



CITY OF BROWNSVILLE

Council Meeting
Tuesday – October 25th, 2016

Regular Session 7:00 p.m.

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November						
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Phases of the Moon: 7:☉ 14:☽ 21:☽ 29:☉

Holidays and Observances: 8: Election Day, 11: Veterans Day, 24: Thanksgiving Day

December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
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Phases of the Moon: 7:☉ 13:☽ 20:☽ 29:☉

Holidays and Observances: 24: Christmas Eve, 25: Christmas Day, 26: 'Christmas Day' observed, 31: New Year's Eve

2017

January						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
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Phases of the Moon: 5:☉ 12:☽ 19:☽ 27:☉

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



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, October 25th, 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: September 27th, 2016
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Future Capital Improvements Planning – Part I
 - B. Jim Hagan – Leash Law Request
 - C. Marc Nelson – Linn County Sheriff's Office Contract
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)

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



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

9) LEGISLATIVE:

- A. ***Proclamation:*** Recognizing 1st Rate Roofing

10) ACTION ITEMS:

- A. Official Appointments
- B. Set 2017 Council Schedule (*Recess*)
- C. Brownsville Senior Center MOU
- D. Chamber of Commerce MOU

11) DISCUSSION ITEMS:

- A. Canal Company Update
- B. September Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

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



Council Minutes

September 27th, 2016

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

PUBLIC: Elizabeth Coleman, Jennifer Moody (*Albany Democrat-Herald*), Doug Block, Kim Clayton, Tricia Thompson, Marc Nelson, John Morrison, Allen Buzzard, Marilyn Grimes, Jannea Deaver, Chenowith Robertson, Jayne Scaltreto, Courtney Meadors, Leland Teichrow, Bill Sattler, John Rossell, Steve and Barbara Ellison, June Schlosser, Kaye Fox, Patty Linn, Lt. Michelle Duncan (*LCSO*), Joe Ervin, and Jo Ann McQueary.

The pledge of allegiance was recited. Councilor Gerber asked the audience to please refrain from speaking out of turn. Council appreciates disruptions kept to a minimum. During the citizen's comment item is the appropriate place on the agenda to express concerns. Councilor Gerber also asked Councilors to refrain from sidebar conversations.

ADDITIONS AND DELETIONS: McDowell informed Council additions to the agenda include item number 6) E. Bill Sattler, Canal Company. McDowell also stated that there are additional handouts on the desk concerning Joe Ervin's traffic study request, an additional RV letter, 817 N. Main Street (Easter) Sightline Case Study, and a ORLA letter regarding transient room tax.

MINUTES: Councilor Cole made a motion to approve the July 26th, 2016 meeting minutes as presented. Councilor Chambers seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

Jo Ann McQueary – Economic Development Proposal from the Go Team – Mrs. McQueary discussed the economic development proposal that was included in the packet. Mr. McDowell and John Morrison, among many others, have been instrumental in developing this proposal and the economic development priorities for the rural areas of Linn County. The Go Team has met with many key community economic leaders to vet this program and make a plan of action. McQueary recently presented this proposal to the Ford Family Foundation, and it was very well received. Ford has recently sponsored several leadership trainings in East Linn County, and is invested in supporting rural areas. Councilor Cole asked if there is something required of Council tonight. McDowell replied that sending Mayor Ware to the forum discussion would be necessary. McDowell asked Councilors to bring forward questions or concerns, if there were any. Cole thinks that this is an excellent proposal, focused on rural areas, and the focus on jobs is essential and absolutely fundamental.

RV Appeals – Jayne Scaltreto, 529 Robe Street, was present to appeal to Council to consider a hardship clause for the RV ordinance. Due to circumstances beyond their control, her daughter and grandchildren have been living with her for some time. The daughter sleeps in the RV. Her daughter is now working full-time and is trying to save up enough money to get her life back on track.

John Rossell, 615 Kirk Avenue, was present to appeal to Council to consider a medical hardship clause for the RV ordinance. He respectfully asked Council to review a faxed document discussing his father's diagnosis and need for daily care submitted by his doctor.



Barbara Ellison, 221 E. Washington Avenue, was present to also request the addition of a hardship clause for the RV ordinance. They are caring for a cousin that is sick and has no other place to go. He is living in an RV in their driveway.

McDowell gave some background on the recent history of RV's in town. Council put this ordinance into play several years ago due to negative side effects of people choosing to live in RV's. The economy had taken a downturn and several RV's were being used as permanent housing. Extended RV use produced an upswing in LCSO calls resulting from drug issues, domestic abuse charges, etc. Some folks had even tried to supplement their income by renting out their RV for folks to live in. Council then had to address the issue, and consider what would be in the best interest of the City. When the Planning Commission (PC) was reviewing the ordinance, a hardship clause was discussed. The PC really felt that a hardship clause was a slippery slope, as it would be hard to define the criteria, and difficult to enforce. Council agreed. When Staff determines that an RV is being lived in, we give a lot of grace time for folks to come into compliance. Sometimes the situation resolves itself as family is just here for a short period of time, etc. Request for Action (RFA) letters are sent out, providing the folks with the ordinance language and giving them a time frame to correct the situation. If compliance is not met, the violators are then posted, giving them 10 more days to remove the nuisance and come into compliance. When the official posting is made in accordance with the ordinance procedure, violators are given an option to appeal the Administrator's decision to Council, at the next regular Council meeting, which generally grants them more days while in non-compliance. Options for Council to consider tonight include: 1) if they were cited into court, the offenders would be granted 10 more days to bring the nuisance into compliance, 2) Council could grant more time, or 3) Council could send this back to Planning Commission to consider adopting a hardship clause. Councilor Gerber then asked for the discussion to be opened up for Council comments. Councilor Cole stated that she feels that this is an extremely difficult and emotional issue. She has done a lot of thinking about it, and agrees with the PC that a hardship clause is not the answer here. It would be extremely hard to be objective and develop a consistent rule as each case is different, and the standards have to be equally applied to each situation. The issue is quality of life for everyone involved. The City has received complaints from neighbors, and she is alarmed by the high proportion of law enforcement visits to RV's. Cole has developed a list (and suggested that it could be posted on the City website) of resources that might be able to help folks in time of need. She has also found several RV parks that rent monthly, and would personally like to see folks comply with the ordinance on the books now. Councilor Neddeau agreed that this is a tough situation. It might be tricky to judge what a hardship is, and what is not. He personally has kids at home right now, and it is sometimes not comfortable to live so close to others. You do what you have to do in hard times. Councilor Shepherd agreed with Councilor Cole. There are lots of resources available. He is concerned about sewage getting dumped on the ground, etc. He feels bad for folks in this situation, but it can also lead to discomfort for the neighbors. Councilor Van Sandt thanked everyone for coming to talk about the issue. She said that it sounds like we basically have homeless people living here in our community. Van Sandt did state that folks need to be living in homes, not RV's. She would like to know the number of RV's around town that are being lived in, and would like to help people get into houses, and wonders if we can come up with some other plan for hardship cases. But since there is no city social worker, doesn't know how we would implement that. Councilor Chambers agrees with Councilor Neddeau that we need to stick with our ordinance. She acknowledged that it is a tough situation, and one that anyone one of us could be in someday. She feels strongly that when people decide to live in a City, everyone needs to live by the rules and ordinances we have. Councilor Gerber expressed that the lack of adequate housing resources is a huge problem, and not just here in Brownsville. There are long waiting lists, rules, etc. that folks have to comply with. It breaks her heart that we can't solve those problems, but as Councilors we have to balance the ordinances too.



Gerber stated that she didn't know how Council can grant the appeals based on the laws that we have, but perhaps Council could give them more time. *Councilor Cole made a motion to grant a 30 day extension for those that have appealed tonight. Councilor Chambers seconded the motion, and the motion was approved unanimously.* Cole also added that it's clear that there are many other situations in town similar to these. She would like to suggest implementing a link on the City website that would list resources for people to access too. Cole stated that she thinks it's important to maintain this ordinance, as it is quality of life for the whole town, but still wants to be responsive to folks that are experiencing hard times. We are sympathetic to these situations. Councilor Van Sandt thinks that the City should make sure that everyone has a place to live. Councilor Gerber called a five minute recess for any folks to would like to adjourn the meeting.

