



CITY OF BROWNSVILLE

Council Meeting

Tuesday – January 27th, 2015

Regular Session 7:00 p.m.

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CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers

Tuesday, January 27th, 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: December 16th, 2014
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Oaths & Affirmations of Office – Judge Jad Lemhouse
 - B. Passage of Resolution 2015.04
 - C. Brownsville Art Association – Dr. Lori Garcy
 - D. Medical & Recreational Marijuana Discussion
- 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. O 748: Public Works Standards, Accessory Structures & Fences
(*Second Reading*) (*Tabled from December Meeting*)

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. R 2015.01: Pro-Tem
- C. R 2015.02: Commitment to Safety Program
- D. R 2015.03: Transfers
- E. R 2015.04: Recognize Boyanovsky's Public Service

10) ACTION ITEMS:

- A. Elect Council President
- B. Appoint Cascade West Council of Governments Representative
- C. Appoint Central Linn Recreation Liaison
- D. Parks & Open Space Advisory Board Appointment Consideration
- E. Budget Committee Meetings
- F. Budget Committee Advertisements

11) DISCUSSION ITEMS:

- A. Bi-Mart Willamette Country Music Festival (*Outcome*)
- B. Umpqua Bank Update
- C. Noise Mitigation Effort
- D. Elected Officials Replacement Policy
- E. December Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) EXECUTIVE SESSION

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

15) ADJOURN

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



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December 16th, 2014

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

PUBLIC: Kaye Fox, Steve Brenner, Mike Neddeau, Elizabeth Coleman, Allen Buzzard, Leda Sepulveda (*The Times*), Kathleen Swayze, Diane Remoir, and Randy and Gayle Simpson.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: Mr. McDowell informed Council that he would like to add agenda items 9) B. Transfer of Funds, 9) C. Umpqua Bank Support, 10) C. McFarland Cascade, and 11) E. Boldt, Carlisle & Smith's Audit to the agenda tonight.

MINUTES: Councilor Gerber and Councilor Chambers had corrections to the minutes: one correction regarding a tie vote, Councilor Shepherd and Councilor Chambers were opposed to the 0% tax on marijuana, and Councilor Gerber was the one who volunteered to chair a Marijuana Committee meeting, and asked who would serve with her. Councilor Shepherd and Councilor Chambers volunteered to serve on this Committee. *Councilor Van Sandt made a motion to approve the November 25th, 2014 meeting minutes as amended. Councilor Chambers seconded the motion, and it passed unanimously.*

Councilor Gerber made a motion to approve the summary minutes of the Marijuana Committee Work Session on December 4th, 2014 as presented. Councilor Shepherd seconded the motion, and it was approved unanimously by Councilor Gerber, Councilor Shepherd, and Councilor Chambers.

PUBLIC HEARINGS OR PRESENTATIONS:

Diane Remoir – 1123 Oak Street – Ms. Remoir was present to lodge a complaint about her neighbors across the street. They are running an auto repair business out of the rental home in a residential neighborhood without the proper permits, etc. She presented pictures for Council. She is concerned about the hazardous materials and their proper disposal, and also about the vehicular traffic and the wreckers coming and going at all times of the day and night. Ms. Remoir has contacted the Linn County Sheriff's Office as well. Linda Scronce-Johnson was also present to show support for Ms. Remoir and to reiterate the validity of her statements. Ms. Johnson stated that she smells petroleum based fumes on a regular basis now. She said this new renter/business has affected the neighborhood livability. Mr. McDowell informed Council that the pictures that were presented were at the request of Staff. Staff has been out to this residence and spoken with the residents and were informed that they were not doing anything out of the house. The photos are now logged into evidence to the contrary. The next step is to require the residents to go through the conditional use property. If they do not comply, the next step in the process would be to post the property. Councilor Shepherd stated that they were posted before cleanup day, and the residents did comply. This issue may have to come back to Council in January.



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Mr. McDowell reminded Council that Staff has dealt with hundreds of similar complaint issues, and many of them never make it to Council's desk. McDowell emphasized the important of good public policy, in absence of policy and proper enforcement these real world situations never resolve. The ordinances currently in place quite often don't address critical issues. The ordinances themselves need to be strengthened as we can only do what the law allows. Lauren Sommers stated that there are a number of enforcement mechanisms in the Brownsville Municipal Code. Each situation needs to be evaluated individually. Some situations Staff can handle on their own, sometimes they will need direction from legal counsel.

John Voight – Sage Street – Mr. McDowell and Elizabeth Coleman met with the Snook family to discuss the disposition of Sage Street. To recap from the last meeting, there are basically three ways that will allow John Voight to gain access to his riverfront property from Sage Street. The first option is that he could improve the City Right of Way which would be very costly, probably six figures. (Once developed the City would take ownership of this improvement, and the City would basically be maintaining this improvement in an area that floods fairly consistently each year; this is not really a viable option due to the costs and associated annual maintenance implications.) The second option would be for a private citizen to bring a petition to vacate the right-of-way. Each adjoining property owner would then each gain 30' on the ROW. This is also not a great option as it is not accomplishing Mr. Voight's objective, which is access to his riverfront property. He would need to negotiate with the neighbors, with no clear result guaranteed. The third option is for the City to initiate the vacation. The problem with this option is that the peace in the neighborhood could be adversely impacted and Mr. Voight would still have to negotiate an easement with one of the abutting property owners. Mr. Voight has stated that he will contact Mr. Hagen and try to work something out that both parties can agree on.

