



CITY OF BROWNSVILLE

Council Meeting

Tuesday – January 26th, 2016

Regular Session 7:00 p.m.

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Note: I will deliver the Planning Report. The City had not received any documents from the Simpsons. I will forward as soon as they are received at City Hall. Ordinance 759 may not be reviewed at this meeting.

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Holidays and Observances: 14: [Valentine's Day](#), 15: [President's Day](#)

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Phases of the moon: 7:☉ 14:☾ 22:☽ 29:☽

Holidays and Observances: 13: [Thomas Jefferson's Birthday](#)



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, January 26th, 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: December 15th, 2015
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Brownsville Art Association – Agreement
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
 - ✦ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
 - A. **Ordinance 759:** Water Management & Conservation
 - B. **Resolution 2016.01:** Judges Pro-Tem
 - C. **Resolution 2016.02:** Commitment to Safety Program
 - D. **Resolution 2016.03:** Chamber Transient Room Tax

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



10) ACTION ITEMS:

- A. Central Linn School District Agreement
- B. Simpson Proposal

11) DISCUSSION ITEMS:

- A. Budget Committee Business
- B. Community Gardens Agreement
- C. Templeton Street Kennel Approval
- D. December 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) EXECUTIVE SESSION

- Council will be discussing a real property transaction.
- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session.
- A final decision may be made after this Session.

15) 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.



December 15th, 2015

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

PUBLIC: JoAnn Neddeau, Randy & Gayle Simpson, Natalie Turner, Allen Buzzard, Alex Paul (Albany Democrat Herald), and Kaye Fox.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell deleted Item 10 A. – Central Linn School District Agreement – tabled until next month. An informal meeting is scheduled for tomorrow night with Councilor Shepherd, Councilor Cole, and Administrative Assistant Tammi Morrow attending at the District Office. More information to be discussed in January on this topic. McDowell also added New Year’s Eve early closure and 10 C. – 529 Kay Avenue to be discussed tonight.

MINUTES: Councilor Cole made a motion to approve the November 24th, 2015 meeting minutes as presented. Councilor Van Sandt seconded the motion. The motion passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

TMDL (Total Maximum Daily Load) Review – Mr. Frink and Mr. McDowell reviewed TMDL, which basically deals with collection and treatment of storm water and runoff. The City currently has no system in place according to an engineering study complete by Lee Engineering in 1996. In September 2011, Council passed a program required by DEQ policy underneath the Clean Water Act (CWA). Initially the CWA had three classifications, but did not impact communities under 50,000 in population. The regulations have now shifted to include all cities, regardless of population. Staff has put together a plan, including practical applications for this plan. Mr. Frink stated that the collected water would need to be run through some sort of cleaning device or system. This will be extremely costly for the City to implement. He stated that it is also hard to determine the long term benefits. To become compliant with the CWA, it will likely cost the City \$12-\$18 million. Mr. McDowell stated that this is just information for Council to be aware of at this time. The state-required report was filed last week. Mr. Frink and Mr. McDowell will be drafting up a new plan for Council review early 2016. Mr. McDowell related that he had lunch with Dan Whalen, an aide to Senator Merkley, and the TMDL was one issue they discussed. Grant funding to help defray the huge cost of implementation was a topic of interest. Councilor Cole wondered if this is something that will come to pass over the next 10-20 years? Mr. McDowell responded that it is unclear at this time, but he thought it was important to have a limit on that the City is willing and able to spend on this item. Councilor Cole also wondered if this is something that the City should make an alliance with the Canal Company over? Mr. McDowell responded that the City has been trying to enter into an agreement with them for over 9 years now; this issue will certainly impact the Canal Company.

DEPARTMENT REPORTS:

1. **Sheriff's Report.** Linn County Sherriff was not present. No report tonight.



2. Public Works. Mr. Frink reported that the GR12 project is just about complete. At the formal start up, the pump motor ran for about 10 seconds, and then seized up. It appears to have been faulty from the manufacturer. As soon as it is repaired or replaced, they will attempt another formal start up. When this is successful, this project will be complete. Mr. Frink has also had some complaints about the new lighting installed down by this new pump house. He has changed the light output, but feels it is important to have this lighting to help prevent vandalism, tampering, etc. on one of the City's major future water sources. River levels are up, discharge into the river will begin soon. Sand and sand bags are available for the locals to use as needed; bags are located up at the Rec Center. Folks will need to fill their own bags. Leaf clean up has begun, and will wrap up in Pioneer Park probably sometime this month. Rob Wingren came in yesterday and the paperwork for the City Library lighting was completed. Briese Construction paperwork has also been completed and the concrete projects will begin in January, both projects (Park sidewalk and in front of City Hall) will probably be done simultaneously. Council inquired of Mr. Frink how our flood levels are looking. He responded that he feels Brownsville is still quite a ways from flooding at this time.
3. Administrator's Report. – Mr. McDowell stated that he had met with Dan Whalen, an aide to Senator Merkley today, and they are interested in hosting a question and answer session here on January 9th. Council will be invited by special invitation. Mr. McDowell thought this could be a very valuable forum for Council and the community. McDowell stated that the annual USDA audit has been submitted. OGE (Oregon Government Ethics Commission) filing will be coming soon; this year (2016), OGE intend to go all electronic. Mr. McDowell and Tammi Morrow, Administrative Assistant, will take a training class if offered, to better assist Councilors with the process. The Go Team group will be meeting here on Thursday to finish up their draft proposal. Staff performance evaluations are currently underway. McDowell will travel to Portland Wednesday evening to participate on a hiring committee with CIS. This last weekend was the final training session for the Community Based Leadership program that staff is participating in. McDowell was elected to be a co-chair for project manager. McDowell also congratulated Councilor Shepherd on his recent retirement. He has also wished everyone a very Happy Holiday!
4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. No comments.
7. Citizen Comments.
Allen Buzzard had suggestions for the TMDL process, and also stated that he is in favor of no new taxes.
Randy Simpson, Sheephead Road, Brownsville distributed miscellaneous marijuana information to Council. He stated that to the best of his knowledge, there has been no law enforcement problems with or around open dispensaries. He is requesting that Council consider amending the business license to allow them to open their dispensary in town. Mr. Simpson stated emphatically that they are not going to sue the City.
Gayle Simpson also requested that Council allow them to open and at least operate until the November 2016 vote. If the residents vote against having a



dispensary in town, they would close and be gone. She stated that their goal is not to fight with the City, but rather to be good neighbors.

LEGISLATIVE:

1. Ordinance 758: Emergency Preparedness Modifications – (Second Reading).

Councilor Cole made a motion to read O 758 by title only. Councilor Van Sandt seconded the motion. The motion passed unanimously. Councilor Cole stated that she thought it was a great idea. Councilor Gerber made a motion to approve O 758. Councilor Cole seconded the motion. The motion passed unanimously.

ACTION ITEMS:

1. New Year's Eve Closure. McDowell requested that Council allow Staff to close City Hall at noon on December 31st, 2015. Staff would be allowed to take vacation or comp time to get paid if they desire. *Councilor Cole made a motion to approve this annual closure. Councilor Van Sandt seconded the motion. The motion passed unanimously.*
2. 529 Kay Avenue. Staff has provided Council with pictures of 529 Kay Avenue. There is a neighborhood complaint of rats from that property encroaching on to nearby neighbor properties. McDowell stated that cleanup process should not be more than \$250 total. *Councilor Gerber made a motion to authorize Staff to post the property and abate the violation. Councilor Cole seconded the motion. The motion passed unanimously.*
3. Central Linn School District Agreement –(Blakely School Property). Tabled.
4. Council Training Day. Council agreed to reserve February 6th, 2015 as the next work session date to interface with Staff and take a community tour of the City. The training will start at 9:00 a.m. and go through noon. Lunch will be provided.

DISCUSSION ITEMS:

1. Water Management & Conservation. McDowell indicated that it is prudent for Council to review and set policy on water management and conservation in times of drought. Last year was very dry, but Brownsville was not unduly affected; no restriction measures needed to be taken. For future conditions, it might be a good idea for Council to have some legislation in place that would establish force of law, penalties, etc. He has brought forward some sample language that could be adopted for the City. Councilor Gerber stated that she likes the proactive approach. Mayor Don Ware stated that the language seemed complex, but that perhaps it needed to be. Staff will put plenty of public education out there, especially in the beginning stages. Staff will bring back some recommendations for the January meeting.
2. Snow Plowing Practice & Policy. General Council consensus was to continue our current operating procedures. The needed additional equipment would be too



costly for the City to acquire. This was brought to Council as an awareness issue. Councilor Cole recommended that Mayor Don Ware could possibly do a story on it for the paper.

