



CITY OF BROWNSVILLE

Council Meeting

Tuesday – March 24th, 2015

Regular Session 7:00 p.m.

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

Hours of the week: 10:00:00-25:00
Holidays and Observances: 14: Valentine's Day, 16: Presidents' Day

| March | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
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| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

Hours of the week: 6:00:00-27:00
 Calendar generated on www.timeanddate.com/calendar

| April | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
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| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | | |

Hours of the week: 4:00:00-25:00
Holidays and Observances: 5: Easter Sunday, 13: Thomas Jefferson's Birthday



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, March 24th, 2015

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: February 24th, 2015
March 3rd, 2015
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. McFarland Cascade – Jon Younce & Paul Olson
 - B. Sweet Home Sanitation – Brian Hoffman
 - C. Tim & Desi Housley
- 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 751 – Land Use Options for Marijuana Facilities (*Second Reading*)

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.



- B. Ordinance 752 – Elected Officials Replacement Policy (*First Reading*)
- C. Ordinance 753 – Dog Leash Law (*First Reading*)
- D. Resolution 2015.07 – Sweet Home Sanitation Rates

10) ACTION ITEMS:

- A. Library Advisory Board Appointment

11) DISCUSSION ITEMS:

- A. Weapons Discharge Ideas
- B. Vision Statement & Council Goals
- C. Economic Development Strategy
- D. February 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.



Council Minutes

February 24th, 2015

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

PUBLIC: Steve Chambers, Randy Ginn, Elizabeth Coleman, Tim & Desi Housley, Dave Erickson, Kaye Fox, Brad Kelley (LCSO), Allen Buzzard, Christine Harrison, Cindy Thibedeau, Don Andrews, Joe and Diana Ayala, Trisha Thompson, Charlotte Bates, Larry & Karen Bowman, Marilyn Grimes, Mike Landi, Mike Hillsman, Lea Sepulveda (The Times), JoAnn Neddeau, Johnny & Diana Young, Joshua Mushrock, Eva Jean Morley, John Morrison, Kathy MacIntyre, Vanessa de la Puente, Sean Gagner, Mike Elliot, Tom & Sherry Watson, Zebidee Ira, Lloyd Morlan, and Randy and Gayle Simpson.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: Mr. McDowell informed Council that the weapons permit issue with Chad Hein has been resolved; he will not be appearing before Council tonight. Mr. Hein will be issued a provisional permit, containing his shooting to his own property, and will abide by all future provisions as well.

MINUTES: *Councilor Cole made a motion to approve the January 27th, 2015 meeting minutes with the additional language "applying for grant funding and the Brownsville Community Foundation" under R 2015.05. Councilor Van Sandt also stated that she did vote no last month on O 748, but did support the fence section, but had concerns about the accessory structure being unclear. Councilor Gerber seconded the motion, and it passed unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Leash Law Town Hall – Mr. McDowell stated that Council had received a petition regarding implementation of a leash law in town in October 2014. Council elected to have a public comment town hall session to hear input from the community. Brownsville residents Charlotte Bates, Karen Bowman, Marilyn Grimes, Cindy Thibedeau, Christine Harrison and Kaye Fox are all in favor of a leash law. Reasons stated include being chased and attacked by dogs, neighborhoods overrun with loose dogs, and safety for children and seniors. Mike Hillsman, Brownsville, spoke in opposition of a leash law, stating his dogs have never caused any problems. *Councilor Cole made a motion to direct Staff to move forward with legislation concerning a leash law for town. Councilor Gerber seconded the motion, and it passed unanimously. Council likes the language used by Multnomah County, and also Harrisburg has a new leash law that seems very comparable with our needs.*

Land Use – Marijuana Facilities – Mr. McDowell read the following statement as background:

General Information

- ▶ Council has worked on issues surrounding marijuana since January 2014 when Randy & Gayle Simpson decided to open a medical marijuana dispensary in Brownsville.



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- ▶ The State Legislature had passed House Bill 3460 and it was signed by Governor Kitzhaber on August 14th, 2013. The Bill allowed medical dispensaries to be open through a licensing process by the State of Oregon.
- ▶ The State Legislature had passed Senate Bill 1531 and it was signed by Governor Kitzhaber on March 19th, 2014. The Bill allowed local governments such as cities and counties to pass a moratorium on medical marijuana facilities.
- ▶ The City of Brownsville filed a moratorium following the process outlined by the State of Oregon. The moratorium will run out April 30th, 2015.
- ▶ Council formed a Medical Marijuana Committee to review the subject. The outcome of this Committee was to recommend Council pass a Business Registration Ordinance that would **not** allow marijuana facilities to open in Brownsville based on language included in the Ordinance. The Ordinance says that in order to obtain a business registration the business has to be compliant with local, State and Federal Law. Marijuana is still a Schedule I Controlled Substance and considered illegal by the Federal government, therefore a registration cannot be issued.
- ▶ Council passed the Business Registration Ordinance on September 23rd, 2014 as an emergency. The local law came into effect in October of 2014.
- ▶ Measure 91, the recreational marijuana use legislation, was passed by Oregon voters at the November 4th, 2014 election.
- ▶ At the direction of the City Attorney, Council decided to form another committee to review the impacts of Measure 91.
- ▶ The Committee met and made a recommendation to Council for their December 16th, 2014 Council meeting that basically encouraged Council to move forward with land use legislation that would allow marijuana facilities in certain zones of the City, *if* the Business Registration Ordinance is ever stricken down by the State Supreme Court or changed by City Council.
- ▶ Council directed Staff to move forward with Ordinance 751. Ordinance 751 will be subordinate to Ordinance 747: Business Registration. As long as the Business Registration Ordinance contains the language "Federal" or "federally" and Federal law does not change, opening a marijuana facility of any kind in Brownsville is against local law.

A Measure 51 notice was mailed to every residence/establishment in town. This ordinance, if approved, establishes certain zones where dispensaries could be located. This land use ordinance came before the Planning Commission last night. They voted to recommend this ordinance to Council with the added language of allowing a medical marijuana dispensary in the old town commercial zone as well.

Mr. McDowell showed a zoning map and explained zoning uses. Council has an opportunity tonight to read O 751 as a first reading. The session was opened for public comment. Brownsville residents Joshua Mushrock, Cathy MacIntyre, Mike Elliot, Don Andrews, Randy and Gayle Simpson all spoke in favor of a dispensary in Brownsville citing medical reasons, convenience for cardholders, etc. Gayle Simpson also stated that she believed locating the dispensary downtown will bolster the downtown business economy. Mike Landi, Sweet Home, Eva Jean Morley, Lebanon, Vanessa Delapuenta and Zebidee, Corvallis, John Gagna, Lebanon, Tom & Sherry Watson, Lebanon, Lloyd Morrill, Lebanon, also spoke in favor of marijuana. Brownsville residents Diana Ayala, Johnny Young, Dave Erickson, JoAnn Neddeau, and Kaye Fox spoke in opposition citing reasons such as the downtown location, the small size of the town, and availability elsewhere. Kaye Fox also made a suggestion of putting the matter out to a vote of the city to determine the clear wishes of the community.



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The public session was closed, and Council discussion ensued. Councilor Cole asked Randy Simpson if they still had their license for the downtown dispensary location. Mr. Simpson replied that they had turned that license back in, but that it would be easy to reinstate. He said they would prefer to be at the downtown location. Mr. McDowell recapped a few key pieces of the marijuana issue with Council. The reason this legislation is before Council now is due to time constraints with noticing the Department of Land and Conservation. Currently marijuana dispensaries are not allowed in town due to the moratorium Council has in place; which will expire on April 30th, 2015. The City's business registration states that all businesses must abide by all local, state, and federal laws, which will prevent a dispensary from opening as it is considered a Class I substance and is illegal federally. If federal law changes, allowing marijuana dispensaries, O 751, if passed, will limit dispensaries to Volume Commercial and Light Industrial zones. A question was raised as to the validity of restricting dispensaries to the Light Industrial zone solely. Our legal counsel has advised us that you need to make the zones a viable location, and by removing the Volume Commercial zone, chances are the City would be challenged as the legislation would be too restrictive. Basically, Council has three options: 1) allow dispensaries anywhere in town, 2) not allow dispensaries anywhere in town, and 3) pass O751 and allow dispensaries in certain zones. *Councilor Cole made a motion to accept the Planning Commission recommendation, but eliminating the amendment portion which would allow medical facilities in downtown, thereby taking the ordinance back to its original proposed language. Mayor Don Ware seconded the motion.*

Discussion was called for. Mayor Don Ware stated that he was maintaining his consistency – stating that he is not in favor of the dispensary downtown. He stated that the Simpson's have volunteered to move out of downtown, and he wants to honor that. He also stated that the voters have passed the marijuana issue and he thinks it will soon be allowed federally as well. Just for clarification, Mr. McDowell reminded Mayor Don Ware that currently the Simpson's are not allowed to open a dispensary in Brownsville due to the Business Registration requirements. *A vote of the above motion was called for, and all were in favor, it passed unanimously. Councilor Gerber moved to read O 751 by title only. Councilor Shepherd seconded the motion, and it passed unanimously.*

More discussion followed with Councilor Van Sandt stating that she prefers the dispensary location downtown. Councilor Cole stated that the City and Council have been dealing with this issue for a very long time, trying to resolve the issue. Council appreciates the valuable testimony and the thoughtful discussion the Planning Commission had last night. She would like to see the issue come before a vote of the people so that Council can get clarification on the matter. *Councilor Cole made a motion to take this issue to a vote of the citizens of Brownsville at the earliest election possible. Councilor Gerber seconded the motion.* Discussion was opened. There are many variables that can change including federal law. After this vote, however, Council would have the knowledge of what the people in town want. Councilor Gerber stated that this vote, however, would not shackle Council, but it would be good knowledge to have. *A vote was called for on the above motion, and it passed unanimously.*

Mayor Don Ware made a motion to strike the word federal from the business registration application. Councilor Van Sandt seconded the motion. The motion was voted on, and failed, 2-5. (Councilor Van Sandt and Mayor Don Ware in favor, all others opposed.)



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DEPARTMENT REPORTS:

1. Sheriff's Report. Sergeant Kelley was present. He reported that the burglary at the post office had gone to federal agents. The case may be referred back to local law enforcement, but will likely end up in Lane County due to other crimes committed. Sergeant Kelley reported that there are new regulations governing the release of information through the Sheriff's Office. These security measures are enforced by the Criminal Justice Information System (CJIS) and procedures are currently being enforced. Some of the reports that we receive from LCSO may look a little different. Also, the LCSO is in the process of reorganizing the patrol division. This reorganization should make it easier for the City to contact LCSO. There will be no reduction in patrol hours.
2. Public Works. Mr. Frink reported that they have replaced the water services at 316 Washburn and also finished the installation of 3 new services at Bishop Royale. The final sewer construction at Bishop Royale has been completed; we are just waiting on the final testing. Discharge at the south plant has occurred – with no problems! The sewer manhole bases on Northpoint Loop have been installed incorrectly and need attention. Dave Brant Services will be coming in to correct this issue; hopefully it will be fixed this week or next. Councilor Cole asked if there was any way to have the original contractor come back and fix the problem. Mr. McDowell replied that the warranties are long over, but this issue can be tied back to the importance of the City having recently adopted public works standards. The City did not have an inspection process in place when this project was completed. The new standards will address this deficiency, and aims to prevent these situations in the future. Mr. Frink continued with his report stating that grading and graveling has begun. The leaf collection has been completed in Pioneer Park, with a total of seven 30-yard dumpsters of material removed. The next project will be the installation of the infiltration pumps at the water plant. Hopefully, the pumps will be in before the end of April. After that the next project will be the landscape project at the front of City Hall.
3. Administrator's Report. Councilor Chambers expressed her appreciation for the quotes that Mr. McDowell inserts in the packet. Mr. McDowell reported on the Chad Hein weapons permit application. McDowell and Morrow visited with a neighbor and had been given unclear information, which caused the application to be denied. After a conversation with Mr. Hein clarifying the situation, a permit will be issued with provisional requirements that Mr. Hein will need to comply with. The Eugene Kennel Club will not be holding their annual event in the park this year. Their required timing conflicts with other events already scheduled. They will hopefully be back next year. Currently Staff is spending quite a bit of time "auditioning" new utility and finance software. We are hoping to be operational with it by July 1st if the prices are within what the City has budgeted for the project. The Central Linn School District has invited Mr. McDowell to meet on March 12th, 2015. McDowell is unsure what the topic is but thought it could be about the Rec Center. Sweet Home Sanitation has not received this CPI information yet, so they will propose their rate adjustment in March, and will ask that it is retroactive to the first of March. Mr. McDowell directed Council's attention to the new artwork on the walls. There is a piece on Herb Dominguez, as well as the cancelled bonds, etc. McDowell thanked Jannea Deaver for completing this project.
4. Library Report. No comments.



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5. Court Report. No comments.
6. Council Comments. McDowell reported that there will be a law enforcement training (similar to Neighborhood Watch) at the American Legion on March 17th, 2015 at 6:30 p.m. *Councilor Gerber made a motion to support the training seminar. Councilor Cole seconded the motion, and it passed unanimously.*
7. Citizen Comments. Kaye Fox thanked the Council for referring the marijuana decision to a vote of the community residents to truly reflect what the city constituents want. Marilyn Grimes asked if the Council was going to be providing snacks for the law enforcement training as support. She received a negative reply.

LEGISLATIVE:

1. O 751: Land Use Options for Marijuana Facilities. See page 2 of these minutes.

ACTION ITEMS:

1. Appoint Budget Committee Member. Mr. McDowell informed Council that Ed Hudson had moved out of the City, and therefore no longer able to serve on the budget committee. After publishing a vacancy notice, the City has received one application for the position from Allen Buzzard. *Mayor Ware made a motion to appoint Mr. Buzzard to the Budget Committee. Councilor Van Sandt seconded the motion, it passed unanimously.*

DISCUSSION ITEMS:

1. Elected Officials Replacement Policy. Mr. McDowell proposed a draft elected officials replacement policy. *Councilor Cole made a motion to approve this policy as written, and authorize staff to develop this language into ordinance form. Councilor Shepherd seconded the motion, and it passed unanimously.*
2. Umpqua Bank Update. Mayor Ware, Bob Anderson, and Mr. McDowell met with Umpqua Bank officials recently. After a month of campaigning and gathering information, Umpqua informed the City that they have only received about half of the holdings/deposits needed to establish a branch in Brownsville. They will not be coming to town. All concerned are very disappointed. The City will continue to explore other options/opportunities.
3. Oregon Government Ethics Committee (OGEC). Mr. McDowell reminded Council that the State of Economic Impact (SEI) from OGEC will be arriving in their mailboxes soon. Forms are due April 25th. You are welcome to return it to Ms. Morrow for mailing, or return it to OGEC yourself. Please let Ms. Morrow know if you mail your information back for our recordkeeping purposes. There are penalties for non-compliance.
4. Criminal Justice Information System (CJIS). Court Clerk Jan Henry and Mr. McDowell recently participated in an audit administered by the Oregon State



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Police's CJIS representative. City policies and procedures will need to be corrected and updated as required by the audit findings.

5. January Financials. No comments.

CITIZEN COMMENTS: No comments.

COUNCIL COMMENTS: No comments.

EXECUTIVE SESSION entered @: 9:20 p.m.

- 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.

Exit @: 9:30 p.m.

The regular meeting was called back into session at 9:30 p.m.

DISCUSSION: Mayor Ware commented that the tally he came up with for the marijuana issue from this meeting was 12 people from out of town for marijuana. City residents tally at 3 for marijuana and 3 against.

ADJOURNMENT: *Councilor Gerber moved to adjourn at 9:33 p.m. Councilor Van Sandt seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell Mayor Don Ware



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March 3rd, 2015

ROLL CALL: Mayor Don Ware called the meeting to order at 8:00 p.m. with Councilors Shepherd, Chambers, Cole, Van Sandt, Neddeau and Gerber present. Administrative Assistant Tammi Morrow and City Administrator Scott McDowell were also present. (Mr. McDowell arrived at 8:15 p.m.)

PUBLIC: Kaye & Phil Fox, Diana Ayala, Allen Buzzard, Jannea Deaver, Elizabeth Coleman, Floyd & Irene Corbett, Ralph & Mickie Morrow, Danny George, Randy Ginn, Pastor Kelly Williams, Daniel Hartsook, JoAnn Neddeau, Jim LaCoste, Ruby Cast, and Randy and Gayle Simpson.