Bill Sattler – Canal Company – Bill Sattler, Spaulding Avenue, was present to discuss Canal Company concerns. He is concerned that Council is planning on forming a Local Improvement District (LID) along the millrace to help pay for it. His point is that this would be very unfair as several folks who live along the millrace (and benefit from it) reside outside of town; thereby the City would have no authority in including them in the LID, or making them help pay for the costs. He stated that there are only 6 or 7 people that have actual water rights to the millrace, and there are several folks that have been using more than their allotted fair share of the water. How would the City propose to deal with that situation? He believes the City has no legal authority to form this LID. Sattler feels that the City is trying to maintain this utility by taxing a handful of people, when truly this utility, and the drainage it supplies, benefits all of the folks living along the millrace. When a new sewer line is put in, will the City tax all of the folks that will benefit from that? What is important to remember also is that the millrace is private property, owned by a third party, on which the City is trying to collect funding for the Canal Company. Mr. Sattler stated that he has put up with the Canal Company for years because he is sympathetic to their cause. He is also concerned about conflict of interest with Councilor Shepherd. He should be removing himself from all votes as he is on the millrace, and that in itself constitutes a conflict of interest. Sattler stated that if the City is set on improvements for the millrace, they should be funded out of the General Fund, or not funded at all. Mr. McDowell responded that it is important for Council to understand the situation. It is a very complex issue. The Canal Company owns a 40' strip of land from the Calapooia River to Don Ware's property on Millhouse Street. Several years ago in 2008, the dam was taken out and pumps were installed to force the water down the ditch. The City does not own these pumps, but continues to maintain this infrastructure on behalf of the Canal Company. The problem is there are about 12 water rights, 6 or 7 active water rights that are basically using the water, and not paying, which is theft of service. The Canal Company does not have teeth to enforce payment for services rendered. Many folks have put up their own time and money for the millrace such as Gary Shepherd, Vice President of the Canal Company along with several others. Council is interested in coming up with a cooperative agreement in an attempt to address this complex problem. McDowell is talking to the City Attorney Ross Williamson to determine if there is a viable solution. If the City decides to pay for the millrace out of the General Fund as suggested by Mr. Sattler, Council will need to take a good hard look at what the City is willing to give up. Does Council want to eliminate the Library, the Park, the Planning department? Not to mention the impacts of TMDL. There will be some very difficult decisions to be made in the near future. It is unclear at this time if there is really anything that Staff can bring back to Council for consideration. Councilor Shepherd stated that he would recuse himself in the event of any vote of Council. Councilor Shepherd stated that he has paid on the insurance this year as well as previous attorney fees.



DEPARTMENT REPORTS:

1. **Sheriff's Report.** LCSO Lt. Duncan reported that they spent 205 contract hours in July and 202 contract hours in August for the City. Citations did go down in the month of August to a total of 3. She stated that citations do need to be addressed. There are approximately 8 deputies serving south Linn County, and this issue will be addressed at a meeting with them near the end of October. They had 2 complaints about speeding on Kirk Avenue during the Willamette Country Music Festival. They had a deputy stationed on Kirk Avenue between 1:15 – 2:00 p.m., and all speeds recorded were between 25-33 mph. Councilor Gerber stated that she continues to witness high rates of speed and was wondering what progress is being made. Lt. Duncan replied that they have upped the hours for traffic in Brownsville for the last two months.
2. **Public Works.** Mr. Frink reported that it has been a busy month. Backflow devices were tested in July. A few failed, and some will need to have new devices installed. McGovern Maintenance will be doing the street striping and painting soon. The park caretakers, David and Sharon Peterson, did a great job for us this year, and have departed from the park for the season. A road in Pioneer Park will be removed soon as the Calapooia river is encroaching too closely for safety reasons. The area around the pavilion will be reworked and a cul-de-sac type of turnaround area for traffic will be installed. The area where the road is being removed will be turned back to grass. The cemetery was recently mowed, and several plots were marked. Recently the new cemetery sign was heavily damaged. The guilty party has stepped up and will pay for the sign to be repaired or replaced as needed. The Red Shed downtown is getting a facelift with a new roof, siding repair and new garage style doors. Councilor Cole inquired about the Spaulding street trees – any plan for those? Mr. McDowell replied not at this time. The bench plan submitted to Council was not pleasing to the Historic Review Board and so Park Board will have to come up with another plan and resubmit it. McDowell reported that several have commented favorably on the new look of Spaulding Avenue. Signage is easy to see and pedestrian traffic is safer without trip hazards.
3. **Administrator's Report.** Mr. McDowell reported that the Volunteer Appreciation Picnic was well attended; a big thank you to Staff for taking care of the logistics. McDowell thanked Public Works for all the time they put in toward making the summer events so successful. The upgraded electrical bollards in the park have been a nice improvement. Staff has dealt with some vendors that expect the City to provide electrical cords that will adapt the bollards for their use during events. The City has told all event organizers that it is the vendors responsibility to determine how to use the City's system. Mayor Don Ware and Mr. McDowell met with Executive Director Fred Abousleman of the Council of Governments on several different issues ranging from mobile banking for small rural communities, to Go Team assistance, and implementation of a utility billing and financial software program that could serve several small local rural cities. The bond refunding process is complete! A big thanks to Staff for assistance in getting through the process. The City was fortunate enough to actually get the lowest interest rate – 2.9% - which will net a savings of over \$2 million over the life of the bond. McDowell has been contacted by Jim Hagan requesting that the leash ordinance be updated to include electronic leashes. He walks through town using this device and feels that it is adequate in controlling his dog. The drawback to this would be that instead of a hard and fast leash for the owner to hold on to, you would be depending on a battery operated system. McDowell reminded Council that this was already considered when the ordinance passed. Council determined



that a physical restraint was best. Also, McDowell thanked Councilor Shepherd for completing a sign mapping project in town.

4. **Library Report.** No comments.
5. **Court Report.** No comments.
6. **Council Comments.** No comments.
7. **Citizen Comments.** Kaye Fox, Kirk Avenue, inquired as to when Linn County is going to take over Kirk Avenue and initiate the repaving of that road. She has been here 11 years, and has been hearing that story ever since they moved here. Also, she is still having trouble with the intersection at Kirk and Averill by her house. Big trucks travel through the area and kick up rocks, which at times actually hit her house. In relation to City ordinances, Staff is quite often on the firing line, and she would like to see Council back them up better. Staff is often in a difficult position. Mrs. Fox believes that Council members need to be complying with the laws of the City as well.

LEGISLATIVE:

1. **Arbor Day Proclamation** – In Mayor Don Ware’s absence, Councilor Gerber proclaimed October 15th, 2016 to be the Arbor Day celebration for the City.

ACTION ITEMS:

1. **Canal Company Update.** Discussed earlier in the meeting.
2. **Central Linn School District Agreement.** McDowell stated that the City is taking a lot of questions and a lot of heat concerning the disposition of 331 Blakely, (the Blakely School gym). McDowell recounted the many meetings that the City representatives have had with school officials and still have not had requested information provided back to us. McDowell feels that this lack of response on their part should say something to Council. McDowell stated that the proposal to possibly involve Willamette Neighborhood Housing Services (WNHS) is probably the best use of the property provided that four very important elements are kept in mind: 1) no negative backlash on the Planning Commission and the Council from the community (remember, this is a school project, not a City project, 2) the City needs to receive full tax value for this property, 3) the City should receive full System Development Charges, not a reduced rate, and 4) the City cannot afford to construct or install any infrastructure associated with such a development. McDowell said the developer should bear all of the associated costs of developing the property. Superintendent Gardner has indicated that WNHS has until the end of October to submit a bid or plan to the school district. Mr. Bryan Wyant recently contacted Samaritan Health and hosted an exploratory visit of the Blakely property with their officials. Mayor Don Ware and Councilor Shepherd were also present at that meeting. Councilor Cole completely agrees with McDowell, we need to be referring folks to talk with the school district about this project, not the City. Councilor Gerber feels that supporting affordable housing within our community is vital.



3. **LCSO Contract Addendum.** McDowell stated as per Council wishes, it is time for the quarterly review of the LCSO contract. Council is acutely aware of the lack of traffic citations and dog leash enforcement that we have experienced for quite a while now. In May, a contingent from the City met with Sheriff Bruce Riley to discuss these issues. Several residents including Marc Nelson, Joe Ervin, and Kaye Fox were present also voicing concerns about lack of improvement in presence, performance, and enforcement. The City needs to see some improvement in this area. Perhaps another meeting with Sheriff Riley? Perhaps garnering support from other rural contract cities that are having the similar issues? A couple of years ago we had a resident deputy and the City saw a lot of enforcement going on, which is simply not the case now. Councilor Cole thought that partnering with other communities would be great. Council agreed.

