited at 8:20 p.m.

Councilor Gerber moved to authorize Mayor Don Ware to contact the City Attorney regarding the employee contract if needed. Councilor Cole seconded the motion, and it was approved unanimously.

ADJOURNMENT: *Councilor Cole moved to adjourn at 8:21 p.m. Councilor Shepherd seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

December 20th, 2016

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

One liner of the month

☺ A computer once beat me at chess, but it was no match for me at kickboxing. ☺

Note: The most important section is the first one 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 that it is part of Council Goals that are on the Council room wall or in the City budget. When you see this symbol ☒ by a topic, it means that I will talk more about it at the meeting.

“Optimism is the faith that leads to achievement; nothing can be done without hope.”
~ Helen Keller

“Sometimes, the shortest path between two points is serpentine.”
~ Christopher Benfey, Critic

“You’re a wizard Harry!”
~ Hagrid, Harry Potter

“Wishing you peace and joy this Holiday Season!”
~ Hallmark



Helen Keller

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

6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Emergency Preparedness Report – Mr. Norman Simms** – Mr. Simms will present the strategies that have been developed by the volunteer group that will allow for the orderly implementation of the Emergency Preparedness efforts laid out in the Brownsville Municipal Code. Information from the group is included in the agenda packet.



9) LEGISLATIVE:

- A. **Resolution 2016.20: Certifying 2016 General Election Results** – Linn County Clerk’s Office officially certified the final results. Council must pass this legislation to officially acknowledge the results.
- B. **Resolution 2016.21: Department of Revenue IGA (Marijuana)** – If Council is interested in entering into the agreement with DOR for the collection of marijuana taxes, this resolution must be passed as required by the agreement.



City Administrator Report

C. Resolution 2016.22: Setting Marijuana Tax Rate – This legislation enables the City to levy the amount of tax allowed by State law on marijuana sales within Brownsville.

Recent History – Council did pass Resolution 2014.20 that levied a marijuana tax. Council did this along with many other cities and counties in the State of Oregon when there was great uncertainty about how all of the processes were going to work. The new resolution repeals the previous resolution.



D. Ordinance 762: Voter Approved Marijuana Tax – I have placed this piece of legislation in the agenda packet for your review only. Ordinance 762 was approved by the voters of Brownsville which requires no further Council action.

E. Ordinance 763: Business Registration Amendment – This legislation removes the appropriate Federal language to allow marijuana as determined by the voters of Brownsville at the November 8th, 2016 General Election while keeping the business registration ordinance intact.



F. Ordinance 764: Marijuana Taxation Amendment – This legislation repeals Ordinance 750 which was passed earlier by Council, again, when there was uncertainty as to process regarding marijuana. The ordinance will also allow the City to collect the tax, if, in the future the City decides to self-collect the marijuana tax revenue.

10) ACTION ITEMS:

A. Marijuana Tax Collection IGA Option – Mayor Ware, Councilor Cole and I met to discuss the agreement with the Department of Revenue as directed by Council. We concluded that entering into this agreement was the best course of action based on several factors including, 1) additional Staff time required for collection purposes, 2) possible collection complications, and 3) possible future Federal implications. We recommend entering into the agreement. We would also offer that by passing Ordinance 764, Council will retain the right to self-collect in the future should the City so decide.

What is Council being asked to do?

Approve the agreement and authorize the Mayor and City Administrator to execute the necessary documents to finalize the agreement.

B. Brownsville Municipal Code Considerations – I request that Council appoint two members of Council for two purposes, 1) to review what ordinances the City should enact for the preservation of public safety and welfare, and 2) to review utility billing logistics. I would hope to have these conversation in early January so that draft legislation could be considered at the January Council meeting.

What is Council being asked to do?

Appoint members to assist Staff with legislative reviews.



City Administrator Report

11) DISCUSSION ITEMS:

- A. **Goal Setting Sessions** – We will not have a full Council Tuesday evening, however, I am asking members to take a look at their schedules and carve out some time for Council’s Goal Setting Sessions in February. We will need more than one session to accomplish this important process.
- B. **November Financials**

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

- ▶ *Worked on security concerns with effected personnel.*
- ▶ *Mayor Ware & I attended a few meetings as directed by Council and required by circumstances.*
- ▶ *Migrated the Office Server to a new computer.*
- ▶ *Worked with Administrative Assistant Elizabeth Coleman on several properties and projects.*
- ▶ *Met with Lebanon City Manager Gary Marks to discuss the RLED proposal.*
- ▶ *Met with new Flower Club President Sandra Saltzer.*
- ▶ *Asked to be a part of the CIS Annual Conference entertainment team again for 2017.*
- ▶ *Discussed personnel and operational concepts with Captain Guilford & Sergeant Klein.*
- ▶ *Staff met with parties developing the Depot Avenue property.*
- ▶ *Attended Willamette Neighborhood Housing Services meeting. Several policy changes were made to assist WNHS Staff and clientele.*



HAPPENINGS

Server Migration – I spent considerable hours migrating information and programs to a new computer for Administrative Assistant Jannea Deaver’s work station. So many individual proprietary components take time and resources to ensure they are working properly.

Jim Hagan Electronic Leash Request – Mayor Ware and I forwarded a letter as directed by Council at the last meeting. I have included the letter in the agenda packet for your information.





City Administrator Report

Ransomware Attack – Tech hacks and security issues continue to be on the rise all over the nation.

NO FARE: Computer systems tied to San Francisco’s Muni public transportation lines have been infected by ransomware, giving riders a free pass on the city’s bus, train and trolley services. The system’s computers, which had been compromised prior to Thanksgiving, displayed the message “You Hacked, ALL Data Encrypted.” Fare terminals had signs attached that said “out of service” and “free Muni” on Saturday, according to local media. The attackers are asking for 100 BTC, which comes to \$73,184. [Greg Otto has more.](#)

Go Team Results ☒ – I will have an oral report.

Active: Emergency Preparedness Committee (EPC) Meeting Update = **From 11.22.2016:** Administrative Assistant Tammi Morrow and I met with Norman Simms, Marilee Frazier and Kneil Stucky to work toward a presentation for Council at the December 2016 meeting. Below is the gist of the EPC discussion and direction:

1. Discuss Realistic Expectations
 - a. Define the Committee’s role
 - i. Public Awareness
 - ii. Electronic Material
 - iii. Printed Material
 - iv. Quarterly Letters
 - b. What the City is not interested in promoting
 - i. Fear
 - ii. Unrealistic Eventualities
 1. Nuclear Attack
 2. Zombie Apocalypse
 - iii. Unrealistic Expenditures
 1. Purchasing Generators for Private Businesses
 2. Constructing Cell Phone Towers
 3. Buying Supplies for Individuals
 4. Buying Supplies for ‘Rainy Day’
 5. Writing Plans for Utilities
2. Individual & Family Readiness
 - a. Demonstrations
 - i. School Talks
 - ii. Event(s) Opportunities
 - iii. Open Houses
 - b. Prep Materials Available
 - c. Create Inventory for Public Materials
3. Develop Partnerships
 - a. Personnel Availability





City Administrator Report

- i. Retired Skilled Labor
- ii. Other Skilled Labor Opportunities
- b. Materials & Supplies
 - i. Developing Inventory
 - ii. Creating Agreements for Future Needs
- c. Mass Gathering Locations
 - i. Churches
 - ii. City Buildings
 - iii. Fire Buildings
 - iv. School Buildings
- 4. EPC Organizational Development
 - a. Create Quarterly Meeting Schedule
 - b. Councilors – NIMS Training
 - c. Working with Linn County Emergency Preparedness

GOAL: Increase Public Awareness

Finance Odds & Ends ☒ – Boldt, Carlisle & Smith (BCS) finished the audit of FY 2015-2016. I have electronically filed the document with the Secretary of State and Standard & Poor’s.

From 11.22.2016: KeyBank has made the final transition to one major account. The City eliminated the Utility, Court & Park checking accounts. Administrative Assistant Tammi Morrow has been working on this project very closely.

HOLD: McDowell Contract Opener – I have moved the discussion to January due to not having a full Council.

STATUS UPDATES – Projects, proposals and actions taken by Council

Active: Total Maximum Daily Load (TMDL) Update – Public Works Superintendent Karl Frink and I have finished our review of the TMDL Plan. We have also reviewed the information necessary to complete the annual report. Staff will bring the TMDL Plan to Council for approval in January or February of 2017. Staff will file the annual report by the end of December.

Active: Future Capital Improvements Planning – Public Works Superintendent Karl Frink and I will be presenting this information to the Parks & Open Space Advisory Board in January. The Parks & Open Space Advisory Board and Staff are updating the Park Master Plan. The City had applied for planning funds through the State, but were not successful. Given the City’s current capital infrastructure needs, an internal review and update will be sufficient.



Active: Economic Development ☒ – 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



City Administrator Report

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.

2017 Meeting Schedule – Staff has included a calendar for the year for your use.

Active: Utility & General Ledger Software – **From 11.22.2016:** The Cascade West Council of Governments is working on the possibility of purchasing software on behalf of cities in our region. Hopefully, there will be a more cost effective, shared solution.

Linn County Project Advisory Committee (PAC) – Mayor Ware attended the last meeting in Halsey. I have included a priority list for Council approval. Don may have some additional commentary at Council meeting.



From 11.22.2016: I was unable to attend the last meeting but I am reviewing the information for commentary and suggestions. This is will be imperative for Councilors to attend future public sessions if the City is interested in making sure Kirk Avenue gets on the County's priority list. Please see the information from Linn County Engineer Chuck Knoll that is included as part of the agenda packet.

BACKGROUND – **From 01.26.2015:** Linn County Transportation System Plan (TSP) Project Advisory Committee (PAC) had the first meeting in a series of six total meetings over the next two years to discuss regional transportation issues and develop similar policies and land use practices. I think this will be an important piece in attempting to leverage County improvements on Kirk Avenue.

Active: Medical & Recreational Marijuana Discussion – I have been very busy working with City Attorney Lauren Sommers to prepare the necessary changes to the Brownsville Municipal Code. All the needed and required changes are part of the legislative items for this meeting. Administrative Assistant Elizabeth Coleman and I are working with Randy & Gayle Simpson to assist them through the local process.

From 11.22.2016: If the results are certified based on the totals available at the time of this report, Council will need to change several pieces of legislation. Staff will prepare the necessary changes for the December Council meeting.

Excerpt from recent e-mail communication:

Randy Simpson & Gayle Ashford contacted the City yesterday to talk about the process of getting the ordinance changed. Randy said that he would be applying for a permit through the State. If Council is able to certify the election results on November 22nd, then legislation would be prepared for the potential business registration ordinance change at the December 20th, 2016 Council meeting.

From 09.27.2016: Council passed necessary legislation at the July Council meeting to place the issue on the November ballot. Resolutions 2016.18 and 2016.19 were passed. Please refer to the last agenda packet for more information. Ordinance 762 was also reserved pending the outcome of the vote.



City Administrator Report

Active: Recreational Vehicles ☒ – 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.

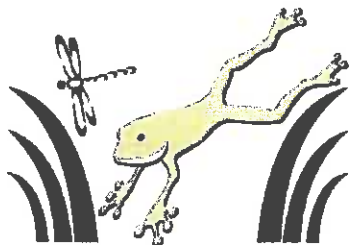
Complete: Brownsville Chamber of Commerce MOU – Staff finalized the MOU with the Chamber.