DEPARTMENT REPORTS:

1. **Sheriff's Report.** Sergeant Kelley was not present. No report tonight.
2. **Public Works.** Mr. Frink reported that the paving projects have been awarded to Holderman Paving, but that the paving will be done in the Spring due to weather considerations. Neal and Sue Karo have mowed all summer and now cleaned up the leaves in Blakely Park. (Mayor Ware requested a thank you be sent to them). Leaf removal has begun in all parks. In Pioneer Park Staff is using the new mower with the bagging device attachment. Brownsville Rec Center repairs have been completed this week, and also a new hot water heater has been installed at the library. The downtown restrooms have had a rash of vandalism again, and may need to be closed temporarily if the problems continue.
3. **Administrator's Report.** – Mr. McDowell informed Council that the City has been contacted by Umpqua Bank about locating a branch in Brownsville. There has been a lot of work on the backside of the issue by folks like Don Ware, Allen Buzzard, and downtown property owner Bob Anderson. Umpqua Bank would like to schedule a meeting to get a feel for the community needs. The meeting is scheduled for January 14th, 2015 at 7:00 p.m. at the Baptist Church. (The church is the best facility in town for a meeting of this size with adequate parking, etc.) Staff is waiting for confirmation from the church. The resolution before Council is toward the effort of supporting Umpqua Bank. *Councilor Gerber made a motion to adopt R 2014.23 and allow Staff to determine the meeting location. Councilor Van Sandt seconded the motion, and it passed unanimously.* Astound Broadband has contacted the City to initiate a discussion about connecting



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wirelessly via cell towers. Speer Hoyt's Christy Munson has been working with this company and will determine some parameters and outline a process for the City; more information to follow as it becomes available. Business registration letters will be going out at the end of the week, and will be due back to the City by January 30th, 2015. The City recently has received a complaint that the old depot is being used as a residence. Ms. Sommers has looked through the code and determined that there is an allowance for an owner or caretaker residence at that location. The owner will need to go through the conditional use process. As the process proceeds, it will be determined that their use is, and plans for future use will also be determined. Council received a petition a couple of months ago regarding a leash law in town. Mr. McDowell proposed hosting a town hall meeting at the regularly scheduled February Council meeting. *Councilor Van Sandt made a motion to approve holding this town hall meeting prior to the February Council meeting. Councilor Chambers seconded the motion, and it passed unanimously.* The Canal Company is still undetermined. Mr. McDowell reminded Council that the goal setting session is scheduled for January 24th, 2015 at 9 a.m. here at City Hall. Councilor Gerber asked if Mr. McDowell has checked into acquiring a facilitator. Mr. McDowell responded that time is short, but he will try. A few months ago the City was asked to write a letter requesting that satellite local channels be changed from Portland to Eugene stations. Mr. McDowell informed Council that he has been in contact with the League of Oregon Cities because they would more than likely have come into contact with this issue because they field complaints from all over the State. Satellite providers determine local channels. Requesting additional service or area coverage is a relatively individual customer preference/process. Mr. McDowell placed the FCC guidelines on the table for Council. Folks can contact their satellite providers and determine their local channels. The satellite providers may offer Eugene channels for a price. Another option would be to contact a professional antenna service to acquire Eugene stations. Mayor Don Ware considered the matter closed.

4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. No comments.
7. Citizen Comments. Steve Brenner and Kathleen Swayze were present to complain about the noise coming out of the McFarland Cascade peeling site. This high pitched sound can be heard all over town, and it starts as early as 7:30 a.m. in the morning. They believe it is interfering with quality of life here. They request that the City check into the agreement with them and see what can be done. Mr. McDowell told Council that they will find on their desk a report with comparison chart, etc. Staff did travel to Wilbur, Oregon to a McFarland Cascade site and witnessed a sound testing done there. McFarland Cascade did provide us with those final test results. DEQ does not do anything with sound pollution anymore; since 1991. McDowell explained that the City does not have a sound level ordinance and has been working with the Planning Commission and McFarland loosely basing determinations on a city ordinance from California. Staff recommends requesting that McFarland Cascade initiate some sound testing. Staff will also research their state hours of operation, etc. *Councilor Van Sandt made a motion to authorize staff to do a noise study and perhaps begin negotiations with McFarland Cascade to diminish or mitigate their noise levels. Councilor Gerber seconded the motion, and it passed unanimously.* Kaye Fox



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would like Council to hold another town hall in light of passage of Measure 91. Allen Buzzard thanked Council for their willingness to do an often thankless job and presented all of the Councilors with a Christmas card. He stated that it is great to live in Brownsville, and that he has full faith and confidence in Scott McDowell's performance.

LEGISLATIVE:

1. O 748: Public Works Standards, Accessory Structures, & Fences (First Reading). Mr. McDowell suggested that this issue be table until a full Council is in attendance. Council concurred.
2. R 2014.22: Authorizing Transfer of Funds. *Councilor Gerber made a motion to approve R 2014.22. Councilor Shepherd seconded the motion. It was voted on and passed, unanimously.*

ACTION ITEMS:

1. SDC Agreement with Tim Smith/Bear. Mr. McDowell presented an SDC Agreement with Tim Smith/Timothy Bear that basically spreads the payments for his property development out over 20 years. The agreement will be notarized and recorded at the Linn County Courthouse. Any unpaid portion will be a lien against the property if the property changes ownership; basically it is just a payment plan. *Councilor Gerber made a motion to approve the SDC Agreement as presented. Councilor Van Sandt seconded the motion, and it passed unanimously.*
2. Marijuana Committee Options and Outcomes. Lauren Sommers recapped the committee meeting and noted that the minutes accurately reflect the meeting. Discussion followed including the landscape changes that have taken place with the passage of Measure 91 and what that might mean to the City. *Councilor Shepherd made a motion to direct Staff to create legislation creating buffer zones around old town and residential, proceed with the DLCD noticing, and to develop language that would prohibit large commercially licensed marijuana grows in city limits. Councilor Gerber seconded the motion and it passed unanimously.*

DISCUSSION ITEMS:

1. Bi-Mart Willamette Country Music Festival. Recently McDowell and Mayor Ware attended another discussion pertaining to the updating of the Outdoor Assembly Code for Linn County on December 10th, 2014. Linn County Staff brought legislation for the Linn County Commissioners consideration and approval. The meeting was very lengthy with many points being discussed and debated. Mrs. Hankins and her Staff were relatively pleased overall with meeting though there was some consternation about a few specific points. Mr. McDowell and Mayor Don Ware are cautiously optimistic. The next meeting is scheduled for December 30th, 2014.