The pledge of allegiance was recited.

LEGISLATIVE:

1. **Resolution 2015.06 – Marijuana Facilities Special Ballot.** Mayor Don Ware stated that Council would hear public comment tonight, but reminded everyone that comments need to address only one issue: whether or not to put a public ballot out to the voters of Brownsville regarding allowing marijuana facilities within the City.

Public Comment:

- ▶ Randy Simpson, Sheephead Road, wondered about the cost to the City. He was in favor of having the vote in the May election.
- ▶ Randy Ginn, Hunter Street, has spoken to hundreds of people in town; he thinks it is important to put this issue out to a vote. If it is voted in, so be it, but don't take that right away from the people.
- ▶ Dan Hartsook, Walnut Avenue, stated that many facts are not known at this point about marijuana. He feels it would very much be a mistake for the Council to authorize marijuana at this point. Give this decision back to the people, and take it off Council's plate.
- ▶ Kelly Williams, Templeton Street, asked Council to take this issue to a vote of the people.
- ▶ Diana Ayala, Spaulding Avenue, would like the vote to go to the people. She stated also that people have to go other towns to for many things, doctor's appointment, etc., and marijuana is readily available in many other places. She does not see the need to have it in Brownsville as well.
- ▶ Debbie Jensen, Spaulding Avenue, in favor of marijuana in town. She thinks that it will boost the economy for town. She is in favor of a vote as well.
- ▶ Kaye Fox, Kirk Avenue, is in favor of having this issue on the ballot. She stated that we have heard from a lot of folks from out of town, it is time to hear what the city residents want.
- ▶ Mickie Morrow, Brownsville, said that yes, it needs to be on the ballot.
- ▶ Gayle Simpson, Sheephead Road, thinks that it is only fair to go to a vote of the people. She also believes a dispensary will bolster the local economy.
- ▶ Floyd Corbett, Averill Street, is definitely against recreational marijuana. He also thinks this should go to a vote of the people.



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All citizens, whether for or against marijuana, spoke in favor of putting a vote to the people.

COUNCIL COMMENTS and DISCUSSION: Mr. McDowell stated that he has heard a lot of procedural conversation from Council regarding this referral. To clarify, this is a resolution that will place the ballot as a referral from Council; therefore you do not need signatures to be on the ballot. McDowell feels strongly that Council is required to be a form of representative democracy however in a situation as clearly as decisive as the marijuana issue has proven to be over the course of the last year, it is important, even prudent, to put this advisory question to the electorate. It is also important for folks to understand that the Controlled Substance Act is a Federal law. It is also important to understand that Federal law does not see a distinction between medical and recreational marijuana. McDowell quoted an excerpt from *Going to Pot* by William Bennett and Robert White, "Keep in mind that none of this (marijuana) effects federal law, and it is in direct opposition to the Federal Controlled Substance Act. Most of us were taught in high school civics class that federal law is the supreme law of the land and states **may not** violate federal law. States **may not** contravene federal law."

McDowell also quoted from the Cole memo (James Cole, Deputy Attorney General) that on page 4 of the memo Cole writes that "this memorandum does not alter in any way the department's authority to enforce federal law, including federal laws relating to marijuana, **regardless** of state law. Neither the guidance herein, nor any state or local law, provides a legal defense to a violation of federal law including any civil or criminal violation of the Controlled Substances Act."

McDowell then stated that this information is for Council to be able to put into context all of the testimony they have heard over the last year. He stated that these 7 folks (Councilors) are volunteers, dedicated to representing Brownsville, have had some very heated conversations over whether marijuana is right for the community, and have certainly reviewed what their oath of office means. Councilor Gerber inquired as to what the cost to the City will be for this ballot measure. The Linn County Clerk's office will not disclose that information. He said that they basically split the cost of the election between the entities that will be participating in the election, and that the rate should be low due to many schools having May ballot measures. However, Mr. McDowell feels that the cost is almost inconsequential and for Council to not get a true vote of the people on such a controversial issue would be most unwise. Councilor Chambers asked who would be participating in the vote. Only registered voters within the City limits will be able to vote on the ballot; the City does not have jurisdiction outside city limits.

Councilor Cole asked a question, knowing the answer, but felt it bears repeating. On this ballot, Council may not separate out medical from recreational marijuana. Correct? Mr. McDowell replied, that is true. Councilor Van Sandt then commented that the State voted for legalization of recreational marijuana, and she wonders why we expect the vote to change. She personally does not want a recreational marijuana facility here, but would vote for a medical marijuana



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facility. Councilor Van Sandt stated that they have heard tonight “ad nauseum” from McDowell about all the federal facts, but after calling Senator Beyer and Barnhart’s offices, she was informed that licenses for recreational facilities are not even going to be issued until January 2016. So, in her mind, she was hoping that the vote could just be for medical marijuana facilities, and if it can’t be separated, why even bother with the vote? Councilor Cole stated that she thinks Council needs to bother because of political reasons. Councilor Van Sandt agreed with that statement now after hearing community input tonight. *Councilor Cole moved to approve R 2015.06 to initiate a marijuana facilities special ballot at the earliest election possible. Councilor Shepherd seconded the motion.*

Discussion: Councilor Chambers wanted to clarify that the Business Registration License is still in effect, so regardless of the special election results, marijuana facilities may not currently operate in the City of Brownsville. Truly this election will be information gathering for Council, it is advisory. Councilor Van Sandt reiterated that if they could separate the medical and recreational, she would vote for the resolution. Since that is apparently not possible, she will be voting no tonight. *A vote was called for with all Councilors approving the resolution with the exception of Councilor Van Sandt opposing.*

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

City Administrator S. Scott McDowell

Mayor Don Ware



City Administrator Report

March 24th, 2015

From: 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.



Management is doing things right; leadership is doing the right things."

– Peter Drucker, Professional Management Consultant

"Don't be afraid to give up the good to go for the great."

– John D. Rockefeller

"A good head and a good heart are a formidable combination."

– Nelson Mandela

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

McFarland Cascade & Noise Mitigation – Vice President Jon Younce & Site Manager Paul Olson will be on hand to discuss the changes made at their plant to reduce unwanted sound. I have included the latest sound study conducted by Vigilant. Complaints have been down at City Hall regarding the noise being generated. Mayor Ware did take a complaint from the property owner, Daniel Abraham, who owns to the west of the McFarland Cascade operation. Mr. Abraham does not live in the city limits, however McFarland is attempting to address the concerns of Mr. Abraham.

Sweet Home Sanitation – Brian Hoffman will be available for questions. See Resolution 2015.07 below and in the packet for more information.

Tim & Desi Housley – Asked to be placed on the agenda to address nuisance abatement in their neighborhood.

O 751 Land Use Options for Marijuana Facilities – Council made a few modifications which have been made in this latest edition of O 751. A second reading of the Ordinance 752 will happen at the upcoming meeting.

What is being asked of Council?

Prepare to vote on Ordinance 751. Council may amend, vote to approve or vote to not approve this proposed ordinance.





Given the expiration time frame of the moratorium, action must be taken.

O 752 Elected Officials Replacement – At the direction of Council from last meeting, I have taken the language from the last agenda packet and crafted it into ordinance form for Council consideration. A first reading of the Ordinance 752 will happen at the upcoming meeting.

What is being asked of Council?

Review the ordinance. If you have any edits, suggestions or otherwise, please have them ready for the upcoming meeting Council.

O 753 Leash Law – At the direction of Council from last meeting, I have taken language from the City of Harrisburg and crafted it to fit the requests from Council. A first reading of the Ordinance 753 will happen at the upcoming meeting.



What is being asked of Council?

Review the ordinance. If you have any edits, suggestions or otherwise, please have them ready for the upcoming meeting Council.

Resolution 2015.07 Sweet Home Sanitation Rates – The City's franchise agreement allows an annual increase in solid waste rates. Included in the packet are the latest rate increase requests from Sweet Home Sanitation. The overall increase is 2.4%. Sweet Home Sanitation is requesting the rates be retroactive to the first of March as per usual. Representatives from Sweet Home Sanitation will be available for questions. Mr. Brian Hoffman is the new representative taking the place of Mr. Josh Metcalf.

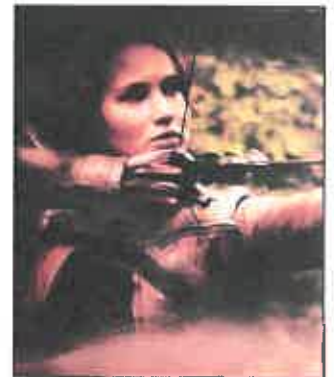
Library Advisory Appointment – Candidates have forwarded letters of interest for this opening.

Weapons Discharge Language – See below for new information.

From 02.24.2015: Mr. Chad Hein has modified his initial request but the result is that arrows will be shot across City property. I have placed the letter sent to Mr. Hein. He may be available to ask Council to reverse the City Administrator's decision. I have not had time to revise any language or prepare standards for the Weapons Discharge permitting process.

From 12.16.2015: Staff will bring this back after the first of the year. Council asked to look at the old ordinance and asked for Staff to develop some administrative rules.

From 11.25.2014: Staff was asked to bring this issue back up for discussion. Staff has had a difficult time with this process. Liability issues abound. The City Attorney is in the process of providing input as well. The City Insurance Agent is not in favor of this policy due to the undue liability it brings to the City. City/County Insurance Services (CIS) is not in favor either but are too kind to give a recommendation against such a public policy. Staff hopes to address some of the real world application problems with this process.





- B. No person other than an authorized peace officer shall discharge any air gun or crossbow or bow and arrow except with the permission of the affected property owner or other person lawfully in control of the property. Any discharge permitted under this section shall only be at inanimate targets and no projectile so discharged may leave the property upon which permission to discharge was granted. Failure to abide by these provisions shall constitute a violation of this section.
- C. The provisions of this section shall not be construed to prohibit the firing or discharging of any weapon:
 - 1. By any person in the defense or protection of his/her property or family;
 - 2. At any shooting or target range maintained or provided by the City of Brownsville or any public or private school.
 - 3. At any other private location, the property owner shall apply for a special permit for weapons discharge. Local law enforcement and the City Administrator shall approve such permits based upon determining factors such as property location, is the property of suitable size, noise levels, design and configuration and any other relevant factors to safely allow such use. [Ord. 742, 2014; Ord. 724, 2010; Ord. 601 § 20, 1990; 1981 Compilation § 4-4.20.]

Councilor Van Sandt ideas:

Discharge of Weapons

- A. No person other than an authorized peace officer shall fire or discharge within the City any weapon which acts by force of gunpowder or other explosive, or by the use of jet or rocket propulsion or spring gun.
- B. No person other than an authorized peace officer shall discharge any air gun or crossbow or bow and arrow within the City unless the following conditions are met:
 - 1) A permit is applied for and approved by the City Administrator in conjunction with Local Law Enforcement based upon determining factors such as property location, is the property of suitable size, noise levels, design and configuration – and any other relevant factors to safely allow such use. This permit may be time specific – i.e. good for only a certain number of days or only during certain times of day.
 - 2) Any discharge permitted under this section shall only be at inanimate targets and no projectile so discharged may leave the property upon which permission to discharge was granted. Failure to abide by these provisions shall constitute a violation of this section.
 - 3) Permission of the affected property owner or other person lawfully in control of the property where the discharge is taking place has been granted in writing.



From 10.28.2014: Staff met with Sergeant Brad Kelley to develop protocol for permits. The County may have a concern with the liability that can come from signing off on such a permit. We reviewed the Christian Church permit. The permit seems to be a good place to shoot based on the land berm behind the targets. Staff would still like to develop some standards for Council review in the future.

From 09.23.2014: Staff is still determining standards for backdrops for shooting in close proximity to neighbors. The City is working with CIS Risk Management, the City's insurance personnel and the Linn County Sheriff's Office to get a solution for Council to consider. Permits that have been filed have not been finalized until these determinations are made.

From 07.22.2014: The City received three archery permits which have brought some challenges on exactly how to permit certain situations. One applicant has permission from all of the surrounding property owners and is actually shooting from a neighbor's property toward his target, all of which is on the public right-of-way. Staff cannot allow weapons to be discharged on public property. However, the conversation needs to be had with Council over the liability issues and/or the possibility of creating some type of an agreement that would allow this practice. I hope to have more information at the meeting as I'm still waiting on information from our insurance agent and Dunny Sorenson from CIS.

Explanation: Below is Chapter 9.20 from the Brownsville Municipal Code. Directly underneath this language you will find some language offered by Councilor Van Sandt as basis for Council discussion.

What is being asked of Council?

Review the language and be prepared for a discussion about possibilities. The general discussion over the last year has been safety and liability issues this kind of public policy ignores. Are there additional safeguards that should be put in place? Or should this even be allowed in town?

Local law enforcement is not comfortable signing off on such a "permit" and I, as City Administrator, am not comfortable without having, at minimum, some kind of standards to ensure the safest possible private setups. I think it is fair to say that I am not in favor of this being allowed in a town that has such small lot sizes. I feel the risk to property and life are too high. What are we trying to accomplish with such a policy? Why do we think this is a good idea?

If there should ever be an accident, the City will be liable for issuing a permit and I worry about possibly be held responsible from a civil standpoint.

Chapter 9.20 Weapons Offenses

Sections:

9.20.010 Discharge of weapons.

9.20.010 Discharge of weapons.

- A. No person other than an authorized peace officer shall fire or discharge within the City any weapon which acts by force of gunpowder or other explosive, or by the use of jet or rocket propulsion or spring gun.



C. The provisions of this section shall not be construed to prohibit the firing or discharging of any weapon:

- 1) By any person in the defense or protection of his/her property or family;
- 2) At any shooting or target range maintained or provided by the City of Brownsville or any public or private school.
- 3) At any other private location, the property owner shall apply for a special permit for weapons discharge.

Vision Statement & Council Goals – Councilor Cole and Gerber were preparing a vision statement for Council review at this upcoming meeting. Council will then discuss goals at the April meeting.

Economic Development Strategy – I will discuss a few thoughts about this topic.



CJIS Update/Employee Handbook – CJIS (Criminal Justice Information System). The City received the requirements from the Oregon State Police. Municipal Court Administrator Jan Henry and I will be working toward making these changes. I will also be attempting to update the Employee Handbook as these changes will be a part of that document. I hope to have this done in the next two months, but it will more than likely be June 2015. The City's time frame will be dependent on what the CJIS folks will allow.

Budget Information – The City currently has a full Committee. The initial letter was forwarded to all members. Staff has been working on the preparation of the budget. I also prepared information for the City's newest member, Mr. Allen Buzzard.



From 02.24.2015: **REMINDER:** This year the Committee will meet April 30th, May 7th & 14th. Recently, Mr. Ed Hudson moved out of Brownsville so the City does have one opening. Staff will be asked for budget consideration on the 30th.

Medical & Recreational Marijuana Discussion – The City completed Resolution 2015.06 and placed a referral for Brownsville voters to be held on May 19th, 2015 with the Linn County Clerk's Office.

From 02.24.2015: The Planning Commission has made a recommendation for Council. The recommendation will be provided at the Council meeting since the Planning Commission meets on February 23rd, 2015.

Mayor Ware will direct citizen input as usual to a three minute limitation.

What is being asked of Council?

Council is listening to testimony.

Council will be asked to make a decision at the March 24th, 2015 meeting.

From 01.27.2015

There are basically five options:

Administrator's Report



- A. Leave the Business Registration Ordinance in place. The Ordinance currently contains language that prevents a marijuana establishment from opening in Brownsville. The City also has a moratorium in place through April 30th of this year. The City would not adopt anything further and if the State Supreme Court rules against these kinds of ordinances statewide, then marijuana facilities would be allowed to be placed anywhere in the City limits.
- B. Adopt the Land Use Ordinance. The Ordinance would allow marijuana facilities in certain zones in town. Adopting this legislation as it is currently written could lead to confusion as it would allow marijuana facilities in certain areas of town but be in conflict with Option A which would lead to further debate over the City's intentions regarding marijuana facilities.
- C. Adopt the Land Use Ordinance with modification. Basically, explicitly state in the Land Use Ordinance that this comes into effect if Council or the State modify the Business Registration Ordinance.
- D. Lift the moratorium and re-write the Business Registration Ordinance to allow marijuana facilities. Marijuana facilities then would be welcome in all zones of Brownsville.
- E. Do Nothing. By making the decision, nothing can move forward. The Simpson's will have no answer and each month we will continue to talk about marijuana facilities in Brownsville.