3. Calapooia Watershed Council & Yellow Flag Iris. McDowell shared information from Tara Davis, Calapooia Watershed Council, about the pernicious local Yellow Flag Iris. Removal options were discussed. For now, this is just a Council awareness issue. Staff was directed to include information in the March 2016 City Newsletter.
4. Brownsville Mobile Home Park. About a year ago, the BMHP was sold. The new owner has been in conversation with the City asking that we change/alter the billing for the entire park. The BMHP is billed by master meter. The owner then disperses this cost as he sees fit. This manner is often used to help keep costs down for the initial construction owner by minimizing SCD fees, etc. When the property is sold, the new owner accepts the property with this system in place. The City is only responsible for the line to the master meter. All other lines were installed by the construction company, and the owner is responsible for those lines reaching the master meter. It will be a very costly operation to extend water lines to each of the approximate 20 homes on the property. In January Staff will compose a letter to the new owner, explain the situation again, and/or invite him to Council. Legal says there may be something different to do in June when the rates are adjusted. The City also bills sewer on the averages of January and February flows in an effort to keep costs at a minimal as much as possible.
5. November Financials. Mayor Don Ware commented that it looks like there is approximately \$784,000 left to pay on the water debt. Mr. McDowell responded that is about right, we still have 15 years left to pay off that debt.

CITIZENS COMMENTS – Kaye Fox commended the Council for all they do for the citizens, and wished Council and Staff Happy Holidays.

COUNCIL COMMENTS – Councilor Van Sandt commented that she has seen the Yellow Flag Iris in the library waterway. Would this be the City's job to take care of? McDowell responded in the affirmative. Van Sandt also commented that she liked the language Staff has presented using the City of Albany language in regards to trash and rubbish. She also asked McDowell if he had gotten her suggestions on the changes for the EPC language; affirmative. Councilor Gerber wanted to publicly congratulate the Portland Timbers for winning a Major League Soccer Championship!

EXECUTIVE SESSION was entered into at 8:00 p.m.

- Council will be considering information or records that are exempt from public inspection.
- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section



(f) to consider information or records that are exempt by law from public inspection.

- Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session.
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EXECUTIVE SESSION was exited at 8:06 p.m.

Councilor Shepherd made a motion to authorize Staff to finalize a contractual agreement related to an easement. Councilor Cole seconded the motion, and it passed unanimously.

ADJOURNMENT: *Councilor Cole moved to adjourn at 8:09 p.m. Councilor Shepherd seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell

Mayor Don Ware



January 26th, 2016

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

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.

One liner of the month: 😊 For every action there is an equal and opposite criticism. 😊

Council Training & Review: Saturday, February 6th, 2016 9:00 a.m. through Lunch.

"If you don't know where you're going, you might not get there."
~ Yogi Berra, *New York Yankees Player & Manager*

"Practice is the hardest part of learning, and training is the essence of transformation."
~ Ann Voskamp, *Writer*

"Innovation is not about saying Yes to everything. It's about saying No to all but the most crucial features."
~ Steve Jobs, *Business Entrepreneur*



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

6) PUBLIC HEARINGS OR PRESENTATIONS:

A. **Brownsville Art Association – Agreement**

President Judy Whitfield, Cheryl Haworth and Lori Garcy will be available for questions and to discuss the renewal agreement for the Association. They will also discuss the possibility of putting a mural on the front of the Brownsville Art Association space. They are interested in presenting a conceptual drawing at the February meeting.



9) LEGISLATIVE:

A. **Ordinance 759:** Water Management & Conservation (*First Reading*)

Last meeting Council discussed developing language for this important topic. Included in the packet is Staff's initial draft for your review and edit.

What is Council being asked to do?

Discuss the merits of the ordinance and wordsmith as necessary.



From 12.15.2015: Public Works Superintendent Karl Frink and I are interested in having a candid discussion with Council about potential drought and future water source concerns. A few months ago, I reported on a meeting Councilor Neddeau and I attended with the Army Corps of Engineers (ACE) talking about reservoir levels in Oregon. The Federal government regulates those water through the ACE. The ACE announced in mid-August this past summer, that they would not be releasing any more water in 2015. The City of Brownsville is not impacted by what happens with the reservoirs directly, but we are definitely impacted indirectly. If the mid-Willamette Valley were to be in a serious drought situation, there would be nowhere to get water from. Even if the City were able to get water, the costs associated with such a procurement would be astounding due to the sheer logistics of trucking in the amount of water the City needs to operate.

The sky isn't falling; there is no immediate threat today.

However, there may be a few things Council can do to prepare in the event of a water use emergency. We have included in the agenda packet language from the City of Brookings that would be useful should the City be facing such an emergency. Below is info from Corvallis for your reference:

Average indoor water use in Corvallis is about 66 gallons per person per day. Where does all this water go? The table below shows where. An "efficient home" is assumed to have 1.6 gallon per flush toilets, 2.5 gallon per minute showerheads, 2.0 gallon per minute faucets, 27 gallon per load washing machine, and 7 gallon per load dishwasher. Note that leaks can constitute a significant portion of the water you pay for.

Average Water Use in gallons per person per day (GPD) and as a percent of indoor use				
Use	Non-Efficient Home		Efficient Home	
	GPD	% of use	GPD	% of use
Toilets	18.5	26.7%	8.2	18.0%
Showers	11.6	16.8%	8.8	19.5%
Faucets	10.9	15.7%	10.8	23.9%
Baths	1.2	1.7%	1.2	2.7%
Dishwasher	1.0	1.4%	0.7	1.5%
Clothes Washer	15.0	21.7%	10.0	22.1%
Leaks	9.5	13.7%	4.0	8.8%
"Other"	1.6	2.2%	1.6	3.4%

From *Handbook of Water Use and Conservation* by Amy Vickers

B. Resolution 2016.01: Judges Pro-Tem

The Council passes this legislation annually to provide for a substitute for Judge Lemhouse as may arise during the course of the year such as vacations, personal emergencies, conflicts of interest or the like.

What is Council being asked to do?

Pass this annual resolution.

C. Resolution 2016.02: Commitment to Safety Program

Council passes this legislation annually to demonstrate the priority of the employee safety program.



What is Council being asked to do?

Pass this annual resolution.

D. Resolution 2016.03: Chamber Transient Room Tax

The Budget Committee and Council appropriated the amount of taxes collected for this purpose and it is time to pass legislation to distribute these funds. Typically, Council has provided these funds to the Chamber of Commerce to provide marketing to promote Brownsville.

What is Council being asked to do?

Decide how to distribute these funds. Pass the resolution if it seems reasonable.

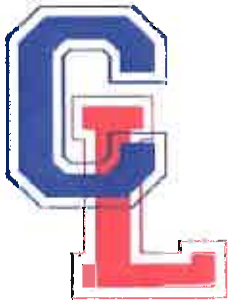
10) ACTION ITEMS:

A. Central Linn School District Agreement

I have included the summary minutes from the December 16th meeting with Superintendent Gardner and certain School Board members. I originally forwarded this in an e-mail on December 31st, 2015 for your review.

What is Council being asked to do?

Discuss the pros and cons of being involved in this agreement.



From 12.15.2015: Councilor Cole, Councilor Shepherd and I met to discuss information that would be necessary for Council to properly consider an agreement for the Blakely gymnasium. We are still waiting for Board Chairman Mark Penrod to set up this meeting. I have included the questions we decided to include for discussion in the agenda packet for review.

From 11.24.2015: Many rumors and misinformation are swirling about the initial discussion with the Central Linn School District and Central Linn Recreation Board relating to entering into a possible agreement for the operation and maintenance of the Blakely gymnasium. How would Council like to handle this situation? At the last Council meeting, October 27th, 2015, Council tabled the discussion until the Central Linn School Superintendent Brian Gardner had the opportunity to look into clear title to all of the property. Linn County records indicated that a parcel of the property was owned by Linn County. The deed for the main parcel, granted by the Blakely family, stated that the property should be used for school purposes; this may not have an effect on what the School would like to do with the property. City Attorney Ross Williamson indicated that it is very common for a deed to have a covenant for school purposes. Generally, a court has to rule on the intention of that language. The City provided the Superintendent with the information and also the contact information for *First American Title* in Albany offering that perhaps a title search would be a good idea. Superintendent Gardner indicated that he would look into the matter, but the City has not heard the outcome as of this report, other than hearsay.

B. Simpson Proposal

Included in the packet is information I received from Randy & Gayle Simpson for your review.

What is Council being asked to do?

The Simpson's are interested in opening their shop before the November 2016 vote.



11) DISCUSSION ITEMS:

A. Budget Committee Business

Council decided two years ago that Staff would handle all the necessary advertisements associated with the budgetary process.

B. Community Gardens Agreement

Review and discuss this agreement.

C. Templeton Street Kennel Approval ☒

I will report on a decision made on December 15th, 2015 by the Planning Commission.