Complete: Brownsville Senior Center MOU – Staff finalized the MOU with the Senior Center.

ITEMS PENDING – Tabled or On Hold

Pending: Canal Company Conversations ☒ – The leadership of the Canal Company continue to explore their legal options.

From 09.27.2016: Council authorized the City Administrator to put together an agreement to be reviewed by the City Attorney at the last Council meeting. The City received the initial review from City Attorney Ross Williamson after Labor Day. Staff will give a brief update and revised timeline for future discussion...



BROWNSVILLE CANAL COMPANY, INC.

From 06.28.2016: I will be hosting a conversation with the Canal Company Committee in July. The Committee consists of John Holbrook, Gary Shepherd, Mandy Cole, Kaye Fox and Nathan Mickelwright. The discussion will include how the City and the Canal Company may work together toward collection of dues, implementing certain requirements and executing maintenance of the canal.

From 05.24.2016: The Canal Company met on May 9th, 2016 at 7:00 p.m. in Council Chambers. Mr. John Holbrook was re-elected as President. Mr. Gary Shepherd was re-elected as Vice-President and Ms. Cindy Clark was re-elected as Secretary/Treasurer. Mrs. Fox discussed the basic themes she shared with Council at the last meeting. I explained Council’s position. The outcome of the conversation was that a committee of the Canal Company was formed to further investigate the concept that has been discussed for several years. The committee will be meeting initially in June. The Canal Company set a follow-up meeting to be held in September with everyone. The Canal Company went from an umbrella insurance policy of \$2 M to \$1 M due to costs.

Stalled: Linn County Engineer Chuck Knoll & Washburn/Gap Road – **From 11.22.2016:** Council asked Staff to request a speed study for Washburn Street due to a petition that was sent to Council by Mr. Joe Ervin. Mr. Knoll indicated that the only thing that will immediately help the situation is traffic patrol. I did indicate to Mr. Knoll that Council has been urging the Sheriff’s Office to patrol this and other areas in town as we are continuing to experience a lot of citizen complaints regarding the lack of traffic enforcement. Mr. Knoll indicated that there are really no other ‘traffic calming devices’ that can be installed that would help this situation. Mr. Knoll asked if there were any pending improvements to the road by any private developments. I indicated that there were no plans pending or even presented to the



City Administrator Report

City for this area. Mr. Knoll suggested that a turnabout could be installed if a large subdivision was being developed, as an example. Mr. Knoll indicated that he would discuss this issue further with Linn County Road Master Darrin Lane.

I feel that the City's only option on this matter is to continue to ask the Sheriff's Office for traffic patrol in this and other areas.

Pending: Visit Linn Coalition (VLC) Update – **From 07.26.2016:** The City recently contributed \$500 to assist in continuing the VLC mission.

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.



Pending: Water Rights – **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 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.

Central Linn School District Agreement – **From 09.27.2016:** Mayor Ware and Councilor Shepherd attended a meeting put together by Bryan Wyant on September 16th, 2016. Mr. Wyant had reached out to Samaritan to gauge their interest in the property. The Central Linn School Board approved Mr. Wyant contacting any other interested parties at their August Board meeting. Councilor Shepherd reported that no decisions were made at the meeting. Superintendent Gardner indicated that Willamette Neighborhood Housing Services has until the end of October to determine if they want to purchase the property for development. Shepherd indicated that Samaritan was simply looking at options. Mr. Wyant was encouraged that Samaritan demonstrated interest in the property by coming to Brownsville to look the property over.

From 06.28.2016: Council sent Mayor Ware to talk with Mr. Mark Penrod, Central Linn School Board Chair, in an attempt to get answers on the Board's plans for the Blakely Avenue property. Council also would like to see community conversations being held with the Central Linn School District about the plans for the property, otherwise the City Planning Commission could easily be placed in a difficult situation. Administrative Assistant Elizabeth Coleman attended the Central Linn School Board's meeting on June 13th, 2016.

From 3.22.2016: Superintendent Brian Gardner indicated that he is awaiting a proposal from Willamette Neighborhood Housing Services (WNHS) for the Blakely Avenue property. Mr. Gardner



City Administrator Report

indicated that several contingencies are included in the language put forth by the Central Linn School Board. Once he has the information, he will discuss the details with the City.

Pending: Goal Review Options – *From 09.27.2016:* A decision was made to hold off until after the general election. Council would not be able to pass the legislation by the end of the year and new members of Council will be included in a discussion for future goals in February.

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.

PAST MEETINGS – Memory Information

Pending: Darrin Lane & Kirk Avenue ☒ – *From 10.25.2016:* I will provide some points to ponder at the upcoming meeting. The City will have an expenditure of between \$80,000 - \$160,000 if this project moves forward. Public Works Superintendent Karl Frink and I are unable to determine actual costs because we do not have a design for the road. Manholes, water and sewer service lines and hydrants along with other infrastructure will have to be relocated for the road to be reconstructed. The other major consideration is that of right-of-way acquisition. Many will have to give up portions of the area they are currently accustomed to as front yard.

When the road is reconstructed, Kirk Avenue will become a “drag strip” and complaining about speeding will be at an all-time high. I have seen this many times before in communities.

Linn County is under no obligation to fix this road. The County projected their cost to be over \$2 M to repair the road from Main Street to Hunter Street.

The City can either wait and attempt to ensure that Kirk Avenue is placed on the maintenance list or pass a bond measure for the repair of the street. The City does not have the money to take on such a project.

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

The Budget Committee and Council have discussed the financial implications to the City. I have discussed the need for a Local Improvement District (LID) if this project should move forward. Depending on the design of the street improvements, the City could be spending hundreds of thousands of dollars on storm water drainage improvements, moving water line connections, moving sewer line connections, adjusting manholes and other utility appurtenances. Linn County has been doing major improvements throughout the County which have depleted their financial capability to assume Kirk Avenue as part of their roadway system.

Coleman & Kinney – FEMA Implications –Pending.



City Administrator Report

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 continue to stay low.

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

Stalled: Garbage Language – *From past meetings:* Trash is starting to become a problem around town again. Below is the City of Albany's language that may be useful:

18.30.260 Accumulation of rubbish or garbage.

All exterior property and premises, and the interior of every structure, should be free from any accumulation of rubbish or garbage so as not to harbor insects and rodents, produce dangerous or offensive gases, odors and bacteria, or other unsanitary conditions, or create a fire hazard. (Ord. 5647 § 1 (Exh. C), 2006).

18.30.265 Disposal of rubbish.

Every occupant of a structure should dispose of all rubbish or garbage in a clean and sanitary manner by placing such rubbish or garbage in containers which are free from holes and covered with tight-fitting lids. (Ord. 5647 § 1 (Exh. C), 2006).

The City would also need to consider a time frame that is appropriate and a procedure to abate quickly. If this sounds better, Staff can proceed with further research.

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.

Respectfully Submitted,

S. Scott McDowell



Public Works Report December 15th, 2016

Karl Frink, Public Works Superintendent

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the months of November and December.
- *Distribution System* – Four leaks in the month. Public Works will soon be replacing the water line on Howe Street. The current line is an old steel 1 inch line serving two customers; the new line will be a two inch PVC line, which will balance the pressure for the two services much better.
- *Cross Connection Program*- All backflow devices have been tested for this year. Two new backflow devices are installed, and one still pending installation.
- *Water Treatment Plant* –Public works switched water sources October 13th, as the river water conditions became too dirty for our water treatment plant to filter.
- *Misc.* – Nothing further to report this month.

Sewer:

- *North Lagoons* – Discharge from this facility began November 28th, and will continue through December until lagoon levels are at 3 feet. The night lights have been repaired or replaced as needed. The generator has been fueled and inspected for use in the event of a power failure.
- *South Lagoons*- Discharge from this facility will begin as soon as possible. The lagoons are near full and will require discharging to avoid damage to the dike walls or overflow from the lagoons. The night lights have been repaired or replaced as needed. The generator has been fueled and inspected for use in the event of a power failure.
- *Collection System*- Nothing to report this month.
- *Misc.* – Nothing additional to report this month.

Streets:

- *Mowing/Tree Maintenance* – One tree on Spaulding Ave was safely removed October 20th. Many tree limbs fell during the recent winter storm event, public works has cleaned up any fallen debris as a result of that storm.
- *Asphalt/Gravel Road Maintenance* –All of the street painting and marking is scheduled to be repainted soon. This work includes City Hall and downtown parking lots. Public works graded all gravel roads in the month of November.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Stop sign replaced at Hume/Blakely.

Parks:

- *Pioneer Park* –Leaf clean up is under way. This fall we will be removing the road between the river and the playground as the eroded riverbank is encroaching too close to the road and could become unstable. We will remove the gravel and replace with soil, then reseed the area to return it to grass.
- *Blakely Park* – Leaf clean up is complete.
- *Kirk's Ferry Park* – Leaf clean up is complete.
- *Remington Park* –Public works will be grinding out the stumps soon. Leaf clean up is complete.

Cemetery:

- *Grounds* –Several burial plots and headstone placements have been marked out. The new sign at the cemetery has been repaired and reinstalled.

Library:

- *Grounds*- This facility is mowed and maintained weekly.
- *Buildings*- A few minor building maintenance items have been repaired.

Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed. The old bike rack in the flower bed was removed and will be delivered to Advanced Mechanical for overhaul. The plan is to place this bike rack in Pioneer Park once complete.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *Parking Lot* – The parking lot will be restriped when the streets are repainted.
- *Misc.* – Renovation of the Red Shed is near complete. A new metal roof has been installed, siding has been repaired or replaced as needed and new batons have been installed. The new garage doors have been installed and trimmed in, new windows and entry door have been replaced. Once construction is complete, we will repaint the entire building when weather allows.

City Hall:

- *Buildings*- The lights at the rear of the building have been repaired and are now working. The gutters have been cleaned, however one gutter in the front has clogged again. We are working on a solution as the gutter is too high for the ladders we have to work with.
- *Grounds* –The grass is mowed and maintained weekly.
- *Community Center*- Nothing to report this month.

Rec. Center:

- *Grounds*- Leaf clean up is complete.
- *Buildings*- One heating unit was replaced. Several lights have been repaired or replaced as needed.

Public Works:

- *Grounds*- Leaf clean up is complete.
- *Buildings*- Cleaning and organizing continues as time allows. Gutters have been cleaned twice.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.

K7 ID



Planning at a Glance

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

- | | |
|---|---------------|
| • Mechanical Install Gas Fireplace + Piping | 640 Washburn |
| • Mechanical Replace Gas Furnace no piping | 504 Spaulding |
| • Mechanical Install Free Standing Stove + piping | 315 Stanard |
| • Mechanical Install Wood Stove | 415 Templeton |
| • Mechanical Replace Gas Furnace no piping | 103 Cooley |
| • Mechanical Replace Furnace no piping | 404D Kay |
| • Plumbing Install dog sink | 912 Ash |
| • Plumbing Replace Electric Water Heater | 814 Kirk |
| • Accessory Structure | 606 Robe |
| • Fence | 200 Hausman |

Land Use Applications

- | | |
|-----------------------------------|------------|
| Property Line Adjustment (Replat) | 367 Fisher |
| Property Line Adjustment (Replat) | 373 Fisher |

Updates

The Planning Commission approved, with conditions, both submitted (dog grooming on Oak Street and caretaker's residence on Washburn Street) Conditional Use Permit applications at the Planning Commission hearing on Monday November 21st. Per the Conditions of Approval for the home occupation that was approved in December of 2015, Grooming in the Hood, a one year review will be scheduled for this month. The civil engineering and partition plans for Clayton Homes were reviewed and approved by Public Works Superintendent Karl Frink and City Engineer Jon Erwin. The Scott Lepman Company (Glorietta Bay LLC) mini storage facility project have been working on cleaning up the Depot Avenue site to prepare for development and are still in the process of discussing drainage. A Conditional Use application hearing for a Home Occupation is scheduled for January 23rd.