Random Thought from American City & County Magazine

- ▶ Who said Community Development isn't important? Nuisances enforced? How a community looks and feels is the direct responsibility of the elected officials and the direct result of residents who care about such things.



U.S. Senators Merkley & Wyden – The City was visited by Dan Whelan and Juine Chada for a lunch on February 26th, 2015. We visited on the pressing issues facing the City, talked about debt and future projects. Mr. Whelan was planning for an upcoming Town Hall with Senator Merkley that will be held in either Halsey or Brownsville. Ms. Chada is planning a Town Hall with Senator Wyden later this year.



Mayor Ware attended the Town Hall with Senator Merkley. I attended a dedication ceremony honoring former City Administrator Randy Kugler over in Philomath.

Oregon Government Ethics Commission – REMINDER: Soon the State will issue the annual forms that are required by State Law. Please let Staff know if you send it directly back to the State so that we can keep track. If you do not send it back, the City could be assessed a fine. Please let me know if you have any questions.

Business Registration Progress – *From 02.24.2015:* Staff is working on gaining 100% compliance. It has been difficult with all of the other pressing issues being handled.

Utility & General Ledger Software – Staff has been busy viewing demonstrations for new software. Staff is hopeful that a smooth transition may be possible by the beginning of the new fiscal year. I will explain more at the meeting.

Northpoint Loop Sanitary Sewer Problem – Public Works Superintendent Karl Frink should be reporting that this project is complete.

From 02.24.2015: The City has entered into a contract with Dave Brandt Technical Support Systems to make the necessary repairs. Work should commence on Monday, February 23rd, 2015.



Neighborhood Zoning Issue & Diane Remior – Scott Poorman withdrew has conditional use application at the March 9th Planning Commission Hearing.

From 02.24.2015: Hearing are scheduled for March 9th, 2015.

From 01.27.2015: The City is currently in the process of getting this issue on the Planning Commission's agenda. Property 1118 Oak Street is operating a car repair service out of their garage. The property owner and renter understand the need to apply for a conditional use permit.

From 12.16.2014: The City has received multiple complaints about 1118 N. Oak Street fixing cars in the neighborhood. I have included an e-mail string in the agenda packet as background information. I will also have pictures of the situation as a handout for Council. Mrs. Remior will be addressing the issue with Council.

Cathy Stahl & Ash Street – Ms. Stahl will be heard at the Planning Commission in the near future; perhaps as soon as April 13th, 2015.

From 01.27.2015: Ms. Stahl is in the process of applying for a conditional use permit for her property. I have placed the letter in the agenda packet for your information.

Tabled Thoughts

Tabled

- ✦ Animals Research & Ideas (*Chambers & McDowell*)
- ✦ RV Discussion (*Ware, Cole & McDowell*)
- ✦ Water Hookups



✧ Library Summer Closure

Recreational Vehicles – This item will be addressed in the future.

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.

Animals – *From 01.27.2015:* Councilor Chambers and I hope to have some ideas together for Council review after the first of the year.

S. Oak Street Drainage – The City will be forwarding a letter in the near future.

From 11.25.2014: At the completion of the project on S. Oak Street, a local resident continues to drain their sump pump into the street. Staff would like to discuss this matter with Council to determine the best course of action to remedy the situation.

Central Linn Recreation Association Proposal – Staff has been burdened by the sign-up process. We will be working on some changes with George Frasier that will make these processes more manageable and efficient. I simply have not had the time to spear head the other part of this agreement. Unfortunately, we are missing a good opportunity for effective change.

From 02.24.2015: Staff has worked well together on this project. We are still "ironing out the kinks" but overall things are going as well as can be expected.

From 07.22.2014: CLRA signed the agreement with the City. Staff met with President George Frasier to address an emergency situation regarding a concussion policy. We still need to develop a proper strategy and timeline due to vacation schedules.

Pending: Water Line Projects – *From 12.16.2014:* As of Monday the 8th, the Surveyor is finished with the field work and in another two weeks should have the mapping to the City.



From 11.25.2014: Surveyor is a few weeks behind, but that is not a concern yet.

From 09.23.2014: Staff met with City Engineer Ryan Quigley to discuss project timelines and logistics for the three waterlines listed below. The City will attempt to put those projects out to bid as a single contract in February or March 2015. Erwin Consulting will begin drawing up the plans, surveying the sites and working on the regulatory requirements for those installations.

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

- ▶ *Meeting with Central Linn Rec Center & School District – March 12th.*
- ▶ *Andrew Wenger, John Lynch, Karl Frink and Jon Erwin development meeting.*
- ▶ *Infiltration Gallery pumps installed!*
- ▶ *Jane MacQueen working on signage for the Pioneer Park restroom.*
- ▶ *CIS invited the band back for next year's conference.*



- ▶ *The City continues to work on a franchise agreement with Astound.*
- ▶ *Mr. Bob Anderson will be resuming efforts to locate a financial institution at the end of March.*
- ▶ *City met with McFarland Cascade on finalizing the details of the contract for infrastructure.*
- ▶ *Met with officials from Lebanon & Sweet Home to discuss East Linn County issues.*
- ▶ *Missed Ford Family meeting due to family business in Ohio.*
- ▶ *Worked with President Latta of the VLC on future goal planning issues.*
- ▶ *Met with Anne Hankins to discuss all things Festival.*
- ▶ *Too much to recount. I covered most of it above. Sorry! ☺*

STATUS UPDATES – Projects, proposals and actions taken by Council

O 748: Public Works Standards, Accessory Structures & Fences (Pending) – *From 02.24.2015: Council passed this ordinance at the last Council meeting. Staff plans to roll out these changes in the upcoming March newsletter. The City will also need to wait until the comment period is over with the Department of Land Conservation and Development (DLCD).*

Water Rights Update – *From 02.24.2015: The City will proceed with engineering for GR 12 as discussed at last meeting.*

From 11.25.2014: Staff is still investigating information and possibilities. I will hope to have an oral report for Council at the meeting.

From 10.28.2014: Michael Mattick, Water Master, stopped in to discuss some possibilities. City Engineer Jon Erwin is currently researching the implications. I hope to have more information at for the meeting.



Active: GR-12 Update – *From 02.24.15: City Staff met with Pacific Power to discuss power for the site this past Thursday.*

From 05.27.14: The costs, as approved by Council at last meeting, have been budgeted for FY 2014-2015.

Active: Main Street Water Line Estimate – *Erwin Consulting is currently working on the engineering this project.*

From 05.27.14: The costs have been budgeted for FY 2014-2015.



Active: City Hall Phase I – *Mr. Sedlar is installing the concrete caps. Public Works will be making time for this project this Spring.*

From 07.22.2014: The City recently retained the services of Mr. Steven Sedlar to help with the capstones for this project. Later this Fall, Staff will begin Phase II of the project which includes the installation of the grass.

Garbage Language – *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.

Active: Economic Development Process – I will have some thoughts for Council at the upcoming meeting.

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.



Active: Visit Linn Coalition (VLC) Update – VLC has been working on redeveloping their goals. Administrative Assistant Jannea Deaver has been attending these meetings also.

From 06.24.2014 meeting: After five years of trying, Staff met with officials from the Oregon Jamboree and the Willamette Country Music Festival to discuss possibilities of working together and moving toward some kind of understanding. Chamber President John Morrison and Ford Foundation's Jo Ann McQueary were also at the meeting as partners.

Pending: Emergency Contractor Resolution Concept – *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.

Council approved moving forward with this idea at the last meeting (10.28.2014) –

From 10.28.2014: The idea is to create a resolution as follows:

- Level I A business that has products and services the City may need in the event of an emergency. (Examples include Northern Rock Supply, Curtis Excavating, Carlson's Hardware and so on.)
- Level II An organization that has space that could be used for mass gatherings. (Examples include area churches, the Rec Center, the Central Linn School District and so on.)



Level III Individuals who have particular skills that could provide service in the event of an emergency. (*Examples include Bill Sattler, Chad Hein, Alan Klinkebiel, Gary Shepherd, Todd Karo and so on.*)

The City would maintain a record of the businesses, organizations and individuals and the resolution would cover the details of how compensation would be made, how items were to be procured, and all the other requirements of FEMA. By doing this, it would simplify the process considerably.

Active: Central Linn School Meetings – Report on March meeting with Gardner and Frasier.

Pending: John Voight & Sage Street – *From 01.27.2015:* Mr. Voight indicated that he will be talking to Mr. Hagan and that he will get back with the City.

From 12.16.2014: Mr. Voight has basically three options, 1) put the road into City standards, 2) file a petition to vacate the right-of-way or 3) the City files a right-of-way vacation. Mr. Voight is trying to gain access to property he added this past summer. The property added has a condition that it cannot develop due to the property being located in the floodplain.

Voight & Snook Outcome – I will provide an oral report as the meeting with the Snook's was postponed until the week of Council meeting. Mr. Voight indicated that he did want the City to negotiate or mention any possible negotiation points with the Snook family. I agreed with this request as this whole thing isn't really a City issue. Voight also forwarded another idea that is currently being reviewed by City Attorney Ross Williamson.

Pending: Smith System Development Charge (SDC) Agreement – The agreement is pending signatures.

From 12.16.2014: Council has the authority to approve SDC agreements based on Brownsville Municipal Code Chapter 3.10, Section 3.10.090 and ORS 223.208. Council may recall a similar agreement done with Bobby and Carine San Martin-Jeffery in March of this year. I have included the agreement in the packet for your review.

What is Council being asked to do?

Modify or pass the agreement as is in order for the appropriate charges to be levied for utility services.

Address Mapping – *From 12.16.2014:* Mark Stevens of the Brownsville Rural Fire District's Volunteer Association and I have had some initial discussions based on Council's decision last month to allow the curbs to be painted. We will be sitting down after the first of the year to develop some ideas.

From 11.25.2015: Council may want to consider reviewing the current ordinance for house numbering. Below is the current language:



12.15.060 Owner responsibility.

SHARE

Numbers shall be placed within 60 days after the City Recorder has assigned the appropriate number. The cost of the number or numbers shall be borne entirely by the owner or occupier of the building. [Ord. 380 § 6, 1961; 1981 Compilation § 8-1.6.]

12.15.070 Specifications.

SHARE

All numbers shall be at least two inches in height and placed in such a position as to be readily seen from the front of the building. [Ord. 380 § 7, 1961; 1981 Compilation § 8-1.7.]

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 – I will possibly have an oral report for Council Tuesday night.

From 12.16.2014: Several things have transpired that I will report at Council meeting.

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.

From 04.22.2014: Councilor Cole will provide a brief update.

From last meeting: The City will be meeting with Canal Company leadership later this year to determine a plan for action.

From last meeting: The annual meeting of the Brownsville Canal Company happened on May 6th, 2013. I will have an oral report for Council.

From a past meeting: Canal Company Leadership is still working on legal representation, official tax status and setting a date for their annual meeting.

From a past meeting: As reported at last Council meeting, Canal Company Attorney Deb Dyson has stepped down as their attorney citing a change in her law practice. I am still waiting to hear from the Canal Company to determine who their new attorney will be and if they have remedied the issue regarding their IRS status.

PAST MEETINGS – Memory Information

Moody Court & Unenumerated Nuisance – I hope to have an oral report for Council.

From 12.16.2014: Due to the quick turnaround of Council meeting, Staff will review the situation with all of the neighbors in January. Staff did perform two visual inspections of the area which looked "cat" free.



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.



From 07.22.2014: The quickest way to handle the situation on Moody Court as reported by Heather Dillon & Shannon Cason at the last meeting, is to use the Brownsville Municipal Code below:

Pending: Park Board: Street Tree Plan (Referred to Committee) – *From 10.28.2014:* Council requested the Historic Review Board review the recommendation made by the Park Board for the Spaulding Street planter box design. Staff will provide additional information at an upcoming meeting. Council also asked about incorporating language that would require the Historic Review Board to automatically review recommendation that pertain to the Old Town Commercial Zone.

Sweet Home Economic Development Group – *From 10.28.2014:* Chamber President Jon Morrison and I were put on hold in our efforts to discuss partnership options with this group.

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 the 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.

From a past meeting: The Council recently reported that they have enough money for a sign in Pioneer Park. If the City is willing to install the sign, they are willing to have it constructed. The City should be receiving a proof of what the sign looks like in the near future.

WNHS Update – *From 05.27.14:* Administrative Assistant Jannea Deaver will be attending some of these meetings with any future. Currently the board is considering language and rules for manufactured housing.

From past meetings: The Board recently passed a few changes to enable WNHS greater flexibility in helping clients. The City also features their information downstairs in the foyer and on the website. The group is asking Linn County to be the sponsor of the new grant application. I've enclosed some information for your review from the meeting last week. They would like to get the word out on a few programs that will help stave off foreclosures. Please refer citizens to the following websites for more information:

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

Several things are being discussed that will affect the future financial well-being of WNHS and the partnership with LCHRP (Linn County Housing Rehabilitation Program.) WNHS provides many home rehabilitation services and counseling for those in need.

Respectfully Submitted,

S. Scott McDowell



Public Works Report March 17, 2015

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 March.
- *Distribution System* – No water repairs this month!
- *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* –The new infiltration pumps have been installed and are ready for service. The sump pump in the control valve vault failed and has been replaced.
- *Misc.* – Nothing further to report this month.

Sewer:

- *North Lagoons* – Nothing to report this month. The roads will be graded upon completion of grading of City Streets.
- *South Lagoons*- Nothing to report this month.
- *Collection System*- The Bishop Royale sewer extension is complete, all testing has passed. The manhole channeling project on Northpoint Loop is under way, currently two out of six manholes are complete.
- *Misc.* – Nothing further to report this month.

Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis.
- *Asphalt/ Gravel Road Maintenance* – The Public Works Crew graded and graveled all City streets.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Nothing further to report

Parks:

- *Pioneer Park* –The electrical conduit and power pole are installed for the electrical bollard project. Mowing and grounds maintenance is under way.
- *Blakely Park* – Mowing and grounds maintenance is under way.
- *Kirk's Ferry Park* – The drinking fountain for this facility has arrived and will be installed soon. Mowing and grounds maintenance are under way.

Cemetery:

- *Grounds* – Several burial plots have been marked this month. The road to the cemetery and around the cemetery have been graded.

Library:

- *Grounds*- Mowing and grounds maintenance is under way.
- *Buildings*- A few minor building maintenance items have been repaired.

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, Public Works will restart this project in mid-March.
- *Community Center*- Nothing to report this month.

Rec. Center:

- *Grounds*- Mowing and grounds maintenance is under way.
- *Buildings*- Nothing to report this month.