DISCUSSION ITEMS:

1. **Weeds and Nuisance Abatement Process Review.** McDowell reviewed the season, and said that overall, folks are complying well. It is important to remember that Staff are not code enforcement officers; we are simply Staff trying to enforce the code. The distinction comes from enforcement strategies. An enforcement officer notes an offense, and would simply issue a citation on the spot. Staff handles the nuisance abatement process in a far more gentle way. Typically, a nuisance is noted, and time is given for the situation to correct itself. If no action is taken after a period of time, a phone call or a Request for Action letter is sent. These actions will give the offender a certain amount of time to correct the nuisance, and then if that action does not happen, the nuisance is posted. Once a nuisance is posted, the violator has 10 days to comply with city codes. There is an appeal process, in some cases, (that you witnessed tonight with the RV's) that allows folks to come before Council to state their position. It is important to note that we have had a lot of success with the process overall, and Staff believes in extending grace periods when necessary. The time process for nuisance abatement is June 1st – October 31st. A time frame is important for Staff as there is a lot of City business to conduct; perspective and priority need to be at the forefront of these situations as they arise. It is also important to note that in the current ordinance, dandelions are not abated. The ordinance is geared more toward fire standards, not aesthetics. Nuisance abatements will be posted through the winter months if they are egregious. Consistency over the past several years has helped the City's program tremendously. A simple phone call now can often resolve the issue. In August two habitual violators were posted. One situation resolved, and one case will be going to court for resolution. For several years, there has been a sight concern at the corner of Main and Depot. McDowell provided photos on the desk tonight for Council highlighting the situation. If the bushes were cut back to the power pole on sight, you would still attain only limited visibility due to the possibility of vehicles parking along the street. The owners do not want to simply take out all the bushes due to privacy concerns, and since the bushes were planted on the right-of-way, they would not be allowed to put a fence or more plantings in the same spot. Staff will continue to work with the owners, but the situation is difficult.



Council Minutes

2. **Future Capital Improvements Planning.** McDowell stated that one of Council's goals has been capital improvements. The City has done over \$3.3 million in capital improvements without asking for additional funding from tax payers. That being said, there are things that desperately need to be addressed. McDowell recommends spending time every Council meeting over the course of the next few months to hear a presentation on these growing concerns. One future growth issue is the implication of the Urban Growth Boundary (UGB) and the Department of Land Conservation and Development. The City currently has a lack of buildable land. Another major issue facing the City is that the City's water rights are under fire by the State. If the State curtails the City's water rights, Council may have to reconsider the moratorium idea from several years ago (2010). It could turn into a very difficult situation. Only time will tell how the situation will resolve. The amenities that the City offers out of the General Fund are really amazing for a community the size of Brownsville. It would be difficult to move any resources toward a project such as the Blakely gymnasium. If that were to occur, Council would have to take a long hard look at what amenities might be discontinued in the future that are supported by the General Fund.

3. **July and August Financials.** No comments. Council thanked Staff for all the hard work on the debt refinancing.

CITIZENS COMMENTS – Allen Buzzard, School Avenue, thanked Council and Staff for getting behind the refinancing of the debt and saving all the money for the City. The A+ rating from S&P will be very helpful when more debt is needed. Buzzard believes that capital improvements need to happen in a measured approach in order not to force citizens out due to high taxes.

ADJOURNMENT: *Councilor Van Sandt moved to adjourn at 9:20 p.m. Councilor Shepherd seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell Mayor Don Ware



October 25th, 2016

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

One liner of the month:

☺ What if there were no hypothetical situations? ☺

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.

“Nobody can go back and start a new beginning,
but anyone can start today and make a new ending.”
~ *Maria Robinson, Writer*

“Nobody made a greater mistake than he who did nothing
because he could do only a little.”
~ *Edmund Burke, English Statesman*

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



Edmund Burke

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

6) PUBLIC HEARINGS OR PRESENTATIONS:

A. Future Capital Improvements Planning (Part D) – Staff will give a presentation about the challenges facing the entire organization. The City has many community assets that will need care and attention in the near future to continue the current service level. Staff will be reviewing what those future needs look like and how best to address these challenges.

B. Jim Hagan: Leash Law Request – Mr. Jim Hagan would like Council to reconsider the leash ordinance. Mr. Hagan would like the ordinance changed to allow for electronic means of canine restraint. Mr. Hagan said that his dog, Tinkerbelle, has always wore an electronic leash and is not used to an actual leash. Council considered electronic restraints when passing the current ordinance several years ago. Council concluded that it was best to have a physical means of restraint.



C. Marc Nelson: Linn County Sheriff's Office Contract – Mr. Marc Nelson would like to address some of the shortcomings about the current LCSO contract and associated issues.



9) LEGISLATIVE:

A. **McManus Proclamation** – Mayor Ware and Council would like to recognize the significant investment 1st Rate Roofing made and continues to make in Brownsville.



10) ACTION ITEMS:

A. **Official Appointments** – The following volunteers have requested re-appointment to the following boards and committees:

Budget Committee

Term

Kaye Fox 3 years

Planning Commission

Gary Compton 4 years

Historic Review Board

J. David Erickson 3 years
Mandy Cole 3 years
Tricia Thompson 3 years



Parks & Open Space Advisory Board

Patti Linn 3 years

Mrs. Joanne Neddeau’s Parks & Open Space Advisory Board term expires at the end of the year. Mrs. Neddeau has decided to not seek re-appointment.

Staff is recommending Mrs. Sarah Glenn for a three year term to fill the opening on the Parks & Open Space Advisory Board.

What is Council being asked to do?

Approve the re-appointments as listed above and appoint Mrs. Sarah Glenn to the Parks & Open Space Advisory Board.

B. **Set 2017 Council Schedule** – Annually, Council sets the schedule for the upcoming year. For the last several years, Council has taken a recess in August. Included in the agenda packet is the proposed schedule for 2017.

What is Council being asked to do?

Approve the Council schedule for 2017.



C. **Brownsville Senior Center MOU** – The agreement is up for review. If Council is interested in continuing this agreement, Staff should be directed to make contact with the Senior Center.



What is Council being asked to do?

Consider the merits of the agreement. Direct Staff to terminate the agreement, negotiate a new agreement or approve the same agreement with a new term.

- D. Chamber of Commerce MOU** – The agreement is up for review and expires at the end of the year. If Council is interested in continuing this agreement, Staff should be directed to make contact with the Brownsville Chamber of Commerce. The City will need to consider new language given the changes to recreational immunity.

What is Council being asked to do?

Consider the merits of the agreement. Direct Staff to terminate the agreement, negotiate a new agreement or approve the same agreement with a new term. Language must be considered regarding recreational immunity and the use of Pioneer Park electricity.



11) DISCUSSION ITEMS:

- A. Canal Company Update** ☑ – Staff will be meeting with officials from the Canal Company after this report is printed. I will provide a review and an update of the issues to Council on Tuesday evening.
- B. September Financials**

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

- ▶ *Attended CASA event in Lebanon, Oregon.*
- ▶ *Attended an evening at the LOC Annual Conference with CH2M Hill.*
- ▶ *Met with Daryl Rainbolt to debrief the Festival of Tents event.*
- ▶ *Assisted in planning the Candidates Forum.*
- ▶ *Met with Council candidates Block, Chambers, Grimes, Fox, Gerber & Thompson.*
- ▶ *Received an update from Marlene Sloan on the Cemetery sign replacement progress.*
- ▶ *Attended several Council meetings in other cities to promote the RLED proposal and worked on the logistics for the Go Team Summit/Forum to be held November 17th, 2016.*
- ▶ *Helped Administrative Assistant Elizabeth Coleman with Arbor Day Celebration.*
- ▶ *Mayor Ware & I attended a couple of meetings as directed by Council.*
- ▶ *Met with Mr. Verne Hoyer to discuss the LCSO contract.*
- ▶ *Worked on several complaints due to inclement weather.*
- ▶ *Reported the theft of City property.*
- ▶ *Prepared claims due to storm damage.*



TREE CITY USA®

HAPPENINGS

Arbor Day Celebration – Administrative Assistant Elizabeth Coleman organized a great event with the help of the Parks & Open Space Advisory Board in celebration of Arbor Day. Mayor Ware gave a very nice speech recognizing the City for being a Tree City for ten years and recognizing the improvements made to City Hall highlighting the Art Association’s efforts. Many community partners shared in the



celebration including the Calapooia Food Alliance, the Brownsville Art Association and the Calapooia Watershed Council. The local boy scout troop presented the colors. Everyone had fun!

McDowell Contract Opener – Delayed again due to workload.

STATUS UPDATES – Projects, proposals and actions taken by Council

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

From 09.27.2016: A representative from the Go Team will be presenting the major tenets of their economic development proposal. The group was formed out of the Ford Foundation’s leadership cohorts conducted in East Linn County. The City has been a part of this effort since its inception... I was chosen to present to the Sweet Home City Council in August. The group is garnering support and driving toward making this plan become reality.

Active: Utility & General Ledger Software – The Cascade West Council of Governments is working on this possibility for cities in our region. Hopefully, there will be a more cost effective, shared solution.

From 11.24.2015: Staff is still exploring options. The overall costs for the software and impending data conversion is a major undertaking.