Elizabeth Coleman



LINN COUNTY SHERIFF'S OFFICE

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

2016

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

FOR THE MONTH OF: November

TRAFFIC CITATIONS: -----	11
TRAFFIC WARNINGS: -----	20
TRAFFIC CRASHES: -----	2
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	7
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	3
COMPLAINTS/INCIDENTS INVESTIGATED: -----	58
TRAFFIC HOURS-----	25

TOTAL HOURS SPENT IN: BROWNSVILLE 228

CONTRACT HOURS= 202 HOURS

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

By: Sergeant Greg Klein

PATRL_RPT#2 City Incident Report

ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ADDRESS	CITY	DESCRIPTION
11/29/16	22:13:21	Trf Moving Viol	S MAIN ST	Brownsville	WARNING - MOVING VIOLATION
11/29/16	14:47:12	Trf Equipment Viol	TEMPLETON ST	Brownsville	WARNING - EQUIPMENT VIOLATION
11/29/16	14:47:12	Trf Equipment Viol	TEMPLETON ST	Brownsville	CITE ISSUED - DWS/NO ODL
11/29/16	14:47:12	Trf Equipment Viol	TEMPLETON ST	Brownsville	WARNING - EQUIPMENT VIOLATION
11/28/16	13:40:39	IDENTITY THEFT	KAY AV	Brownsville	Incident Report
11/28/16	2:21:06	WARRANT SERV	S MAIN ST	Brownsville	No Additional Report Necessary
11/28/16	2:15:12	WARRANT SERV	S MAIN ST	Brownsville	No Additional Report Necessary
11/27/16	18:19:45	TRESPASS	WASHBURN ST	Brownsville	No Additional Report Necessary
11/27/16	16:36:54	Trf Equipment Viol	HUME ST	Brownsville	WARNING - EQUIPMENT VIOLATION
11/27/16	16:05:42	Trf Motor Asst	LOUCKS WY	Brownsville	WARNING - MOVING VIOLATION
11/27/16	14:40:30	Trf Cell Phone Use	HUME ST	Brownsville	WARNING - CELL PHONE USE VIOLATION
11/27/16	13:59:43	Trf Moving Viol	WASHBURN ST	Brownsville	WARNING - MOVING VIOLATION
11/27/16	13:00:53	SUSP-PERSON	TEMPLETON ST	Brownsville	No Additional Report Necessary
11/27/16	12:44:09	Trf Moving Viol	S MAIN ST	Brownsville	WARNING - MOVING VIOLATION
11/27/16	12:24:42	Trf Cell Phone Use	HUME ST	Brownsville	CITE ISSUED - CELL PHONE USE VIOL
11/27/16	12:14:08	Trf Moving Viol	PARK AV	Brownsville	WARNING - MOVING VIOLATION
11/27/16	12:04:45	Trf Moving Viol	HUME ST	Brownsville	WARNING - MOVING VIOLATION
11/27/16	11:19:59	TRAFF-OTHER VIOL	N MAIN ST	Brownsville	CITE ISSUED - DWS/NO ODL
11/27/16	11:01:26	Trf Cell Phone Use	WASHBURN ST	Brownsville	CITE ISSUED - CELL PHONE USE VIOL

PATRL_RPT#2 City Incident Report

11/27/16	10:42:35 Trf Cell Phone Use	E WASHINGTON AV	Brownsville	WARNING - CELL PHONE USE VIOLATION
11/26/16	15:11:06 TRAFF-OTHER VIOL	SAGE ST	Brownsville	No Additional Report Necessary
11/24/16	19:19:16 PROWLER RPT	E BISHOP WY	Brownsville	No Additional Report Necessary
11/24/16	1:34:11 DISTB-NOISE	AVERILL ST	Brownsville	No Additional Report Necessary
11/22/16	12:43:02 ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
11/22/16	11:00:41 ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
11/22/16	9:31:12 ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
11/21/16	17:19:08 ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
11/20/16	12:46:39 WARRANT SERV	ROBE ST	Brownsville	No Additional Report Necessary
11/20/16	11:54:36 DISTB-DOMESTIC	ROBE ST	Brownsville	Incident Report
11/20/16	10:49:14 CIV DISP RPT	OAK ST	Brownsville	No Additional Report Necessary
11/20/16	0:50:34 ALARM - POLICE	E BISHOP WY	Brownsville	No Additional Report Necessary
11/19/16	22:01:56 Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
11/19/16	21:55:29 Trf Equipment Viol	PARK AV	Brownsville	WARNING - EQUIPMENT VIOLATION
11/19/16	20:40:29 SUSP-PERSON	KISLING AV	Brownsville	MDT Narrative Update
11/19/16	20:40:29 SUSP-PERSON	KISLING AV	Brownsville	No Additional Report Necessary
11/19/16	14:46:30 ASST-PERSON	SPAULDING AV	Brownsville	No Additional Report Necessary
11/18/16	16:53:43 ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
11/18/16	14:21:55 VIOL CITY ORD	SCHOOL AV	Brownsville	No Additional Report Necessary
11/17/16	21:44:13 WARRANT SERV	MILLHOUSE ST	Brownsville	Civil process atmped, not served
11/17/16	21:21:42 WARRANT SERV	AVERILL ST	Brownsville	Civil process atmped, not served
11/17/16	19:40:56 INFORMATION REQUEST/REPORT	E BLAKELY AV	Brownsville	No Additional Report Necessary
11/17/16	18:05:22 JUV-COMPLAINT	N MAIN ST	Brownsville	No Additional Report Necessary
11/16/16	11:28:27 PHONE-HARASSMENT	WILLSON AV	Brownsville	No Additional Report Necessary
11/14/16	12:05:03 THREATS	N MAIN ST	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

11/14/16	6:27:05 WARRANT SERV	STANARD AV	Brownsville	No Additional Report Necessary
11/14/16	4:54:45 WELF CHECK	STANARD AV	Brownsville	No Additional Report Necessary
11/13/16	20:58:02 JUV-COMPLAINT	E WASHINGTON AV	Brownsville	No Additional Report Necessary
11/12/16	17:31:30 MISUSE OF 9-1-1 SYSTEM	S MAIN ST	Brownsville	No Additional Report Necessary
11/12/16	14:13:44 IDENTITY THEFT	ASH ST	Brownsville	No Additional Report Necessary
11/12/16	7:08:49 SUSP-PERSON	SEVEN MILE LN	Brownsville	No Additional Report Necessary
11/11/16	17:12:57 FOUND DOG	SPAULDING AV	Brownsville	No Additional Report Necessary
11/11/16	10:23:47 DOG COMPLAINT	AVERILL ST	Brownsville	No Additional Report Necessary
11/10/16	16:55:59 JUV-COMPLAINT	OAK ST	Brownsville	No Additional Report Necessary
11/10/16	9:43:47 THREATS	SPAULDING AV	Brownsville	No Additional Report Necessary
11/09/16	15:27:19 HARASSMENT RPT	N MAIN ST	Brownsville	Incident Report
11/09/16	9:16:58 SUSP-PERSON	N MAIN ST	Brownsville	No Additional Report Necessary
11/09/16	4:19:22 SUSP-CIRCUMSTANCES	HAUSMAN AV	Brownsville	No Additional Report Necessary
11/09/16	3:42:04 Trf Moving Viol	S MAIN ST	Brownsville	WARNING - MOVING VIOLATION
11/08/16	23:21:52 SUSP-PERSON	SPAULDING AV	Brownsville	No Additional Report Necessary
11/08/16	20:16:18 SUSP-PERSON	N MAIN ST	Brownsville	No Additional Report Necessary
11/08/16	18:48:11 DISTB-OTHER	OAK ST	Brownsville	No Additional Report Necessary
11/07/16	13:31:50 FRAUD	N MAIN ST	Brownsville	No Additional Report Necessary
11/07/16	11:44:10 VIOL CITY ORD	SCHOOL AV	Brownsville	No Additional Report Necessary
11/07/16	6:58:34 THEFT-RPT	N MAIN ST	Brownsville	Incident Report
11/06/16	15:17:33 UNAUTHORIZED ENTRY TO MOTOR VEHICLE	AVERILL ST	Brownsville	No Additional Report Necessary
11/06/16	6:40:44 TRESPASS	W BISHOP WY	Brownsville	No Additional Report Necessary
11/05/16	10:43:38 CRIM MISCHIEF	S MAIN ST	Brownsville	Incident Report
11/05/16	10:28:47 CRIM MISCHIEF	TEMPLETON ST	Brownsville	No Additional Report Necessary
11/04/16	4:34:47 Trf Moving Viol	LOUCKS WY	Brownsville	CITE ISSUED - DWS/NO ODL
11/04/16	4:34:47 Trf Moving Viol	LOUCKS WY	Brownsville	CITE ISSUED - NO INSURANCE

PATRL_RPT#2 City Incident Report

11/04/16	0:56:31 WARRANT SERV	N MAIN ST	Brownsville	No Additional Report Necessary
11/03/16	22:02:18 SUSP-PERSON	N MAIN ST	Brownsville	Incident Report
11/03/16	14:47:26 DOG COMPLAINT	CALAPOOIA AV	Brownsville	No Additional Report Necessary
11/03/16	3:48:35 Trf Equipment Viol	PARK AV	Brownsville	CITE ISSUED - NO INSURANCE
11/03/16	3:48:35 Trf Equipment Viol	PARK AV	Brownsville	CITE ISSUED - SEATBELT VIOLATION
11/03/16	3:48:35 Trf Equipment Viol	PARK AV	Brownsville	CITE ISSUED - MOVING VIOLATION
11/03/16	3:48:35 Trf Equipment Viol	PARK AV	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
11/03/16	3:48:35 Trf Equipment Viol	PARK AV	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
11/02/16	21:58:53 MVC-NON INJURY	KIRK AV	Brownsville	No Additional Report Necessary
11/02/16	18:54:34 JUV-COMPLAINT	E BLAKELY AV	Brownsville	No Additional Report Necessary
11/02/16	9:23:00 Trf Cell Phone Use	WASHBURN ST	Brownsville	WARNING - CELL PHONE USE VIOLATION
11/02/16	4:12:58 Trf Equipment Viol	WASHBURN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
11/01/16	22:13:52 EXTRA PATROL	OAK ST	Brownsville	No Additional Report Necessary
11/01/16	20:51:42 ALARM - POLICE	E BISHOP WY	Brownsville	Cancelled by Caller
11/01/16	20:51:42 ALARM - POLICE	E BISHOP WY	Brownsville	No Additional Report Necessary
11/01/16	14:27:58 TRAFF-OTHER VIOL	NORTHPOINT LOOP	Brownsville	No Additional Report Necessary
11/01/16	0:12:08 MISUSE OF 9-1-1 SYSTEM	AVERILL ST	Brownsville	No Additional Report Necessary



LINN COUNTY SHERIFF'S OFFICE

Bruce W. Riley, Sheriff

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

The Honorable Jad Lemhouse
Brownsville Municipal Court
December 1, 2016

This report is in regards to the court proceeding on November 16, 2016 at the Brownsville Municipal Court. The defendant Colleen Garrison who was found in violation of Nuisance-Junk Ordinance Chapter 8.30.120 Section B. *At a residence, no person shall store an appliance (operable or inoperable) or plumbing fixture in view of a public street.* A follow-up was ordered by the courts regarding the defendant's compliance with this city ordinance.