Public Works:

- *Grounds*- Mowing, grading and grounds maintenance is under way.
- *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

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: February

| | |
|---|------------|
| TRAFFIC CITATIONS: ----- | 22 |
| TRAFFIC WARNINGS: ----- | 15 |
| TRAFFIC CRASHES: ----- | 1 |
| ADULTS CITED / VIOLATIONS: ----- | 0 |
| ADULTS ARRESTED: ----- | 2 |
| JUVENILES CITED / VIOLATIONS: ----- | 0 |
| JUVENILES ARRESTED: ----- | 0 |
| COMPLAINTS/INCIDENTS INVESTIGATED: ----- | 35 |
| TOTAL HOURS SPENT IN: BROWNSVILLE | 251 |

70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH= 202 HOURS

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

By: Sgt. Brad Kelley

| CAD Call# | ENTRY DATE | ENTRY TIME | CALL DESCRIPTION | ADDRESS | CITY | DESCRIPTION |
|-----------|------------|------------|----------------------|-----------------|-------------|----------------------------------|
| 150590106 | 2/28/15 | 10:12:21 | ALARM - POLICE | N MAIN ST | Brownsville | No Additional Report Necessary |
| 150580287 | 2/27/15 | 16:19:19 | SUSP-CIRCUMSTANCES | N MAIN ST | Brownsville | No Additional Report Necessary |
| 150570377 | 2/26/15 | 22:56:37 | BURGLARY REPORT | CALAPOOIA AV | Brownsville | Incident Report |
| 150560245 | 2/25/15 | 14:42:00 | Tf Speed Viol | N MAIN ST | Brownsville | WARNING - SPEEDING VIOLATION |
| 150560238 | 2/25/15 | 14:21:35 | Tf Moving Viol | WASHBURN ST | Brownsville | WARNING - MOVING VIOLATION |
| 150530241 | 2/22/15 | 19:34:51 | THEFT-RPT | TEMPLETON ST | Brownsville | Incident Report |
| 150530090 | 2/22/15 | 8:56:48 | ASST-PERSON | WASHBURN ST | Brownsville | No Additional Report Necessary |
| 150520351 | 2/21/15 | 22:59:41 | MVC-HIT & RUN | SPAUDLING AV | Brownsville | Incident Report |
| 150520221 | 2/21/15 | 13:59:54 | Tf Aggressive Driver | N MAIN ST | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150520216 | 2/21/15 | 13:52:44 | Tf Aggressive Driver | N MAIN ST | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150520208 | 2/21/15 | 13:31:37 | Tf Speed Viol | N MAIN ST | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150520205 | 2/21/15 | 13:28:26 | Tf Speed Viol | N MAIN ST | Brownsville | WARNING - SPEEDING VIOLATION |
| 150520201 | 2/21/15 | 13:23:40 | Tf Speed Viol | N MAIN ST | Brownsville | WARNING - SPEEDING VIOLATION |
| 150520193 | 2/21/15 | 13:08:49 | Tf Speed Viol | NORTH AV | Brownsville | WARNING - SPEEDING VIOLATION |
| 150520192 | 2/21/15 | 13:07:48 | Tf Speed Viol | NORTH AV | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150520189 | 2/21/15 | 13:00:40 | Tf Speed Viol | NORTH AV | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150520115 | 2/21/15 | 9:25:16 | Tf Aggressive Driver | S MAIN ST | Brownsville | No Additional Report Necessary |
| 150510260 | 2/20/15 | 15:13:40 | WARRANT SERV | SPAUDLING WY | Brownsville | No Additional Report Necessary |
| 150500170 | 2/19/15 | 11:11:24 | Tf Speed Viol | WASHBURN ST | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150500168 | 2/19/15 | 11:04:40 | Tf Speed Viol | PARK AV | Brownsville | WARNING - SPEEDING VIOLATION |
| 150490465 | 2/18/15 | 20:49:31 | SEX OFFENSE | KAY AV | Brownsville | No Additional Report Necessary |
| 150490452 | 2/18/15 | 19:36:33 | DISTB-OTHER | WASHBURN ST | Brownsville | No Additional Report Necessary |
| 150490314 | 2/18/15 | 14:37:29 | Tf Aggressive Driver | WASHBURN ST | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150490278 | 2/18/15 | 13:39:24 | Tf Speed Viol | S MAIN ST | Brownsville | WARNING - SPEEDING VIOLATION |
| 150490266 | 2/18/15 | 13:22:08 | Tf Aggressive Driver | E HWY 228 | Brownsville | WARNING - SPEEDING VIOLATION |
| 150490254 | 2/18/15 | 13:07:23 | Tf Speed Viol | S MAIN ST | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150490203 | 2/18/15 | 11:41:21 | Tf Speed Viol | S MAIN ST | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150490194 | 2/18/15 | 11:30:21 | Tf Seatbelt | S MAIN ST | Brownsville | WARNING - SEATBELT VIOLATION |
| 150490184 | 2/18/15 | 11:10:48 | SUSP-PERSON | KIRK AV | Brownsville | No Additional Report Necessary |
| 150490156 | 2/18/15 | 10:31:18 | Tf Speed Viol | S MAIN ST | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150490148 | 2/18/15 | 10:22:09 | Tf Speed Viol | TEMPLETON ST | Brownsville | WARNING - SPEEDING VIOLATION |
| 150490132 | 2/18/15 | 9:50:51 | CHILD ABUSE REPORT | W WASHINGTON AV | Brownsville | No Additional Report Necessary |
| 150490128 | 2/18/15 | 9:42:56 | Tf Speed Viol | S MAIN ST | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150490118 | 2/18/15 | 9:15:56 | Tf Speed Viol | LOUCKS WY | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150490115 | 2/18/15 | 9:10:20 | Tf Speed Viol | LOUCKS WY | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150490102 | 2/18/15 | 8:49:11 | CITY PARK VIOLATION | WASHBURN ST | Brownsville | MDT Narrative Update |
| 150490094 | 2/18/15 | 8:37:00 | SUSP-PERSON | KIRK AV | Brownsville | No Additional Report Necessary |
| 150480327 | 2/17/15 | 19:18:09 | HARASSMENT RPT | TEMPLETON ST | Brownsville | No Additional Report Necessary |
| 150480283 | 2/17/15 | 16:40:04 | Tf Aggressive Driver | S MAIN ST | Brownsville | No Additional Report Necessary |
| 150470293 | 2/16/15 | 20:40:44 | DISTB-OTHER | KIRK AV | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150470259 | 2/16/15 | 18:14:08 | SEX OFFENSE | E BLAKELY AV | Brownsville | Incident Report |
| 150470194 | 2/16/15 | 13:47:31 | THREATS | LOCUST AV | Brownsville | No Additional Report Necessary |
| 150470184 | 2/16/15 | 13:20:40 | DOG COMPLAINT | CALAPOOIA AV | Brownsville | No Additional Report Necessary |

| CAD Call# | ENTRY DATE | ENTRY TIME | CALL DESCRIPTION | ADDRESS | CITY | DESCRIPTION |
|-----------|------------|------------|------------------------|--------------|-------------|----------------------------------|
| 150440388 | 2/13/15 | 22:01:45 | CIV DISP RPT | AVERILL ST | Brownsville | No Additional Report Necessary |
| 150440238 | 2/13/15 | 14:57:49 | IDENTITY THEFT | N MAIN ST | Brownsville | Incident Report |
| 150430257 | 2/12/15 | 13:19:33 | FOLLOW UP-OUT OF CAR | CALAPOOIA AV | Brownsville | Incident Report |
| 150430133 | 2/12/15 | 9:31:46 | ANIMAL COMPLAINT - NON | SPAULDING AV | Brownsville | No Additional Report Necessary |
| 150420378 | 2/11/15 | 21:02:41 | Tf Moving Viol | HAUSMAN AV | Brownsville | WARNING - MOVING VIOLATION |
| 150420364 | 2/11/15 | 20:11:44 | SUSP-PERSON | N MAIN ST | Brownsville | No Additional Report Necessary |
| 150420311 | 2/11/15 | 16:47:59 | THEFT-RPT | N MAIN ST | Brownsville | Incident Report |
| 150420297 | 2/11/15 | 16:12:30 | Tf Speed Viol | HUME ST | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150420276 | 2/11/15 | 15:27:19 | Tf Aggressive Driver | S MAIN ST | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150420268 | 2/11/15 | 15:10:36 | Tf Aggressive Driver | S MAIN ST | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150420265 | 2/11/15 | 15:04:32 | Tf Speed Viol | S MAIN ST | Brownsville | WARNING - SPEEDING VIOLATION |
| 150420256 | 2/11/15 | 14:39:46 | Tf Aggressive Driver | S MAIN ST | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150420233 | 2/11/15 | 13:43:54 | Tf Aggressive Driver | N MAIN ST | Brownsville | CITE ISSUED - SEATBELT VIOLATION |
| 150410237 | 2/10/15 | 15:31:05 | THEFT-RPT | HUME ST | Brownsville | Incident Report |
| 150410228 | 2/10/15 | 15:05:38 | NEGLECT | KIRK AV | Brownsville | No Additional Report Necessary |
| 150390215 | 2/08/15 | 17:22:57 | DISTB-OTHER | N MAIN ST | Brownsville | No Additional Report Necessary |
| 150380295 | 2/07/15 | 21:30:56 | DISTB-FIGHT | W BISHOP WY | Brownsville | No Additional Report Necessary |
| 150380219 | 2/07/15 | 17:09:26 | Tf Speed Viol | TEMPLETON ST | Brownsville | WARNING - SPEEDING VIOLATION |
| 150380132 | 2/07/15 | 11:41:42 | BURGLARY REPORT | OAK ST | Brownsville | No Additional Report Necessary |
| 150370238 | 2/06/15 | 16:11:43 | ASST-OUTSIDE AGENCY | W HWY 228 | Brownsville | No Additional Report Necessary |
| 150370217 | 2/06/15 | 15:21:28 | SUSP-VEHICLE | NORTH AV | Brownsville | No Additional Report Necessary |
| 150350313 | 2/04/15 | 17:01:41 | PROP-FOUND | W BISHOP WY | Brownsville | WARNING - EQUIPMENT VIOLATION |
| 150330308 | 2/02/15 | 17:42:11 | Tf Speed Viol | WASHBURN ST | Brownsville | Incident Report |
| 150330274 | 2/02/15 | 16:12:14 | Tf Equipment Viol | HAUSMAN AV | Brownsville | CITE ISSUED - SPEEDING VIOLATION |
| 150330246 | 2/02/15 | 15:08:22 | BURGLARY REPORT | TEMPLETON ST | Brownsville | WARNING - EQUIPMENT VIOLATION |
| 150330234 | 2/02/15 | 14:43:52 | Tf Speed Viol | FIELDS CT | Brownsville | Incident Report |
| 150330138 | 2/02/15 | 10:56:28 | DOG COMPLAINT | W BISHOP WY | Brownsville | CITE ISSUED - AGGRESSIVE DRIVER |
| 150330108 | 2/02/15 | 9:41:58 | ALARM - POLICE | OAK ST | Brownsville | MDT Narrative Update |
| | | | | SPAULDING AV | Brownsville | No Additional Report Necessary |



Library Advisory Board

Librarian's Report

February 2015

Here are a few facts about our library the month of February 2015. We have received 50 new books for the library. Volunteers donated 139 hours to our library. We had 120 parents and children for 10 story times this month. There were 1,582 materials checked out. 391 adult fiction books; 178 adult non-fiction books; 86 audio books; 393 children's books; 398 junior books; 71 junior reference books and 85 large print books.

Recently, I have noticed that the children and junior sections have had a whole lot more activity recently. Just for fun I went back one year to see just how much more. In February 2014 there were 484 children and junior/junior reference books checked out. This past February 2015 there were 842 books checked out of the children and junior/junior reference section. January 2014 and 2015 was a difference of 113 books more. Each month confirms the positive impact we are making on the lives of our young people.

Local author Linda McCormick had a book signing on the final Saturday in February. There were about 25 people that dropped by to listen to how she got started writing this fine history of the Spalding family. Many purchased a book, or two, and had her autograph it.

March is the Library Lego Display month. Drop by and see the fun our youth have been having with these great toys. Fine motor skills are just the beginning of the skills that children learn by playing with Legos. Pattern practice and sorting are part of any basic Kindergarten math curriculum. As any adult knows following the directions that come with a set of blocks requires perseverance, patience and everyone is rewarded by an excellent result that can be pulled apart and remade over and over. Children learn fractions while playing with whole pieces, half and quarters. Physics and engineering are being employed to build the bridge or tower.

Respectfully submitted,

Sherri Lemhouse
Librarian

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR THE MONTH OF FEBRUARY 2015**

| Offense Class | Pending First Day | Filed | Closed | Pending Last Day | Trials |
|----------------|----------------------|-----------|-----------|---------------------|--------|
| Misdemeanors | 23 | 0 | 0 | 23 | |
| Violations | 5 | 11 | 10 | 6 | |
| Contempt/Other | 36 | 2 | 1 | 37 | |
| TOTALS | 64 | 13 | 11 | 66 | |

BALANCE SHEET FOR THE MONTH OF FEBRUARY 2015

Court Revenue

| | |
|------------------------|-------------|
| Total Deposits + | \$ 1,914.00 |
| Total Bail Forfeits + | \$ - |
| Total Bail/Bank Fees - | \$ - |
| Total Bail Held - | \$ - |
| * Total Refund/Rest - | \$ - |
| Total NSF's - | \$ - |

Court Payments

| | |
|--------------------|-------------|
| City | \$ 1,677.00 |
| Restitution | \$ 70.00 |
| Oregon Dept Revenu | \$ 135.00 |
| Linn County | \$ 32.00 |
| State Misc. | \$ - |
| DUII Surcharge | \$ - |

| | | | |
|----------------------------|---------------------------|-----------------------------|--------------------------|
| TOTAL COURT REVENUE | <u>\$ 1,914.00</u> | TOTAL COURT PAYMENTS | <u>\$1,914.00</u> |
|----------------------------|---------------------------|-----------------------------|--------------------------|

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

| | |
|--------|-------------|
| CITY | \$ 1,677.00 |
| STATE | \$ 135.00 |
| COUNTY | \$ 32.00 |

*REFUND/RESTITUTION \$ -

ACCOUNTS RECEIVABLE:

| | |
|-----------|-------------|
| BEGINNING | \$ 1,062.59 |
| ENDING | \$ 2,391.59 |



ORDINANCE NO. 751

AN ORDINANCE AMENDING TITLE 15 OF THE BROWNSVILLE MUNICIPAL CODE TO ADD A NEW CHAPTER 15.111 ESTABLISHING LAND USE REGULATIONS FOR MARIJUANA FACILITIES IN THE CITY OF BROWNSVILLE

WHEREAS, during the 2013 Special Legislative Session, the Oregon Legislature passed HB 3460, which allows for the establishment and registration of Medical Marijuana Facilities; and

WHEREAS, at the November 2014 General Election, the voters of the State of Oregon approved Ballot Measure 91, which will legalize the use and sale of recreational marijuana in Oregon; and

WHEREAS, marijuana is classified as a Schedule I Controlled Substance under the Federal Controlled Substances Act, the use, possession, and sale of which is currently illegal under Federal law; and

WHEREAS, pursuant to Article IX, Section 2 of the Oregon Constitution and the Brownsville Charter, the City of Brownsville is a home rule municipality with all the powers that the constitutions, statutes, and common law of the United States and the State of Oregon expressly or impliedly grant or allow the City; and

WHEREAS, the 2014 Oregon Legislature approved Senate Bill 1531, which explicitly allows cities in Oregon to adopt reasonable regulations on the operation of Medical Marijuana Facilities, including: 1) limitations on the hours during which a Medical Marijuana Facility may be operated, 2) limitations on where a Medical Marijuana Facility may be located within an agricultural, industrial, commercial, or mixed use zone, and 3) conditions on the manner in which a Medical Marijuana Facility may dispense medical marijuana; and

WHEREAS, Ballot Measure 91 does not restrict cities from adopting reasonable time, place, and manner regulations of the nuisance aspects of establishments that sell marijuana to consumers if the City makes specific findings that the establishment would cause adverse effects to occur; and

WHEREAS, Ballot Measure 91 recognizes that any authority to regulate marijuana uses granted by Measure 91 is in addition to and not in lieu of the City's authority to regulate pursuant to the Brownsville Charter, Oregon statutes and the Oregon Constitution; and

WHEREAS, the City Council finds that location of Medical Marijuana Uses in the Low Density Residential Zone (LDR), Medium Density Residential Zone (MDR), High Density Residential Zone (HDR) and Old Town Commercial Zone (OTC) would adversely affect other property owners' ability to peacefully enjoy property located in those zones; and



WHEREAS, in the interest of the health, safety, and well-being of the citizens of Brownsville, the City Council has determined that Marijuana Uses should be allowed only within certain zones and those uses should be subject to reasonable regulations; and

WHEREAS, on December 16th, 2014, as required by BMC 15.135.010, the City Council initiated amendments Title 15 of the Brownsville Municipal Code to address the location of medical marijuana facilities and recreational marijuana facilities within the City; and

WHEREAS, on January 23rd, 2015, Brownsville notified the Department of Land Conservation and Development of the proposed amendments to Title 15 of the Brownsville Municipal Code; and

WHEREAS, on February 2nd, 2015, notice of a public hearing before the Planning Commission was mailed to all affected property owners in compliance with ORS 227.186; and

WHEREAS, notice of a public hearing before the Planning Commission was published in The Brownsville Times on February 4th, 2015, February 11th, 2015, and February 18th, 2015, and posted at City Hall, the City library and the Brownsville Post Office for three consecutive weeks prior to the public hearing as required by BMC 15.135.020C.2; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments to Title 15 on February 23rd, 2015, adopted recommended findings of fact, and recommended to the City Council that Title 15 of the Brownsville Municipal Code be amended as presented in this ordinance; and

WHEREAS, notice of a public hearing before the City Council was published in February 4th, 2015, February 11th, 2015, and February 18th, 2015, and posted at City Hall, the City library and the Brownsville Post Office for three consecutive weeks prior to the public hearing as required by BMC 15.135.020C.2; and

WHEREAS, the Brownsville City Council held a public hearing on the proposed amendments to Title 15 on February 24th, 2015; and

WHEREAS, the Council has considered materials relevant to the proposed amendments, including staff reports, the findings made by the Planning Commission, testimony and comments submitted at both public hearings, both orally and writing; and

WHEREAS, the City Council hereby adopts the Findings of Fact attached to this Ordinance as Exhibit A;

NOW, THEREFORE, the City of Brownsville ordains as follows:

Section I. Title 15 of the Brownsville Municipal Code is amended to add the following Chapter 15.111:



Chapter 15.111

Marijuana Uses

15.111.010 Definitions.

15.111.020 Zoning

15.111.030 Conditional Use Requirements

15.111.010 Definitions.

“Marijuana Extract” means a product obtained by separating resins from marijuana by solvent extraction, using solvents other than vegetable glycerin, such as butane, hexane, isopropyl alcohol, ethanol, and carbon dioxide.