D. December Financials



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

- ▶ *Attended Linn County Transportation System Plan (TSP) Project Advisory Committee (PAC) meeting.*
- ▶ *Participated in the interview process for a Marketing Relations position for CIS.*
- ▶ *Performance evaluations are completed.*
- ▶ *Pay adjustments have been made for the upcoming year.*
- ▶ *Arrangements are being made for Council Training Day on February 6th, 2016.*
- ▶ *USDA Annual Audit has been filed.*
- ▶ *Library Lighting Change Order.*
- ▶ *Hosted U.S. Senator Jeff Merkley.*
- ▶ *Hosted a development meeting with Staff and Cross Development.*
- ▶ *Met with Joe DeZurney regarding his Walnut Street property.*
- ▶ *Attended several meetings and made arrangements for Ford Leadership Cohort.*
- ▶ *Attended Go Team meetings.*
- ▶ *Oregon State Treasury Annual Report has been filed.*
- ▶ *New Municipal Debt Advisory Commission Annual Report has been filed.*





- ▶ *Several documents have been recorded including the North Avenue right-of-way.*
- ▶ *The City will be working with BCS to line out a few issues with accounting & reporting. We will be working with Bill Palmer and Harris.*

STATUS UPDATES – Projects, proposals and actions taken by Council

Linn County Project Advisory Committee ☒ – 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.



From 11.24.2015: I will be participating in a series of meeting starting in January 2016 as part of this newly formed group.

Weed & Nuisance Abatements Update – Staff continues to work on the property on Kay Avenue. A local person purchased 903 Ash Street, the Bushnell property. The City will re-cooperate the outlay to clean the property up over the last two summers.

From 11.24.2015: Overall, the City had a good season this year. The City still should review the ordinance and have a discussion around ways to improve the process. The City did spend a lot of money on derelict properties this year.

Active: 2015 Water System Improvements Project ☒ – The City approved a change order for a new light as discussed at last Council meeting. The project is nearly complete.

From 12.15.2015: Public Works Superintendent Karl Frink, City Engineer Jon Erwin and I met with the contractor on December 8th for startup. The pump folks encountered a few problems. We will have more details at the meeting.

From 11.24.2015: The City recently granted an extension through December 18th, 2015 due to a backorder for the electrical panel.

Stand by Me Celebration – Nothing new to report.

Active: McFarland Cascade & Noise Mitigation – *From 11.24.2015:* McFarland is still working on this issue. McFarland is way below the noise standard used by agreement with the Planning Commission in the conditions of use. How long does Council want to continue to pursue this concern? When should the City ask for additional testing?

From 10.27.15 - Below is an excerpt from the Plant Manager:

Good Morning Scott,

Things are going well, thank you. We got the sound baffles installed at the peeler and they turned out good. After the baffles were installed we brought in a sound engineer to look at our operations. He made a couple of suggestions on



things we might be able to try to help improve on them even more. We are still working on these things and should have some more information in a few weeks.

Thanks

Paul

From 05.26.15 – McFarland is in the process of obtaining a building permit through Linn County and are currently working with a sound engineer to make additional improvements.

Active: City Hall Phase I – Briese Custom Concrete is under contract.

Active: Recreational Vehicles – *From 11.24.2015*: This item will be addressed in the future as part of Council goals possibly. Staff forwarded letters and will be following up with the Linn County Sheriff's Office as needed.

From 11.25.2014: Mayor Ware & Councilor Cole have not had an opportunity to discuss this issue. I have placed some information in the packet that does somewhat address this issue.

Active: Economic Development – The Go Team is working on finalizing a proposal for public review.

From 11.24.2015: Mayor Ware and I will be hosting a luncheon with Sweet Home and Lebanon to talk about the efforts of the Go Team, associated with the Ford Foundation, on November 20th, 2015. We will provide an oral report.



From 10.27.2015: Mayor Ware and I have been meeting with Lebanon and Sweet Home. We are also trying to parlay the Go Team effort in with this important piece.

From 02.24.2015: Council and Staff continue working on these issues.

From 05.27.14: Staff had an opportunity to explain some of the finer points of Urban Growth Boundary expansions and history and the State of Oregon at the last Chamber of Commerce meeting. Hopefully, this will lead to better understanding of the requirements that must be met for such a procedure.

Pending: Emergency Contractor Resolution Concept – See above Legislative Items for more information.

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

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

Pending: S. Oak Street Drainage – *From 10.27.2015*: The City will be forwarding a letter explaining the required tap again to the property owner once Public Works completes the extension.

Pending: Visit Linn Coalition (VLC) Update ☒ – *From 11.24.2015*: VLC is currently working on a proposal to work with the Albany Visitor's Association; this has long been my wish for the VLC. The group is also receiving assistance from Anne Hankins with Country Music Concerts.

Pending: Park Board Recommendation – *From 09.22.15*: Parks & Open Space Advisory Board is waiting on information from Staff regarding project possibilities for street trees downtown.



From July 2015 Meeting: The Park Board has discussed this issue for over five years. The chief problem is that the trees are part their useful life and have caused damage to the sidewalks. The Board originally looked at street tree grates as a solution but the option is costly. The Board asked the Staff to look into possible funding options for this kind of project.

Pending: Council Pictures Concept – *From 05.26.15:* I would like Council to consider photographs for the website.

Pending: Utility & General Ledger Software – *From 11.24.2015:* Staff is still exploring options. The overall costs for the software and impending data conversion is a major undertaking.

From 05.26.15: Staff needs to add a few more dollars to the budget to make this work properly and the timing for this project is off. I will be discussing this in the Budget Committee meeting.

Pending: Recreational Vehicles & Travel/Storage Trailers – *From 06.24.2014 meeting:* Please refer to the report entitled, "2014 Proposed Changes (First Installment) that is included as part of the packet for more details. Staff will also be providing a brief presentation regarding this and other zoning issues as have been previously discussed at the Council Retreat on April 19th.



Pending: Canal Company Update – *From 06.23.15:* I was unable to attend the meeting due to scheduling confusion on the part of the officers. Officers for the upcoming year will be John Holbrook President, Gary Shepherd Vice-President and Cindy Clark Secretary-Treasurer. Udell Engineering wants \$3,000 to check the culvert in question that was installed in 2006. Udell wants to make sure they have the data they need to determine the impact. The Company decided to move forward with talking to the City about a joint agreement that would move the mission of the Company into a workable solution that could be beneficial for all who benefit from the Mill Race.

From 05.27.14: The City continues to be willing to work toward a quasi-governmental agreement that may assist the Canal Company by better serving those who benefit from the canal.

Tabled Thoughts

- ✦ RV Discussion (*Ware, Cole & McDowell*)
- ✦ Melero Lease Agreement (*Council Review*)

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.

Pending: Medical & Recreational Marijuana Discussion – *From 11.24.2015:* The City will need to work on information for the March Newsletter regarding the November 2016 vote and pending ordinance.



From 09.22.15: Planning to address an explanation for the upcoming City Newsletter.

From July 2015 Meeting: The cost of the advisory question election was \$130.42.

PAST MEETINGS – Memory Information

Moody Court & Unenumerated Nuisance – *From 11.24.2015:* Everything looks great. Cat numbers are normal.

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.

Pending: Darrin Lane & Kirk Avenue – *From last meeting:* I had an extensive conversation with Linn County Road Master Darrin Lane recently. Mr. Lane gave a brief history of the Kirk Avenue concept, to which I have added a little research, which is as follows:

March 5th, 2001: Kirk Avenue is initially discussed at Council meeting with Mr. Lane and the County Commissioners. County must determine how to a City street a County road in order to expend funds for the proposed improvements.

Spring 2002: The County indicates to the City that it is possible for the County to deem Kirk Avenue a County interest based on McKercher Road. The City starts planning for drainage projects.

October 2006: The City completes the Galbraith Street storm sewer project.

February 28th, 2008: Linn County Road Master Darrin Lane discusses the logistics of Kirk Avenue with Council. Survey crews are sent to town shortly thereafter to work on a rough design. There are several rules and requirements and multiple property issues that are cause for concern for any proposed construction project.

Meanwhile, County Staff is working on developing the Gateway project in conjunction with the Oregon Department of Transportation. City Staff is focusing on the multimillion dollar Wastewater project. The Economy starts falling apart. The Veterans Hospital is announced in Lebanon. Linn County Commissioners move a whopping \$19,000,000 out of the Road Department's funds to assist with the development. The Commissioners have also taken a \$2,000,000 from the Road Department to assist the Sheriff's Office funding issues. The Road Department is not as financially stable as it was in 2001 or even 2007 for that matter.

2009-2010: Several update conversations.

January 2011: Council asks for an update. The County indicates that they will not start a new project until the Gateway project is complete.

June 2012: Council decides to scale back the project to an overlay.

June 22nd, 2012: Staff meets with Mr. Lane who felt that the first block from Main to Averill could be done with curbs and sidewalks. The rest of Kirk Avenue could be an overlay. Mr. Lane projected the cost to be between \$600,000 & \$800,000. Lane indicated that in the next year or two the County would probably be able to get this project. Lane also indicated at that time that the City would not need to financially participate, if we could be patient.





Mr. Lane indicated that his Department is currently overloaded with Federal bridge projects. The County is still interested in helping the City but timing is difficult.