On November 30, 2016 at about 1150 hours I contacted Colleen Garrison by telephone. I explained to her I wanted to follow-up with the Judge's order and respond to her residence and confirm that she is in compliance with the city ordinance and moved the refrigerator from her front porch. Colleen sounded reluctant upon my request to come to her residence and see if the refrigerator had been moved. Colleen told me she was at home caring for her sick grandchildren. Colleen suggested I drive by her residence where I could visibly see from the roadway the refrigerator had been moved from the front porch.

At about 1152 hours, I drove past Colleen Garrison's residence located at 382 Kirk Avenue, Brownsville, Linn County, Oregon and observed the south end of the front porch was enclosed with a white tarp between the south and east side of the supporting pillars creating a wall enclosing this section of the porch from view of the roadway. I could not see onto the porch and confirm at this time if the refrigerator had been removed. I contacted Colleen a second time on the telephone. Colleen told me she moved the refrigerator the weekend after Thanksgiving before her 10 days.

On December 1, 2016 I responded to 382 Kirk Ave. Brownsville, Linn County, Oregon and contacted Colleen Garrison at the front door of the residence. While I was waiting for Colleen to open the door I looked to my left to the south end of the front porch and did notice the refrigerator had been moved from this location. However, I observed another smaller refrigerator located on the front porch approx. 8' to the east of where the first refrigerator had been located. Colleen told me the refrigerator the courts ordered her to remove from the porch was moved inside the residence. Colleen escorted me into her residence to a back pantry on the first floor where I observed a refrigerator located up against a west wall in the pantry. Colleen told me she the smaller refrigerator is on the front porch due to lack of space in her residence.

Sergeant Greg Klein 
Linn County Sheriff's Office
gklein@linnsheriff.org

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR NOVEMBER 2016**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	34	0	1	33	
Violations	13	12	17	8	
Contempt/Other	32	2	1	33	
TOTALS	79	14	19	74	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 2,024.00	City	\$ 1,486.00
Total Bail Forfeits +	\$ -	Restitution	\$ 34.00
Total Bail/Bank Fees -	\$ -	Oregon Dept Revenue	\$ 376.00
Total Bail Held -	\$ -	Linn County	\$ 128.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -

TOTAL COURT REVENUE	<u>\$ 2,024.00</u>	TOTAL COURT PAYMENTS	<u>\$ 2,024.00</u>
----------------------------	---------------------------	-----------------------------	---------------------------

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 1,486.00
STATE	\$ 376.00
COUNTY	\$ 128.00
*REFUND/RESTITUTION	\$ 34.00
TOTAL:	<u>\$ 2,024.00</u>



Library Advisory Board

Librarian's Report

November 2016

Here are a few facts about our library the month of November 2016. We have received 70 new books for the library. Volunteers donated 118.75 hours to our library. There were 1,319 materials checked out. 378 adult fiction books; 178 adult non-fiction books; 76 audio books; 379 children's books; 226 junior books; 34 junior reference books and 48 large print books.

The Summer Reading Program Report has been submitted to the State of Oregon. The SRP Team is eagerly awaiting January to start their planning. 2017 theme is 'Build a Better World'. The team is hoping to build houses for birds out of wood or learn construction techniques with marshmallows, toothpicks and grapes; build with Lego™ blocks. Host a bike rodeo with free helmets supplied by Santiam Spokes and of course a fabulous performer provided by the Oregon College Savings Plan. All to be preceded by a terrific kick off performer at the Pioneer Picnic!

After the November LAB meeting, I ordered two new transmitters and three new receivers for the Library. This allows us to know when people enter the Library through the outer doors.

The Brownsville Library Book Club is now bringing in two titles each month for their membership. I think they started in 2012. I really appreciate Tricia Thompson starting this and getting so many community members involved.

The Friends of the Brownsville Community Library have been getting ready to set up the annual book sale again this year. This annual event does not happen without volunteers to bring in books, set up books, sell books and take books away. This sale will continue from Saturday, December 3 through Saturday, December 10.

The Library was approached to host a series of adult programs entitled World Cultures and Travel. World Cultures and Travel series takes the armchair traveler to a dozen Islamic countries or former Islamic countries from Spain to Indonesia showing how and why Islam developed, its place in the world and the photographer's personal experiences amongst Moslem peoples. The first program is entitled 'The Human Face of Islam' and it is scheduled for Wednesday, December 14 at 7 pm. This series will continue through April 2017.

Respectfully submitted,

Sherri Lemhouse
Librarian



2015-2016 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. Brownsvilleans care about healthy city finances, they expect infrastructure that delivers, and they elect a City Council that works for the benefit of the community. Public spaces are a vital part of Brownsville's sense of place; citizens' and city government's attention to the appearance and cleanliness of parks, streets, and neighborhoods adds to the town's livability.

Tag line

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

Who we are?

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

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

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



2015-2016 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



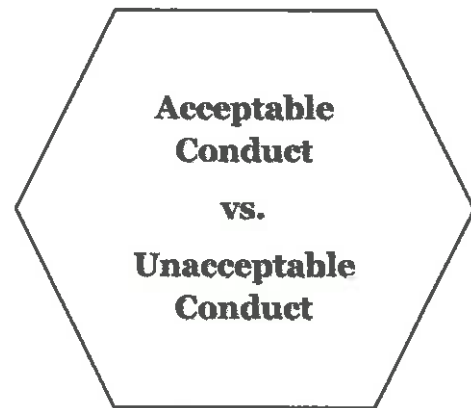
2015-2016 Council Values

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





2015-2016 Council Goals

Goals 2015-2016

1. Focus on the Fundamentals.
 - *Protect Brownsville's Treasury.*
 - *Active Capital Improvements Plan Implementation.*
 - *Foster Cooperative & Productive Relationships in the community and with County, State & Federal Agencies.*
2. Water Rights.
 - *Explore Possible Water Source Options.*
 - *Continually work on perfecting Water Rights.*
3. Economic Development Plan.
 - *Discuss Land Options with McFarland Cascade.*
 - *Participate in Regional Efforts & Opportunities.*
 - *Support Youth Activities in Cooperation with CLRA.*
4. Community Development Plan.
 - *Refine Zoning Rules & Requirements.*
 - *Consider & Adopt New Policies & Standards.*
 - *Finish & Implement a Sidewalk Program.*
 - *Improve Partnerships with CLSD.*
5. Capital Improvements Plan.
 - *Execute 2015 Water Improvements Project Contracts.*
 - *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
 - *Estimate City portion of Kirk Avenue Improvements.*
6. Organizational Development.
 - *Implement Accountability System for all Officials.*
 - *Focus on Council Development.*
7. Emergency Preparedness Plan.
 - *Compose a Written Emergency Plan.*
 - *Work with Area Partners on a continual Community Education Program.*
 - *Develop Agreements with Community Partners.*

GOALS PROGRESS UPDATE

1. Focus on the Fundamentals.

- *Protect Brownsville's Treasury.*
- *Active Capital Improvements Plan Implementation.*
- *Foster Cooperative & Productive Relationships in the community and with County, State & Federal Agencies.*



2015-2016 Council Goals

Plan: Staff will continue to strictly adhere to the annually adopted budget working within the necessary parameters to keep rates as low as possible while providing vital services effectively. Staff will execute the planned projects found in the FY 2015-2016 budget as time and priority allow.

Staff will bid, construct and complete the 2015 Waterline Project. Staff will plan for and execute the engineering for the redevelopment of sewer lines in Old Town Commercial for the next fiscal year.

Staff will continue to strive for excellence in all relational aspects of service delivery. McDowell serves on the State's OPRD Grant Advisory Committee, the Visit Linn Coalition, the Ford Foundation's Go Team Effort and works with CIS and the LOC as needed. Frink works with various groups including 811.

2016 November Final Update: City Administrator Scott McDowell has been very busy working with the Go Team preparing for the summit/forum happening on November 17th, 2016. The proposal is a regional economic development effort being completed in conjunction with the Ford Family Foundation and a serious local, grass roots effort.

The City was allowed by the United States Department of Agriculture – Rural Development (USDA-RD) to investigate the possibility of refinancing the City's debt with USDA-RD. The feds decided to allow cities to review refunding bonds due to the all-time low interest rates that were available. The City had not been allowed to refinance any debt until May of 2016. USDA-RD's policy did not allow cities the size of Brownsville to refinance without unfavorable future consequences. The City was told that it would be seen as a "self-funding agency" which meant that we would not be eligible for future funding through USDA-RD. Due to the policy change in 2016, the City was able to investigate possibilities. The final outcome was an interest rate of 2.9% with a savings of \$2M over the next thirty (30) years. The City received an A+ rating from Standard & Poor's Rating Agency.

The FY 2016-2017 Budget did not include a major capital improvement due to past spending. The City has completed over \$3.3M in capital improvement projects over the last ten years. All projects have been self-funded due to strict adherence with budget planning goals. The City still has a substantial backlog of capital improvements to complete, but adequate funding must be available. The Budget Committee and the Council hope to include funds for another major sewer collections overhaul in FY 2017-2018.

June 2016 Update: The 2015 Water System Improvements Project came in on budget but a little over time due to an issue with the GR 12 pump. Public Works Superintendent Karl Frink did an outstanding job providing inspection services for this important project.

Staff is executing at a very high level. Projects are executed with precision. Many members of the Staff participated in new ways to learn new skills and build overall capacity for the City.

Council does a great job navigating through tough decisions to honor the wishes of the Budget Committee and to honor the taxpayers while getting a lot of projects accomplished.

Staff continues to work on regional economic development plans with other municipalities as well as Linn County.



2015-2016 Council Goals

The Willamette Country Music Festival (WCMF) had a banner year and the cooperation with Linn County was nearly flawless.

2. Water Rights.

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

Plan: Currently working on the redevelopment of the GR12 well site east of the Main Street Bridge. Council has determined that this water source would double the current water capacity for the City. The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that exist in other areas of Brownsville.

2016 November Final Update: Water Rights Attorney Wyatt Rolfe, Public Works Superintendent Karl Frink, City Engineer Jon Erwin and City Administrator Scott McDowell have been working with the League of Oregon Cities on defending the City's water rights from future curtailment. The Oregon Supreme Court case involving the City of Cottage Grove was finalized and the implications are still not clear. Oregon Water Resources Department (OWRD) is acutely aware that any policy changes could potentially have major impacts on cities. The City has demonstrated with water usage data the City's position on this matter. The City would not have any room for future growth if the State curtails the water as proposed by the interest group suing the State of Oregon. Staff will continue to monitor this situation closely as it is vital to the future of the City. The League of Oregon Cities reports that these discussions will more than likely continue through the next State Legislative Session.