“Marijuana Items” means marijuana, marijuana products, and marijuana extracts.

“Marijuana Processor” means an individual or entity licensed by the Oregon Liquor Control Commission to process, compound, or convert marijuana into marijuana extracts or into products that contain marijuana or marijuana extracts.

“Marijuana Producer” means an individual or entity licensed by the Oregon Liquor Control Commission to manufacture, plant, cultivate, grow, or harvest marijuana. For purposes of this Title 15, marijuana production does not constitute an agricultural, green house, or nursery use.

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

“Marijuana Retailer” means an individual or entity licensed by the Oregon Liquor Control Commission to sell marijuana items to consumers.

“Marijuana Wholesaler” means an individual or entity licensed by the Oregon Liquor Control Commission to purchase marijuana items for resale to someone other than a consumer.

“Marijuana Use” means a marijuana processor, marijuana producer, marijuana retailer, marijuana wholesaler or medical marijuana facility. A Marijuana Use is not an authorized home occupation.

“Medical Marijuana Facility” means a facility registered by the Oregon Health Authority pursuant to ORS 475.314.

15.111.020 Zoning and Conditions of Approval.

- A. The following Marijuana Uses are permitted as conditional use in the following zones, subject to the provisions of Chapter 15.125 BMC. Marijuana Uses not listed as conditionally permitted in this section are prohibited.
1. Marijuana Processor: Conditionally permitted in the LI and HI zones.
 2. Marijuana Retailer: Conditionally permitted in the VC and LI zones.



3. Marijuana Wholesaler: Conditionally permitted in the LI and HI zones.
 4. Medical Marijuana Facility: Conditionally permitted in the VC and LI zones.
- B. In addition to complying with the provisions of Chapter 15.125 BMC, Marijuana Uses must also comply with the following conditions:
1. At the time a conditional use application for a Marijuana Use is filed, the Marijuana Use may not be located:
 - a. Within 1,000 feet of public or private elementary, secondary, or career school; or
 - b. Within 1,000 feet of a public library; or
 - c. Within 1,000 feet of a public park, playground, recreational facility, or athletic field; or
 - d. Within 1,000 feet of another Marijuana Use; or
 - e. Within 100 feet of real property zoned LDR, MDR, HDR or OTC.
 2. A Marijuana Use must possess a valid business registration in accordance with Title 5 of the Brownsville Municipal Code, Section 5.20 Business Registration.
- C. For purposes of this Chapter the following definitions apply:
1. "Career School" means any private proprietary professional, technical, business, or other school instruction, organization, or person that offers any instruction or training for the purpose or purported purpose of instructing, training, or preparing persons for any profession at a physical location attended primarily by minors.
 2. "Elementary School" means a learning institution containing any combination of grades Kindergarten through 8 or age level equivalent.
 3. "Public Park, Playground, Recreational Facility, or Athletic Field" means a park, playground, recreational facility, or athletic field that is owned or operated by a government entity or nonprofit organization and that is open to the general public excluding mini parks or pocket parks as defined in the City's Parks Master Plan.
 4. "Public Library" means a library open to the general public and owned or operated by a government entity or nonprofit organization and that is open to the general public.
 5. "Secondary School" means a learning institution containing any combination of grades 9 through 12 or age level equivalent and includes those institutions that provide junior high schools which include 9th grade.



6. "Within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet or less in every direction between any point on the boundary line of the real property on which the Marijuana Use is located and the real property on which a use identified in subsection (1)(a) or (b) is located.
7. "Within 100 feet" means a straight line measurement in a radius extending for 100 feet or less in every direction between any point on the boundary line of the real property on which the Marijuana Use is located and real property zoned LDR, MDR, HDR or OTC.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day of
March ____, 2015.

Attest:

Mayor Don Ware

City Administrator S. Scott McDowell



ORDINANCE NO. 752

AN ORDINANCE ESTABLISHING A COUNCIL VACANCY PROCEDURE

WHEREAS, pursuant to Article IX, Section 2 of the Oregon Constitution and the Brownsville Charter, the City of Brownsville is a home rule municipality with all the powers that the constitutions, statutes, and common law of the United States and the State of Oregon expressly or impliedly grant or allow the City; and

WHEREAS, the Brownsville City Council wishes to adopt an official process for the filling of elected seat(s) of Council in the such event seat(s) become vacant for any reason; and

WHEREAS, the Brownsville City Council desires to specify a procedure that will guide Council actions toward a fair and equitable outcome for the City; and

WHEREAS, the Brownsville City Council finds that this ordinance is necessary for the protection of the public health, safety, and welfare, by creating an ordered process to fill elected positions;

NOW, THEREFORE, the City of Brownsville ordains as follows:

SECTION I. Chapter 1.25 be added to the Brownsville Municipal Code as hereby prescribed to read as follows:

Chapter 1.25 Council/Elected Official Vacancy

1.25.010 Appointment by Council Procedure.

In filling a vacancy, the Council shall make such inquiries and hold interviews as it considers necessary to make the appointment. The appointment must be made at a regular or special Council meeting.

The Council will use the following procedures in the appointment process:

- 1) Public notice in a newspaper of general circulation and/or on by standard electronic means and posting of a notice at City Hall, the Library and the Post Office for two (2) consecutive weeks;
- 2) Deadline for interested parties to submit applications shall be no later than thirty (30) days after the initial public notice;
- 3) Appointment from those applicants nominated and seconded for consideration by members of the Council. The recorder will announce the results of each ballot and will record each Councilor's vote. An applicant who receives a majority of the votes by the current Council members will be appointed to the vacant position. If no applicant receives a majority vote on the first ballot, the Council will continue to vote on the two



applicants who receive the most votes until an applicant receives a majority of the Councilors voting.

- 4) All applicants shall qualify for Public Office as required by the City Charter and may be subject to the same requirements of Linn County and the State of Oregon.
- 5) Vacancies shall be filled within sixty (60) days of reasonable notice to the Brownsville City Council.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day
of _____, 2015.

Attest:

Mayor Don Ware

City Administrator S. Scott McDowell



ORDINANCE NO. 753

**AN ORDINANCE ADDING SECTION 6.10.010 – 6.10.040
TO TITLE 6, ANIMALS, OF THE MUNICIPAL CODE
OF THE CITY OF BROWNSVILLE, OREGON;**

WHEREAS, Council received a public petition on October 28th, 2014 requesting the creation of a leash law for the City of Brownsville, and;

WHEREAS, Council decided to host a town hall meeting on February 24th, 2015 to take public comment on this subject, and;

WHEREAS, Council published the town hall meeting notice in the *Brownsville Times* on February 4th & 18th, and;

WHEREAS, Council received public comment overwhelmingly in favor of creating a leash law for the City, and;

WHEREAS, Title 6 of the Brownsville Municipal Code (BMC), Chapter 6.10 defines Offenses Relating to Animals, and;

WHEREAS, the Brownsville City Council desires to require a leash law for Brownsville;

NOW THEREFORE, the Brownsville City Council ordains as follows:

**Chapter 6.10
OFFENSES RELATING TO ANIMALS**

Sections:

6.10.010 Definitions relating to dogs.

6.10.020 Dogs as public nuisances.

6.10.030 Animal waste.

6.10.040 Dogs must be on leash.

6.10.010 Definitions relating to dogs.

Unless the context otherwise indicates:

“Dog” shall mean a male or female dog, including a dog which has been neutered or spayed and a puppy.

“Immediate control” means on a leash or in the vicinity of, and under the complete verbal command of, the keeper.

“Keeper” shall mean any person or persons, firm, association or corporation who is responsible for or harboring a dog.



“Leash” shall mean a leash, cord, chain, rope or other such physical restraint.

“Running at large” shall mean a dog that is off the premises of the keeper of the dog and not under the immediate control of the keeper.

“Unreasonable noise” shall mean barking, whimpering or other noise that a typical person would find disturbing because of its volume, duration or frequency.

6.10.020 Dogs as public nuisances.

No keeper shall permit a dog to be a public nuisance. A dog shall be considered a public nuisance if it:

1. Bites, injures or causes injury to a person or other animal;
2. Chases or threatens vehicles or persons;
3. Damages or destroys property of persons other than the keeper of the dog;
4. Scatters garbage;
5. Trespasses on private property;
6. Disturbs any person by causing unreasonable noise;
7. Is found to be running at large;
8. Is rabid;
9. Defecates on public or private property other than the keeper of the dog and the excrement is not immediately removed and properly disposed of; or
10. Causes an unsanitary condition to exist on the premises of the keeper which causes odors, attracts flies or is otherwise a hazard to public health and safety, or interferes with the comfortable enjoyment of life or property by neighbors or other persons.

However, except in a situation where a dog has caused injury to a person or another animal, or damage to property, a citation shall not be issued without first notifying the keeper of the violation and allowing an opportunity to correct the violation.

6.10.030 Animal waste.

1. No person shall permit or allow to accumulate or remain in, on, or about any yard, lot, place, or premises owned or resided in by such person any dead animals, or the refuse or offensive part of any dead animals, or any animal waste or excrement; nor shall such person suffer such yard, lot, place, or premises, to be or remain in such condition as to cause or create a noisome or offensive smell or atmosphere or thereby to become, cause or create a public nuisance.
2. No owner shall permit any dead animal or part thereof to remain upon a street or public place, or private property, for a period of time longer than is reasonably necessary to remove or dispose of such dead animal or part thereof.



6.10.040 Dogs must be on leash.

It shall be unlawful for any person to take any dog within the boundaries of any municipal park or City-owned right-of-way in the City of Brownsville without it being confined by a leash; unless an off-leash area is duly posted and recognized by the City.

The Animal Officer or Sheriff's deputy may seize and impound any animal causing a public nuisance and a violation of this section is hereby declared a public nuisance.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day
of _____, 2015.

ATTEST:

Mayor Don Ware

City Administrator S. Scott McDowell



RESOLUTION 2015.07

A RESOLUTION INCREASING SOLID WASTE RATES BY 2.4% AND SETTING FEES AS AUTHORIZED BY THE FRANCHISE AGREEMENT AND REPEALING AND/OR SUPERCEEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.

WHEREAS, Ordinance 737 was passed by the Council and approved by the Mayor on January 22nd, 2013 which defined the Solid Waste Franchise Agreement that authorizes charges and fees to be set by Resolution of the Council and reviewed as needed and recommended by the Franchisee;

WHEREAS, the City requires the passage of a resolution each time rates are increased in order to fully review and articulate the charges of and by the Franchisee to the general public and;

WHEREAS, the rates shall also include a \$.59 per month charge for an annual Household Hazardous Waste Day to be held in Sweet Home and;

WHEREAS, the Franchisee has experienced increased overhead costs such as fuel and landfill tipping fees and;

NOW THEREFORE BE IT RESOLVED that the rates and fees will be as follows:

Residential Service:

Cans and Carts

| | |
|--------------------|---------|
| 1-20 gallon weekly | \$11.25 |
| 1-35 gallon weekly | \$25.15 |
| 1-90 gallon weekly | \$31.30 |

Other Services

| | |
|------------------------------------|--------|
| Yard Debris Only | \$5.10 |
| Recycling Only | \$5.10 |
| Recall Fee | \$9.10 |
| Access Fee | \$6.00 |
| Extra Can/bag/box (up to 32gallon) | \$3.95 |



RESOLUTION 2015.07

Commercial Service:

90 gallon cart \$31.85

35 gallon cart \$27.30

1 Yard Container

Rental \$51.70

Once per Month \$70.65

Every Other Week \$87.30

Weekly \$111.95

2X per Week \$201.75

Extra Dump \$32.15

1.5 Yard Container

Rental \$51.70

Once per Month \$76.75

Every Other Week \$99.15

Weekly \$136.55

2X per Week \$259.50

Extra Dump \$36.95

2 Yard Container

Rental \$51.70

Once per Month \$82.70

Every Other Week \$112.05

Weekly \$177.55

2X per Week \$318.65

Extra Dump \$41.25

3 Yard Container

Rental \$51.70

Once per Month \$90.35

Every Other Week \$170.65

Weekly \$255.85

2X per Week \$459.45

Extra Dump \$45.90



RESOLUTION 2015.07

4 Yard Container

| | |
|------------------|----------|
| Rental | \$51.70 |
| Once per Month | \$106.20 |
| Every Other Week | \$177.60 |
| Weekly | \$298.15 |
| 2X per Week | \$536.35 |
| Extra Dump | \$74.55 |

Temporary 4 Yard Container

| | |
|--------------------------------|----------|
| 3 Days | \$94.15 |
| Extra Dump | \$74.55 |
| Demurrage per Day After 3 Days | \$3.35 |
| 3 Tab Roofing (3 days) | \$140.00 |
| Extra Dump | \$110.45 |

Roll-Off Services:

| | |
|--------------------------|----------|
| 20 Yard Box/per Haul | \$153.90 |
| 30 Yard Box/per Haul | \$175.90 |
| 48 Yard Box/per Haul | \$197.90 |
| Tonnage | \$65.45 |
| Delivery | \$28.45 |
| Demurrage – after 3 days | \$7.70 |
| Relocation Fee | \$53.65 |
| Monthly Rental | \$86.50 |

This Resolution shall become effective March 1st, 2015.

Passed by the City Council on this 24th day of March 2015.

Mayor

Attest:

City Administrator



RESOLUTION 2014.05

A RESOLUTION INCREASING SOLID WASTE RATES BY 2.5% AND SETTING FEES AS AUTHORIZED BY THE FRANCHISE AGREEMENT AND REPEALING AND/OR SUPERCEEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.

WHEREAS, Ordinance 737 was passed by the Council and approved by the Mayor on January 22nd, 2013 which defined the Solid Waste Franchise Agreement that authorizes charges and fees to be set by Resolution of the Council and reviewed as needed and recommended by the Franchisee;

WHEREAS, the City requires the passage of a resolution each time rates are increased in order to fully review and articulate the charges of and by the Franchisee to the general public and;

WHEREAS, the rates shall also include a \$.59 per month charge for an annual Household Hazardous Waste Day to be held in Sweet Home and;

WHEREAS, the Franchisee has experienced increased overhead costs such as fuel and landfill tipping fees and;

NOW THEREFORE BE IT RESOLVED that the rates and fees will be as follows:

Residential Service:

Cans and Carts

| | |
|--------------------|---------|
| 1-20 gallon weekly | \$11.00 |
| 1-35 gallon weekly | \$24.55 |
| 1-90 gallon weekly | \$30.55 |

Other Services

| | |
|------------------------------------|--------|
| Yard Debris Only | \$5.00 |
| Recycling Only | \$5.00 |
| Recall Fee | \$8.90 |
| Access Fee | \$5.85 |
| Extra Can/bag/box (up to 32gallon) | \$3.85 |

Commercial Service:

| | |
|----------------|---------|
| 90 gallon cart | \$31.10 |
| 35 gallon cart | \$26.65 |



RESOLUTION 2014.05

1 Yard Container

| | |
|------------------|----------|
| Rental | \$50.50 |
| Once per Month | \$69.00 |
| Every Other Week | \$85.25 |
| Weekly | \$109.35 |
| 2X per Week | \$197.00 |
| Extra Dump | \$31.40 |

1.5 Yard Container

| | |
|------------------|----------|
| Rental | \$50.50 |
| Once per Month | \$74.95 |
| Every Other Week | \$96.85 |
| Weekly | \$133.35 |
| 2X per Week | \$253.40 |
| Extra Dump | \$36.10 |

2 Yard Container

| | |
|------------------|----------|
| Rental | \$50.50 |
| Once per Month | \$80.75 |
| Every Other Week | \$109.40 |
| Weekly | \$173.40 |
| 2X per Week | \$311.20 |
| Extra Dump | \$40.30 |

3 Yard Container

| | |
|------------------|----------|
| Rental | \$50.50 |
| Once per Month | \$88.25 |
| Every Other Week | \$166.65 |
| Weekly | \$249.85 |
| 2X per Week | \$448.70 |
| Extra Dump | \$44.80 |

4 Yard Container

| | |
|------------------|----------|
| Rental | \$50.50 |
| Once per Month | \$103.70 |
| Every Other Week | \$173.45 |
| Weekly | \$291.15 |
| 2X per Week | \$523.80 |
| Extra Dump | \$72.80 |



RESOLUTION 2014.05

***Temporary 4 Yard
Container***

| | |
|-----------------------------------|----------|
| 3 Days | \$91.95 |
| Extra Dump | \$72.80 |
| Demurrage per Day After 3 Days | \$3.25 |
| 3 Tab Roofing (3 days) | \$136.70 |
| Extra Dump | \$107.85 |

Roll-Off Services:

| | |
|--------------------------|----------|
| 20 Yard Box/per Haul | \$150.30 |
| 30 Yard Box/per Haul | \$171.80 |
| 48 Yard Box/per Haul | \$193.25 |
| Tonnage | \$63.90 |
| Delivery | \$27.80 |
| Demurrage – after 3 days | \$7.50 |
| Relocation Fee | \$52.40 |
| Monthly Rental | \$84.45 |

This Resolution shall become effective March 1st, 2014.