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2. Mayor Ware's Communications Plan. Mayor Ware is planning on implementing a new communication plan. He plans on meeting with several of the local groups/organizations several times a year. He is also planning on having a "Meeting with the Mayor" several times a year for community members, perhaps held at Randy's Main Street Coffee on a Saturday. Staff is also beginning to plan a summer event that will be held down in the park, probably in late summer that would be an appreciation gathering for all elected and appointed officials of the City. The event would most likely be a potluck event with the City providing the main course such as hamburgers and hot dogs. Another innovative idea would be to have a "talking head" format featuring Mayor Don Ware and Mr. McDowell that would be basically a YouTube style video that would be located on the City's website; this format would cover local hot topics and general items of interest for the City.

3. Brockman Water Meter Outcome. At the last meeting, Staff brought to Council's attention a situation involving Mr. Brockman's water meter and his displeasure that the City had not moved his meter as he demanded. Mr. Brockman had been told that if he was patient, the City would likely need to rent the special equipment needed to complete this project and would complete it as time allows. Mr. Brockman was unhappy with this decision, and requested a meeting with Mr. McDowell and Mr. Frink to discuss the situation. Councilor Cole showed up at the meeting as well. Council had already directed Staff to act accordingly with our policies. Councilor Cole working in favor of a compromise in favor of Mr. Brockman made Staff feel very undermined. There are several extra issues with this situation, including the arborvitaes that will need to be removed, etc. The City has contacted a boring company, and they will come out within a couple of weeks. The City's share will total no more than \$210 because that is what we would pay to rent the special mini excavator. The concern of this issue is that Council had already discussed this issue, come to a consensus and directed Staff to proceed as per regular practice. It is imperative that Council be in line to support Staff on all fronts and levels as they carry out their duties; this is not the appropriate way to deal with the public or Staff.

4. November Financials. No comments on the November financials. Mr. McDowell presented the Audit report prepared by Boldt, Carlisle, and Smith for Council's review. Mr. McDowell will bring it before Council again next month and will take questions at that time. The City's accounting software is subpar, and Staff is looking at new programs. It is also important for the internal controls governing financial activity be audited with Council approving the final recommendations and policies offered by a firm and Staff.

CITIZEN COMMENTS: Randy and Gayle Simpson informed Council that they are moving their marijuana dispensary out of town to the Hair Salon building at Kirk's Ferry. They ask that Council lift the moratorium so they can operate their business. They also request that Council change the Business Registration legislation and make the zoning requirements beneficial for them. Kaye Fox returned to the podium and commented that she is excited that Council is doing their homework on the hearing impact from McFarland Cascade. She also requested that Council direct the audience to be quiet during the meetings so all audience members can hear what Council is saying.



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COUNCIL COMMENTS: No comments at this time.

EXECUTIVE SESSION #1 - Entered @: 8:54 p.m.

- Council will be discussing a real property transaction and reviewing the performance of the City Administrator.
- 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. The City will also invoke Section (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
- Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session
- A final decision may be made after this Session.

Exit @: 9:02p.m.

EXECUTIVE SESSION #2 - entered into @ 9:03 p.m.

- Council will be discussing a real property transaction and reviewing the performance of the City Administrator.
- 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. The City will also invoke Section (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
- Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session
- A final decision may be made after this Session.

Exit @: 9:14 p.m.

The regular meeting was called back into session at 9:14 p.m.

Mr. McDowell provided for Council the compensation breakdown which includes a 1.7% COLA and a 2.5% step increase. Mr. McDowell is at Step 9, which corresponds to him starting his 9th year of employment. *Councilor Shepherd made a motion to accept the pay scale for Mr. McDowell. Councilor Van Sandt seconded the motion. It was voted on and passed, unanimously.*



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ADJOURNMENT: *Councilor Shepherd moved to adjourn at 9:16 p.m. Councilor Van Sandt seconded the motion, and it passed unanimously.*

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

January 27th, 2015

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



Pre-note: I have been fighting an illness for the last two weeks and, quite frankly, I've been losing the battle. I plan on filling in the details at Council meeting and I am apologizing in advance for the brevity/incompleteness of this report.

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.



Life appears to me too short to be spent nursing animosity, or registering wrongs." – Charlotte Bronte, British Author

"Never for the sake of peace and quiet deny your own experience or convictions."

– Dag Hammarskjold, Swedish Diplomat

"If you want to be successful, you must respect one rule: Never lie to yourself."

– Paulo Coelho, Brazilian Novelist



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

Oaths & Affirmations of Office (Judge Jad Lemhouse) – I have asked Judge Lemhouse to administer the Oaths & Affirmations of Office. I would recommend Council immediately passing Resolution 2015.04 which recognizes Councilor Boyanovsky's significant contributions toward the good of the order.

Brownsville Art Association (Dr. Lori Garey) – Councilor Cole is requesting Council support which will include a Resolution, as yet to be written, for the Association's request to the Linn County Cultural Coalition. Council has done this two other times in the past on behalf of the Association.

Medical & Recreational Marijuana Discussion – City Attorney Lauren Sommers has prepared a draft land use ordinance at the direction of Council from last meeting.



What is being asked of Council?

Council is being asked to make a decision about marijuana in Brownsville.

There are basically five options:



- 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.

O 748: Public Works Standards, Accessory Structures & Fences (Second Reading) – (Tabled from December 2014 Meeting) Council tabled this at the last meeting. Staff is recommending this item be tabled until January 2015 or removed from the agenda until Council can determine what they would like to do with this issue and other similar Code issues.