June 2016 Update: City Engineer Jon Erwin and Staff continue to work on this important process. The completion of GR 12 aides greatly in this process. The City is in the process of exploring other water resource options.

3. Economic Development Plan.

- *Discuss Land Options with McFarland Cascade.*
- *Participate in Regional Efforts & Opportunities.*
- *Support Youth Activities in Cooperation with CLRA.*

Plan: Continue working with East Linn communities and the Ford Foundation. The Go Team proposal is gaining public exposure. Continue working with the Brownsville Chamber of Commerce, Visit Linn Coalition and the Bi-Mart Willamette Country Music Festival to drive local financial viability of businesses. McFarland Cascade is currently using their entire property and looking to possibly add more. The land that has been thought of as a possible 'industrial park' has recently been purchased for the purpose of growing grapes. The new owner has the entire property planted.

Council needs to determine the next course of action as it relates to the CLRA organizational development agreement. Continue to work with the CLRA to develop and strengthen youth activities as a vital community amenity.

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



2015-2016 Council Goals

2016 November Final Update: City Administrator Scott McDowell has been very busy working with the Go Team preparing for the summit/forum happening on November 17th, 2016. The proposal is a regional economic development effort being completed in conjunction with the Ford Family Foundation and a serious local, grass roots effort.

Mayor Ware & City Administrator Scott McDowell have engaged in conversations with the Cascade West Council of Governments on rural banking and economic development. Conversations and meetings are continuing on both fronts. Cascade West Council of Governments Executive Director Fred Abousleman has been very active in working with all cities around these important issues facing small communities especially.

The Bi-Mart Willamette Country Music Festival is planning a four day gala for their 10th Anniversary in Brownsville. The Linn County Commissioners have been working with the event very well since the changes in the Linn County Code were adopted. The Festival has received conditional approve through 2018 and will be submitting a proposal for an additional year in the Spring of 2017.

Administrative Assistant Elizabeth Coleman and City Administrator Scott McDowell met on several occasions with McFarland Cascade regarding property development. The City was informed in September that due to the purchase of the acreage to the south of McFarland cascade, they were no longer interested in selling the acreage they were previously making available to the east of their property. McFarland is also interested in pursuing an Urban Growth Boundary expansion that would allow them to expand to the west. Staff has met with the State and Planner Dave Kinney on this matter. Administrative Assistant Elizabeth Coleman is currently researching the proper course of action.

Azalea Rojo, LLC from Boston, Massachusetts purchased over 360 acres of land abutting the City and constructed a large vineyard. The plans for the property have not been disclosed to the public.

Several other projects are being planned for both residential and commercial development within the City limits.

Council extended the organizational development agreement with the Central Linn Recreation Association.

June 2016 Update: Staff directing private parties discuss land purchase & development options with McFarland Cascade. Staff has encountered a few problems with the continued implementation of services with the CLRA. Staff is overly involved with projects regionally; working on the Visit Linn Coalition, the Ford's Go Team, the East Linn Cohort through the Ford Foundation, working with the State and Linn County on opportunities. Administration changes in Sweet Home may delay some of the implementation efforts of the regional strategy. Staff has meet with Cascade West Council of Governments leadership to discuss opportunities as well.

4. Community Development Plan.

- *Refine Zoning Rules & Requirements.*
- *Consider & Adopt New Policies & Standards.*



2015-2016 Council Goals

- *Finish & Implement a Sidewalk Program.*
- *Improve Partnerships with CLSD.*

Plan: Council would like to continue looking at ways to effect overall livability including right-of-way management. Install sidewalk into Pioneer Park from the Rec Center. Fully develop the City's sidewalk inventory plan getting the plan ready for approval by Council. Continue to try to develop an effective working relationship with the CLSD to assist with their community development plans.

2016 November Final Update: Council was never able to reconvene on plans formed during the goal setting session in February, therefore, no legislation was passed by Council to achieve these goals.

Budget Committee decided to not move forward with the sidewalk program for this fiscal year due to the improvements being assessed to property owners.

Council has made many attempts since October 6th, 2015 to work with the Central Linn School Board on the Blakely Avenue project, but has never received any answers to the questions Council formulated. Council is aware that the property and project are the sole responsibility of the Central Linn School Board. The City feels that the Board's current option of working with Willamette Neighborhood Housing Services (WNHS) is more than likely the best use for the property. The City wants to ensure that 1) the Planning Commission is not left in a precarious position due to proper community communication not occurring, 2) the City wants to see full tax value on all properties developed, 3) the City is not interested in providing System Development Charges (SDC) credits or reductions, and 4) the City does not wish to participate in extending water or sewer lines, storm water lines or extended any streets in conjunction with this development.

June 2016 Update: Council needs to finish the action plan pertaining to this goal. The sidewalks have been extended into Pioneer Park from the Rec Center. City Hall sidewalks and improvements are completed. The overall City-wide sidewalk program is still pending. Council has been working with the Central Linn School Board on possible options for the Board's property on Blakely Avenue. The Central Linn School Superintendent and Board has not answered Council's questions about the property or any future agreement. Please see Council agenda packets for more detailed information. Mayor Ware was asked by Council to move forward with a meeting with Central Linn School District's Board President Mark Penrod to discuss the implications of the School's imminent deal with Willamette Neighborhood Housing Services for the Blakely Avenue property.

5. Capital Improvements Plan.

- *Execute 2015 Water Improvements Project Contracts.*
- *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
- *Estimate City portion of Kirk Avenue Improvements.*
 - Wastewater Treatment & Collections
 - Council has budgeted for a well for the South Plant.
 - Council understands that nearly 45% of the collection lines are in need of replacement.

- Kirk Avenue Improvements

2015-2016 Council Goals



2015-2016 Council Goals

- Council has determined that the first block of Kirk from Main Street to Averill Street will be fully reconstructed with sidewalks, curb and gutter improvements. The remainder of Kirk Avenue will be a grind and overlay project.
- Council's only other alternative is to execute the project as a City project and assess all abutting property owners according to the project cost.

2016 November Final Update: Public Works Superintendent Karl Frink and City Administrator Scott McDowell presented The Future which was a look at the overall status of the City's assets specifically the General Fund & Utility Funds. Frink and McDowell project the City's cost to be between \$80,000 and \$160,000 to move water and sewer services, manholes and fire hydrants. Since the City does not know the planned design of the project, it is impossible to be precise with those projected costs. Public Works Superintendent Karl Frink reported that a water main may need to be relocated depending on the street design. The City could also be looking at

June 2016 Update: The 2015 Water System Improvements project is complete. Staff is exploring options with the storm water concern downtown; this particular project may be another year out in terms of funding for construction. Linn County is currently working on a Transportation System Plan (TSP) that will determine if Kirk Avenue will be funded or not. The TSP process will take over a year to complete and Council will want to attend certain meetings over the course of this year to advocate for Kirk Avenue. Kirk Avenue will cost the City a lot of money to improve even with the County doing a majority of the paving improvements. Depending on the design of the project, the City could be required to install additional storm water lines, adjust sanitary sewer manholes, adjust water services and sanitary sewer services.

6. Organizational Development.

- *Implement Accountability System for all Officials.*
- *Focus on Council Development.*

Plan: Council recognizes the need for additional training & development. Council will continue to improve individually in their role as community leaders working together to accomplish shared organizational goals with Staff. Council implement accountability aspects of all officials both elected and appointed. Proper training and execution of responsibilities is vital for the overall health of the organization.

2016 November Final Update: Council decided to wait until after General Election and the new Council is seated. Council needs to strongly consider attending regional and statewide meetings when possible. Council should discuss member accountability and how Council as a group can improve in this important area. Council should consider NIMS, emergency preparedness training, as a requirement of membership.

June 2016 Update: Council may need to have a mini-retreat session this summer to regroup and refocus a few issues.

7. Emergency Preparedness Plan.

- *Compose a Written Emergency Plan.*
- *Work with Area Partners on a continual Community Education Program.*
- *Develop Agreements with Community Partners.*



2015-2016 Council Goals

Plan: A larger community effort is necessary for this task. Staff will work on the internal plan for the City.

2016 November Final Update: Administrative Assistant Tammi Morrow and City Administrator Scott McDowell met with Mr. Simms, Mrs. Frazier and Mr. Stucky. The group is working on a presentation for Council in December in order to meet Council's request. The group will be outlining their strategy with timelines for certain aspects of their plan.

June 2016 Update: Mr. Norman Simms has agreed to be the Volunteer Emergency Preparedness Coordinator. Mr. Simms will work with Staff to develop strategy and form a committee to assist implementation efforts as laid out by ordinance. Council has a plan in place for the active implementation of this goal through 2016.



EMERGENCY PREPAREDNESS COMMITTEE

Goal: Increase Public Awareness and Participation

The EPC is not interested in promoting fear and unrealistic eventualities. Education, education is our plan to eliminate fear, unrealistic eventualities, and unrealistic expectations.

The EPC plans to hold a community involved emergency preparedness presentation in July-August, to make the citizens of Brownsville aware and become involved.

We plan to have electronic information material on the Brownsville city WEB site by Oct. of 2017.

We have FEMA handout material available and will obtain more as it is needed.



A quarterly newsletter providing information on what is happening with, the EPC committee to be mailed in the water bills.

Individual and family readiness is a top priority with the EPC. We plan to do 2 presentations at the school , next year, for students. An information booth, at local events, as they happen and we are able to attend. Plans are to hold one open house next year (possible with fire dept.,, etc.)

Develop a city emergency kit poster board, listing locations for emergency supplies, shelter, points of contact for information/help.

The EPC will work to develop partnerships with retired skilled Labor and other skilled labor. We will develop a form for labor skills by year end.



The EPC will help to define how city is to develop material / supply inventory. EPC will help to develop a Memorandum of understanding (MOU) for future needs.

The EPC will develop a MOU for shelter and gathering localtions
By the end of year.

Meeting to be held quarterly: February 16,2017

May 18, 2017

August 17, 2017

November 16, 2017

The EPC will work with the Linn County Emergency Preparedness when they have meetings and evens.



RESOLUTION NO. 2016.20

A RESOLUTION CERTIFYING ELECTION RESULTS FROM THE LINN COUNTY CLERK FOR THE NOVEMBER 2016 ELECTION

WHEREAS, the General Election was held November 8th, 2016; and,

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

WHEREAS, the City of Brownsville had a measure regarding the prohibition of marijuana; and,

WHEREAS, the City of Brownsville had a measure regarding the future taxation of marijuana; and,

WHEREAS, the Linn County Clerk, Steve Druckenmiller, has certified the following results for the three open Council positions and the measures concerning marijuana:

City Council

City of Brownsville, Council Members

Total Ballots Cast	.	.	.	.	.	.	.	.	.	915	
Vote for 3											
Kaye Fox	.	.	.	.	.	.	.	.	.	151	5.50
Allen L Buzzard	.	.	.	.	.	.	.	.	.	238	8.67
Doug Block	.	.	.	.	.	.	.	.	.	352	12.82
Marilyn Grimes	.	.	.	.	.	.	.	.	.	192	6.99
Carla Gerber	.	.	.	.	.	.	.	.	.	287	10.46
Tricia Thompson	.	.	.	.	.	.	.	.	.	241	8.78
Lynda Chambers	.	.	.	.	.	.	.	.	.	242	8.82
Write-in	.	.	.	.	.	.	.	.	.	33	1.20
Under Votes	.	.	.	.	.	.	.	.	.	985	35.88
Over Votes	.	.	.	.	.	.	.	.	.	24	0.87
Total	.	.	.	.	.	.	.	.	.	2,745	

Results Continued on Next Page



RESOLUTION NO. 2016.20

Marijuana Measures

22-149 City of Brownsville Prohibits Marijuana

Total Ballots Cast	. . . . .	915	
Vote for 1			
Yes	. . . . .	442	48.31
No	. . . . .	445	48.63
Under Votes	. . . . .	28	3.06
Over Votes	. . . . .	0	
Total	. . . . .	915	

22-150 City of Brownsville Tax Marijuana

Total Ballots Cast	. . . . .	915	
Vote for 1			
Yes	. . . . .	691	75.52
No	. . . . .	179	19.56
Under Votes	. . . . .	44	4.81
Over Votes	. . . . .	1	0.11
Total	. . . . .	915	

*** *Results are from the final abstracts received from the Linn County Clerk's Office on December 2nd, 2016.*

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT Doug Block, Carla Gerber and Lynda Chambers will fill the Council positions based on these election results and be sworn into office in January 2016; Marijuana will be allowed within the city limits of the City of Brownsville and the City of Brownsville shall have the full authority to tax marijuana sales as allowed by the State of Oregon.