Passed by the City Council on this 25th day of February 2014.



 Mayor

Attest:



 City Administrator

Sweet Home SANITATION

keeping it green!

March 13, 2015

Brownsville City Council
255 N Main St.
PO Box 180
Brownsville, OR 97327

RE: Request for Solid Waste & Recycling Annual CPI (2.4%) Rate Adjustment from Sweet Home Sanitation

Dear Council:

Over the course of providing many years of service to the citizens of the City of Brownsville, we have actively sought out new cost effective ways to provide a high level of service to our customers. Sweet Home Sanitation and our employees are committed to "Doing Good in our Communities". Please review the 2014 Brownsville Annual Report, which includes these highlights:

- Accident free year throughout all of our service area
- First annual Household Hazardous Waste Event
- Removed 43 tons of material during Brownsville City Clean-up
- Picked up more than 100 tons of Yard Debris in Brownsville
- Picked up 170 tons of Recycle in Brownsville

We are requesting the solid waste collection rate to be adjusted per Section 7.4 of our franchise agreement. The proposed adjustment is based on the Consumer Price Index which illustrates a 2.4% increase is needed. This adjustment equates to an additional \$.60/month for our most frequently utilized service level.

We look forward to meeting with you the next council meeting and answering any questions you may have. Thank you in advance for your time and please let us know if you need any additional information.

Respectfully Submitted,



Scott Johnson
Division Vice President



Brian Hoffman
Site Manager

02/25/15

PORTLAND-SALEM
 Consumer Price Index, All Items, 1982-84=100 for All Urban Consumers (CPI-U)

| YEAR | SEMI-ANNUAL AVERAGE | | | ANNUAL AVERAGE | OVER-THE-YEAR PERCENT CHANGE | | | ANNUAL AVERAGE |
|------|---------------------|----------|------|----------------|------------------------------|----------|------|----------------|
| | 1st Half | 2nd Half | YEAR | | 1st Half | 2nd Half | YEAR | |
| 1987 | 108.9 | 111.9 | 1987 | 1.7 | 3.3 | 2.5 | | |
| 1988 | 113.6 | 115.9 | 1988 | 3.4 | 3.6 | 3.4 | | |
| 1989 | 119.3 | 121.8 | 1989 | 5.0 | 4.9 | 5.0 | | |
| 1990 | 124.9 | 129.8 | 1990 | 4.7 | 6.7 | 5.8 | | |
| 1991 | 132.8 | 135.1 | 1991 | 6.3 | 4.1 | 5.1 | | |
| 1992 | 138.8 | 140.8 | 1992 | 4.5 | 4.3 | 4.4 | | |
| 1993 | 143.6 | 145.8 | 1993 | 3.5 | 3.5 | 3.5 | | |
| 1994 | 147.7 | 150.1 | 1994 | 2.9 | 2.9 | 2.9 | | |
| 1995 | 152.5 | 153.9 | 1995 | 3.2 | 2.5 | 2.9 | | |
| 1996 | 157.2 | 160.0 | 1996 | 3.1 | 4.0 | 3.5 | | |
| 1997 | 162.6 | 165.5 | 1997 | 3.4 | 3.4 | 3.4 | | |
| 1998 | 166.1 | 168.1 | 1998 | 2.2 | 1.6 | 1.9 | | |
| 1999 | 170.8 | 174.4 | 1999 | 2.8 | 3.7 | 3.3 | | |
| 2000 | 176.4 | 179.5 | 2000 | 3.3 | 2.9 | 3.1 | | |
| 2001 | 181.2 | 183.6 | 2001 | 2.7 | 2.3 | 2.5 | | |
| 2002 | 183.5 | 184.0 | 2002 | 1.3 | 0.2 | 0.8 | | |
| 2003 | 186.0 | 186.5 | 2003 | 1.4 | 1.4 | 1.4 | | |
| 2004 | 189.8 | 192.5 | 2004 | 2.0 | 3.2 | 2.6 | | |
| 2005 | 194.5 | 197.5 | 2005 | 2.5 | 2.6 | 2.6 | | |
| 2006 | 199.8 | 202.5 | 2006 | 2.7 | 2.5 | 2.6 | | |
| 2007 | 206.653 | 210.460 | 2007 | 3.4 | 3.9 | 3.7 | | |
| 2008 | 214.619 | 216.158 | 2008 | 3.9 | 2.7 | 3.3 | | |
| 2009 | 214.102 | 217.191 | 2009 | -0.2 | 0.5 | 0.1 | | |
| 2010 | 217.508 | 219.179 | 2010 | 1.6 | 0.9 | 1.3 | | |
| 2011 | 223.105 | 226.077 | 2011 | 2.6 | 3.1 | 2.9 | | |
| 2012 | 228.748 | 230.811 | 2012 | 2.5 | 2.1 | 2.3 | | |
| 2013 | 233.735 | 237.322 | 2013 | 2.2 | 2.6 | 2.5 | | |
| 2014 | 239.751 | 242.879 | 2014 | 2.6 | 2.3 | 2.4 | | |

Table of over-the-year percent increases. An entry for 2ndhalf 2005 indicates the percentage increase from 2ndhalf 2004 to 2ndhalf 2005 (in this example 2.6 percent).

VIGILANT

● COUNSEL for employers

We're in this together.

S. Scott McDowell
Elizabeth E. Coleman
255 N. Main Street
Brownville, OR

March 3, 2015

Scott / Elizabeth;

Enclosed are the results of the sound level mapping conducted for the City of Brownsville, Oregon conducted the morning of March 3rd. This test was done POST work of sound deadening from McFarland Cascade.

The sound level readings were taken with a Quest 2100 SLM (sound level meter). The meter was calibrated immediately prior to and immediately following the readings taken. All readings listed are in decibels, A scale, slow.

Hope this is helpful, Scott and Elizabeth. Please contact me if you have any questions or concerns.

Sincerely;

Ramiero Leon

enc.

03/03/2015 10:00 AM
S. Scott McDowell
Elizabeth E. Coleman
255 N. Main Street
Brownville, OR 97001
503-253-1111

Readings were taken with a Quest 2100 SLM Sound Level Meter, calibrated immediately prior and immediately post testing. All readings are in Decibels, A-Scale/Slow (DbA). I have provided a copy of the Certificate of Calibration from the manufacturer as well.

Weather Conditions: Overcast

Time: 10:35

Temp: 46.4

Dew Pt: 35.6

Humidity: 66%

Wind direction: NE

Wind Speed: 5.8 MPH

| Location: | Time | Sound Level |
|---|-------------|--------------------|
| Pioneer Park Diamond 200 Park Ave | 11:10 | 43.4 |
| Christian Church 117 Main Street | 10:45 | 44.1 |
| 1119 Kirk Ave (Home close by was using a chop saw) | 10:50 | UR 43.00 |
| Near 510 Hausman | 11:00 | UR 43.0 |
| Remington Park Across 801 Northpoint Loop | 10:55 | UR 43.0 |
| Washburn St. and Worley Ave | 10:35 | UR 43.00 |

*** UR – Under Range**



Certificate of Calibration

Certificate No: 5509638DAD090033

Submitted By: VIGILANT COUNSEL FOR EMPLOYER
6825 SW SANDBERG STREET
TIGARD, OR 97223

Serial Number: DAD090033 Date Received: 12/24/2014
Customer ID: N/A Date Issued: 1/10/2015
Model: 2100 SLM Valid Until: 1/10/2016

Test Conditions: Model Conditions:
Temperature: 18°C to 29°C As Found: OUT OF TOLERANCE
Humidity: 20% to 80% As Left: IN TOLERANCE
Barometric Pressure: 890 mbar to 1050 mbar

SubAssemblies:
Description: Serial Number:
MICROPHONE QE 7052 1/2 IN. ELECTRET 23123

Calibrated per Procedure: 53V903

| Reference Standard(s): | | | |
|------------------------|---------------------|-----------------------|-----------------|
| I.D. Number | Device | Last Calibration Date | Calibration Due |
| EF000176 | QUEST-CAL | 12/16/2014 | 12/16/2015 |
| ET0000389 | FLUKE 45 MULTIMETER | 2/18/2013 | 2/18/2015 |
| ET0000556 | B&K ENSEMBLE | 6/19/2014 | 6/19/2015 |

Measurement Uncertainty:
+/- 2.2% ACOUSTIC (0.19DB) +/- 1.4% VAC +/- 0.1% VDC
Estimated at 95% Confidence Level (k=2)

Calibrated By: Brian A. Bayer 1/10/2015
BRIAN BAYER Service Technician

This report certifies that all calibration equipment used in the test is traceable to NIST, and applies only to the unit identified under equipment above. This report must not be reproduced except in its entirety without the written approval of 3M Detection Solutions.

From: Elizabeth Coleman [assistant@ci.brownsville.or.us]
Sent: Tuesday, March 17, 2015 1:47 PM
To: admin@ci.brownsville.or.us
Cc: clerk@ci.brownsville.or.us; Tammi Morrow
Subject: Thea Madell 34722 Henshaw - Pole Peeling Complaint

Scott,

Thea called; apparently she has called several times. To her, the mill is horribly loud today.. She has written a letter, her husband has spoken with them, and McFarland has written back that they are taking measures to quiet the noise; her words are "they say they have done something and they haven't done a damn thing". She plans on getting a petition together against McFarland, and wanted to formally lodge her complaint...again.

Thanks,



Elizabeth E. Coleman
Administrative Assistant
255 N. Main Street
PO Box 188
Brownsville, OR 97327
Phone: 541.466.5666
Fax: 541.466.5118

From: Randy Simpson [crf2ex@yahoo.com]
Sent: Wednesday, March 04, 2015 3:30 AM
To: Jennifer Moody
Cc: S. Scott McDowell
Subject: More on the brownsville dispensary drama

Follow Up Flag: Follow up
Flag Status: Completed

Good morning Jennifer,
Here's a little update. Please feel free to use any or all of this in your next Brownsville dispensary update. A short recap:
Gayle and I have been trying to open and operate a legal state-licensed medical marijuana dispensary in Old Town Brownsville for over a year now. We battled back and forth with the city for a couple of months, then called an unofficial truce. There was no "Christmas Miracle"...(a reference to a December DH editorial)

At first, the city council was opposed to our dispensary due to fears of increased local crime if a dispensary were allowed to operate. After a year of dispensaries open in other Oregon cities and towns, CRIME HAS NOT INCREASED there, so that was an un-founded "ghost fear", and the council can't use that excuse any more.

The Brownsville city council also said they didn't think our dispensary location on Main Street in Old Town would be a fit for the "Old Town family friendly image" they are trying to portray to the public, and should be located somewhere on the outskirts of town (we totally disagree with this). When a location on the South end of town became available, we reluctantly agreed to move to that location, and they still won't let us open our dispensary there.

The latest:
Now, the city councilors want to put it to a vote of the Brownsville residents. That's fine, but the problem is the proposed ballot does not differentiate between medical marijuana dispensaries and recreational marijuana dispensaries. It's either both or none.

There a lot of people that are ok with a medical marijuana dispensary but don't like the idea of a recreational dispensary in town. Which way are they supposed to vote? It's not fair that in this proposed ballot, our medical dispensary (which is what we're trying to open) is tied to the not-yet-operational recreational sales stores. The city could easily put the question wether or not to allow a MEDICAL dispensary to the voters now (the issue at hand), and wether or not to allow recreational sales at a later date (after the OLCC recreational marijuana rules are announced).

A "yes" vote will allow legal, state-licensed marijuana sales in Brownsville.

A "no" vote will allow the illegal, unregulated, and un-taxed local Brownsville BLACK MARKET to continue to operate in "business as usual" mode (with no state-licensed competition) to fill the local marijuana demand.

Which option would any sane person prefer?

Sincerely,

Randy and Gayle Simpson
Green Cross Dispensary
Brownsville, Oregon

p.s. It's ironic that this kind of prohibition is going on in a town that allows children to go into the liquor store and buy candy and soda pop....

Trade with

 American Trade •
Get up to \$800 +
trade FREE for 60 days.

COMPARE BROKERS

Major Pot Reform Bill Introduced in Senate



U.S. News & World Report

Steven Nelson
17 hrs ago



Video player from: Aol On ([Privacy Policy](#))

Two multiple sclerosis patients, a 4-year-old who had a seizure in front of reporters, a depression-plagued Navy veteran and three fired-up senators kicked off a major effort to reform U.S. marijuana laws at a Capitol Hill press conference Tuesday.

The senators -- Sens. Rand Paul, R-Ky., Kirsten Gillibrand, D-N.Y., and Corey Booker, D-N.J. -- are proposing legislation that would legalize state medical marijuana programs under federal law and reclassify marijuana as a Schedule II drug under the Controlled Substances Act.

The legislation would allow for greater research into the medicinal value of the drug, with the lower schedule opening the door to eventual health insurance-covered pot at conventional pharmacies around the country.

Possession of marijuana for any reason outside limited research currently is a federal crime, even though four states have voter-approved laws allowing recreational use of the drug and nearly two dozen allow use of marijuana as medicine.

The Department of Justice generally turns a blind eye to patients in the 23 states whose laws allow doctors to "recommend" and dispensaries to sell the drug to patients, but federal prosecutions do still happen.

A dozen other states allow use of cannabidiol, a compound used to treat some seizures, and others such as Virginia have decades-old laws that allow doctors to prescribe marijuana, which is currently impossible because it's a Schedule I drug, meaning federal authorities must deem it to have no accepted medical value. >

The new bill -- the Compassionate Access, Research Expansion and Respect States Act -- would allow doctors affiliated with the Veterans Health Administration to recommend the drug to patients and explicitly allow medical marijuana businesses access to the banking system.

It's unclear how the bill will fare, but momentum is on the side of reformers.

Congress voted last year to ban federal prosecutors and the Drug Enforcement Administration from spending fiscal year 2015 funds to go after state medical marijuana laws, but that vote did not change the underlying law.

Legal access to medical marijuana is overwhelmingly supported by Americans, according to polls, but opponents remain influential in both major parties. Politicians who oppose legal access to medical marijuana include hard-line anti-legalization Rep. Andy Harris, R-Md., and Rep. Debbie Wasserman Schultz, D-Fla., leader of the Democratic National Committee, that party's central organization.

Rank-and-file members of Congress appear more in line with the public on medical pot, with most Democrats and many Republicans in the House voting last year to protect state medical marijuana programs. Some of those in the minority on that 219-189 vote, such as conservative Rep. Morgan Griffith, R-Va., said the measure didn't go far enough and they would prefer to change the actual law.

Last year's medical marijuana measure did not come up for a vote in the Senate and was rolled into a large spending deal signed into law in December.

The tone of the senators Tuesday may hint at the seriousness of the new legislative push.