From 11.25.2014: Council directed Staff to look into deer fencing. Staff has made changes in the accompanying information. All changes are highlighted. The permits and charts are also included for your review. Deer fencing is handled different ways in different communities of course, we have decided to require a permit for deer fencing. The rationale is due to the very reason for these changes – honoring the Brownsville Municipal Code regarding setbacks. Allowing someone to install a deer fence without a permit will lead to consternation between neighbors which will lead to uneven enforcement of the setback requirements.



Alternatively, Council could choose to change the entire approach. Council could say the setbacks contained in the Code are guidelines for residents to follow. Any deviation from the setbacks may result in a civil action taken by your neighbor. The City of Brownsville is in no way responsible for the enforcement of these setbacks.

The approach that Council is currently considering is a best practices, pro-active approach to Code enforcement however the alternative is also a course of action.

From 10.28.2013: The Planning Commission met on October 20th to discuss the proposed changes to Title 15 of the Brownsville Municipal Code. Staff will review the suggestions discussed at that meeting.



Overall, the Planning Commission is very pleased to see these changes finally happen. Staff would like to have all questions, comments or other suggestions by the end of the first week of November.

From 09.23.2014: Staff filed the appropriate paperwork with the Department of Land Conservation & Development. The City's representative reviewed the information and then confirmed that the City did not need to file any Measure 56 paperwork for the changes being considered.

Council has discussed for some time the adoption of this ordinance. Staff was given direction at the last meeting to provide language for Council review. The Planning Commission will also review the language concurrently with Council and make a recommendation for the October Council meeting regarding any edits, changes or other general concerns.

Next month, will be the actual first reading of this legislation.

What is Council being asked to do?

- ⤴ Review all of the information.
- ⤴ Ask questions, discuss and make any changes.

Northpoint Loop Sanitary Sewer Problem – Staff will share a problem recently discovered. It is simply another testament for standards and process in the planning/development area.

R 2015.01: Pro-Tem Judges – The Council passes this legislation annually to provide for a substitute for Judge Lemhouse as may arise during the course of the year such as vacations, personal emergencies, conflicts of interest or the like.

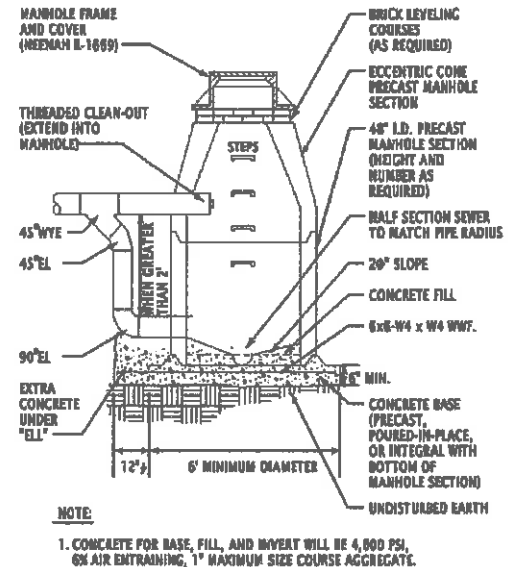
R 2015.02: Commitment to Safety Program – Council passes this legislation annually to demonstrate the priority of the employee safety program.

R 2015.03: Transfers – Staff will provide a Resolution for the meeting that includes recent money transfer needs.

R 2015.04: Recognize Councilor Boyanovsky's Public Service – The City is recognizing Councilor Boyanovsky significant contributions to the City.

Elect Council President - Council elects a Council President every odd year according to the Brownsville Municipal Code. The Council President is to serve as Mayor, in the absence of the Mayor, and to assist with elected & appointed personnel related issues. Councilor Van Sandt is currently serving in this capacity.

Appoint Cascade West Council of Governments Representative – Councilor Boyanovsky has served in this role for the last several years.



SANITARY SEWER DROP MANHOLE DETAIL
NO SCALE



Appoint Central Linn Recreation Liaison – Councilor Boyanovsky has served in this role for the last several years.

Parks & Open Space Advisory Board Appointment Consideration – Mrs. Betsy Ramshur has forwarded a letter for consideration.

Budget Committee Meetings – 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.



Budget Committee Advertisements – Council is being asked to pass a motion for all required advertisements for the upcoming budget season.

Bi-Mart Willamette Country Music Festival (BWCMF) – Mayor Ware, Chamber President John Morrison and I attended the final hearing on December 30th. I will provide an oral report for Council on Tuesday.

From 12.16.2014: I will provide either a handout or an oral report or both for Council the night of the meeting.



From 11.25.2014: Linn County Staff continues to work on changes to the Outdoor Assembly Code. The next hearing will be December 10th, 2014. County Staff is required to share the final version of the changes with the BWCMF staff. Hankins was able to get a meeting scheduled with County Staff to discuss the changes once they are made available on December 3rd, 2014.

From 10.28.2014: Linn County held the first reading on October 7th to discuss wide scale changes to the Outdoor Assembly Code. Lawyers for the Festival outlined several problematic areas with the commissioners. The outcome was to convene a workgroup session which was held on October 14th, 2014. All parties felt that the workgroup session was very productive although more time was needed to discuss a few other critical areas. Linn County had a second reading on October 20th. The Festival was successful in getting the reading tabled until November 12th. Ms. Hankins reported that the County Commissioners were not interested in another workgroup session, but they did allow the Festival to contact the County Attorney directly. The attitude of the Commissioners is that they are going to change the Code and not everyone is going to like the changes. The City will have to monitor these developments very closely in order to rally community support if needed.

From 09.23.2014: The debrief with public safety officials went very well. Overall, everyone felt that traffic logistics greatly improved from 2013. It was also clear that calls received by the Sheriff's Office were significantly reduced again this year. Mayor Ware, Councilor Shepherd & I took a backstage tour with Anne Hankins and Don Leber to witness the significant changes and improvements that have been made over the course of the last several years. The event truly is top-notch.