Introduced and adopted this 20th day of December 2016.

Don Ware, Mayor

S. Scott McDowell, City Administrator



RESOLUTION NO. 2016.21

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF BROWNSVILLE AND THE OREGON
DEPARTMENT OF REVENUE FOR COLLECTION OF A CITY TAX ON THE
SALE OF MARIJUANA ITEMS BY MARIJUANA RETAILERS IN THE CITY
OF BROWNSVILLE**

WHEREAS, ORS 475B.345 allows the City of Brownsville to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at general election; and

WHEREAS, the Brownsville Council referred Ordinance No. 762, an ordinance imposing a local tax on sales of marijuana items by recreational marijuana retailers within the City, to the voters of Brownsville at the November 8, 2016, general election; and

WHEREAS, on November 8, 2016, the voters of the City of Brownsville approved Ordinance No. 762; and

WHEREAS, Section 2 of Ordinance No. 762 provides that the Brownsville City Council will, by resolution, establish a tax rate of up to 3% on the sale of marijuana items by recreational marijuana retailers in the City of Brownsville; and

WHEREAS, on December 20th, 2016, the Brownsville City Council adopted a resolution setting rate of the local marijuana tax at 3%; and

WHEREAS, on December 20th, 2016, the Brownsville City Council adopted Ordinance No. 764, which provides that the City Council must make certain findings before approving an intergovernmental agreement for the collection of the tax imposed by the City pursuant to ORS 475B.345; and

WHEREAS, ORS 305.620 allows the Oregon Department of Revenue to collect taxes imposed by the City pursuant to ORS 475B.345; and

WHEREAS, it is administratively efficient for the Department of Revenue to collect the tax imposed by the City pursuant to ORS 475B.345;

NOW THEREFORE, THE CITY OF BROWNSVILLE RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby finds that the collection, enforcement, appeal, and refund procedures authorized by the Marijuana Tax Collection Agreement attached to this Resolution as Exhibit A are comparable to, or provide greater protections to marijuana retailers and to the public, than the procedures set out in sections 4-7 of Ordinance No. 762.



SECTION 2. The City Administrator is authorized and directed to sign the Marijuana Tax Collection Agreement attached to this Resolution as Exhibit A.

SECTION 3. EFFECTIVE DATE. This resolution shall take effect on January 20th, 2017.

PASSED BY COUNCIL AND APPROVED BY THE MAYOR on this 20th day of December 2016.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION NO. 2016.22

A RESOLUTION ESTABLISHING THE RATE OF A TAX ON THE SALE OF MARIJUANA ITEMS BY MARIJUANA RETAILERS IN THE CITY OF BROWNSVILLE AND REPEALING RESOLUTION NO. 2014.40

WHEREAS, ORS 475B.345 allows the City of Brownsville to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at general election; and

WHEREAS, the Brownsville Council referred Ordinance No. 762, an ordinance imposing a local tax on sales of marijuana items by recreational marijuana retailers within the City, to the voters of Brownsville at the November 8th, 2016, general election; and

WHEREAS, on November 8th, 2016, the voters of the City of Brownsville approved Ordinance No. 762; and

WHEREAS, Section 2 of Ordinance No. 762 provides that the Brownsville City Council will, by resolution, establish a tax rate of up to 3% on the sale of marijuana items by recreational marijuana retailers in the City of Brownsville; and

WHEREAS, the Brownsville City Council wishes to repeal Resolution 2014.40, setting the rate of the City's previous marijuana tax, which conflicts with ORS 475B.345;

NOW THEREFORE, THE CITY OF BROWNSVILLE RESOLVES AS FOLLOWS:

SECTION 1. Pursuant section 2 of Ordinance No. 762, the City Council of the City of Brownsville hereby establishes a tax rate of three percent (3%) of the retail sale price for each marijuana item sold by a marijuana retailer to a consumer within the City of Brownsville.

SECTION 2. Resolution No. 2014.40 is repealed.

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ORDINANCE NO. 762

**A TAX ON RETAIL SALES OF MARIJUANA IN THE CITY OF
BROWNSVILLE AS ADOPTED BY THE VOTERS ON NOVEMBER 8TH, 2016**

WHEREAS, Section 4 of the Brownsville Charter of 1981 provides:

The city has all powers which the constitution, statutes, or common law of the United States or of this state expressly or impliedly grant or allow municipalities as fully as though this Charter specifically enumerated each of those powers; and

WHEREAS, ORS 475B.345 allows the City of Brownsville to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at a general election; and

WHEREAS, the City of Brownsville desires to impose a tax on the sale of recreational marijuana items by marijuana retailers in the City;

**NOW THEREFORE, THE CITY OF BROWNSVILLE
ORDAINS AS FOLLOWS:**

SECTION 1. DEFINITIONS.

The following words and phrases as used in this Ordinance shall have the following meanings:

- A. "City" means the City of Brownsville.
- B. "Tax Administrator" means the City Administrator of the City of Brownsville, the City Administrator's designee, and/or another individual or entity designated by the City to collect the tax on behalf of the City.
- C. "Consumer" means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.
- D. "Marijuana item" means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts as defined in ORS 475B.015.
- E. "Marijuana retailer" means a person licensed under ORS 475B.110 who sells marijuana items to a consumer in the State of Oregon.
- F. "Person" means individuals, corporations, associations, firms, partnerships, limited liability companies and joint stock companies.
- G. "Retail sale price" means the total consideration paid to a marijuana retailer for a marijuana item by or on behalf of a consumer, excluding any tax.



SECTION 2. TAX IMPOSED.

The City of Brownsville hereby imposes a tax on each marijuana item sold to a consumer within the City of Brownsville by a marijuana retailer. The Brownsville City Council shall set the tax rate by resolution; however, the tax rate adopted by the City Council shall not exceed three percent (3%) of the retail sale price for each marijuana item sold. The tax constitutes a debt owed by the consumer to the City and shall be extinguished only by payment to the marijuana retailer or to the City.

SECTION 3. COLLECTION.

The consumer shall pay the tax to the marijuana retailer at the time of the purchase or sale of the marijuana item. Every marijuana retailer shall collect the tax from the consumer at the time of the sale of a marijuana item. The tax collected by the marijuana retailer shall be held in trust by the marijuana retailer for payment to the City. The marijuana retailer shall remit the tax to the Tax Administrator. The Tax Administrator is authorized to exercise all supervisory and administrative powers with regard to the administration, collection and enforcement of the tax authorized by this Ordinance.

SECTION 4. ACCOUNTING AND RECORDS.

- A. Every marijuana retailer must keep and preserve, in a generally accepted accounting format used for reporting revenue and taxes due on business activity, detailed records of all sales made and all taxes collected. Every marijuana retailer must keep and preserve such records for a period of six (6) years. The Tax Administrator shall have the right to inspect all such records at reasonable times.
- B. For purposes of determining the accuracy of any tax return or for the purpose of an estimate of taxes due, the Tax Administrator may examine any books, papers, records, or memoranda bearing upon the marijuana retailer's tax returns, including copies of the marijuana retailer's state and federal income tax returns and copies of the marijuana retailer's state marijuana tax returns. All books, invoices and other records shall be made available within the City for examination by the Tax Administrator during regular business hours.

SECTION 5. PENALTIES AND INTEREST

- A. Any marijuana retailer who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this Ordinance prior to delinquency shall pay a penalty of ten percent of the amount of the tax due in addition to the amount of the tax.



- B. Any marijuana retailer who has not been granted an extension of time for remittance of tax due, and who fails to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first becomes delinquent shall pay a second delinquency penalty of fifteen percent of the amount of the tax due plus the amount of the tax and the ten percent penalty first imposed.
- C. If the Tax Administrator determines that the nonpayment of any remittance due under this Ordinance is due to fraud or intent to evade the provisions of this Ordinance, a penalty of twenty-five percent of the amount of the tax shall be added the amount of the remittance due, in addition to the penalties stated in subsections A and B of this section.
- D. In addition to the penalties imposed, any marijuana retailer who fails to remit any tax imposed by this Ordinance shall pay interest at the rate of one-half of one percent per month or fraction thereof, without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first becomes delinquent, until paid.
- E. Every penalty imposed and any interest that accrues under the provisions of this Ordinance shall be merged with, and become a part of, the tax required to be paid.

SECTION 6. APPEAL

- A. Any person aggrieved by any decision of the Tax Administrator may appeal to the City Administrator by filing a notice of appeal with the Tax Administrator within ten days of the date the notice of the decision is served or mailed. The Tax Administrator shall fix a time and place for hearing the appeal and shall give the appellant ten days' written notice of the time and place of the hearing.
- B. Any person aggrieved by any decision of the City Administrator under subsection A of this Section may appeal to the Council by filing a notice of appeal with the Tax Administrator within ten days of the date the City Administrator's decision is served or mailed. The Tax Administrator shall transmit the notice, together with the file of the appealed matter, to the Council, who shall fix a time and place for hearing the appeal. The Council shall give the appellant not less than ten days written notice of the time and place of hearing the appeal.

SECTION 7. REFUND

Whenever the amount of any tax imposed under this Ordinance has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator, it may be refunded, provided a verified claim in writing therefor, stating the specific reason upon which the claim is founded, is filed with the Tax Administrator within three years from the date of payment. The claim shall be made on forms provided

Ordinance 762: Voter Approved Tax Page 3 of 4



by the Tax Administrator. If the Tax Administrator approves the claim, the excess amount collected or paid may be refunded to, or may be credited on any amounts then due and payable from, the marijuana retailer from whom it was collected or by whom it was paid, and the balance may be refunded to the marijuana retailer or the marijuana retailer's administrators, executors or assignees.

SECTION 8. **SEVERABILITY.** Any provision of this Ordinance which proves to be invalid, void, or illegal shall in no way affect, impair, or invalidate any other provision of this Ordinance, and the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 9. **CODIFICATION.** If this Ordinance becomes effective as provided by Section 10 below, the City Recorder is hereby authorized and directed to codify Sections 1 through 8 of this ordinance in an appropriate Title of the Brownsville Municipal Code and to change the word "Ordinance" to "Chapter" as appropriate when codified.