Linn County Project Advisory Committee (PAC) – 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.



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 – **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.

Active: EPC Update – Staff is in the process of setting up a meeting.



From 09.27.2016: Administrative Assistant Tammi Morrow and I will meet with Noman Simms, Kneil Stuckey and Marilee Frasier to discuss the strategy moving forward in the near future. We should be able to meet the December 2016 deadline.



City Administrator Report

Active: Recreational Vehicles – *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.

ITEMS PENDING – Tabled or On Hold

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.



Canal Company Update ☒ – *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. Below are some of the passages from past agenda packets:

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.



From 04.26.2016: The annual meeting for the Canal Company is Monday, May 2nd, 2016 at 7:00 p.m. at City Hall. Council should consider the details for what a partnership with the Canal Company would look like. It has been discussed for nearly eight years but nothing has ever moved forward. The general idea is that Council would work toward an agreement that would generate revenue through user fees based on benefit from the Canal Company's drainage way.

After looking at options that included the formation of a special district, the general consensus was to form a partnership that would identify all properties benefitting from the canal and properties using the canal for water delivery. Some property have water rights on the Calapooia River for livestock and other purposes. Water rights originate at the source of the water, not the canal.

The general concept would be to enter into an agreement with the Canal Company that would allow the City to invoice all benefitting property owners annually for insurance and maintenance purposes. Monies collected would be used to pay for the insurance, defray the electric costs and allow for funds to be set aside for the future maintenance and upkeep of the canal. The City and the Canal Company would need to agree on these elements of course.

If an agreement looked possible, the City and the Canal Company could host a series of town hall style meetings that review the details of the plan. If this is something Council wishes to pursue this concept, the City should go forth at the upcoming meeting.

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 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

Authorizing General Obligation Refunding Bonds ☒ – *From 09.27.2016:* Council moved forward with the proposed schedule to refund all of the USDA bonds. The City retained the 5.17% OECDD loan due to complications that would have been caused to the schedule. The OECDD money is a different type of financial obligation that would have caused twice as much work. The cost associated with refinancing this portion of the debt did not save any money. (See below for more details.)

The process was very detail oriented and time consuming. D.A. Davidson, U.S. Bank and Hawkins, Delafield & Wood LLP were great partners. Mayor Ware did his share of signing documents and Administrative Assistant Tammi Morrow played a key role at critical moment in the transaction as well! Thank you all!

Standard & Poor’s rated the City A+ which made the entire transaction worthwhile. D.A. Davidson was pleasantly surprised by the rating based on what they had seen in Oregon this year. I will have to explain the rating process because it was very interesting to know what factors they evaluate when rating a municipal government. I will do that another time. ☺

The overall outcome was as follows:

The City refinance was for \$6,403,744.36 at 2.906208% over a thirty (30) year term. The overall savings to the taxpayers will be nearly \$2,000,000 over the life of the term. The City is not eligible to pay off the debt before February 2026.

From 07.26.2016: Passing this resolution will allow the City to move forward through the process of refinancing the City’s debt. Mayor Ware and I should both be authorized to sign the documents.



The City was able to retain Ms. Ann Sherman who served as bond counsel for the original issue of the wastewater debt. The City will also retain a paying agent, U.S. Bank, along with D.A. Davidson, the underwriter, in order to complete the transaction.

The City has run into a bit of problem. On July 13th, at our first conference call, I found out that the Oregon Economic and Community Development Department (OECDD) loan with a remaining balance of \$225,000 would not be able to be included in the refinancing without considerable expense. The concern is that this is the one with the highest interest rate coming in at 5.17%. These funds are on “full faith and credit” and cannot be done as part of a general obligation refinance, thereby requiring different set of paperwork.



City Administrator Report

Pending: Darrin Lane & Kirk Avenue ☒ – 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.

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. The City forwarded the letter that is part of the packet at the request of Council. Staff will have an oral report for the meeting.

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>

**Know what's below.
Call before you dig.**

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

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Sm".

S. Scott McDowell



Public Works Report October 19, 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 month of October.
- *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. Three new backflow devices are being installed, and one still pending installation.
- *Water Treatment Plant* –The diluting of our chlorine seems to be working successfully. 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* – 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. The generator will be serviced and load tested on October 26th and 27th.
- *South 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. The generator will be serviced and load tested on October 26th and 27th.
- *Collection System*- Nothing to report this month.
- *Misc.* – Nothing additional to report this month.

Streets:

- *Mowing/Tree Maintenance* – One tree on Spaulding Ave is dead and will be removed October 20th. The tree is located in an unused alley owned by the City.
- *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 will be grading all gravel roads in the month of November.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Nothing additional to report this month.

Parks:

- *Pioneer Park* –We continue to perform general maintenance and grounds keeping in the park. 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* – Public Works mows and maintains this park weekly.
- *Kirk's Ferry Park* – The Park is mowed and maintained as needed.
- *Remington Park* –Public works will be grinding out the stumps soon. The park is mowed and maintained as needed.

Cemetery:

- **Grounds** –Several burial plots and headstone placements have been marked out. The new sign at the cemetery was damaged and is in the process of being repaired.

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 under way. A new metal roof has been installed, siding is being repaired and new batons are being installed to enhance the look of the building. We will also be installing/replacing two windows and installing garage doors to replace the sliding doors. Once construction is complete, we will repaint the entire building.

City Hall:

- **Buildings**- All of the heating units have been serviced as needed. The fire alarm system has been serviced. The council chambers restroom toilet has been repaired.
- **Grounds** –The grass is mowed and maintained weekly. The grass in front of City Hall has been fertilized and watered to keep the area green and fresh. The grass is mowed weekly and sidewalks are cleaned off as well.
- **Community Center**- Nothing to report this month.

Rec. Center:

- **Grounds**- This facility is mowed and maintained weekly.
- **Buildings**- The heating units have been serviced as needed. Several lights have been repaired or replaced as needed. One of the heating units has been replaced.

Public Works:

- **Grounds**- The grass is mowed as needed. The weeds have been sprayed.
- **Buildings**- Cleaning and organizing continues as time allows.
- **Misc.** – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.
- Andy Day and Karl Frink will be attending the annual Oregon Agricultural Chemicals and Fertilizers Association Conference on November 2nd. Attendance is required to maintain our pesticide licensing.



Planning at a Glance

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

- | | |
|--|---------------|
| • Plumbing (2 sinks & pedi chair) | Commercial |
| • Mechanical (install gas stove, no piping) | Residential |
| • Mechanical (replace furnace Rec Center) | Commercial |
| • Single Family w/garage on first floor | Residential |
| • Plumbing (replace sewer line under 100') | Commercial |
| • Plumbing 2 sinks (1-10 fixtures) | Commercial |
| • Mechanical (install fireplace insert + piping) | Residential |
| • Accessory Structure | 925 Oak |
| • Accessory Structure | 223 Templeton |

Land Use Permits

One Conditional Use Application (Home Occupation) has been submitted for a dog grooming service. Hearing date is still to be determined.

Updates

Clayton Homes, who purchased the 1.62 acre parcel at the north end of Ash Street, will be submitting public improvement plans for the waterline upgrade on Ash Street (approved by City Council through a Memorandum of Agreement) in the next week. The 1.5" waterline that currently services the houses on the north end of Ash Street will not support additional development, so the line will be upsized to accommodate future development as well as the current residents. City Engineer Jon Erwin and Public Works Superintendent Karl Frink will be reviewing these plans. Clayton Homes will also be extending approximately sixty feet of sewer line to service the development.

Public improvement plans have been submitted to the City for the extension of Depot Avenue. Lepman Properties (Glorietta Bay LLC) is required to build the street to City Standards upon developing the north or south parcels. Lepman Properties is working towards constructing a mini-storage facility on the 1.92 acre parcel in the near future.