"Today we join together to say enough is enough," Booker told a packed room. "Our federal government has long overstepped the boundaries of common sense, fiscal prudence and compassion with its marijuana laws. These laws must change."

The senators each personalized the issue by introducing patients. Paul introduced the father of a staff member, who treated spasms and pain from MS with pot while living in Arizona, before he moved to Virginia, where he cannot legally acquire the drug.

"I dare any senator to meet with the patients here and say to them they don't deserve the medicine their doctors prescribe," a fervent Gillibrand said, describing opposition to medical marijuana as "clearly a case of ideology getting in the way of scientific progress."

"Patients need this medicine," she said. "It's outrageous they are not allowed to take it, it is outrageous that any parent should be worried about child's services knocking on their door."

Paul said most people believe medical marijuana should be legal for patients because "if you don't believe in medical marijuana you believe in putting that person in jail."

Paul and other senators declined to offer predictions for how long it would take for marijuana to become available at conventional pharmacies, should their legislation pass.

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Kristin Whitehead
236 Spalding Ave
Brownsville, Or 97327
971-678-4997
whitehead_kristin@salkez.k12.or.us

Dear Members of the Board,

With this letter I would like to confirm my willingness and availability to serve on the Brownsville Community Library Board.

The professional experience I have gained working in low income after school programs and schools in various school districts would make me an asset on the library board. I have a degree in elementary/middle education (grades 3-9) with a focus on reading and writing. I currently teach 7th and 8th grade Language Arts at Judson Middle School in Salem.

I am very passionate about creating readers and helping students gain valuable skills inside and outside of the classroom. I have managed curriculum funds for an entire middle school and have been in charge of ordering curriculum and novels for grades 3 to 8. Last year, I headed up various committees to raise school funds and create school policies. I have ran after school reading intervention programs, hosted parenting classes, and facilitated family events to help fill the various needs of the communities I have lived in. I feel that these professional experiences would make me a valuable member of a library board. Last year, I worked with several parents to set up a school library at the small school I was teaching in. The parents and I worked to gather book donations, create an inventory of all of the books, and train parents and students on how to run the library.

Growing up, the library was one of my favorite places to visit. I loved participating in the reading programs and loved getting new books each week. I am passionate about having a library that has programs and books that draw kids from the community in. I became a Language Arts teacher because of my love for reading. I love igniting the love of reading in my students. Introducing students to genres and authors that they have not read before is one of my favorite parts of my job.

My husband and I moved to Brownsville specifically for the small town feel and amazing community that Brownsville has. Being passionate about reading and literacy, I was excited to hear that there was an opening on the library board. I would love to use my professional and personal experiences to benefit a town that I love.

Sincerely,

Kristin Whitehead

S. Scott McDowell

From: marilynjeanthequeen@hush.com
Sent: Friday, March 06, 2015 10:34 AM
To: admin@ci.brownsville.or.us

Hi Scott,

I am interested in the Library Board position. I currently volunteer on Friday Mornings. Also, I am a member of The Study Club which supports the library. Thank you for your consideration in this matter.

Marilyn Grimes

Sent using Hushmail

March 16,2015

Dear Sherry and Board Members,

I am writing to apply for the vacant position on the Library Board. I have been a resident of Brownsville for two years but I am a lifelong reader and committed to improving literacy in our community. I am seeking greater involvement in my new community.

When my husband and I first came to Brownsville, access to a library was critical to our decision to select a new home town. Your library reminded me of the library I used as a child in Lancaster county Pennsylvania - friendly, full of interesting things and committed to the community. Shortly afterward, I learned about and joined the book club. I have continued to be impressed with the work you do even as funding has diminished.

. I am a Registered nurse and have a health care consulting company. I have a strong background in project management, finance and marketing. I enjoy presenting information to groups and assisting with written communication.

My husband says that if I were a bookseller, I would interview each buyer to make sure the book was going to a good home. While that may be overstated, I know how books have enriched my life and the broader horizons they provide to all of us. I would like to be a part of ensuring the continued growth of library services in our community

Thank you for considering my application for Board Membership



Sandy Saltzer RN, MPA

100 Hausman Ave

Brownsville OR

206-552-1904

sandrasaltzer@gmail.com

March 16, 2015

Re: BAA Grant from Brownsville Community Foundation

Brownsville City Council
255 Main St.
Brownsville, OR 97327

Dear Sirs:

The Brownsville Art Association wishes to express our gratitude for sponsoring our organization for the \$500 grant for Teaching Enhancement from the Brownsville Community Foundation. We are pleased to report that we have given 2 scholarships to school children for art classes and one adult scholarship for a workshop.

The majority of the money was utilized to purchase a HoverCam Neo 3 which is a camera to tape demonstrations by artists during classes and workshops. Also a mount was purchased from which to hang the donated projector from the ceiling. In the last workshop the artist was able to use the projector successfully for a presentation. Use of the camera is anticipated with the purchase of a longer cable to attach to the projector.

Thank you for your support in acquiring this grant to enable BAA to improve our art instruction.

Sincerely,



Alice Tetamore
BAA Workshop Coordinator
Brownsville Art Association
255 Main St.
Brownsville, OR 97327

Mayor Donald Ware
PO Box 188
Brownsville, OR 97327

Dear Tree City USA Supporter,

On behalf of the Arbor Day Foundation, I write to congratulate Brownsville on earning recognition as a 2014 Tree City USA. Residents of Brownsville ought to be proud to live in a community that makes the planting and care of trees a priority.

Your community joins more than 3,400 Tree City USAs, with a combined population of 140 million. The Tree City USA program is sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and the National Association of State Foresters.

As a result of your commitment to effective urban forest management, you already know that trees are vital to the public infrastructure of cities and towns throughout the country, providing numerous environmental, social and economic benefits. In fact, trees are the one piece of community infrastructure that actually increases in value over time.

We hope you are excited to share this accomplishment. Enclosed in this packet is a press release for your convenience as you prepare to contact local media and the public.

State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward information about your awards to your state forester's office to coordinate presentation. It would be especially appropriate to make the Tree City USA award a part of your community's Arbor Day ceremony.

Again, we celebrate your commitment to the people and trees of Brownsville and thank you for helping to create a healthier planet for all of us.

Best Regards,



Matt Harris
Chief Executive

cc: Elizabeth Coleman

enclosure

TABLE D - 2015 Low and Moderate Income Limits
Effective March 6, 2015

| County | Median Family Income estimate for 2014 | Income Level Note 1 | Income Limits by Family Size | | | | | | | |
|---------------------|--|------------------------|------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| | | | 1-Person Family | 2-Person Family | 3-Person Family | 4-Person Family | 5-Person Family | 6-Person Family | 7-Person Family | 8-Person Family |
| Baker | \$52,500 | Low Moderate | \$18,400 \$29,400 | \$21,000 \$33,600 | \$23,650 \$37,800 | \$26,250 \$42,000 | \$28,350 \$45,400 | \$30,450 \$48,750 | \$32,550 \$52,100 | \$34,650 \$55,450 |
| Benton Note 2 | 78,600 | Low Moderate | \$27,500 \$44,000 | \$31,400 \$50,250 | \$35,350 \$56,550 | \$39,250 \$62,800 | \$42,400 \$67,850 | \$45,550 \$72,850 | \$48,700 \$77,900 | \$51,850 \$82,900 |
| Clatsop | \$55,900 | Low Moderate | \$19,600 \$31,300 | \$22,400 \$35,800 | \$25,200 \$40,250 | \$27,950 \$44,700 | \$30,200 \$48,300 | \$32,450 \$51,900 | \$34,700 \$55,450 | \$36,900 \$59,050 |
| Columbia Note 3 | \$73,900 | Low Moderate | \$25,750 \$41,200 | \$29,400 \$47,050 | \$33,100 \$52,950 | \$36,750 \$58,800 | \$39,700 \$63,550 | \$42,650 \$68,250 | \$45,600 \$72,950 | \$48,550 \$77,650 |
| Coos | \$51,200 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Crook | \$51,100 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Curry | \$53,600 | Low Moderate | \$18,900 \$30,200 | \$21,600 \$34,500 | \$24,300 \$38,800 | \$26,950 \$43,100 | \$29,150 \$46,550 | \$31,300 \$50,000 | \$33,450 \$53,450 | \$35,600 \$56,900 |
| Deschutes Note 2 | \$59,400 | Low Moderate | \$20,800 \$33,250 | \$23,800 \$38,000 | \$26,750 \$42,750 | \$29,700 \$47,500 | \$32,100 \$51,300 | \$34,500 \$55,100 | \$36,850 \$58,900 | \$39,250 \$62,700 |
| Douglas | \$50,600 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Gilliam | \$60,700 | Low Moderate | \$21,250 \$34,000 | \$24,300 \$38,850 | \$27,350 \$43,700 | \$30,350 \$48,550 | \$32,800 \$52,450 | \$35,250 \$56,350 | \$37,650 \$60,250 | \$40,100 \$64,100 |
| Grant | \$44,600 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Harney | \$49,700 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Hood River | \$67,300 | Low Moderate | \$23,600 \$37,700 | \$26,950 \$43,100 | \$30,300 \$48,500 | \$33,650 \$53,850 | \$36,350 \$58,200 | \$39,050 \$62,500 | \$41,750 \$66,800 | \$44,450 \$71,100 |
| Jackson Note 2 | \$55,900 | Low Moderate | \$19,600 \$31,300 | \$22,400 \$35,800 | \$25,200 \$40,250 | \$27,950 \$44,700 | \$30,200 \$48,300 | \$32,450 \$51,900 | \$34,700 \$55,450 | \$36,900 \$59,050 |
| Jefferson | \$51,100 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Josephine | \$44,700 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Klamath | \$50,300 | Low Moderate | \$18,250 \$29,200 | \$20,850 \$33,400 | \$23,450 \$37,550 | \$26,050 \$41,700 | \$28,150 \$45,050 | \$30,250 \$48,400 | \$32,350 \$51,750 | \$34,400 \$55,050 |
| Lake | \$53,900 | Low Moderate | \$18,900 \$30,200 | \$21,600 \$34,500 | \$24,300 \$38,800 | \$26,950 \$43,100 | \$29,150 \$46,550 | \$31,300 \$50,000 | \$33,450 \$53,450 | \$35,600 \$56,900 |
| Lane Note 2 | \$55,300 | Low Moderate | \$19,400 \$31,000 | \$22,150 \$35,400 | \$24,900 \$39,850 | \$27,650 \$44,250 | \$29,900 \$47,800 | \$32,100 \$51,350 | \$34,300 \$54,900 | \$36,500 \$58,450 |
| Lincoln | \$57,800 | Low Moderate | \$20,250 \$32,400 | \$23,150 \$37,000 | \$26,050 \$41,650 | \$28,900 \$46,250 | \$31,250 \$49,950 | \$33,550 \$53,650 | \$35,850 \$57,350 | \$38,150 \$61,050 |

2014 Low and Moderate Income Limits
Effective December 18, 2013

| County | Median Family Income estimate for 2014 | Income Level Note 1 | Income Limits by Family Size | | | | | | | |
|-------------------|--|------------------------|------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | | | 1-Person Family | 2-Person Family | 3-Person Family | 4-Person Family | 5-Person Family | 6-Person Family | 7-Person Family | 8-Person Family |
| Linn | \$56,200 | Low | \$19,700 | \$22,500 | \$25,300 | \$28,100 | \$30,350 | \$32,600 | \$34,850 | \$37,100 |
| | | Moderate | \$31,500 | \$36,000 | \$40,500 | \$44,950 | \$48,550 | \$52,150 | \$55,750 | \$59,350 |
| Malheur | \$50,000 | Low | \$18,250 | \$20,850 | \$23,450 | \$26,050 | \$28,150 | \$30,250 | \$32,350 | \$34,400 |
| | | Moderate | \$29,200 | \$33,400 | \$37,550 | \$41,700 | \$45,050 | \$48,400 | \$51,750 | \$55,050 |
| Marion Note 3 | \$57,200 | Low | \$20,050 | \$22,900 | \$25,750 | \$28,600 | \$30,900 | \$33,200 | \$35,500 | \$37,800 |
| | | Moderate | \$32,050 | \$36,600 | \$41,200 | \$45,750 | \$49,450 | \$53,100 | \$56,750 | \$60,400 |
| Morrow | \$55,500 | Low | \$19,450 | \$22,200 | \$25,000 | \$27,750 | \$30,000 | \$32,200 | \$34,450 | \$36,650 |
| | | Moderate | \$31,050 | \$35,500 | \$39,950 | \$44,350 | \$47,900 | \$51,450 | \$55,000 | \$58,550 |
| Polk Note 3 | \$57,200 | Low | \$20,050 | \$22,900 | \$25,750 | \$28,600 | \$30,900 | \$33,200 | \$35,500 | \$37,800 |
| | | Moderate | \$32,050 | \$36,600 | \$41,200 | \$45,750 | \$49,450 | \$53,100 | \$56,750 | \$60,400 |
| Sherman | \$57,300 | Low | \$20,100 | \$22,950 | \$25,800 | \$28,650 | \$30,950 | \$33,250 | \$35,550 | \$37,850 |
| | | Moderate | \$32,100 | \$36,700 | \$41,300 | \$45,850 | \$49,550 | \$53,200 | \$56,900 | \$60,550 |
| Tillamook | \$51,900 | Low | \$18,250 | \$20,850 | \$23,450 | \$26,050 | \$28,150 | \$30,250 | \$32,350 | \$34,400 |
| | | Moderate | \$29,200 | \$33,400 | \$37,550 | \$41,700 | \$45,050 | \$48,400 | \$51,750 | \$55,050 |
| Umatilla | \$58,700 | Low | \$20,550 | \$23,500 | \$26,450 | \$29,350 | \$31,700 | \$34,050 | \$36,400 | \$38,750 |
| | | Moderate | \$32,900 | \$37,600 | \$42,300 | \$46,950 | \$50,750 | \$54,500 | \$58,250 | \$62,000 |
| Union | \$54,700 | Low | \$19,150 | \$21,900 | \$24,650 | \$27,350 | \$29,550 | \$31,750 | \$33,950 | \$36,150 |
| | | Moderate | \$30,650 | \$35,000 | \$39,400 | \$43,750 | \$47,250 | \$50,750 | \$54,250 | \$57,750 |
| Wallowa | \$53,500 | Low | \$18,750 | \$21,400 | \$24,100 | \$26,750 | \$28,900 | \$31,050 | \$33,200 | \$35,350 |
| | | Moderate | \$30,000 | \$34,250 | \$38,550 | \$42,800 | \$46,250 | \$49,650 | \$53,100 | \$56,500 |
| Wasco | \$55,900 | Low | \$19,600 | \$22,400 | \$25,200 | \$27,950 | \$30,200 | \$32,450 | \$34,700 | \$36,900 |
| | | Moderate | \$31,300 | \$35,800 | \$40,250 | \$44,700 | \$48,300 | \$51,900 | \$55,450 | \$59,050 |
| Wheeler | \$48,700 | Low | \$18,250 | \$20,850 | \$23,450 | \$26,050 | \$28,150 | \$30,250 | \$32,350 | \$34,400 |
| | | Moderate | \$29,200 | \$33,400 | \$37,550 | \$41,700 | \$45,050 | \$48,400 | \$51,750 | \$55,050 |
| Yamhill Note 3 | \$73,900 | Low | \$25,750 | \$29,400 | \$33,100 | \$36,750 | \$39,700 | \$42,650 | \$45,600 | \$48,550 |
| | | Moderate | \$41,200 | \$47,050 | \$52,950 | \$58,800 | \$63,550 | \$68,250 | \$72,950 | \$77,650 |

Note 1: "Low Income" and "Moderate Income" are defined in the federal Housing and Community Development Act of 1974, as amended. A Low-income person is a member of a family with a gross income of no more than 50 percent of the area median income. A Moderate-income person is a member of a family with a gross income of no more than 80 percent of the area median income. The "area" is either the county or the non-metropolitan portion of the state, whichever has the higher median income. The 2015 estimated median family income for non-metropolitan counties in Oregon is \$62,600.

Note 2: Benton County, Deschutes County, Lane County and Jackson County are part of a Metropolitan Statistical Area (MSA). The income limits for an entire county are based upon the median family income for the MSA, even though the specific MSA area is ineligible to apply to the state-administered Community Development Block Grant program—for example, Bend in Deschutes County, Corvallis in Benton County, Eugene-Springfield in Lane County and Medford-Ashland in Jackson County.