SECTION 10. **EFFECTIVE DATE.** If approved by a majority of the voters of the City of Brownsville at the statewide general election held on Tuesday, November 8th, 2016, this ordinance shall take effect on January 1st, 2017. Notwithstanding the foregoing, if the measure referred to the voters of the City of Brownsville by Resolution No. 2016.18 is approved, this ordinance shall not take effect.

**ADOPTED BY THE VOTERS OF THE CITY OF BROWNSVILLE ON
THE 8th DAY OF NOVEMBER, 2016.**



Ordinance Revision

ORDINANCE NO. 763

AN ORDINANCE AMENDING SECTION 5.20.010 OF THE BROWNSVILLE MUNICIPAL CODE

WHEREAS, Title 5 of the Brownsville Municipal Code (BMC) defines Business Licenses and Regulations;

WHEREAS, the Council desires to modify business registration requirements due to the results of the November 8th, 2016 General Election; and

WHEREAS, the voters of the City of Brownsville, Oregon voted to allow marijuana facilities within the municipal corporation limits at the November 8th, 2016 General Election;

NOW THEREFORE, the City of Brownsville ordains as follows:

SECTION 1. Section 5.20.010.D of the Brownsville Municipal Code is amended to read as follows:

D. No business shall sell, distribute or offer products, services or materials that are considered illegal by the State, County or local government.

SECTION 2. In order to preserve the peace, safety, and welfare of the City, this ordinance shall take effect immediately upon adoption.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 20th day of December, 2016.

Attest:

Mayor Don Ware

City Administrator S. Scott McDowell



SECTION 3. EFFECTIVE DATE. This resolution shall take effect on January 20th, 2017.

PASSED BY COUNCIL AND APPROVED BY THE MAYOR on this 20th day of December 2016.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



ORDINANCE NO. 764

**AMENDING MARIJUANA TAXATION ORDINANCE 762 AND REPEALING
ORDINANCE NO. 750**

WHEREAS, the City is an Oregon home-rule municipal corporation under the Oregon Constitution; and,

WHEREAS, Section 4 of the Brownsville Charter of 1981 provides:

The city has all powers which the constitution, statutes, or common law of the United States or of this state expressly or impliedly grant or allow municipalities as fully as though this Charter specifically enumerated each of those powers; and

WHEREAS, ORS 475B.345 allows the City of Brownsville to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at general election; and,

WHEREAS, the Brownsville Council referred Ordinance No. 762, an ordinance imposing a local tax on retail sales of recreational marijuana items within the City, to the voters of Brownsville at the November 8, 2016, general election; and,

WHEREAS, on November 8th, 2016, the voters of the City of Brownsville approved Ordinance No. 762; and,

WHEREAS, on December 20th, 2016, the Brownsville City Council adopted a Resolution 2016.22 setting the rate of the local marijuana tax at 3%; and,

WHEREAS, the Brownsville City Council wants to ensure both that the City can administer its local marijuana tax if need be, but that the City also has the flexibility to contract with another agency or entity to administer the tax; and

WHEREAS, the Brownsville City Council wishes to repeal the City's previous marijuana tax, which conflicts with ORS 475B.345;

NOW THEREFORE, THE CITY OF BROWNSVILLE ORDAINS AS FOLLOWS:

SECTION 1. Ordinance No. 762 is amended as follows:

Notwithstanding any provision of Ordinance No. 762, the City may enter into an intergovernmental agreement authorized by ORS 190.010, ORS 190.110, or ORS 305.620 for collection of the tax imposed by section 2 of Ordinance No. 762. The City Council shall authorize by resolution any intergovernmental agreement entered into pursuant to this



ordinance, after making a finding that any collection, enforcement, appeal, or refund procedures authorized by the intergovernmental agreement are comparable to, or provide greater protections to marijuana retailers and to the public, than the procedures set out in sections 4-7 of Ordinance No. 762. If an intergovernmental agreement entered into pursuant to this ordinance is approved by Council resolution, the tax collection and enforcement procedures authorized by the intergovernmental agreement shall govern collection of the tax imposed by section 2 of Ordinance No. 762 as provided in the intergovernmental agreement.

SECTION 2. Ordinance No. 750 is repealed.

SECTION 3. SEVERABILITY. Any provision of this Ordinance which proves to be invalid, void, or illegal shall in no way affect, impair, or invalidate any other provision of this Ordinance, and the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect on the 30th day after its adoption.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 20th day of December, 2016.

Attest:

Mayor Don Ware

City Administrator S. Scott McDowell



Welcome to the Linn County Transportation System Plan Community Event #1

Sweet Home Event: December 1, 2016 • 3:30 – 4:30 p.m.

Halsey Event: December 6, 2016 • 3:30 – 5:30 p.m.

Mill City Event: December 7, 2016 • 4:00 – 6:00 p.m.

Please take time to visit each of the displays located around the room and provide feedback below regarding county transportation improvement priorities.

Transportation Improvement Priorities

With limited funding to make improvements to the transportation system, what specific projects, or types of projects, do you feel the county should focus on most?

BRIDGE SAFETY

DRAINAGE IMPROVEMENT & MAINTENANCE

BROWNSVILLE : KIRK AVENUE

WASHBURN STREET / GAP ROAD

HUME STREET & CEMETERY ACCESS

Complete the comment form before you leave, or return it by **December 23** to:

Chuck Knoll – County Engineer
Linn County Road Department
3010 SW Ferry Street
Albany, OR 97322
(541) 967-3919
cknoll@co.linn.or.us
Thank You!



www.ci.brownsville.or.us

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

December 13th, 2016

Mr. Jim Hagan
604 Calapooia Avenue
Brownsville, OR 97327

Dear Jim,

You appeared before Brownsville City Council on October 25th, 2016 to request a modification to the City's leash law that would allow electronic leashes. Council reviewed your request at their last meeting, November 22nd, 2016. Council review electronic leashes as part of the changes to the leash law which was officially adopted on April 28th, 2015. Council concluded that electronic leashes did not provide adequate protection from possible attacks on other dogs, animals and possibly adults & children.

Council responded to a petition that was circulated around town. The petition was in response to several large dogs that were causing problems around town and in a few cases people and other dogs were threatened. The physical restraint of a leash provides the maximum protection compared to an electronic leash.

Council voted unanimously at the last meeting to keep the ordinance as it is currently written. Thank you for your concern.

Sincerely,

A handwritten signature in black ink that reads "Don Ware".

Don Ware
Mayor

A handwritten signature in blue ink that reads "S. Scott McDowell".

S. Scott McDowell
Administrator

c: Council
File



Annual Report FY 2016

Calapooia Watershed Council

Mission: The Calapooia Watershed Council shall promote and sustain the health of the Calapooia Watershed. Stewardship, restoration, education, community involvement, and strategic partnerships are the tools we use in pursuit of this purpose.

BOARD OF DIRECTORS

Mark Running, Chair
George Pugh, Vice-Chair
Aimee Addison, Treasurer
Dee Swayze, Secretary
Heather Medina Saucedo
Matthew Fiorito
John Jamer
Rick Jones
Matt Mellenthin

STAFF

Bessie Joyce
Executive Director
Denise Lott
Operations Coordinator
Collin McCandless
Restoration Program Manager
Kristen Daly
Youth Education Coordinator
Savannah Baber
Youth Education Assistant

75,000
Native
Plantings

16 Large
Wood
Structures

746
Students
Engaged

PO Box 844
Brownsville, OR 97327
Phone: (541) 466-3493
www.calapooia.org

Letter from the Director

Dear Friends and Supporters,

The Calapooia Watershed Council (CWC) has seen a whirlwind of changes in the year; be it new Focused Investment Projects developing to an almost complete reboot in our staff - we've come through an exciting time of change and growth, and are sensing smoother sailing up ahead.

Congratulations and best regards to Regional Project Managers Lance Wyss (3/2013-12/2015) and Sarah Dyrdaahl (10/2009-8/2015) who dedicated themselves to the CWC and regional partners for years. Both, at different times, moved on to other opportunities in the watershed management world. You are both missed dearly!!

Collin McCandless, a fresh product of OSU's Fisheries and Wildlife Department, eagerly joined our team in October as a Restoration Technician. Collin comes to us with an endless positive attitude and almost senseless ability to successfully take on new challenges (he wrote 5 grants in the first two months). Over the year, Collin's role grew into the CWC Restoration Program Manager.

As our Youth Education Program grew and we received additional funding through the Oregon Community Foundation and Gray Family Foundation, it became clear we needed a TEAM of education staff. Kristen Daly joined our crew in March and dug right in to helping improve our curriculum, teaching stations at the spring field trips and developing the Outdoor School Guide. All before she left for maternity leave!

Savannah Baber, came to join us after demonstrating her enthusiastic proficiency as an outdoor education intern during our spring field trips. Savannah is our newest Youth Education Program Assistant beginning just at the close of the fiscal year.

If you think that was a long list of staff changes, the most significant change is yet mentioned! Tara Davis, Executive Director since 2007, also has spread her wings for far away destinations. Over the 10 year span of her dedication to the CWC, Tara developed a lasting legacy; most notably her instrumental work in removing four dams from the Calapooia watershed. Tara also helped to develop a regional identity for the Council in the Model Watershed Program, securing the core funding for the Youth Education Program, and envisioning the Willamette River Relay. Best of luck and warm regards to Tara Davis!

Lastly, I have stepped into the CWC Executive Director position after working for the Council as the Education Program Coordinator since January, 2014. I'm honored to take the helm and feel that with the Board's long standing integrity and a fresh and energetic staff, the CWC is set to sail into a bright, new future. A huge "thank you" out to all of our Board members, volunteers, Friends, sponsors, grantors and family members.

Yours,

Bessie Joyce, Executive Director



Restoration Program

In the winter of 2016, over 75,000 native stems on both new and existing projects were planted. Twenty acres at Bower's Rock received 41,000 plants, and over 34,000 natives were interplanted on 76 acres. Throughout the year, the Council continued its maintenance on over 400 acres of restoration, and started site preparations on 3 new sites adding 37 acres to the Council's restoration efforts.

In-Stream Work

Summer 2015 was busy in Courtney Creek! Sixteen large wood structures were installed along 1.7 miles of stream to restore processes such as re-connection of floodplain habitat, pool development, and gravel recruitment. Thanks to Steve Trask for providing the design work.



Two undersized culverts were replaced by bridges to allow fish passage to Upper Courtney Creek. Cascade Timber Consulting provided the design and installation.

Riparian Planting

Vegetation Management is a key component of the Council's restoration efforts. Rare and important habitat types within the Willamette Valley have been managed for centuries through historic fire regimes, management by Native Americans, and more recently through agricultural production. Our planting program aims to work in conjunction with current land uses and restore key habitat types such as floodplain forests, wet prairie, and oak savanna where ecological benefits can be accrued over time.

Youth Education Program



The Youth Education Program continues to grow; offering multiple field experiences for students, classroom preparation and follow-up, and engaging students in real world watershed management activities. We enjoy a robust partnership with the City of Albany, and our partners in the Linn Benton Salmon Watch program throughout the year.

In the fall, 2015, we worked with 357 students from 5 different schools during Salmon Watch field trips at Andrew Wiley Park. Watershed learning topics included salmon biology, riparian ecology, water quality, and macroinvertebrates.