I have provided attendance reports from 2013 & 2014 as has been provided to the Linn County Commissioners by BWCMF. Ms. Hankins indicated there's been a fair amount of discussion regarding the validity of these numbers. She feels it may be an issue for the hearing which is scheduled for



Wednesday, September 24th, 2014 at the Linn County Courthouse, 9:30 a.m. The City & the Chamber encourage attendance at this important hearing for both the 2015 and 2016 events.

Umpqua Bank Update – The City had a turnout of nearly 200 people to hear representatives of Umpqua talk about the possibility of locating in Brownsville. I sent an e-mail this past Thursday that gives the latest. I have included the e-mail as part of the public record of this document. I hope to have an update Tuesday.



Noise Mitigation Effort – I have enclosed the report from Vigilant the City requested. The City has been contacted by representatives of McFarland Cascade. We will be conducting a conference call on Tuesday so I hope to have the most up-to-the-minute information for Council Tuesday night. McFarland Cascade is working on engineering solutions to help deafen the sound on their own accord.

Elected Officials Replacement Policy – Councilor Shepherd asked me to place this on the agenda and lead a quick discussion about this idea/concept.



Advertise Leash Law Town Hall – I have provided an updated leash law language to consider for February. The City of Harrisburg recently passed an ordinance that works perfectly with the County Code on this very issue. I will provide that ordinance for the next Council meeting. Council decided to host a town hall on February 24th, 2015 to discuss leash law concepts.

108 E. Blakely – Sweet Home Sanitation removed 6 tons of trash from the property in order to bring it into compliance with the Brownsville Municipal Code. Linn County Sheriff's Office assisted with this project as well.

Sattler Agreement – Bill Sattler signed an agreement to continue to work on computer and planning issues for the City as the need arises.

Planning Commission – Staff met with the Commission to discuss the issues on Oak Street, Ash Street, Ordinance 748 and marijuana possibilities.

Planning Process Meeting Outcome & Flow Chart – Staff has provided this as a visual on the steps involved in the planning process for new development.



Neighborhood Zoning Issue & Diane Remior – 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 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.

382 Kirk Avenue Outcome – With the help of the American Legion, Rick Dominguez and Norman Simms, Ms. Garrison moved the refrigerator off of the front porch as reported earlier. The City did forward a token of appreciation to the Legion for their assistance. Mrs. Garrison did call to thank Staff for the help.



From 12.16.2014: Staff forwarded another letter as requested by Council. I have included it in the agenda packet for your review. Staff will proceed with the citation process after the first of the year depending on any actions taken by the property owner.

From 11.25.2014: City Attorney Lauren Sommers is working on additional options for Council consideration. I hope to report out at Council and/or provide a handout for Council review. Fines have accumulated to a total of \$1,250 as of November 25th, 2014.

From 10.28.2014: The property owner has basically told the City to find her all we want. She does not plan on complying with the ordinance. Since October 6th, at a rate of \$25 per day, the property has amassed a total of \$575.00. Staff plans on forwarding a letter to the property owner to notify her of these charges.

What is Council being asked to do?

Council can cause an administrative warrant to be issued for this property and have the violation removed from the premises.

Pending: John Voight & Sage Street – 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.

Brockman Outcome – The new service was installed as discussed at last meeting and Mr. Brockman paid his portion as negotiated.



From 12.16.2014: Public Works Superintendent Karl Frink, Councilor Mandy Cole and I met with Mr. Brockman at his residence on December 4th, 2014. Council had indicated that Mr. Brockman should be responsible for the repair of the water line on his side of the meter per City policy at the November 25th, 2014 Council meeting. Mr. Brockman felt that the City should move the meter closer to his property line at the City's expense. Mr. Frink explained that he was simply trying to help out when he offered to move the meter earlier this Summer as a neighborly gesture. The City will have to rent a smaller piece of equipment to do the repair. Mr. Frink thought that with the City doing the water line installation on School Avenue that it may be necessary to rent a mini excavator. It turned out that the City did not need to rent a mini excavator so the City was unable to act "neighborly." The bottom line is that the moving of the meter is Mr. Brockman's responsibility.

Staff gave him the option of closing the current hole and waiting until next year. The City would honor what Mr. Frink said earlier this year. The road cannot be open cut now due to the weather. The road would wash out and become a serious concern. Mr. Brockman was unsatisfied with this answer. Finally, a compromise was reached that the City would get an estimate to bore this service and place the meter on the north side of the roadway near Brockman's property line. Some kind of cost share would be discussed once the estimate was made official.

Mayor Ware's Communications Plan – Mayor Ware has added some dates to his plan and will be reviewing a few items once again with Council.

Business Registration – So far the process has been relatively smooth. I do have a few "bumps" to discuss however.

From 12.16.2014: The City will be sending out letters to businesses and property owners by December 19th, 2014. Staff will be available for appointments to assist with completing the information. I have included the form for your review, one last time, to make sure that we have included everything.

Upcoming Discussions & Tabled Thoughts

Upcoming Legislative Efforts

- ✦ Public Works Standards, Accessory Structures & Fences
- ✦ Marijuana Policy
- ✦ Leash Law Policy

Tabled

- ✦ Animals Research & Ideas (*Chambers & McDowell*)
- ✦ Weapons Discharge Policy
- ✦ Stahl Zoning Issue (*Waggner Complaint*)





- ✦ RV Discussion (*Ware, Cole & McDowell*)
- ✦ Water Hookups
- ✦ Library Summer Closure

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.]

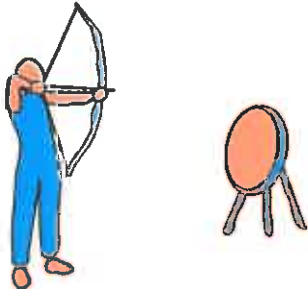
12.15.070 Specifications.