Outcome

If the City is in a hurry to get this project completed, they can set up a local improvements district (LID) and assess the costs to the affected properties or the City can wait until it is budgeted in Linn County's budget.

What does Council want to see on Kirk Avenue? Overlay or reconstruction?

From the September 4th, 2012 meeting: Darrin Lane Stopped for a visit on August 7th and indicated that County Engineer Chuck Knoll is working on the subsurface investigations.

WNHS Update – Please refer citizens to the following websites for more information:

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

WNHS provides many home rehabilitation services and counseling for those in need.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Sm".

S. Scott McDowell



Public Works Report January 20th, 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 January.
- *Distribution System* – Two water leak last month, one Templeton Street and the other on the raw water line in Pioneer Park. Materials have arrived to replace an existing waterline 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*- I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* –All of the instrumentation has been calibrated. The electrical upgrade to the wells is in the planning and design phase. We should have a plan together for the February, 2016 Council meeting.
- *Misc.* – The GR-12 portion of the project is near completion. The new motor has been installed and is working correctly. The controls have been installed and programmed however, a portion of the controls (pump timer) was not included in the bid and will have to be added as an additional cost. A heater was also not included, and will be added to prevent freezing of pipes during cold weather conditions.

Sewer:

- *North Lagoons* –This facility discharged into the Calapooia River beginning December 28th and was shut down January 15th. A total of 17.779 million gallons of treated effluent was discharged without incident. We continue to have problems with the carrier water pumps clogging as we have in years past.
- *South Lagoons*- Discharge into the Calapooia River began January 19th, and will continue to discharge until the desired lagoon levels are reached.
- *Collection System*- Nothing to report this month.
- *Misc.* – The well installation project at the South WWTP is in the bid process. The purpose of the well is to use the well water as carrier water rather than lagoon water. Utilizing a well for water will minimize or eliminate the carrier water pump clogging issue at this facility.

Streets:

- *Mowing/Tree Maintenance* – One tree was blown over on Park Ave. in front of the water treatment plant. Due to its proximity, Pacific Power was contacted to safely remove a portion of the tree away from the power lines so the remainder of the tree could be removed.
- *Asphalt/ Gravel Road Maintenance* – All the gravel streets in town were graded the first week on January. Planning is underway for this budget year's paving projects.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* –Sand and sand bags have been placed in the Rec. Center parking lot for the public in the event there is flooding.

Parks:

- *Pioneer Park* –We continue to perform general maintenance and grounds keeping in the park. Leaf cleanup work is under way. The sidewalk project from the Rec. Center to Pioneer Park is near completion. The sidewalk is in, all that remains is stripping forms, backfill and clean-up work.
- *Blakely Park* – The leaves have been cleaned up in this park.
- *Kirk's Ferry Park* – The Park is mowed and maintained as needed. Leaves will be cleaned up in this park this month.

Cemetery:

- *Grounds* – The old cemetery sign has been replaced. Several plots were marked for burial or headstone placements this month.

Library:

- *Grounds*- Mowing and grounds maintenance is under way.
- *Buildings*- A few minor building maintenance items have been repaired. The light fixture replacement project is under way. The project is divided up based on the number of light fixtures that arrive. New dimmable light switches will also be installed for light adjustment throughout the library.

Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – Nothing additional to report this month.

City Hall:

- *Buildings*- Nothing to report this month.
- *Grounds* –The landscape project in front of City Hall is under construction, the saw cutting is complete, the tear out was scheduled for Monday, January 18th, but adverse weather conditions have delayed that portion of the project.
- *Community Center*- Nothing to report this month.

Rec. Center:

- *Grounds*- The leaves have been picked up at this facility.
- *Buildings*- Four broken window panes were replaced this month. The damage appears to be caused from the interior of the building, perhaps run away basketballs or the like. We are currently having Advanced Mechanical working on a bid to build guards for the windows to prevent this from happening in the future.

Public Works:

- *Grounds*- The leaves have been cleaned up at this facility.
- *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.





LINN COUNTY SHERIFF'S OFFICE Page 19 of 51

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

2015

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

FOR THE MONTH OF: December

TRAFFIC CITATIONS: -----	4
TRAFFIC WARNINGS: -----	11
TRAFFIC CRASHES: -----	0
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	0
JUENILES CITED / VIOLATIONS: -----	0
JUENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	31
TRAFFIC HOURS -----	26.25
TOTAL HOURS SPENT IN: BROWNSVILLE	206

CONTRACT HOURS= 202 HOURS

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

By: Sergeant Greg Klein

ENTRY DATE	ENTRY CALL TIME	DESCRIPTION	ADDRESS	CITY	DESCRIPTION
12/27/15	19:39:21	SUSP-PERSON	MOYER ST	Brownsville	No Additional Report Necessary
12/26/15	22:21:29	Trf Equipment Viol	S MAIN ST	Brownsville	Warning issued
12/26/15	22:21:29	Trf Equipment Viol	S MAIN ST	Brownsville	Warning issued
12/26/15	22:21:29	Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
12/26/15	22:00:29	Trf Equipment Viol	S MAIN ST	Brownsville	Warning issued
12/26/15	22:00:29	Trf Equipment Viol	S MAIN ST	Brownsville	Warning issued
12/26/15	22:00:29	Trf Equipment Viol	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
12/23/15	21:49:10	CRIM MISCHIEF	STANARD AV	Brownsville	No Additional Report Necessary
12/23/15	17:16:16	DISTB-OTHER	ASH ST	Brownsville	No Additional Report Necessary
12/23/15	1:44:43	ALARM - POLICE	W BISHOP WY	Brownsville	No Additional Report Necessary
12/22/15	11:34:57	TRAFF-OTHER VIOL	W BISHOP WY	Brownsville	No Additional Report Necessary
12/22/15	4:49:38	Trf Speed Viol	S MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
12/22/15	4:22:03	Trf Speed Viol	WASHBURN ST	Brownsville	WARNING - SPEEDING VIOLATION
12/22/15	3:27:49	INFORMATION REQUEST/REPORT	PARK AV	Brownsville	MDT Narrative Update
12/21/15	17:35:52	Trf Equipment Viol	PUTMAN ST	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
12/21/15	17:35:52	Trf Equipment Viol	PUTMAN ST	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
12/21/15	17:35:52	Trf Equipment Viol	PUTMAN ST	Brownsville	CITE ISSUED - EQUIPMENT VIOLATION
12/21/15	11:12:53	WATER RESCUE	PARK AV	Brownsville	No Additional Report Necessary
12/20/15	20:30:31	Trf Equipment Viol	PARK AV	Brownsville	WARNING - EQUIPMENT VIOLATION
12/18/15	12:40:00	CRIM MISCHIEF	KIRK AV	Brownsville	No Additional Report Necessary
12/18/15	9:26:39	Trf Citz Compl	N MAIN ST	Brownsville	MDT Narrative Update
12/18/15	7:24:52	ALARM - POLICE	N MAIN ST	Brownsville	No Additional Report Necessary
12/17/15	17:16:35	VIOL CITY ORD	FIELDS CT	Brownsville	No Additional Report Necessary

12/05/15	16:35:13 TRESPASS	KIRK AV	Brownsville	No Additional Report Necessary
12/03/15	23:14:14 MISC CRIME	KIRK AV	Brownsville	Incident Report
12/03/15	15:12:03 MVC-NON INJURY	N MAIN ST	Brownsville	Incident Report
12/03/15	13:25:00 ASST-MOTORIST	SEVEN MILE LN	Brownsville	No Additional Report Necessary
12/02/15	18:47:09 THREATS	S MAIN ST	Brownsville	No Additional Report Necessary
12/02/15	12:08:57 Trf Speed Viol	S MAIN ST	Brownsville	Warning issued
12/02/15	12:08:57 Trf Speed Viol	S MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
12/02/15	12:08:08 CHILD ABUSE REPORT	KIRK AV	Brownsville	No Additional Report Necessary

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR DECEMBER 2015**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	32	5	0	37	
Violations	19	10	24	5	
Contempt/Other	35	3	1	37	
TOTALS	86	18	25	79	

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

Total Deposits +	\$ 3,130.77	City	\$ 2,172.77
Total Bail Forfeits +	\$ -	Restitution	\$ 320.00
Total Bail/Bank Fees -	\$ -	Oregon Dept Revenue	\$ 526.00
Total Bail Held -	\$ -	Linn County	\$ 112.00
* Total Refund/Rest -		State Misc.	\$ -
Total NSF's -		DUII Surcharge	\$ -

TOTAL COURT REVENUE	<u>\$ 3,130.77</u>	TOTAL COURT PAYMENTS	<u>\$ 3,130.77</u>
----------------------------	---------------------------	-----------------------------	---------------------------

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 2,172.77
STATE	\$ 526.00
COUNTY	\$ 112.00
	\$ -
*REFUND/RESTITUTION	\$ 320.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 3,218.98
ENDING	\$ 3,338.36



Library Advisory Board

Librarian's Report

December 2015

Here are a few facts about our library the month of December 2015. We have received 29 new books for the library. Volunteers donated 167.5 hours to our library. There were 1,317 materials checked out. 429 adult fiction books; 172 adult non-fiction books; 111 audio books; 196 children's books; 317 junior books; 22 junior reference books and 70 large print books.