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: **September**

TRAFFIC CITATIONS: -----	3
TRAFFIC WARNINGS: -----	25
TRAFFIC CRASHES: -----	1
ADULTS CITED / VIOLATIONS: -----	2
ADULTS ARRESTED: -----	7
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	78
TRAFFIC HOURS -----	29

TOTAL HOURS SPENT IN: BROWNSVILLE 220

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
9/29/16	16:42:36	WARRANT SERV	N MAIN ST	Brownsville	No Additional Report Necessary
9/29/16	16:22:32	Trf Equipment Viol	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/29/16	16:22:32	Trf Equipment Viol	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/29/16	15:13:45	EXTRA PATROL	CALAPOOIA AV	Brownsville	No Additional Report Necessary
9/29/16	7:39:55	SUSP-VEHICLE	E BISHOP WY	Brownsville	No Additional Report Necessary
9/28/16	21:37:48	WARRANT SERV	TEMPLETON ST	Brownsville	Contact Attempted/No Contact Made
9/27/16	23:07:25	911 HANGUP	KAY AV	Brownsville	No Additional Report Necessary
9/27/16	18:54:34	DOG COMPLAINT	S MAIN ST	Brownsville	No Additional Report Necessary
9/27/16	16:23:09	TRESPASS	CALAPOOIA AV	Brownsville	No Additional Report Necessary
9/27/16	14:18:49	WELF CHECK	ASH ST	Brownsville	No Additional Report Necessary
9/27/16	8:25:14	WELF CHECK	LOCUST AV	Brownsville	No Additional Report Necessary
9/27/16	7:17:00	PHONE-HARASSMENT	AVERILL ST	Brownsville	No Additional Report Necessary
9/27/16	6:04:29	BURGLARY REPORT	N MAIN ST	Brownsville	Incident Report
9/26/16	17:50:28	SUSP-PERSON	PARK AV	Brownsville	No Additional Report Necessary
9/26/16	17:19:52	CIV PROCESS-OTHER	W BISHOP WY	Brownsville	Civil process, service completed
9/26/16	12:09:28	EXTRA PATROL	STANARD AV	Brownsville	No Additional Report Necessary
9/26/16	9:57:02	VIOL OF RESTR ORDER	N MAIN ST	Brownsville	No Additional Report Necessary
9/25/16	16:58:10	SUSP-PERSON	PARK AV	Brownsville	No Additional Report Necessary
9/25/16	14:17:03	Trf Speed Viol	KIRK AV	Brownsville	WARNING - SPEEDING VIOLATION
9/25/16	13:58:38	Trf Seatbelt	SAGE ST	Brownsville	WARNING - SEATBELT VIOLATION
9/25/16	12:26:29	SUSP-VEHICLE	FISHER ST	Brownsville	No Additional Report Necessary
9/25/16	12:13:58	DOG COMPLAINT	KAY AV	Brownsville	Incident Report
9/24/16	23:10:56	SUSP-VEHICLE	E BLAKELY AV	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

9/24/16	23:00:45 SUICIDAL-SUBJECT	LOUCKS WY	Brownsville	CAD Report
9/24/16	20:14:18 MVC-NON INJURY	HAUSMAN AV	Brownsville	CAD Report
9/24/16	18:58:34 CRIM MISCHIEF	PARK AV	Brownsville	Incident Report
9/24/16	14:39:25 WARRANT SERV	LOUCKS WY	Brownsville	No Additional Report Necessary
9/24/16	1:02:02 UNAUTHORIZED ENTRY TO MOTOR VEHICLE	N MAIN ST	Brownsville	Incident Report
9/23/16	19:09:35 WARRANT SERV	TEMPLETON ST	Brownsville	Contact Attempted/No Contact Made
9/23/16	13:48:27 SUSP-CIRCUMSTANCES	PARK AV	Brownsville	No Additional Report Necessary
9/23/16	12:12:39 WELF CHECK	AVERILL ST	Brownsville	No Additional Report Necessary
9/22/16	23:32:55 WARRANT SERV	PARK AV	Brownsville	No Additional Report Necessary
9/22/16	23:21:35 SUSP-VEHICLE	PARK AV	Brownsville	No Additional Report Necessary
9/22/16	18:02:54 TRAFF-OTHER VIOL	N MAIN ST	Brownsville	No Additional Report Necessary
9/22/16	15:05:42 TRESPASS	KIRK AV	Brownsville	No Additional Report Necessary
9/22/16	12:28:40 DOG COMPLAINT	LOUCKS WY	Brownsville	No Additional Report Necessary
9/22/16	11:22:35 DOG COMPLAINT	N MAIN ST	Brownsville	No Additional Report Necessary
9/21/16	18:55:04 CRIM MISCHIEF	OAK ST	Brownsville	No Additional Report Necessary
9/20/16	11:47:09 THEFT-RPT	HUME ST	Brownsville	Incident Report
9/20/16	11:05:21 FRAUD	AVERILL ST	Brownsville	No Additional Report Necessary
9/20/16	9:50:55 HARASSMENT RPT	ASH ST	Brownsville	No Additional Report Necessary
9/19/16	10:56:39 Trf Citz Compl	WASHBURN ST	Brownsville	No Additional Report Necessary
9/19/16	9:04:17 BURGLARY REPORT	SPAULDING AV	Brownsville	Incident Report
9/18/16	22:25:59 Trf Equipment Viol	W HWY 228	Brownsville	WARNING - EQUIPMENT VIOLATION
9/18/16	21:53:28 Trf Equipment Viol	MOYER ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/18/16	20:32:04 Trf Moving Viol	KIRK AV	Brownsville	WARNING - MOVING VIOLATION
9/18/16	20:15:13 TRAFF-DUII	N MAIN ST	Brownsville	No Additional Report Necessary
9/18/16	14:17:29 PHONE-HARASSMENT	AVERILL ST	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

9/18/16	14:17:29 PHONE-HARASSMENT	AVERILL ST	Brownsville	Call completed
9/17/16	20:42:24 ASST-OUTSIDE AGENCY	BUTTE ST		No Additional Report Necessary
9/17/16	12:54:44 THEFT-RPT	SPAULDING AV	Brownsville	No Additional Report Necessary
9/17/16	9:28:15 CRIM MISCHIEF	W BISHOP WY	Brownsville	No Additional Report Necessary
9/17/16	7:45:47 BURGLARY REPORT	SPAULDING AV	Brownsville	Incident Report
9/16/16	23:43:46 Trf Moving Viol	WASHBURN ST	Brownsville	WARNING - MOVING VIOLATION
9/16/16	22:25:32 Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/16/16	21:42:29 WARRANT SERV	S MAIN ST	Brownsville	No Additional Report Necessary
9/16/16	21:38:49 Trf Moving Viol	S MAIN ST	Brownsville	Warning issued
9/16/16	21:37:06 Trf Moving Viol	N MAIN ST	Brownsville	WARNING - MOVING VIOLATION
9/16/16	20:05:48 SUSP-VEHICLE	N MAIN ST	Brownsville	No Additional Report Necessary
9/16/16	16:05:56 Trf Equipment Viol	WASHBURN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/16/16	15:50:22 Trf Equipment Viol	W BISHOP WY	Brownsville	WARNING - EQUIPMENT VIOLATION
9/16/16	15:46:06 Trf Speed Viol	S MAIN ST	Brownsville	Focus Patrol
9/16/16	15:46:06 Trf Speed Viol	S MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
9/16/16	15:29:37 Trf Moving Viol	N MAIN ST	Brownsville	WARNING - MOVING VIOLATION
9/16/16	13:22:28 JUV-COMPLAINT	E BLAKELY AV	Brownsville	No Additional Report Necessary
9/16/16	6:49:51 PARKING COMPL	STANARD AV	Brownsville	Citation issued
9/16/16	6:49:51 PARKING COMPL	STANARD AV	Brownsville	WARNING - SUSP VEHICLE/ACTIVIY
9/15/16	18:54:23 Trf Equipment Viol	WASHBURN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/15/16	8:13:50 THEFT-RPT	LOUCKS WY	Brownsville	Incident Report
9/14/16	20:55:44 WELF CHECK	TEMPLETON ST	Brownsville	MDT Narrative Update
9/14/16	9:54:10 CRIM MISCHIEF	SPAULDING AV	Brownsville	Incident Report
9/14/16	9:43:19 EXTRA PATROL	WASHBURN ST	Brownsville	No Additional Report Necessary
9/14/16	9:43:19 EXTRA PATROL	WASHBURN ST	Brownsville	Focus Patrol