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.]

Weapons Discharge Ordinance – 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.



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.

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 – 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.

BCS Audit Review – Everything has been forwarded to BCS. We should have the final audit in the near future. I expect to have it before the end of the year. As soon as I get it, I will complete the necessary reports for the USDA.

From 11.25.2014: Staff is current working on the management letter for the audit. Hopefully, we will have the completed document by the December meeting. Staff still need to file the audit with the State and USDA.

I think the best course of action is to continue to forward a letter after each Council meeting as to the amount the fines have totaled along with the offer to provide help to move the freezer. Council could then address taking another course of action at the first of the year.

Water Rights Update – 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 – 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.

Central Linn Recreation Association Proposal – 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

- ▶ *Too much to recount.* ☺

STATUS UPDATES – Projects, proposals and actions taken by Council

Active: City Hall Phase I – Mr. Sedlar is finishing up the concrete caps. Public Works will be making time for this project this Winter.

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: McFarland Cascade Update – McFarland is coming along nicely with their project.

Active: Economic Development Process – 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 – I will provide an oral report at the meeting.





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

Pending: Historic Registry & Downtown Buildings Update – *From 01.29.2014 meeting:* Kuri Gill & Ian Johnson from the State Historic Preservation Office (SHPO) gave a very informative presentation to many members of the Chamber earlier this month. I have enclosed the minutes for your review. I will also expound on some of the details. Councilor Cole and Joni Nelson are hoping to work through the Chamber to do a follow-up on the formation of an historic district. I have received a few calls from property owners who are very concerned about the possible implications.

From previous reports: Mrs. Joni Nelson and I had a conversation about this topic on November 1st, 2013. Joni wants this to be a grass roots effort through the Chamber of Commerce. She told me that she does not want to come to Council. She indicated that she has talked with Sharon McCoy, John Morrison and Aimee Addison who all support the idea. I asked her if she has talked to Victor Carlson, Steve LaCoste, Joe Ervin, Joe DeZurney, Bob Anderson, Kelly Corbett and Al Cieri who actually own most of the buildings as was discussed at Council meeting. She said that she has not just yet, but is preparing to have a representative of the State come to the January Chamber of Commerce meeting to discuss the program and the process. Joni wants everyone to understand the benefits of adopting such a program which could include additional signage on I-5.

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,

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

S. Scott McDowell



Public Works Report January 21, 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 January.
- *Distribution System* – The water service at 124 Holloway Heights has been replaced (Jon Brockman). Three new water services will be installed for the Bishop Royale on Thursday, January 22nd.
- *Cross Connection Program*- I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* –All of the parts needed to replace the infiltration gallery pumps have arrived. The chlorine and soda ash pumps have been rebuilt and calibrated to factory specifications. All of the water quality instrumentation has been calibrated to factory specifications as required by OHA.
- *Misc.* – Nothing further to report this month.

Sewer:

- *North Lagoons* – Discharge from this facility is complete. The total amount of wastewater effluent discharged was 18.238 million gallons.
- *South Lagoons*- Discharge from this facility began December 28th and will continue to until desired lagoon levels are reached. Discharge from this facility typically takes 6 to 8 weeks.
- *Collection System*- The construction of new sewer main to serve the Bishop Royale is under way and should be complete soon.
- *Misc.* – Nothing further to report this month.

Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis.
- *Asphalt/ Gravel Road Maintenance* – All gravel streets will be graded upon completion of leaf clean up at Pioneer Park. I anticipate finishing up leaves next week.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Nothing further to report

Parks:

- *Pioneer Park* –Leaf clean up is under way, we expect to have this task complete the week of January 26th.
- *Blakely Park* – Nothing to report this month.
- *Kirk's Ferry Park* – The drinking fountain for this facility has arrived and will be installed soon. Leaf clean up will begin once Pioneer Park is complete.

Cemetery:

- *Grounds* – Several burial plots have been marked this month.

Library:

- *Grounds*- Leaf clean up will begin once Pioneer Park is complete.
- *Buildings*- One outside light needs repair. Public Works will be repairing this soon.

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*- The heating system has been repaired.
- *Grounds* –The landscape project in front of City Hall is under construction.
- *Community Center*- Nothing to report this month.

Rec. Center:

- *Grounds*- The grounds are maintained as needed.
- *Buildings*- The electricity has been installed to the new drinking fountains, also the new hot water heater has been wired, as well as an old hot water heater has been safely disconnected.

Public Works:

- *Grounds*- Leaf clean up is under way as time allows.
- *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

2014

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

FOR THE MONTH OF:	December	
TRAFFIC CITATIONS: -----		2
TRAFFIC WARNINGS: -----		5
TRAFFIC CRASHES: -----		0
ADULTS CITED / VIOLATIONS: -----		0
ADULTS ARRESTED: -----		2
JUVENILES CITED / VIOLATIONS: -----		0
JUVENILES ARRESTED: -----		0
COMPLAINTS/INCIDENTS INVESTIGATED: -----		50
TOTAL HOURS SPENT IN:	BROWNSVILLE	213