The Brownsville Women's Study Club sponsored the Festival of Trees this past month. All members had a fun time participating. This fundraiser is a good fit for this particular group. There are lots of members and they love supporting the Library!

I managed to visit the Head Start Preschool in Crawfordsville this month. The teachers were very excited that I was able to come to their classroom. It was fun to watch the students settle down as I went through the Story Time plan. Several years ago I attended a seminar that helped me make story times more fun. Before I only read books, I now intersperse the books with learning songs, finger plays and rhymes. This visit we pretended to be icicles, learned a finger play about 5 little snowmen, built a pretend snowman and sang jingle bells. It was very rewarding to see the children relax during our short time together and start to enjoy the visit. Both teachers were very complimentary about the visit and are looking forward to future field trips to the Library.

Respectfully submitted,

A handwritten signature in blue ink, which appears to read "Sherri Lemhouse". The signature is written in a cursive, flowing style.

Sherri Lemhouse
Librarian



Goals 2015-2016

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

GOALS PROGRESS UPDATE

1. Focus on the Fundamentals.

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



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

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

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

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

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

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

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

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

2. Water Rights.

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

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

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

3. Economic Development Plan.

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



Plan: Continue working with East Linn communities and the Ford Foundation. Continue working with the Brownsville Chamber of Commerce, Visit Linn Coalition and the Bi-Mart Willamette Country Music Festival to drive local financial viability of businesses. Discuss future options with McFarland Cascade.

Continue to work with the CLRA to develop and strengthen youth activities as a vital community amenity.

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

January 2016 Update: Staff directing private parties discuss land purchase & development options with McFarland Cascade. Staff has encountered a few problems with the continued implementation of services with the CLRA. Staff is overly involved with projects regionally; working on the Visit Linn Coalition, the Ford's Go Team, the East Linn Cohort through the Ford Foundation, working with the State and Linn County on opportunities.

4. Community Development Plan.

- *Refine Zoning Rules & Requirements.*
- *Consider & Adopt New Policies & Standards.*
- *Finish & Implement a Sidewalk Program.*
- *Improve Partnerships with CLSD.*

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

January 2016 Update: Council will be attending a training session in February where items will be discussed pertaining to this goal. Staff is currently under contract for sidewalks to be extended into Pioneer Park from the Rec Center. City Hall sidewalks are also being improved. The overall City-wide sidewalk program is still pending. Council has been working with the Central Linn School Board on possible options for the Board's property on Blakely Avenue. The Central Linn School Superintendent and Board has not answered Council's questions about the property or any future agreement. Please see Council agenda packets for more detailed information.

5. Capital Improvements Plan.

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



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

January 2016 Update: Staff will have the 2015 Water System Improvements project wrapped up by the end of January. Staff is exploring options with the storm water concern downtown; this particular project may be another year out in terms of funding for construction. Linn County is currently working on a Transportation System Plan (TSP) that will determine if Kirk Avenue will be funded or not. The TSP process will take over a year to complete and Council will want to attend certain meetings over the course of this year to advocate for Kirk Avenue. Staff will do exploration work to determine City costs for moving certain infrastructure and appurtenances.

6. Organizational Development.

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

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

January 2016 Update: Council has taken an active role with the discussions regarding the School Board's property on Blakely Avenue at the request of the Board. Councilors are making an extra effort to visit City Hall more regularly as way of staying current on issues. Council will be holding training and touring town.

7. Emergency Preparedness Plan.

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

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

January 2016 Update: Council has taken an active role in re-working this process at the direction of Darrell Tedisch, Albany. Council has a plan in place for the active implementation of this goal through 2016.



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

Council Vision Statement

The Brownsville City Council works collaboratively and effectively with each other, staff, and community partners to preserve the historic character and economic health of our town and to create a high quality of life for our citizens.

A Vision for Brownsville

For a tiny rural Oregon community, Brownsville has a huge presence. It is well-known throughout the state for its friendly welcome and for being a safe, clean, and attractive town. It is clear that residents value its historic character and make special efforts to preserve and enhance it. Talk to business owners in the thriving north and south business areas and you will find that it is the creative working relationships between city government and private, county, state, and federal partners that sustain our economic health and well-being. Residents participate in Brownsville's inclusive process of growing and enhancing our high quality of life. Brownsvillians care about healthy city finances, they expect infrastructure that delivers, and they elect a City Council that works for the benefit of the community. Public spaces are a vital part of Brownsville's sense of place; citizens' and city government's attention to the appearance and cleanliness of parks, streets, and neighborhoods adds to the town's livability.

Tag line

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

Who we are?

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

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

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



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

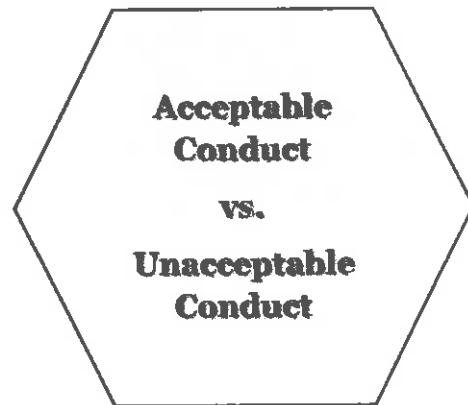


LEXIPOL'S 10 FAMILIES OF RISK MODEL

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





RESOLUTION 2016.01

**A RESOLUTION APPOINTING PRO TEMPORE JUDGE(S)
FOR THE BROWNSVILLE MUNICIPAL COURT**

WHEREAS, Brownsville Municipal Code 2.55.030 allows the Council to appoint Municipal Judges Pro Tempore, to serve in the absence of the Municipal Judge; and,

WHEREAS, the term appointments of persons previously appointed to serve as Municipal Judges Pro Tempore have expired,

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT Gerald Waite and Jessica K. Meyer are hereby appointed to serve as Municipal Judges Pro Tempore of the Brownsville Municipal Court for a term ending on the last day of December 2016.

Introduced and adopted this 26th day of January 2016.

Don Ware, Mayor

S. Scott McDowell, City Administrator



RESOLUTION 2016.02

A RESOLUTION REAFFIRMING THE SAFETY POLICY AND LOSS PREVENTION PROGRAM FOR THE CITY OF BROWNSVILLE

WHEREAS, the City holds in high regard the safety, welfare and health of our employees; and

WHEREAS, the Council has a responsibility to make every reasonable effort to maintain a safe and healthful working environment;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Brownsville, State of Oregon does hereby reaffirm a strong commitment to employee and workplace safety as articulated below:

Introduction:

The City of Brownsville has always believed that our employees are our most important and valuable asset. We will always place a high priority on safe operations and the safety of employees. The City considers no phase of operation or administration more important than safety and health. We will provide and maintain safe and healthful working conditions, establish and insist on safe work methods and practices at all times. All members of management and all employees must make safety a part of their daily and hourly concern.

Goal/Purpose:

Our goal is "No Accidents" and we consider it a realistic goal. We want to make our safety efforts so successful that we make elimination of accidents and injuries not just a goal, but a way of life. Our goal is to involve both management and employees in safety planning, development and implementation.

Objectives:

- The City of Brownsville will work consistently to: Maintain safe and healthful work conditions; Observe Federal, State and City safety regulations; Ensure that no employee is assigned to a job without necessary training;
- Require safety orientation for new employees, timely and appropriate training, an employee safety committee, a self-inspection program, proper mechanical guards in adherence to safety standards, and a personal protective equipment program;
- Provide safety and fire inspections to identify potential hazards of operation, then developing necessary protective measures;



- Conduct accident investigations to determine the cause of accidents and the action required to prevent recurrences.

Responsibilities:

Management Personnel of the City are responsible for developing an effective Loss Prevention Program. The department heads and supervisors are responsible for preventing accidents in their departments. Each level of management must reflect and interest in the City's safety objectives and set a good example by complying with safety rules. Management interest must be vocal, visible and continuous.

Employee Participation:

All employees are expected to follow safe working practices, obey rules and regulations, and to work in a way which maintains the high safety standards developed and sanctioned by the City.

All Employees are expected to give full support to safety and loss-prevention activities.

Every employee must observe established safety regulations and practices, including the use of personal protective equipment.

All employees are expected to take an active interest and participate in the safety and health program, and abide by the rules and regulations of the City.

All employees must recognize their responsibility to prevent injuries and illnesses and take necessary actions to do so. Their performance in this regard will be measured along with their overall performance.

Closing Statement:

By accepting mutual responsibility to operate safely, we will all contribute to the well-being of all involved with City operations. We must be so successful in our efforts that total elimination of accidents and injuries becomes not just an objective, but a standard practice.