PATRL_RPT#2 City Incident Report

9/13/16	9:06:54 CIVIL STANDBY	HUME ST	Brownsville	Civil process, service completed
9/12/16	11:41:40 Trf Moving Viol	N MAIN ST	Brownsville	WARNING - MOVING VIOLATION
9/12/16	11:41:40 Trf Moving Viol	N MAIN ST	Brownsville	CITE ISSUED - NO INSURANCE
9/12/16	10:40:01 SUSP-PERSON	OAK ST	Brownsville	No Additional Report Necessary
9/10/16	19:02:32 UNAUTHORIZED ENTRY TO MOTOR VEHICLE	FISHER ST	Brownsville	Incident Report
9/10/16	13:02:14 WARRANT SERV	WASHBURN ST	Brownsville	Call completed
9/10/16	10:27:04 ASSAULT REPORT	HUME ST	Brownsville	Incident Report
9/09/16	23:24:17 PROWLER RPT	HUME ST	Brownsville	No Additional Report Necessary
9/09/16	21:56:08 BURGLARY REPORT	HUME ST	Brownsville	Incident Report
9/09/16	18:37:57 CIV DISP RPT	ROBE ST	Brownsville	No Additional Report Necessary
9/09/16	17:57:54 PROP-FOUND	E WASHINGTON A'	Brownsville	Incident Report
9/09/16	15:41:04 CIV PROCESS-RESTRAINING ORDER	HUME ST	Brownsville	Civil process atmpted, not served
9/09/16	14:51:08 Trf Equipment Viol	HAUSMAN AV	Brownsville	WARNING - EQUIPMENT VIOLATION
9/08/16	19:24:07 Illegal Camping	N MAIN ST	Brownsville	Incident Report
9/08/16	15:56:43 MVC-NON INJURY	N MAIN ST	Brownsville	No Additional Report Necessary
9/08/16	13:19:09 PHONE-HARASSMENT	OAK ST	Brownsville	No Additional Report Necessary
9/08/16	0:08:33 HARASSMENT RPT	HUME ST	Brownsville	No Additional Report Necessary
9/07/16	19:06:27 SUSP-VEHICLE	WASHBURN ST	Brownsville	No Additional Report Necessary
9/07/16	16:26:39 BURGLARY REPORT	TEMPLETON ST	Brownsville	Incident Report
9/07/16	11:10:17 NEGLECT	TEMPLETON ST	Brownsville	No Additional Report Necessary
9/06/16	18:55:01 WARRANT SERV	ROBE ST	Brownsville	No Additional Report Necessary
9/06/16	10:40:40 WARRANT SERV	SPAULDING WY	Brownsville	Contact Attempted/No Contact Made
9/05/16	23:20:09 THEFT-RPT	E BLAKELY AV	Brownsville	Incident Report
9/05/16	12:06:27 ALARM - POLICE	PARK AV	Brownsville	No Additional Report Necessary
9/05/16	11:07:54 WARRANT SERV	SPAULDING WY	Brownsville	Contact Attempted/No Contact Made

PATRL_RPT#2 City Incident Report

9/05/16	10:56:22	WARRANT SERV	ROBE ST	Brownsville	Contact Attempted/No Contact Made
9/04/16	22:16:28	Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/04/16	22:00:01	Trf Equipment Viol	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/04/16	20:39:37	DOG COMPLAINT	MOYER ST	Brownsville	No Additional Report Necessary
9/04/16	20:14:34	ASST-OUTSIDE AGENCY	KIRK AV	Brownsville	No Additional Report Necessary
9/04/16	19:55:03	SUSP-VEHICLE	PAULDING AV	Brownsville	No Additional Report Necessary
9/03/16	20:13:50	EXTRA PATROL	PARK AV	Brownsville	No Additional Report Necessary
9/03/16	16:00:55	DISTB-OTHER	S MAIN ST	Brownsville	No Additional Report Necessary
9/03/16	5:45:23	PARKING COMPL	STANARD AV	Brownsville	Warning issued
9/02/16	23:50:25	SUSP-PERSON	N MAIN ST	Brownsville	No Additional Report Necessary
9/02/16	23:37:39	THEFT-RPT	WILLSON AV	Brownsville	Incident Report
9/02/16	23:01:52	Trf Moving Viol	E WASHINGTON A'	Brownsville	Warning issued
9/02/16	22:53:53	Trf Moving Viol	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/02/16	20:58:32	SUSP-CIRCUMSTANCES	KIRK AV	Brownsville	No Additional Report Necessary
9/01/16	21:50:13	Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
9/01/16	20:39:10	CIV PROCESS-OTHER	KIRK AV	Brownsville	Civil process, service completed
9/01/16	14:07:43	Trf Speed Viol	STANARD AV	Brownsville	WARNING - SPEEDING VIOLATION
9/01/16	13:10:30	HAZ-TRAFFIC	ROBE ST	Brownsville	No Additional Report Necessary

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

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	35	1	2	34	
Violations	16	4	4	16	1
Contempt/Other	33	0	2	31	
TOTALS	84	5	8	81	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 1,704.85	City	\$ 1,234.85
Total Bail Forfeits +	\$ -	Restitution	\$ 52.00
Total Bail/Bank Fees -	\$ -	Oregon Dept Revenue	\$ 338.00
Total Bail Held -	\$ -	Linn County	\$ 80.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -		DUII Surcharge	\$ -

TOTAL COURT REVENUE	<u>\$ 1,704.85</u>	TOTAL COURT PAYMENTS	<u>\$ 1,704.85</u>
----------------------------	---------------------------	-----------------------------	---------------------------

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 1,234.85
STATE	\$ 338.00
COUNTY	\$ 80.00

*REFUND/RESTITUTION \$ 52.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 2,633.00
ENDING	\$ 2,838.33



Library Advisory Board

Librarian's Report

September 2016

September saw our children go back to school. This can bring smiles or tears. School time brings learning and watching the children mature. They are bittersweet times. This September the Library hosted the second annual Back to School for Mom. This is a time when we gather as adults and celebrate or commiserate children starting school. I choose the first day of kindergarten to host this event. September 6, Thursday morning bright and early I showed up with lemonade and homemade cookies. The moms and grandpa that showed up were glad for the conversation. The kids loved the train set I brought out of storage from home. These personal connections made have lasting results for many years. I am glad to be a spoke on the wheel called Brownsville.

Here are a few facts about our library the month of September 2016. We have received 40 new books for the library. Volunteers donated 149.5 hours to our library. There were 1,327 materials checked out. 407 adult fiction books; 160 adult non-fiction books; 74 audio books; 281 children's books; 323 junior books; 39 junior reference books and 43 large print books.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sherri Lemhouse".

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.



What do we want for Brownsville?

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

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

Organizational Development

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

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

THE PROCESS OF PROGRESS

1. Recognize/Identify
2. Accept/Agree
3. Strategize/Develop Action Steps
4. Implement/Execute
5. Review Outcomes

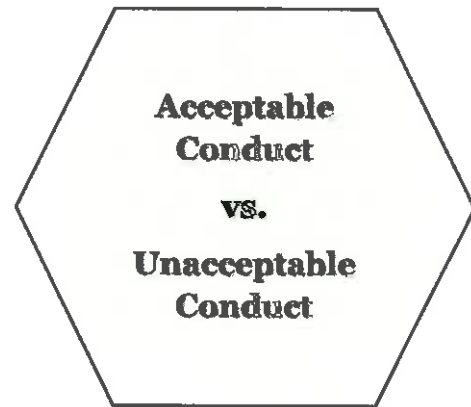


LEXIPOL'S 10 FAMILIES OF RISK MODEL

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

How are expectations set in City Government?

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



PROCLAMATION

A PROCLAMATION RECOGNIZING & CONGRATULATING

Marshall & Connie McManus

ON IMPROVEMENTS TO THEIR LOCATION AT 522 N. MAIN STREET

WHEREAS, the City of Brownsville would like to recognize Mr. & Mrs. Marshall McManus for their personal commitment, dedication and significant investment in Brownsville; and

WHEREAS, the McManus' provide a vital service for the citizens of the area; and

WHEREAS, the McManus' recently completed their brand new shop and show room at 522 N. Main Street; and

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

Thank you for your commitment and continued service to
Brownsville and Central Linn!

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor

Lynda Chambers, Council President

Mandy Cole

Gary Shepherd

Nan Van Sandt

Mike Neddeau

Carla Gerber

Calendar for Year 2017 (United States)

<p>January</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30 31</p> <p>5:○ 12:○ 19:● 27:●</p>	<p>February</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28</p> <p>3:○ 10:○ 18:● 26:●</p>	<p>March</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30 31</p> <p>5:○ 12:○ 20:● 27:●</p>
<p>April</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30</p> <p>3:○ 11:○ 19:● 26:●</p>	<p>May</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p> <p>2:○ 10:○ 18:● 25:●</p>	<p>June</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30</p> <p>1:○ 9:○ 17:● 23:● 30:○</p>
<p>July</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30 31</p> <p>9:○ 16:● 23:● 30:○</p>	<p>August</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30 31</p> <p>7:○ 14:● 21:● 29:○</p>	<p>September</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>6:○ 13:● 20:● 27:○</p>
<p>October</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30 31</p> <p>5:○ 12:● 19:● 27:○</p>	<p>November</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30</p> <p>4:○ 10:● 18:● 26:○</p>	<p>December</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>31</p> <p>3:○ 10:● 18:● 26:○</p>

Holidays and Observances:

Jan 1 New Year's Day	May 14 Mother's Day	Nov 11 Veterans Day
Jan 2 'New Year's Day' observed	May 29 Memorial Day	Nov 23 Thanksgiving Day
Jan 16 Martin Luther King Day	Jun 18 Father's Day	Dec 24 Christmas Eve
Feb 14 Valentine's Day	Jul 4 Independence Day	Dec 25 Christmas Day
Feb 20 Presidents' Day	Sep 4 Labor Day	Dec 31 New Year's Eve
Apr 13 Thomas Jefferson's Birthday	Oct 9 Columbus Day (Most regions)	
Apr 16 Easter Sunday	Oct 31 Halloween	



Memorandum of Understanding

BETWEEN: The City of Brownsville, an Oregon
Municipal Corporation (CITY)

AND: Brownsville Senior Center (SENIORS)

RECITALS

- I. The City of Brownsville wishes to provide financial assistance to further promote Senior services to residents of the community.
- II. The Brownsville Senior Center wishes to utilize the funds for general purposes.