70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH= 202 HOURS

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

By: Sgt. Brad Kelley

PATRL_RPT#2 City Incident Report

ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST #	ADDRESS	CITY	DESCRIPTION
12/31/14	12:17:09	CIV DISP RPT	125	FIELDS CT	Brownsville	MDT Narrative Update
12/30/14	2:58:25	BURGLARY REPORT	430	N MAIN ST	Brownsville	Incident Report
12/29/14	0:27:28	Trf Aggressive Driver	400	N MAIN ST	Brownsville	CITE ISSUED - AGGRESSIVE DRIVER
12/28/14	10:03:25	BURGLARY REPORT	621	ROBE ST	Brownsville	No Additional Report Necessary
12/27/14	19:33:14	VIOL OF RESTR ORDER	745	TEMPLETON ST	Brownsville	No Additional Report Necessary
12/27/14	17:42:42	UNAUTHORIZED ENTRY TO MOTOR VEH	217	KIRK AV	Brownsville	Incident Report
12/27/14	17:18:19	CRIM MISCHIEF	500	LOUCKS WY	Brownsville	Incident Report
12/27/14	7:42:06	EXTRA PATROL	558	CALAPOOIA AV	Brownsville	No Additional Report Necessary
12/27/14	2:12:11	SUSP-PERSON	515	N MAIN ST	Brownsville	No Additional Report Necessary
12/26/14	18:35:56	JUV-COMPLAINT	331	E BLAKELY AV	Brownsville	No Additional Report Necessary
12/26/14	17:56:13	FIREWORKS COMPL	699	TEMPLETON ST	Brownsville	No Additional Report Necessary
12/25/14	21:00:59	BURGLARY REPORT	119	W BLAKELY AV	Brownsville	No Additional Report Necessary
12/25/14	20:38:38	CIV DISP RPT	299	S MAIN ST	Brownsville	No Additional Report Necessary
12/24/14	21:16:16	CIV DISP RPT	500	TEMPLETON ST	Brownsville	No Additional Report Necessary
12/23/14	15:49:30	SUICIDAL-SUBJECT	157	SPAULDING AV	Brownsville	CAD Report
12/22/14	18:53:30	Trf D U I I	800	LOUCKS WY	Brownsville	WARNING - MOVING VIOLATION
12/22/14	7:16:10	VIOL OF RESTR ORDER	382	KIRK AV	Brownsville	No Additional Report Necessary
12/19/14	0:02:05	NARCOTICS OFF	145	PARK AV	Brownsville	Incident Report
12/18/14	19:41:35	SUSP-VEHICLE	200	PARK AV	Brownsville	Focus Patrol
12/18/14	9:42:54	Trf Aggressive Driver	220	S MAIN ST	Brownsville	CITE ISSUED - AGGRESSIVE DRIVER
12/17/14	21:32:24	EXTRA PATROL	1118	OAK ST	Brownsville	Focus Patrol
12/17/14	18:25:24	NEGLECT	118	E BLAKELY AV	Brownsville	No Additional Report Necessary
12/17/14	9:58:18	VIOL CITY ORD	108	E BLAKELY AV	Brownsville	No Additional Report Necessary
12/17/14	5:22:55	WARRANT SERV	217	KIRK AV	Brownsville	No Additional Report Necessary
12/17/14	4:40:30	VEH-STOLEN	217	KIRK AV	Brownsville	Incident Report
12/16/14	12:51:21	Trf Equipment Viol	200	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
12/15/14	20:04:38	UNAUTHORIZED ENTRY TO MOTOR VEH	219	WASHBURN ST	Brownsville	Incident Report
12/15/14	17:32:10	THREATS	500	LOUCKS WY	Brownsville	No Additional Report Necessary
12/15/14	16:49:06	EXTRA PATROL	1118	OAK ST	Brownsville	No Additional Report Necessary
12/15/14	14:57:11	CRIM MISCHIEF	558	CALAPOOIA AV	Brownsville	No Additional Report Necessary
12/15/14	4:54:50	ALARM - POLICE	203	W BISHOP WY	Brownsville	No Additional Report Necessary
12/15/14	0:20:44	PARKING COMPL	100	STANARD AV	Brownsville	No Additional Report Necessary
12/12/14	20:58:25	Trf Equipment Viol	800	LOUCKS WY	Brownsville	No Additional Report Necessary
12/12/14	6:25:03	ALARM - POLICE	351	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
12/11/14	17:46:51	WARRANT SERV	400	N MAIN ST	Brownsville	No Additional Report Necessary
12/11/14	16:18:57	INTOX SUBJ	400	N MAIN ST	Brownsville	No Additional Report Necessary
12/11/14	14:38:52	PV EVID SEIZURE	867	NORTHPOINT LOOP	Brownsville	No Additional Report Necessary
12/11/14	7:07:21	ALARM - POLICE	102	E BISHOP WY	Brownsville	No Additional Report Necessary
12/10/14	17:16:57	CIV PROCESS-OTHER	200	HAUSMAN AV	Brownsville	Civil process, service completed
12/10/14	17:11:49	CIV PROCESS-OTHER	234	HOLLOWAY HTS	Brownsville	Civil process, service completed
12/10/14	16:45:46	Trf Moving Viol	220	S MAIN ST	Brownsville	WARNING - MOVING VIOLATION
12/10/14	9:34:57	WARRANT SERV	382	KIRK AV	Brownsville	No Additional Report Necessary
12/10/14	9:32:33	SEX OFFENSE		KIRK AV	Brownsville	Incident Report

PATRL_RPT#2 City Incident Report

12/10/14	8:04:23	PARKING COMPL	382	KIRK AV	Brownsville	No Additional Report Necessary
12/09/14	23:46:54	ALARM - POLICE	203	W BISHOP WY	Brownsville	No Additional Report Necessary
12/09/14	22:29:23	SUICIDAL-SUBJECT	414	AVERILL ST	Brownsville	MDT Narrative Update
12/08/14	14:01:52	DEATH INV	512	KAY AV	Brownsville	Incident Report
12/07/14	18:49:02	DISTB-DOMESTIC	500	LOUCKS WY	Brownsville	No Additional Report Necessary
12/07/14	9:30:42	BURGLARY REPORT	250	N MAIN ST	Brownsville	Incident Report
12/06/14	22:01:27	Trf Equipment Viol	200	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
12/05/14	9:03:57	NEGLECT	212	W WASHINGTON AV	Brownsville	No Additional Report Necessary
12/04/14	13:50:17	THEFT-RPT	146	SPAULDING AV	Brownsville	Incident Report
12/03/14	22:31:59	ALARM - POLICE	220	S MAIN ST	Brownsville	No Additional Report Necessary
12/03/14	12:47:47	FRAUD	27865	SEVEN MILE LN	Brownsville	Incident Report
12/02/14	19:36:06	SUSP-PERSON	298	S MAIN ST	Brownsville	No Additional Report Necessary
12/02/14	18:31:59	CHILD ABUSE REPORT		GALBRAITH ST	Brownsville	No Additional Report Necessary
12/01/14	12:16:43	JUV-RUNAWAY RPT	536	HENSHAW DR	Brownsville	No Additional Report Necessary