PASSED by the Council and Approved by the Mayor on this 26th day of January 2016.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION 2016.03

**A RESOLUTION DISBURSING THE AMOUNT OF \$ 1,365
FROM THE TRANSIENT ROOM TAX FUND TO THE
CHAMBER OF COMMERCE FOR MARKETING PURPOSES**

WHEREAS, Council discussed conveying collected funds based on the Transient Room Tax to the Chamber of Commerce on January 26th, 2016; and,

WHEREAS, the exact amount to be disbursed is \$1,365.00; and,

WHEREAS, the Chamber will promote Brownsville by marketing community events and a myriad of Chamber sponsored events; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, hereby disburses the amount of \$1,365 pursuant to Chapter 3.25 of the Brownsville Municipal Code to the Chamber of Commerce for the purpose of marketing.

PASSED AND ADOPTED by the Council of the City of Brownsville this 26th day of January, 2016.

S. Scott McDowell
City Administrator

Don Ware
Mayor



Memorandum of Understanding

Page 35 of 51

BETWEEN: City of Brownsville (City)
AND: Brownsville Art Association (BAA)
DATE: January 2016

RECITALS

- A. BAA is interested in entering into a Memorandum of Understanding with the City to utilize the converted fire bays at 255 N. Main Street for BAA purposes.
- B. City believes that BAA provides a valuable public service and desires to provide the above mentioned space to support their mission and work in the community.

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

USE OF SPACE. BAA will be allowed to use the portion of City Hall commonly known as the Art Center for the purpose of providing a hub for community and area artists by not only providing a place for arts education and group meetings, but a public demonstration space for local artists to come together and create art and share their art with the community.

Due to the fundamental occupancy change from the initial Memorandum, the BAA will be responsible for providing insurance as defined under **LIABILITY INSURANCE**.

PUBLIC USE. BAA agrees to manage the Art Center without regard to race, color, sex, religion, age, national origin, or physical or mental handicap, and to charge for use of the Art Center only on the basis of a written rate schedule available to the public.

LIABILITY INSURANCE. Operator shall maintain in force for the duration of this contract an insurance policy providing comprehensive protection for all accidents or injuries which may occur during BAA's use of the Art Center, written as a primary policy, not contributing with or in excess of any coverage which City may carry. Such policy shall have coverage of not less than \$300,000 per occurrence for bodily injury or personal injury, and \$50,000 per occurrence for property damage, with an aggregate of \$300,000 for bodily injury, personal injury or property damage. The policy shall also contain an endorsement naming City as an individual insured and expressly providing that the interest of City shall not be affected by BAA's breach of policy provisions. A copy of each policy or a certificate satisfactory to City shall be delivered to City prior to commencement of this Agreement. Such



policy shall be written on an "occurrence" form with an admitted insurance carrier licensed to do business in the State of Oregon and shall contain an endorsement entitling City to not less than thirty (30) days prior written notice of any material change, non-renewal or cancellation. Failure to maintain any insurance coverage required by this Agreement shall be cause for immediate termination of this Agreement by City.

SCHEDULING. BAA will coordinate activities in the space. BAA will communicate activities and uses with City Hall for administrative purposes.

FEES. BAA will contribute \$50 per month for the term of this agreement and continue to make contributions to help cover operational costs such as heat and electricity.

SUBLETTING. BAA shall have the right to sublet or sub-lease portions of the Art Center. BAA shall be solely responsible for the subletting/rental agreement, insurance and compensation for the space provided to any third party. BAA shall require the third party to provide appropriate documentation including but not limited to insurance coverage for property and liability. Any agreements with third parties are done at the sole risk of the BAA. BAA further agrees to hold the City harmless from any claims made by any third party contract or agreement as it pertains to the use of the facility.

IMPROVEMENTS. The following is a list:

- ♦ *The City is in the process of making improvements to the front of the Art Center by installing grass and replacing certain sections of concrete.*
- ♦ *2012 Flooring Project – BAA has been approved by Council to install a tile floor in the Art Center. BAA is gifting this project to the City for their continued support of the Arts in the community. BAA will make sure risers are properly installed, provide specifications for the sealant used, purchase additional tiles in case of breakage and have agreed to provide maintenance for the floor during their use of the Art Center.*

PROPERTY. Any theft or damages incurred to the furniture, any personal items or supplies shall be the sole responsibility of the BAA. Cleaning of the space shall be provided by the groups using the space and ultimately the responsibility of the BAA.

SIGNAGE. Any directional signage or identification signage shall be the responsibility of the BAA. The City reserves the right of approval before any modifications are made.

TERM. The term of this Memorandum shall commence upon execution hereof and shall continue for a period of three years to be revisited and renegotiated in January 2019. The BAA shall provide a written or oral progress report annually.



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. The original proposal as submitted by BAA, as attached, is included for documentation purposes only.

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 and added to this Memorandum.

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

ASSIGNMENT AND TRANSFER. This Agreement shall not be assigned or transferred without written consent of City.

EARLY TERMINATION. The Agreement may be dissolved by either party upon providing ninety (90) days written notice.

City:

BAA:

Don Ware, Mayor

Judy Whitfield
Art Association President

Date:

Date:



December 16th, 2016

6:00 p.m.

ATTENDANCE: CLSD: Superintendent Brian Gardner, Eric Gerber, Mark Penrod, Board Chair. City of Brownsville: Councilor Cole, Councilor Shepherd, Administrative Assistants Elizabeth Coleman and Tammi Morrow.

This was an informal meeting just to gather information; both parties appreciated the chance to meet and start/continue the conversation about the Blakely School Property. Here are the highlights from the meeting:

- CLSD timeline for Blakely project? Gardner stated 3-5 years, if all goes well.
- Contamination Concerns: Gardner stated that the oil tank was abated in place (filled with sand), visual confirmation only with no documentation. He is unaware of soil testing being done at that point. There is probably asbestos and lead based paint in the buildings. This inspection will be part of the purchase/sale agreement. Shepherd stated he believes there is also an old septic tank near the oil tank.
- Clear property title was discussed. Gardner shared a preliminary title report from January 1999. He is uninterested in pursuing a full title report at this time. He feels a full title report will be part of a sale agreement.
- Property Parameters: ODOT completed a quit claim deed for the east turnout area in May 1999. Gardner stated Washington Street is still there, and was never included in the development plan. He said the covenant on the garden piece stated "public use", not education. Current partnership with the Rec Center is the 1st priority. Right now, events (rentals) that are not Rec Sports related are planned around the Sports schedule.
- Gardner stated that he is still willing to do a 50/50 cost share for the building inspections (Rec Center and Blakely Gym) for the City's benefit of transparency.
- A question was raised about the possibility of going out for a school bond. Penrod and Gardner felt they could not speak for the entire Board, so declined an opinion.
- When asked about the City's development costs – would the City be expected to waive or reduce normal fees? Gardner said that would be a developer question, not School Board.



December 16th, 2016

6:00 p.m.

- When asked about tax exempt entity or developer, Gardner stated it is unknown whether WNHS would want a tax exemption. He stated that the apartments they keep are possibly pro-rated, or at a lower tax rate altogether.
- When questioned about the statement in the CL School Board Update dated December 14th, 2015 “continuing to make the gym available for community use until such time the City could acquire ownership”. Gardner responded that at the October 6th, 2015 informal meeting he thought this issue was “open to exploration, discussion”. He did not hear a commitment from the City. He did state that he feels the City should/will ultimately own this facility, and asked if the Council was open to that possibility. At this informal meeting, there was no commitment that could be made, that would be a full Council decision.
- Gardner envisions a partnership of some sort developing with all three partners (School, Developer, and City) putting in roughly \$3,000-\$4,000 per year toward ???, with the City being totally responsible sometime in the future.

Mark Penrod encouraged concerned community members to attend the January 11th, 2016 School Board meeting. There is a public comment section on the agenda to enable them to ask questions and voice concerns. Gardner stated that he has already had his public forums, and any future forums would be done by the developer.

The City representatives emphasized the City’s long term financial obligations and infrastructure needs and thanked the others for this information gathering meeting. They will report this information back to Council at the January meeting.

From: Mandy Cole <thetimes242@gmail.com>
Sent: Thursday, December 17, 2015 9:08 AM
To: admin@ci.brownsville.or.us; finance@ci.brownsville.or.us; Elizabeth Coleman
Subject: Last night's conversation

Morning, here 's what I heard during our conversation last night Dec 16, 2015 w Brian Gardner, Mark Penrod, Eric Gerber about the Blakely property:

Essentially, I didn't learn much new information, but the conversation has been started and we appreciated the opportunity to meet.

#1 CLSD's timeline: "2-3 yr process"

#2 Contamination concerns: "oil tank abated in place, visual confirmation only, no documentation", "probably asbestos/lead-based paint in the bldgs", "inspection will be part of the purchase/sale agreement" Gary says there was an old septic tank near the oil tank.