Note 3: This County is part of a Primary Metropolitan Statistical Area (PMSA). The income limits are based on the median family income for the entire PMSA including local governments that are not eligible for the state-administered CDBG program. For example, the median family income and income limits for Columbia and Yamhill counties are the same as those for the City of Portland, Clackamas County, Multnomah County, and Washington County. Those of Marion and Polk Counties are the same as Salem PMSA.

Source: U.S. Department of Housing and Urban Development (HUD)

For more information, contact:
Anthony Marek, 402-473-9563
amarek@arborday.org



FOR IMMEDIATE RELEASE:

Arbor Day Foundation Names Brownsville Tree City USA

Brownsville, OR was named a 2014 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management.

Brownsville achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance and proclamation.

The Tree City USA program is sponsored by the Arbor Day Foundation, in partnership with the U.S. Forest Service and the National Association of State Foresters.

"Everyone benefits when elected officials, volunteers and committed citizens in communities like Brownsville make smart investments in urban forests," said Matt Harris, chief executive of the Arbor Day Foundation. "Trees bring shade to our homes and beauty to our neighborhoods, along with numerous economic, social and environmental benefits."

Cleaner air, improved storm water management, energy savings and increased property values and commercial activity are among the benefits enjoyed by Tree City USA communities.

More information on the program is available at arborday.org/TreeCityUSA.

About the Arbor Day Foundation: The Arbor Day Foundation is a million member nonprofit conservation and education organization with the mission to inspire people to plant, nurture, and celebrate trees. More information is available at arborday.org.

S. Scott McDowell

From: cheryl [cherylhaworth@centurylink.net]
Sent: Monday, March 16, 2015 7:16 PM
To: S. Scott McDowell
Subject: Re: Trailer Storage

Thanks Scott. Will let the group know.
Cheryl

Sent from my iPad

On Mar 16, 2015, at 10:47 AM, "S. Scott McDowell" <admin@ci.brownsville.or.us> wrote:

Good Morning Cheryl,

I am sorry for the delay in getting back to you. You had asked about parking a trailer on the Farmer's Market lot during this upcoming season. You had indicated that property owner Suzanne Clarke asked you to run it by City Hall. The City does not allow trailers to be stored on lots unless it is in conjunction with construction. Council has been trying to work on these kinds of issues over the last several years; adding the gateway project has made nuisance abatement a priority. The City allowing a trailer on this site would be directly against our current practice. I hope that the use of the Red Barn will still prove to be close enough to the activity done by the Calapooia Food Alliance. Thanks Cheryl!

<image003.png>

S. Scott McDowell

255 N. Main Street

P.O. Box 188

Brownsville, OR 97327

541.466.5880

Fax 541.466.5118

From: Mcqueen Ann E [ann.e.mcqueen@state.or.us]
Sent: Thursday, March 12, 2015 5:25 PM
To: lcolley@cityofroseburg.org; jwright@cityoffreedsport.org; david.vandermark@winstoncity.org; cityadministrator@cityofcanyonville.com; cityofcondon@jncable.com; grayp@grantcounty-or.gov; canyon@hdni.cc; administrator@ci.hines.or.us; s.wheeler@ci.hood-river.or.us; citymanager@ci.medford.or.us; administrator@jacksonvilleor.us; talent@cityoftalent.org; cityadmin@shadycove.net; mreagles@cityofrogueriver.org; sdahl@phoenixoregon.gov; bfcityhall@gmail.com; gburril@ci.madras.or.us; cityhall@cityofculver.net; acubic@grantspassoregon.gov; ggimaldi@springfield-or.gov; larry.patterson@ci.florence.or.us; citymanager@cottagegrove.org; mbowers@ci.junction-city.or.us; louisgomez@ci.oakridge.or.us; mdamberg@creswell-or.us; rchandler@lincolncity.org; kerry.kemp@waldport.org; weidner@cityofdepoebay.org; nancy@ci.yachats.or.us; manager@cityoftoledo.org; wes.hare@cityofalbany.net; cmartin@ci.sweethome.or.us; gmarks@ci.lebanon.or.us; sciocitymgr@smt-net.com; admin@ci.brownsville.or.us; blatta@ci.harrisburg.or.us; scook@ci.mill-city.or.us; rhonda@cityofhalsey.com; tori.barnett@ontariooregon.org; nyssamanager@nyssacity.org; manager@cityofsalem.net; scott.derickson@ci.woodburn.or.us; bwilloughby@silverton.or.us; eppleyc@keizer.org
Subject: City Managers - OR White House Conference on Aging Invitation
Follow Up Flag: Follow up
Flag Status: Completed

Greetings, City Managers!

Please plan to join us for Oregon's White House Conference on Aging on May 20, 2015!

- For more information, please visit our website at: <http://tinyurl.com/oregon-whc>
- Please forward this message to any friends or colleagues who might be interested in attending the conference.

From: Kathleen Joy [info@oregonvolunteers.org]
Sent: Friday, March 06, 2015 10:00 AM
To: mayor@ci.brownsville.or.us
Subject: Will your city join the Service Celebration?

oregonvolunteers!

Dear Mayor Ware,

We are excited to share an opportunity for you to recognize the important contributions of national service in Brownsville.

This is the third year that Mayors across the country have engaged in **Mayors Day and County Day of Recognition for National Service**. If you are one of the 27 Oregon mayors who has already agreed to participate in this year's event, **we want to thank you in advance**. If not, we invite you to join with them in observing this special day, which will take place on Tuesday, April 7, 2015. The goal is to highlight the impact of AmeriCorps, RSVP, Foster Grandparents, Senior Companions, and other national service programs in tackling local problems and to thank national service members for their commitment and impact. Here is a [link to a fact sheet](#) about this event.

Participation is easy and flexible. First, and foremost, [sign up here to pledge your support](#). Second, we are asking mayors to hold public events and use traditional and social media to highlight the impact of national service to your cities.

You can:

- Issue a proclamation - click here for a [sample proclamation](#)
- Visit a national service program
- Invite national service programs to City Hall for a roundtable on service
- Put out a press release, report or op-ed on the impact of national service in your city
- Join with an AmeriCorps or Senior Corps program on a service project
- Use Twitter, Facebook, and other social media outlets to thank those who serve
- Take a group photo with national service members in your community

Participating in the day will highlight the importance of citizen service, bolster support for nonprofit, local government, and national service groups, and help bring more city residents into service. As someone who knows the impact of national service first-hand, we hope you will sign on.

Thank you and your fellow council members for your leadership. You are the people who tackle difficult challenges every day on behalf of your residents....and for that we are all grateful.

You may be contacted by a national service program representative in your area asking for your support. If not, please don't hesitate to contact either of us for more information, including a list of programs serving in your community.

In Service,

Stephanie Wrightsman swrightsman@cns.gov Oregon State Office Director, Corporation for National & Community Service

From: SmartTowns [frank@scottamerican.com]
Sent: Monday, March 16, 2015 11:05 AM
To: mayor@ci.brownsville.or.us
Subject: Brief message about SmartTowns.org



16 March 2015

For Don Ware

I know you are busy, but I wanted to take just a moment of your time to introduce you to a website that has a lot of useful information about providing public services far more economically, but without sacrificing quality.

Founded by a Connecticut taxpayer group that, among other things, has conducted a line audit of its own town budget and spent years researching cost-effective innovations around the U.S. and Canada, www.SmartTowns.org has a simple mission: to identify and continuously update the top 10 ways that all localities - be they towns, cities, school districts, or counties - can save money without compromising on services.

Using graduate students as teacher aides, deputizing volunteers to perform some police functions, and cross-training public employees are just three of the top 10 ideas currently used nationwide. Our website has been endorsed by the National Taxpayers Union as well as by citizens' groups across America, access is free, and there is no advertising. So we hope you'll take a look.

Over the next year, we'll be sending you one email a month highlighting a particular innovation we think you'll find intriguing. It will be short, but point to where you can find more information. Conversely, if you have come up with an idea others could benefit from, please let us know so that we can promote it.

For the SmartTowns team,



Lewis M. Andrews, editor
lew@smarttowns.org

This letter was sent to you because of your interest in good governance and sound tax policy. To unsubscribe from future letters from SmartTowns.org, please click [here](#).



1201 Court Street NE, Suite 200 • Salem, Oregon 97301
(503) 588-6550 • (800) 452-0338 • Fax: (503) 399-4863
www.orcities.org

February 2015

Dear Member City Official:

Thank you for your city's membership in the League of Oregon Cities. Your investment in this statewide collaboration of cities is essential so that all cities can benefit from the strength of collective action and pooled resources. We would like to provide an overview of your League's services and resources in support of your city.

Founded in 1925 by a group of city officials, the League of Oregon Cities' mission is to be the effective and collective voice of Oregon's cities and their authoritative and best source of information and training. Currently, all 242 Oregon cities are members of the League. Over 170 city officials participate on our policy committees. Active participation by member city officials is essential for an effective and vibrant League.

Among the League's many services and programs, we would highlight the following:

1. **Legislative Advocacy.** The League advocates and informs the Legislature and State agencies about and on behalf of cities. With the active participation of city officials, the League is the collective voice of Oregon's cities to protect and advance the interests of an effective and appropriate partnership with State government. The League's legislative agenda for the 2015 legislative session was created in 2014 through the policy committee process and the subsequent prioritizing of the committees' recommendations by member cities. The priorities for the 2015 Legislative session are: 1) property tax reform; 2) transportation funding; 3) legislation to enhance public safety and local control regarding marijuana; 4) protection of city right of way authority; and 5) mental health funding increases, especially for resources to address crisis situations. We are already tracking over 550 bills at the beginning of the legislative session.
2. **Publications:**
 - Monthly *Local Focus* magazine
 - Weekly electronic *Bulletin*

Local Focus publishes articles that provide city officials with information on new laws, city news and leadership. For instance, we publish an annual update of budget laws in the March issue.

The weekly electronic *Bulletin* provides a concise notification of legislative and agency actions and issues, along with other timely pieces of information such as grant application deadlines and links to resources and training opportunities. If you are not already receiving our weekly electronic *Bulletin*, please send your email address to
(over, please)

Kristie Marecek (kmarecek@orcities.org) or call her at (503) 588-6550 and we will add you to the distribution list. A link to the current *Bulletin* is emailed each Friday. Past issues of the *Bulletin* and *Local Focus* can also be accessed on our home page from the "Publications" button.

3. **Research and Information.** Every day our legal service staff answers calls from city officials about municipal law issues. The League's website (www.orcities.org) has a treasure trove of information for cities. We have created the Finance Toolkit to help cities explain city finances to their residents, as well as to provide resources to assist city officials in understanding Measures 5/50 and to communicate about the League's proposed constitutional amendments to help address some of the negative impacts of Measures 5/50 on cities. The City Handbook is a comprehensive textbook treatment of legal and practical information related to city operations and governance with detailed information and links related to the roles and responsibilities of city officials. The A to Z Index is another portal to access sample documents and information.
4. The Oregon Local Leadership Institute (OLLI) provides training on many topics for elected and appointed municipal officials. This year, as a member service/benefit, we offered free training around the state for elected officials: Elected Essentials. This training reached over 200 elected city officials from cities around the state.
5. LOC's Annual Conference is the premier annual training event, bringing city officials together from around the state to learn both from presenters and from each other. It will be held in Bend this year from September 24 – 26.
6. One of the benefits of LOC membership is access to participation in City County Insurance Services (CIS). CIS provides liability, property, casualty, workers' compensation, auto and health insurance. LOC, along with the Association of Oregon Counties, created CIS when the private insurance industry abandoned the municipal liability insurance market in the early 1980s.
7. LOC also sponsors the LOCAP program that allows small bond issuers to combine their offerings with reduced issuance costs, as well as group purchasing for cities through National Purchasing Partners.
8. The LOC Foundation was created to support the League's work and has provided financial assistance for city officials to attend training and to help underwrite other educational efforts.

We appreciate the involvement and continued participation of many veteran city officials and welcome the participation of newly-elected officials and experienced officials who have not previously been active in the League. If you have any questions about your League, please contact us.

Sincerely,



Peter Truax
Mayor, Forest Grove
President, League of Oregon Cities



Michael J. McCauley
Executive Director
mmccauley@orcities.org

OREGON'S WHITE HOUSE CONFERENCE ON AGING

SAVE *the* DATE **MAY 20, 2015**

Be a part of this important conversation and help shape Oregon's future!



The Oregon White House Conference on Aging is an opportunity to share perspectives on state and national policy issues that impact older Oregonians, their families and their communities.

Registration: 7:30 a.m. – 8:30 a.m.
Conference: 8:30 a.m. – 4:30 p.m.
Samaritan Conference Center
Lebanon, Oregon

REGISTRATION OPENS: March 30, 2015

For more information go to: tinyurl.com/oregon-whc



<http://tinyurl.com/oregon-whc>

MONTH END RECAP

| | | FEBRUARY 2015 | | | | | |
|----|----------------------|---------------|--------------|---------------|------------|---------------|----|
| | REVENUE | EXPENDITURES | YTD | % | Unexpended | | |
| 1 | GENERAL | \$ 21,373.05 | \$ 33,600.91 | \$ 412,970.44 | 38.91% | \$ 648,329.56 | 1 |
| 2 | WATER | \$ 21,999.13 | \$ 24,602.85 | \$ 222,453.77 | 21.75% | \$ 800,246.23 | 2 |
| 3 | SEWER | \$ 25,099.93 | \$ 13,667.81 | \$ 327,492.80 | 46.57% | \$ 375,757.20 | 3 |
| 4 | STREETS | \$ 15,272.53 | \$ 10,484.50 | \$ 85,576.60 | 16.19% | \$ 443,123.40 | 4 |
| 5 | WATER BOND | \$ - | \$ - | \$ - | 0.00% | \$ 77,678.00 | 5 |
| 6 | SEWER BOND | \$ - | \$ - | \$ 332,072.00 | 80.17% | \$ 82,154.00 | 6 |
| 7 | SEWER DEBT FEE | \$ 10,301.39 | \$ - | \$ 85,540.23 | 68.43% | \$ - | 7 |
| 8 | BUILDING & EQUIPMENT | \$ - | \$ - | \$ 41,050.08 | 8.93% | \$ 418,549.92 | 8 |
| 9 | WATER RESERVE | \$ - | \$ - | \$ - | | \$ - | 9 |
| 10 | HOUSING REHAB | \$ - | \$ - | \$ - | | \$ - | 10 |
| 11 | WATER SDC | \$ - | \$ - | \$ - | | \$ - | 11 |
| 12 | SEWER SDC | \$ - | \$ - | \$ - | | \$ - | 12 |
| 13 | STORMWATER SDC | \$ - | \$ - | \$ - | | \$ - | 13 |
| 14 | BIKEWAY/PATHS | \$ 91.56 | \$ - | \$ - | | \$ - | 14 |
| 15 | LIBRARY TRUST | \$ - | \$ - | \$ - | | \$ - | 15 |
| 16 | CEMETERY | \$ 250.00 | \$ - | \$ - | | \$ - | 16 |
| 17 | TRANSIENT ROOM TX | \$ - | \$ - | \$ - | | \$ - | 17 |
| 18 | SEWER CONSTRUCTION | \$ - | \$ - | \$ - | | \$ - | 18 |
| 19 | LAND ACQUISITION | \$ - | \$ - | \$ - | | \$ - | 19 |
| 20 | COMMUNITY PROJECTS | \$ - | \$ - | \$ - | | \$ - | 20 |
| | | \$ 94,387.59 | \$ 82,356.07 | \$ 11,070.00 | 7.90% | \$ 129,030.00 | |

KeyBank Accounts

| | |
|-------------------------------|------------------------|
| General | \$ 87,643.34 |
| Utility | \$ 18,650.00 |
| Park | \$ 4,100.00 |
| Court | \$ 2,391.59 |
| Oregon State Treasury | \$ 4,317,947.04 |
| Community Improvements | \$ - |

2014-2015 Appropriated \$ 1,432,685.69 YTD % of Total 27.67%

DEBT Payments

| | |
|------------|---------------|
| Water | \$ 54,928.00 |
| Wastewater | \$ 396,307.00 |

Total Debt

| | |
|--------------|-------------------------|
| Water | \$ 1,349,225.00 |
| Wastewater | \$ 12,371,610.00 |
| Total | \$ 13,720,835.00 |