AGREEMENT

- 1. **TERM & ORIGINATION.** This agreement is made this 1st day of May 2014, between the City and the Seniors shall commence upon signature and expire April 30th, 2016. The term shall be three (3) years. The City has provided telephone service for the Senior Center for many years. The Seniors would like to add Internet service and Council is willing to continue phone service. In an attempt to streamline the execution of tasks including the process of service delivery between City Staff and Seniors leadership, Council decided to execute this agreement.
- 2. **LOGISTICS.** The City will make arrangements with CenturyLink, the local phone service provider, so the traditional phone number for the Senior Center remains the same.
- 3. **CONDITIONS.** The City shall provide the Seniors with a check in the amount of \$600 each May, beginning in May of 2014. The Seniors shall apply these funds to help defray the cost of their phone services or any other general purpose as necessary to discharge the functions of the Senior Center.
- 4. **MODIFICATION AND WAIVER.** No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.
- 5. **INTENT.** The intent of this Agreement is to cooperatively work together to continue a productive working relationship that will be mutually beneficial.

City:


 Don Ware
 Mayor

Seniors:


 Patty Linn
 President

Date:

Date: April 3, 2014



Memorandum of Understanding

BETWEEN: The City of Brownsville, an Oregon
Municipal Corporation (CITY)

AND: Brownsville Chamber of Commerce (ORGANIZER [BCC])

RECITALS

- I. The City of Brownsville owns and operates Pioneer Park, a 26+ acre public park, public streets and appurtenances.
- II. Organizer wishes to utilize Pioneer Park to host several events and work cooperatively with City Hall to provide administrative support for Chamber happenings and events along with other public facilities.

AGREEMENT

1. **TERM & ORIGINATION.** This Agreement is made this 17th day of December, 2013, between the City and the Organizer shall commence upon signature and expire December 31st, 2016. The term shall be three (3) years with a one (1) year option. Any changes can be made mutually between the parties including updating the event dates from year to year.
2. **ADMINISTRATION.** The City has been providing and will continue to provide administrative support for Chamber events. The Chamber shall provide the details for all upcoming events sixty (60) days in advance as the City takes numerous phone calls and questions from the general public. If the City is providing collection services such as selling tickets for events, the BCC shall provide a receipt book and all necessary contact information for the event chair person.
3. **LOGISTICS.** The City & the Chamber worked cooperatively on beautification efforts like hanging Christmas decorations and flower baskets. The details are described below:

Christmas Decorations: The Chamber purchased new decorations (2012) at a cost of \$1,193.46. The City purchased the hardware brackets to hang the decorations at a cost of \$2,160. The City has made arrangements with Norm's Electric to hang the decorations the week after Thanksgiving. The decoration plan was to hang a banner on every other lamppost throughout town. The Chamber picked out the decorations. The banners are projected to last between five and seven years. The City and the Chamber will work in together when it is time to purchase new banners.

Flower Baskets: The Chamber decided to beautify the downtown area, Main Street between Kirk Avenue & Stanard Avenue and down Spaulding Avenue, by hanging flower baskets from the lampposts in the winter of 2008. The City's portion of this project was to fabricate and install brackets for the lampposts that could hold the baskets at a cost of \$2,730. The Chamber would be responsible for purchasing the baskets, hanging the baskets and watering the baskets during the summer. The baskets cannot weigh more than 80 lbs. or it could destroy the lamppost. The City does not hang the baskets because we do not have the necessary equipment to do such a task nor the human resources. The City cited



Memorandum of Understanding

the fact that we have three Public Works employees who execute and provide for nearly all municipal services. The City suggested working with all of the business owners to develop a watering plan. The Chamber decided to pay an outside contractor to provide the service. The City has allowed the contractor to use City water and purchased the equipment needed to execute the task.

Street Closure Requests: Council requires certain steps to be addressed for the closure of any street, right-of-way, parking lot or other public space. The event chair or other designee of the Chamber shall, 1) provide a complete signature sheet(s) for all the affected parties who use the street, 2) provide a certificate of insurance up to \$2 million naming the City as additionally insured, 3) make arrangements with Public Works to have the appropriate signage for the closure provided for the event and returned to the City, and 4) any other requires Council deems appropriate.

Any event chair or designee should meet with Council at sixty (60) days prior to the event.

4. CONDITIONS. The City grants permission to the Organizer to use Pioneer Park for holding the Event on the date stated above subject to the following conditions:

a) Application. Organizer has submitted the following information:

- Name and address of the person or persons responsible for the Event:

*John Morrison, Chamber President
 PO Box 161
 (Personal) 30377 Brownsville Road
 Brownsville, OR 97327
 541.466.3470
 541.409.0749*

- An accurate description of the area requested to be used:

Pioneer Picnic Breakfast – June 20th – 22nd, 2014
Pavilion: 6:00 a.m. to 11:00 a.m.
(BCC is a "subcontractor" for the Linn County Pioneer Picnic Association. The Association will be responsible for the Pavilion deposit not the BCC for this event.)

4th of July Breakfast – July 4th, 2014
Pavilion: 6:00 a.m. to 11:00 a.m.

Stand by Me Day – July 23rd, 2014
Details to be provided.

Antique Faire – August 2nd, 2014
Pavilion, Prairie including the middle of the Park between the west ball diamond and the pavilion.
6:00 a.m. to 4:00 p.m.

Chamber will be renting the Pavilion on the Friday before Antique Fair. The cost for the rental shall be \$62.50. The Chamber will Pavilion be able to store items the night before.



- The exact dates and times of the proposed event:

See Above.

- Estimated attendance:

Varies per event.

Breakfasts typically serve 300-500 with a support staff of 25. Antique Faire – 60 to 80 Vendors, 5-10 Staff and hundreds of customers.

- Number of tickets to be sold, if any:

Not Applicable.

- Nature of the proposed gathering(s):

Breakfast, Vendor Sales, Car Show & Livestock Swope.

b) Responsibilities of Organizer.

In order to demonstrate that Organizer has adequate plans to satisfy the responsibilities of this Agreement, Organizer has submitted the following information:

1. A feasibility review for the site with proposed venue layout.

Same as last year. The Antique Fair uses the prairie and areas around the horseshoe pits along with the Pavilion.

2. Providing all necessary appurtenances for said Event including, but not limited to, additional trash cans, fencing and portable facilities such as restrooms.

Tents will be setup on site as needed. Portable restrooms & additional garbage services are the responsibility of the Organizer.

3. Procuring and providing every aspect of the Event including, but not limited to, all arrangements, logistics and food service.

BCC will be responsible for all arrangements and logistics.

4. Setting up and tearing down all structures relating to the Event.

BCC will be solely responsible for all set and tear down concerning all events. The kitchen cannot be used for storage between events.

5. RESPONSIBILITIES OF CITY

A. The City shall provide:

1. The use of the requested venue for the specified dates. Normal day use of the Park shall be permitted. Normal day use includes people using



the river, playground equipment and other normal uses of the Park during the Event.

- 2. The use of all the buildings including the buildings and areas as described above.
- 3. Existing restrooms, trash cans and dumpsters.

6. COMPENSATION. A deposit shall be placed on file with City Hall for the use of the pavilion in May. The standard deposit is \$150. The Chamber shall provide a deposit of \$150 for the use of the pavilion. The intent of the deposit is to be a rolling deposit. If the City finds the Pavilion in an unacceptable condition, the deposit will be applied appropriately and the City will contact the responsible party. If the pavilion is cleaned and returned in the proper condition, the City shall return said deposit at the end of the event season. A Chamber representative(s) and/or the Event Chair should meet with the Park Caretakers to ensure the facility is returned to the proper condition.

Council voted unanimously on November 26th, 2013 to provided \$1,200 to the Chamber annually for the installation and maintenance of the downtown flower baskets executed each year by the Chamber. The City would like to receive an invoice in September of each year.