We teamed up with the City of Albany to hold another fall field day program for Timber Ridge 8th graders. The classroom lessons and activities in Simpson Park last over 6 days reaching 120 students.

The CWC Board of Directors held a retreat in January which largely focused on expanding our education programs, and discussing new potential projects.

Albany Spring Field Days took place during 7 days in May, engaging 480 students from 6 schools in Albany, Halsey, and Harrisburg. The field trip consists of four stations covering water quality, soil, wetland functions, and invasive species ecology. To teach these stations CWC recruited two volunteers from our partners and five OSU Fisheries and Wildlife students enrolled in our community partnership intern course.

Over the course of the year, approximately 58 Central Linn 6th graders participated in our outdoor school experience attending five discovery classroom lessons and a four day outdoor school at Camp Koinonia.

The CWC has continued to work with Central Linn and South Albany High Schools to further develop their Youth Watershed Councils (YWC). This year, the Central Linn YWC began work on a prairie planting project at Thompson's Mills State Heritage Site. South Albany YWC also moved forward with their removing invasives at Periwinkle Creek and planting 950 trees at Bryant Park. Over 100 students participated in YWC events this past year.



Over the year, program staff spent 157 hours directly engaging 746 different youth from 11 schools. Of these students, 89% engaged in CWC programming on multiple days throughout the year.



Willamette River Relay 2015

The Willamette River Relay attracted nearly 130 race participants along with their friends and families as well as 60 volunteers and staff to Monteith Riverpark where racers competed in paddling, bicycling, and running. The registered participants from 2014 to 2015 grew by 30%. This year saw the addition of a longer course with an 11.4 mile paddle starting from Corvallis. Both the regular and long courses were purposefully designed to showcase a number of restoration projects from the Calapooia Watershed Council, Greenbelt Land Trust, the City of Albany, and other race partners.

Big Thanks To All Of Our Relay Partners and Sponsors!

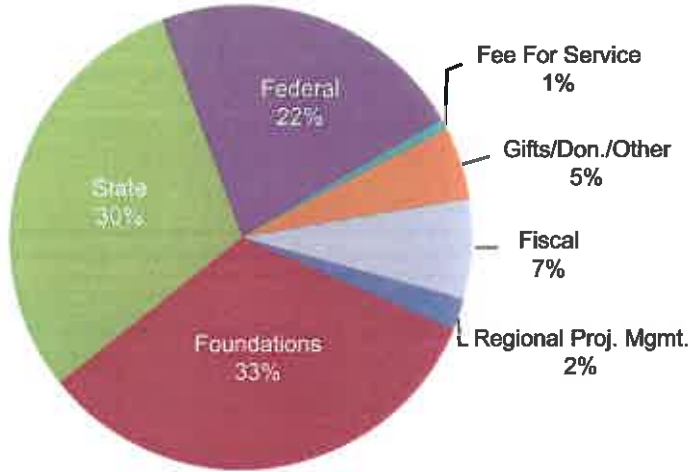
The Nature Conservancy, Calapooia Brewing, the City of Albany, 2 Towns Ciderhouse, R. Franco Restoration, River Design Group, Linn-Co Federal Credit Union, Vertebrata Chiropractic, Wenonah Canoe, Meyer Memorial Trust, Oregon Paddle Sports, ATI, Cabela's, Patagonia, Tec Labs, Peak Sports.



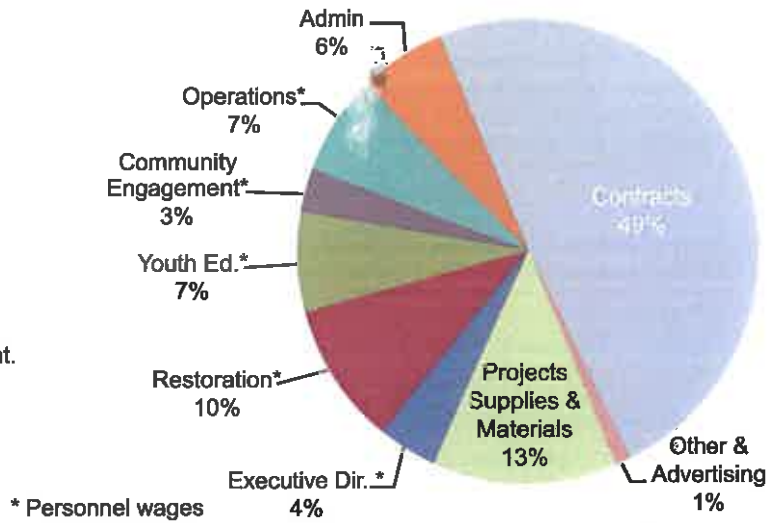
Thank You Donors!!

Financial Report Fiscal Year 2015-2016

Total Revenue \$761,085



Total Expenses \$718,711



REVENUE SOURCES

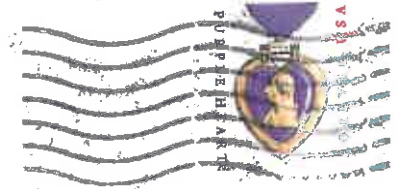
Foundations

- Meyer Memorial Trust
- The Nature Conservancy
- Gray Family Foundation
- Oregon Community Foundation
- Brownsville Community Foundation
- Oregon Wildlife Heritage

State Grants

- OWEB
- Federal Funds
- Bonneville Power Administration
- Conservation Reserve Enhancement Program
- Bureau of Land Management
- Oregon Watershed Enhancement Board SIP
- Siuslaw National Forest
- National Fish and Wildlife Foundation

Calapooia Watershed Council
PO Box 844
Brownsville, OR 97327



City of Brownsville c/o Scott McDowell
PO Box 188
Brownsville, OR 97327

Received
City of Brownsville
NOV 18 2015
Clerk

S. Scott McDowell

From: Richard Hughes <hughes97405@gmail.com>
Sent: Friday, December 02, 2016 4:53 PM
To: mayor@ci.brownsville.or.us
Cc: S. Scott McDowell
Subject: Willamette Valley Scenic Bikeway

Honorable Mayor Ware:

Thank you for your support of the Willamette Valley Scenic Bikeway. As you know, tourism is an integral part of the local economy. Therefore, I would like to share with you the economic impact for business as it relates to the bikeway. Bicycle Travel Studies conducted by Dean Runyan Associates shows that the Willamette Valley Scenic Bikeway brought in over 3 million dollars into our area in 2014. Those expenditures include accommodations & food services, \$1,778,000; arts, entertainment & recreation, \$46,000; and retail, \$1,320,000. Your continued support of the bikeway designation provides an economic vitality to the Willamette Valley.

I very much appreciate your support.

Richard Hughes, Proponent, Willamette Valley Scenic Bikeway

S. Scott McDowell

From: USDA Forest Service <forests@public.govdelivery.com>
Sent: Tuesday, November 29, 2016 1:49 PM
To: admin@ci.brownsville.or.us
Subject: Jude Ridge Environmental Assessment Final Decision Notice
Attachments: FinalDN_FONSI_JudeRidge.pdf

Dear Friends and Neighbors of the Willamette National Forest,

This letter is to let you know that the Jude Ridge Final Decision Notice (attached) and Environmental Analysis (EA) have been completed. The 45-day Pre-Decisional Administrative Review (Objection) period has passed, and no objections were received. A letter of concurrence from the National Marine Fisheries Service (NMFS) was received on November 22, 2016 with the finding that the project activities were Not Likely to Adversely Affect Upper Willamette River (UWR) Chinook salmon, UWR steelhead, nor their designated critical habitat. Project implementation is tentatively planned for March, 2017.

Project Summary:

The Jude Ridge project is proposing various restoration activities, including commercial thinning. The planning area covers approximately 6,046 acres near the western boundary of the Sweet Home Ranger District of the Willamette National Forest and north of Highway 20 in the Middle Santiam Watershed. Two alternatives were analyzed in the Draft EA: a no action alternative (1) and the proposed action alternative (2). The proposed action covers treatments for 461 acres and consist of: 264 acres of thinning, 27 acres of early seral creation, 26.5 acres of gaps, and 143.5 acres of no harvest skips. This harvest would produce 3.6 million board feet of timber from 13 managed stands aged 36-60 years old. Post-harvest fuels treatments would include grapple piling along roads and within ground-based yarded units, and some limited piling and broadcast burning. Transportation related activities would include temporary road construction, road maintenance, and road storage. Other restoration activities would include snag and down wood creation, fall and leave wood placement in Riparian Reserves, and activities to reduce existing soil compaction.

The project area occurs within portions T12S, R5E, Sections 19-23, 26-35; and T13S, R5E, Sections 3-6, Willamette Meridian, Linn County, Oregon.

Contacts:

If you have any questions concerning this project, please contact Suzanne Schindler, Forest Planner at (541) 225-6436 or Nikki Swanson, Sweet Home District Ranger at (541) 367-3145 or visit the following EA project website:

<http://www.fs.usda.gov/project/?project=48187>

Thank you for your interest and participation in this process.

Sincerely,

/s/ Nikki Swanson

*NIKKI SWANSON
Sweet Home District Ranger*



Oregon

Governor Kate Brown

Housing and Community Services

North Mall Office Building
725 Summer St NE, Suite B
Salem, OR 97301-1266

PHONE: (503) 986-2000

FAX: (503) 986-2020

TTY: (503) 986-2100

www.ohcs.oregon.gov

For Immediate Release

July 25, 2016

Contact:

Willamette Neighborhood Housing Services

541-752-7220 x 300 info@w-nhs.org

State Program Offers up to \$35,000 in Assistance for Struggling Homeowners

The state of Oregon announces a foreclosure prevention program that will launch in Linn, Benton and Lincoln counties on Wednesday August 3rd at noon. The program is called "Home Rescue" and will provide assistance to homeowners struggling to pay their mortgage in two ways - through monthly mortgage payments (up to 12 payments with a maximum benefit of \$20,000), and a reinstatement payment to bring mortgages current (up to \$15,000). Additional regions of the state will be phased in every two weeks until all Oregon counties are eligible to apply on August 17th.

Homeowners interested in the program can apply online by visiting www.OregonHomeownerHelp.org. The website features an eligibility questionnaire and instructional video to help people learn more about the program and guide them through the application process.

To qualify, applicants must be able to demonstrate at least a 10% reduction in projected 2016 income compared to any tax year between 2009 and 2015. Additional information about eligibility requirements and the application process can be found at www.OregonHomeownerHelp.org. Every two weeks the program opens a limited number of applications slots that remain open until filled. The program opens new opportunities to apply every two weeks at noon until all program funds have been exhausted. This program aims to provide assistance to approximately 3,500 homeowners across the state. Funding for Home Rescue is provided by the United State Treasury's "Hardest Hit Fund", which allocated \$220 million to Oregon in 2010 and an additional \$94.5 million in 2016 to administer foreclosure prevention programs.

Oregon Housing and Community Services administer the Hardest Hit Funds through the Oregon Homeownership Stabilization Initiative (OHSI). To date, OHSI has provided more than \$200 million in assistance to more than 15,000 homeowners. Performance reports for OHSI are available online at www.OregonHomeownerHelp.org.

OHSI customer service can be reached via email at Homeowner.Help@oregon.gov or by phone, 503.986.2025. OHSI partners with many local housing nonprofits throughout the state for program delivery. For immediate housing help, homeowners can find the nearest housing counselor by visiting www.OregonHomeownerSupport.gov.

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