#3 Title: Brian feels confident that CLSD has clear title. "CLSD won't pay for clear title...that's what you have title insurance for." "Jan 8, 1999 preliminary title report, ODOT gave the parcel to CLSD." "There's an ODOT quit claim deed for the turnout area, May 27, 1999", "Washington St. is still there. Never included that in the development plan."

#6 Inspection: "Will pursue inspections, shared cost w the city 50/50"

Bigger Picture

#1 Brd going out for school bond?: Mark and Brian felt they could not speak for the entire School Brd so declined an opinion.

#3 City contributions? "Developer would be the party to decide this, not the Brd"

Other details:

"It's unknown whether WNHS would want a tax exemption"

Re: CL School Board Update Dec 14, 2015 "continuing to make the gym available for community use until such time the City could acquire ownership" Brian says that he heard at the Dec 6, 2015 mtg that this issue was "open to exploration, discussion". He did not hear a commitment from the City.

Re: Concerned community members are encouraged to attend the Jan 11, 2016 Brd meeting and ask questions.

The four of us clarified and emphasized the City's long term financial obligations and infrastructure needs.

Memorandum of Understanding

BETWEEN: Central Linn School District (School)
AND: The City of Brownsville,
An Oregon Municipal Corporation (City)
AND: Calapooia Food Alliance (Co-op)
DATE: January 2014

RECITALS

- A. School is the owner of certain real property located at 331 E. Blakely Street in Brownsville, Oregon, and more particularly described in Section 1 below (herein after referred to as the "Premises.")
- B. The City desires to use the premises for the purpose of providing a community garden.
- C. The City will provide these services to the community through the Co-op as a service partner.

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

- 1. **PREMISES.** The Premises is located at 331 E. Blakely Street in Brownsville, Oregon; described as tax lot #14S02W06B 1200. The Premises is north of Washington Avenue and south of Bishop Way/OR 228.
- 2. **USE.** City shall have the right to use the Premises for the purpose of operating and maintaining a community garden and for no other purpose without School's prior written consent. The use shall be consistent with Resolution 596 as passed by Council January 15th, 2008.
- 3. **TERM.** The term of this Memorandum shall commence upon execution hereof and shall continue with reviews every three (3) years.
- 4. **TERMINATION.** Either party may terminate this Memorandum without cause by giving thirty (30) days written notice to the other sent First Class and Certified mail to the addresses listed, however, termination will not commence until the end of the gardening season which is in November. Upon termination, the City may provide a one-time lump sum, not to exceed fifteen hundred dollars (\$1,500.00) for the property to be returned to its original condition, if the School

wishes to return the area to its original condition which was a grass field. The School should notify the City of their intentions for the property. After thirty-(30) days of official notice, the City will not be responsible for the lump sum payment. The City and the Co-op will share equally in the above referenced sum. All rights extended under this Memorandum shall be null and void upon termination.

5. **IN-KIND CONTRIBUTION.** City shall offer the School plots as needed for curriculum purposes.
6. **MAINTENANCE.** The City is not responsible for making repairs and necessary replacements or performing necessary maintenance to or upon the Premises. Co-op guidelines and programming shall maintain the Premises in a manner consistent with the School's requests.
7. **UTILITIES.** City, at City's expense, shall supply up to 55,000 cubic feet of water per year to the property for the use of the community gardens. Any water used in excess of this amount shall be charged to the Co-op at the normal monthly rate then in effect. Water shall be billed annually in December.

City, at City's expense, will either pick-up excess garden debris or reimburse School for disposal.

8. **INDEMNIFICATION.** To the extent legally possible, City agrees to indemnify, hold harmless and defend School from and against any and all claims, damages, losses and expenses, including attorneys fees, made by or paid to others, arising from City's use of the Premises or from City's performance or failure to perform its obligations under this Memorandum. City will make arrangements with insurance carrier to ensure the Premises are covered as a park use.
9. **ATTORNEY FEES AND LEGAL EXPENSES.** In the event any legal proceeding is commenced for the purpose of interpreting or enforcing any provision of this Memorandum or to collect any indebtedness hereunder, the prevailing party in such proceeding shall be entitled to recover reasonable attorney fees in the proceeding, or any appeal thereof, to be set by the court without the necessity of hearing testimony or receiving evidence, in addition to the costs and disbursements allowed by law. Such sum shall include an amount estimated by the court as the reasonable costs and fees to be incurred by the prevailing party in collecting any monetary judgment or award or otherwise enforcing any order, judgment, or decree entered in such suit or action. In addition, in the event of default by either party in performance of this agreement, the defaulting party agrees to pay all reasonable attorney fees and legal expenses incurred by the non-defaulting party in collecting any such sums due hereunder even though no litigation is filed.

- 10. **SUCCESSORS AND ASSIGNS.** The terms, provisions, covenants and conditions contained in this Memorandum shall apply to, bind and inure to the benefit of the heirs, personal representatives, administrators, legal representatives, successors and assigns of School and City.
- 11. **ENTIRE MEMORANDUM.** This agreement embodies the entire agreement of 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.
- 12. **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.

CITY:

By:


Don Ware, Mayor

SCHOOL:


By:


David Goracke, Board Chairman

By:


S. Scott McDowell, Administrator
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327

By:


Brian K. Gardner, Superintendent
331 E. Blakely Street
Brownsville, OR 97327

ALLIANCE:

By:





ALBANY Democrat-Herald

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Constitution resonates as issue at Merkley town hall



Mark Yien, Democrat-Herald

Merkley says he tries to hold a meeting in each Oregon county every year.

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15 hours ago • [NEIL ZAWICKI Albany Democrat-Herald](#)

[\(1\) Comments](#)

The most resonant and emotional topic at U.S. Sen. Jeff Merkley's town hall meeting in Brownsville Saturday afternoon was the Constitution.

At his 12th such meeting in five days, Oregon's Democratic junior senator took questions from a crowd of more than 30 citizens at the town's City Hall. He was peppered with questions (and some commentary from citizens) about health care, immigration, and the military, all of which were placed under the umbrella of the Constitution and its perceived erosion in recent years.

For example, applause and cheers erupted when Hayward Bellah, a retired U.S. Army command sergeant major, stood up and declared he is concerned about the Constitution.

"A lot of you here can relate," he said, "when I tell you I took an oath to protect and defend the Constitution against all enemies foreign and domestic!"

The word domestic was emphasized.

"Amen!" shouted one guest.

"Second Amendment!" shouted another.

Bellah described a list of concerns, ranging from border security to economic challenges, while Merkley listened.

"We have to do a better job of being less poisonously partisan," replied Merkley. "And what are the first three words of the Constitution?"

The crowd answered in unison.

"At the heart of The Constitution is 'We, the people,'" said Merkley. "So it is designed to give power to the many, and not to a powerful few."

Merkley gained applause of his own when he voiced his opposition to Citizens United, the U.S. Supreme Court decision which held that the First Amendment prohibited the government from restricting independent political expenditures by a nonprofit corporation; the ruling cleared the way for so-called "super political action committees" that can spend unlimited amounts of cash on political causes. Merkley said the ruling was a step back for democracy.

On the constitutionality of presidential power to send troops into combat, Merkley allowed that President Obama has been checked recently by the Supreme Court for overstepping some bounds, but he tempered his statement with a bipartisan qualifier.

"Every president gets knocked down by the legislative branch at least one time while in office," he said. "So we have to depend on our courts to help be the referee."

Asked after the meeting for his interpretation of what the Constitution means, Merkley described it as a sort of double document.

"It captures our fundamental principles and our fundamental freedoms," he said. "And it is a strategy to give opportunity to every citizen."

Asked after the meeting about his interpretation of the Constitution, Bellah gave a similar answer, but with emphasis on different issues. The Constitution, he said, is "a mechanism to run our lives."

And he continued to describe an America that he feels has lost its way.

"We used to be the marketplace to the world," he said. "Now, we're the biggest customer in the world. And what country can last if it doesn't have borders?"

Merkley said the tone of the Brownsville meeting — and other recent town hall meetings — was as a reaction to economic uncertainties, and a search for solutions or culprits.

"Our economy is really pressuring the middle class," he said. "Whether that's from an overreaching government or an inequity in wealth, what you hear at these town halls is a frustration, and they're searching for solutions."

But he declined to speculate on how he thought the tone might translate into this year's elections.

"Well, you know, I left my crystal ball back in Washington, so I really don't know," he said.

From: Senator Jeff Merkley <Senator_Merkley@Merkley.senate.gov>
Sent: Thursday, December 24, 2015 2:00 PM
To: admin@ci.brownsville.or.us
Subject: This holiday season

[Click here to open this e-mail in its own browser window](#) [Click here to open a plain text version of this email](#)



Dear Scott,

As we gather with friends and loved ones to celebrate the holiday season and give thanks for the many blessings we enjoy and the freedoms we cherish, let us take a moment to remember those who are less fortunate. At shelters and soup kitchens across America, like New Avenues for Youth in Portland where I visited with homeless youth earlier this year, Americans continue to set an example of service and selflessness.

We all have a part to play to make our world a better place.