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

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

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

City:

Organizer (BCC):

S. Scott McDowell
City Administrator

John Morrison
President

Date: 12.10.2013

Date: 12-10-2013

PETER A. DeFAZIO
4th DISTRICT, OREGON

TRANSPORTATION AND
INFRASTRUCTURE
RANKING MEMBER



Congress of the United States
House of Representatives

September 15, 2016

- PLEASE RESPOND TO:
- 2134 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3704
(202) 225-6416
 - 405 EAST 8TH AVENUE, #2030
EUGENE, OR 97401
(541) 485-6732
1-800-844-9803
 - 125 CENTRAL AVENUE, #350
COOS BAY, OR 97420
(541) 269-2609
 - 612 SE JACKSON STREET, #3
ROSEBURG, OR 97470
(541) 440-3523
 - defazio.house.gov

Barry Thom, Administrator
West Coast Region National Marine Fisheries Service
7600 Sand Point Way NE Bldg 1
Seattle WA 98115-0070

Dear Mr. Thom:

Several communities in Southwestern Oregon are having difficulty getting environmental work approved by the National Marine Fisheries Service (NMFS) office in Roseburg. According to my constituents, the Roseburg NMFS office is applying stringent standards with excessive requirements for routine approvals of projects funded with federal grants and loans, and the Roseburg office is not coordinating with state agencies. These hurdles have slowed the review process and added significant time and costs to numerous projects. I am concerned that communities in my Congressional District are being asked to adhere to standards that are more stringent than the standards required in other parts of the state.

The formal review process instituted by the Roseburg NMFS office is derailing some projects and delaying others. For example, the City of Brookings was ranked number one in the state to receive a Clean Water State Revolving Fund (CWSRF) loan in 2015, but declined to pursue the project. The decision not to move forward was based, in part, on questions raised by NMFS about direct storm water impacts from construction and the potential future impacts if the project led to growth in the city. Similarly, the City of Coos Bay's wastewater treatment plant consultation over a CWSRF loan stretched to a full year and accrued additional costs when NMFS requested Coos Bay adopt a city-wide storm water management plan that the city did not think was appropriate. NMFS ultimately withdrew this request, but the lengthy delay was expensive.

Community Development Block Grant (CDBG) recipients and recipients of U.S. Department of Agriculture Rural Development grants have raised similar concerns about NMFS requirements to make a determination on whether a project is "Likely" or "Not Likely to Adversely Affect" endangered species.

In Reedsport, much needed safety upgrades for a boat ramp were delayed for two years and additional costs incurred because of the considerable time it took for NMFS to approve a mitigation site for the minimal impacts of the project. Initial estimates for the mitigation costs exceeded that of the project itself.

In Brookings, a vital Head Start project has been delayed by a year and continues to incur costs because project sponsors were forced to hire an engineer with hydrological expertise to fill out NMFS forms related to stormwater impact. The engineer went through three revisions with NMFS staff. The project still faces uncertainty as potential NMFS requirements would push the project cost beyond the amount secured through a Community Development Block Grant.

When NMFS got involved with the City of Drain long after the city had set aside adequate funding for environmental work, an additional \$20,232 in studies was required. The city had to pay for the studies with critical funds already earmarked for other priorities, and these studies ultimately did not change the project in any way. The city is also being forced to complete additional testing for zinc and copper on possible inflow and infiltration runoff and to design a bio-swale and stormwater plan for site runoff of their proposed wastewater treatment plant. These requirements are contrary to the phased-in schedule determined to be appropriate by the Environmental Protection Agency (EPA) and the State of Oregon's Department of Environmental Quality (DEQ) for requiring National Pollution Discharge Elimination System (NPDES) permits for stormwater projects. The bio-swale and testing will create additional costs that must be absorbed by the city because they are not covered by the CDBG funds. The added costs and the delay of one year before construction can take place will be detrimental to this small rural city.

The DEQ and EPA phased in the NPDES requirements to allow small cities more time to determine how best to approach the requirements currently applied to larger urban areas. Communities that need to access federal funds to make much needed improvements should not be held to standards stronger than the DEQ and EPA recommendations.

The Roseburg NMFS office's involvement in numerous projects in my district has driven up costs and caused unacceptable project delays in several communities. If communities do not upgrade their wastewater treatment facilities for fear of unexpected cost overruns due to NMFS involvement, untreated wastewater and stormwater will continue to flow into rivers. This will have a negative impact on endangered salmon, and NMFS will fail in its primary goal to protect them. Meanwhile, DEQ will be forced to fine communities for failing to make upgrades because NMFS derailed infrastructure projects needed to protect endangered species and the health and safety of rural communities. Delaying and/or derailing these key projects also jeopardizes the economic health of rural communities in my district.

I urge your office to undertake an immediate critical review of these restrictive policies to ensure the infrastructure needs of small, rural communities can be met while protecting endangered species.

Sincerely,



PETER DeFAZIO
Member of Congress

PAD:DW

S. Scott McDowell

From: Kevin Toon <ktoon@orcities.org>
Sent: Wednesday, September 28, 2016 3:28 PM
To: Kevin Toon
Subject: Public Notification Inquiries

Dear City Leaders,

You may be contacted by newspaper publishers asking about a potential bill dealing with public notifications, and the purpose of this email is to provide you with what we at the League of Oregon Cities know, and what actions we have taken on this issue.

The Association of Oregon Counties has requested a bill that would allow public agencies the option of using electronic means of making public notifications. This proposal could potentially have negative impacts on advertising revenues for the segment of the newspaper publishing industry that is subsidized by mandates to publish public notices in newspapers of record.

The League has been involved in conversations on public notice reform for the past six years, and its General Government Policy Committee has consistently supported the cost effective modernization of the notification requirements. The concept being discussed would simply provide cities with the option of publishing notices by digital means, as has been done in the state of Utah. Again, this is an option, and the League is not interested in trading one mandate for another.

LOC staff encourages those interested in this topic to visit <http://www.utah.gov/pmnl/index.html> and explore how this has been accomplished in another state. This site allows a member of the public search for notices and from individual units of governments and subscribe to notifications from boards and commissions within that agency.

For more information, contact LOC's Scott Winkels – swinkels@orcities.org

**Kevin Toon, Communications Director**

ktoon@orcities.org

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Helping Cities Succeed

MONTH END RECAP

		SEPTEMBER 2016		YTD	%	Unexpended
	REVENUE	EXPENDITURES				
1	GENERAL	\$ 15,792.94	\$ 72,478.12	\$ 174,551.64	14.94%	\$ 993,973.36
2	WATER	\$ 35,544.98	\$ 11,028.73	\$ 68,012.32	10.98%	\$ 551,237.68
3	SEWER	\$ 27,685.40	\$ 4,850.10	\$ 53,840.55	11.06%	\$ 433,084.45
4	STREETS	\$ 12,056.20	\$ 10,088.42	\$ 35,346.87	9.21%	\$ 348,253.13
5	WATER BOND	\$ -	\$ -	\$ -	0.00%	\$ 85,003.00
6	SEWER BOND	\$ -	\$ 160,417.00	\$ 160,417.00	42.64%	\$ 215,758.00
7	SEWER DEBT FEE	\$ 11,023.48	\$ -	\$ 33,043.24	26.43%	\$ -
8	BUILDING & EQUIPMENT	\$ -	\$ -	\$ -	0.00%	\$ 665,500.00
9	WATER RESERVE	\$ -	\$ -	\$ -	0.00%	\$ 78,229.00
10	HOUSING REHAB	\$ -	\$ -	\$ -	0.00%	\$ 199,875.00
11	WATER SDC	\$ -	\$ -	\$ -	0.00%	\$ 74,145.00
12	SEWER SDC	\$ -	\$ -	\$ -	0.00%	\$ 273,965.00
13	STORMWATER SDC	\$ -	\$ -	\$ -	0.00%	\$ 53,126.00
14	BIKEWAY/PATHS	\$ 82.50	\$ -	\$ -	0.00%	\$ 38,398.00
15	LIBRARY TRUST	\$ -	\$ -	\$ -	0.00%	\$ 5,931.00
16	CEMETERY	\$ 250.00	\$ -	\$ -	0.00%	\$ 68,025.00
17	TRANSIENT ROOM TX	\$ -	\$ -	\$ -	0.00%	\$ 4,400.00
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -
19	LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,972.00
20	COMMUNITY PROJECTS	\$ -	\$ 275.00	\$ 5,781.00	3.69%	\$ 150,719.00
		\$ \$102,435.50	\$ \$259,137.37	\$ 497,949.38		

KeyBank Accounts	2016-2017	YTD	% of Total
General	Appropriated	\$ 4,747,544.00	2.95%
Utility			
Park			
Court			
Oregon State Treasury			
Community Improvements			
	DEBT Payments		Totals
	Water	\$ 54,928.00	
	Wastewater	\$ 397,654.00	
	Total Debt		
	Water	\$ 784,574.00	
	Wastewater	\$ 6,145,365.00	
	Total	\$ 6,929,939.00	