During this holiday season, let us reach out to those who need help the most and renew our commitment to our fellow Americans and resolve to build a better, more just future free from war, hunger, and injustice.

In this season of reflection, let us also come together thank our brave servicemembers and their families and let them know how much we appreciate their

sacrifice. Our servicemen and women fight for and defend our country and the unique rights and liberties we have as Americans. As many of them spend the holidays overseas and apart from family, now is an especially fitting time to let them know how grateful we are for their service.

Serving Oregon in the U.S. Senate is a great honor, and I am grateful and humbled by the opportunity to continue to do so. I'm excited to get to work for Oregon in 2016.

Have a Merry Christmas and a joyful holiday season.

All my best,
Jeff



This email was sent to admin@ci.brownsville.or.us
[Visit merklej.senate.gov](http://merklej.senate.gov) | [Contact Jeff](#) | [Unsubscribe](#)

Please note that any reply to this email address will be sent to an unmonitored email address.

	Launching the Study		Taking Stock		Developing System Solutions		Drafting Plans		Enacting Plan	
Tasks	Task 1 & 2 Develop Study Process Plans	Task 3 Plans, Goals, Policies and Performance Measures	Task 4 Existing System Gaps and Deficiencies	Task 5 Future Transportation Conditions and Needs	Task 6 Transportation Standards	Task 7 Transportation Solutions	Task 8 Draft Plans and Code Amendments	Task 9 Adoption Hearings	Task 10 Project Summary and Closeout	
Key Issues	How do we best engage stakeholders? What do community members and employees care about? What do employers need to succeed?	What are the long-term values and aspirations of the County? How do we know we are making good decisions?	What are the long-term values and aspirations of the County? How do we know we are making good decisions?	What changes to our system design and performance standards could better achieve our objectives? What investments have the most value towards meeting future needs?	What changes are necessary for implementation?	How do recommended solutions and strategic investments effect our current plans and policies? What changes are necessary for implementation?	Prepare final revisions to TSP for use in the adoption process. Project close out and records transfer to County and ODOT			
Activities	Build rosters for public outreach Review relevant past plans, policies and regulations Develop initial goals and policies	Assemble system operations data Review how multimodal systems work today Prepare 2040 travel forecasts Evaluate 2040 multimodal system conditions	Review transportation facility design standards and guideline Review how system performance is measured and what standards are applied Identify multimodal solutions that meet transportation system needs and respond to goals and policies	Develop format and document elements of TSP Develop necessary amendments to City plans and regulations that are required to implement TSP Prepare three draft versions of the TSP for review and discussion	Confirm timeframes and reports that are required for TSP adoption Prepare staff reports and notices of intent to adopt TSP Attend Planning Commission hearings Attend City Council hearings Revise TSP based on PC and CC feedback to prepare Adopted Final TSP Prepare summary of findings for TSP					
Public Outreach Activities	<ul style="list-style-type: none"> 1 PMT Meeting 2 PAC Comm. 3 Stakeholder Interviews 	<ul style="list-style-type: none"> 1 PMT Meeting 2 PAC Comm. 3 Community Workshop #1 4 Joint PC/BOC Briefing 5 Stakeholder Interviews 	<ul style="list-style-type: none"> 1 PMT Meeting 2 PAC Comm. 3 Community Workshop #2 4 Joint PC/BOC Briefing 5 Stakeholder Interviews 	<ul style="list-style-type: none"> 1 PMT Meeting 2 PAC Comm. 3 Planning Commission Hearings 4 Board of County Commissioners Hearings 						

Overview of Linn County Transportation System Plan Process and Public Involvement



From: Snow Toad <snowtoad5@gmail.com>
Sent: Monday, January 18, 2016 7:56 PM
To: Allysa Wink; Amy Ramsdell; Bob Rea; Brian Carroll; Cindy Glick; Craig Martin; Damon Tempey; Dani Pavoni; Darrin Lane; Dustin Bengsten; Emily McNulty; Gary Marks; Janet Steele; Jim Cripe; Jimmie Lucht; Joe Graybill; John Meier; Julie Whalen; Karl Frink; Laura LaRoque; Mark Volmert; Mike Adams; Rob Emmons; Rod Porsche; Roger Nyquist; Ron Whittlach; Scott McDowell; Sharon Kanareff; Sherri; Tamara Schroeder; Wes Hare; Bill Pintard; Donna Short; Doug Robin; Ken Bronson; Rod and Raylene Sell; Roger and May Gaither
Subject: Santiam-Calapooia Scenic Bikeway Propasal
Attachments: Scenncc Bikeway Status Letter_2016_01_17.pdf

Hi,

I am sad to say that our proposal for the Santiam-Calapooia Oregon Scenic Bikeway was not accepted. We had a very good package, an excellent support group, and great partners; however, There were some areas of the route that did not meet the selection criteria.

I have attached a letter that goes into more detail, and outlines what we are thinking about for the future of this route. We are exploring options that will utilize the work that has been done, and hope to maintain the broad support base that you provide.

Thank you.

Sincerely,

Doug Robin
Santiam Spokes

From: Don Ware <timeseditor@centurytel.net>
Sent: Monday, January 04, 2016 9:30 AM
To: sbrowning619@gmail.com; admin@ci.brownsville.or.us
Subject: Re: FW: Fireworks

I am sorry for your concern about fireworks and New Year celebration noises. It is irritating and almost impossible to stop. The 4th Fireworks is carefully managed by the fire crew and is safe and enjoyable for many citizens, but New Years noise is difficult to detect who is doing it and where they are. If you know who, let me know and I can talk with them about it. Otherwise I don't know how it can be stopped. I am sorry for not being much help to you.

On 1/4/2016 8:59 AM, S. Scott McDowell wrote:

From: Scott Browning [<mailto:sbrowning619@gmail.com>]
Sent: Friday, January 01, 2016 12:22 AM
To: mayor@ci.brownsville.or.us
Subject: Fireworks

Dear Mayor Ware: This is my first-ever letter of complaint to the City. We are very happy here, and I don't complain about the "little stuff."

As happened (NOT unexpectedly) on the 4th of July, it is now after midnight on the first of January, and I am sitting up with several very scared pets in my living room, because someone on the North side of town apparently has access to a mortar or some other way of shooting commercial-type fireworks off whenever they wish.

I would really like this to stop. As I understand, this type of firework (that is shot into the air and explodes) is illegal in residential areas. Someone, either the BFD or the LCSO needs to put a stop to this.

It was especially frightening in July in the middle of our drought, and with our history of fire.

Thank you.

Scott Browning
100 School Avenue

MONTH END RECAP

	REVENUE	EXPENDITURES	YTD	%	Unexpended	
1	GENERAL	\$ 14,822.01	\$ 338,792.13	29.20%	\$ 899,731.87	1
2	WATER	\$ 30,720.48	\$ 414,657.90	40.71%	\$ 605,792.10	2
3	SEWER	\$ 24,119.10	\$ 93,352.97	20.40%	\$ 488,647.03	3
4	STREETS	\$ 11,545.42	\$ 59,923.71	12.25%	\$ 429,276.29	4
5	WATER BOND	\$ -	\$ -	0.00%	\$ 77,678.00	5
6	SEWER BOND	\$ -	\$ 332,072.00	83.51%	\$ 65,582.00	6
7	SEWER DEBT FEE	\$ 11,276.12	\$ 65,067.72	16.36%	\$ 436,500.00	7
8	BUILDING & EQUIPMENT	\$ -	\$ -	0.00%		8
9	WATER RESERVE	\$ -	\$ -			9
10	HOUSING REHAB	\$ -	\$ -			10
11	WATER SDC	\$ 1,988.35	\$ -			11
12	SEWER SDC	\$ 4,886.22	\$ -			12
13	STORMWATER SDC	\$ 1,869.60	\$ -			13
14	BIKEWAY/PATHS	\$ 76.32	\$ -			14
15	LIBRARY TRUST	\$ -	\$ -			15
16	CEMETERY	\$ 125.00	\$ -			16
17	TRANSIENT ROOM TX	\$ -	\$ -			17
18	SEWER CONSTRUCTION	\$ -	\$ -			18
19	LAND ACQUISITION	\$ -	\$ -			19
20	COMMUNITY PROJECTS	\$ -	\$ 9,189.25	5.15%	\$ 169,210.75	20
		\$ 101,428.62	\$ 9,189.25	5.15%	\$ 169,210.75	
		\$ 54,542.04				

2015-2016 YTD % of Total
 Appropriated \$ 1,247,987.96 21.91%

DEBT Payments
 Water \$ 54,928.00
 Wastewater \$ 397,654.00
Totals

Total Debt
 Water \$ 784,574.00
 Wastewater \$ 6,145,365.00
Total \$ 6,929,939.00

KeyBank Accounts
 General \$ 79,251.89
 Utility \$ 19,750.00
 Park \$ 250.00
 Court \$ 3,338.36
Oregon State Treasury \$ 4,153,175.64
Community Improvements \$ 14,271.86