Library Advisory Board
Librarian's Report

December 2014

Our Friends of the Library Annual Book Sale raised more than \$600 this year. 11 Volunteers set out thousands of books and videos. There were many more children and junior books sold this year than in the past. We are growing our readers here at the Library.

The Ready to Read Grant funds in the amount of \$1,000 have been received. This summer's theme is 'Every Hero Has A Story'. Our Summer Reading Program now has two different age programs: pre-school to age 9; age 10 and older. I anticipate the young adult program to grow and expand just as the pre – age 9 has.

Our Library Advisory Board took an afternoon to thank the Library Volunteers. We exchanged smiles and cookies and said thank you to the many people that keep our Library open and vibrant. We have had more than 40 people volunteer in many different capacities at the Library this year. They donated 1700 hours. This is a cost savings to the City of more than \$17,000.

One day this fall, Mayor Ware brought in a letter from the Mayor of Taketa, Japan regarding Friendship Force of Oita. In honor of this exchange, our Display cases have been full of items from Korea thanks to a local family.

Here are a few facts about our library the month of December 2014. We have received 40 new books for the library. Volunteers donated 143 hours to our library. There were 1,337 materials checked out. 426 adult fiction books; 154 adult non-fiction books; 124 audio books; 214 children's books; 286 junior books; 57 junior reference books and 76 large print books.

Respectfully submitted,

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

Sherri Lemhouse
Librarian

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR THE MONTH OF DECEMBER 2014**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	48	1	6	43	
Violations	22	6	7	21	
Contempt/Other	43	1	3	41	
TOTALS	113	8	16	105	

BALANCE SHEET FOR THE MONTH OF DECEMBER 2014

Court Revenue

Total Deposits +	\$ 2,115.84
Total Bail Forfeits +	\$ -
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ -
Total NSF's -	\$ -

Court Payments

City	\$1,759.84
Restitution	\$ 35.00
Oregon Dept Revenue	\$ 225.00
Linn County	\$ 96.00
State Misc.	\$ -
DUII Surcharge	\$ -

TOTAL COURT REVENUE	<u>\$ 2,115.84</u>	TOTAL COURT PAYMENTS	<u>\$2,115.84</u>
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Credit given for Community Service	\$ -
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Other Credit Allowed Against Fines	\$ -
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TOTAL NON-REVENUE CREDIT ALLOWEE	<u>\$ -</u>
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TOTAL CASH PAYMENTS TO:

CITY	\$ 1,759.84
STATE	\$ 225.00
COUNTY	\$ 96.00
*REFUND/RESTITUTION	\$ 35.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 2,966.18
ENDING	\$ 818.18



2013-2014 Council Goals

Who we are?

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

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

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

What do we want for Brownsville?

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

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

GOALS

Securing Water & Water Rights

- Currently working on the redevelopment of the GR12 well site east of the Main Street bridge.
 - Council has determined that this water source would double the current water capacity for the City.
 - Council is determining the quality of the water.
 - Council is developing cost estimates for the most viable options.
 - Council is exploring the Federal & State requirements for this water source.



2013-2014 Council Goals

Where are we now?

- ☑ *GR 12 is a viable source.*
- ☑ *Erwin Consulting developed cost estimates for two approaches.*
- ☑ *Council authorized one cost estimate to be included in the FY2014-2015 Budget.*
- ☑ *Determine Federal & State implications.*
- ☑ *Verified source viability with Schroeder Law on September 16th, 2014.*
- ☑ *Project is currently being engineered.*
- ☑ *OWRD granted extension on both the ground water and surface water certificates until the City of Cottage Grove's case is reviewed by the Oregon Supreme Court.*
- ☑ *Schroeder Law exploring a new angle on the OWRD administrative front.*
- ☑ *Council is proceeding with the original plan for the redevelopment. Project is currently being engineered by Erwin Consulting.*
- **Exploring Additional Resources**
 - *Options include exploring the procurement of upstream water rights and other possibilities that exist in other areas of Brownsville.*

Where are we now?

- ☑ *Continue to monitor additional opportunities.*

Economic Development Plan

- **The two chief focuses of Economic Development are 1) retaining existing business and 2) attracting new business.**
- **Land Purchase**
 - *Council is researching legal requirements for purchasing & selling land.*
 - *Council is examining the implications of purchasing land.*
 - *Council is considering possible civil engineering needs.*

Where are we now?

- ☑ *City Attorney Ross Williamson explained that cities do not have the authority under State law to sell land directly to one party. The land must be put out for public auction. The City had to modify the plan to purchase and market land for development purposes.*
- ☑ *Council learned of a new imminent Federal law (Biggert Waters Act) that would make development impossible within a certain distance of a water source that has been identified as hosting endangered species.*
- ☑ *Council will not spend money on civil engineering costs surrounding a development. Council may cost share in development once it begins depending the service coverage for the general public and future implications.*



2013-2014 Council Goals

- ☑ *Council has forged a solid working relationship with McFarland Cascade which could lead to future development opportunities for Brownsville.*
- ☑ *The City has been approached about several developing opportunities for Brownsville if land should become available.*
- ☑ *The City continues to work toward cooperation between Linn County and the BWCMF and surrounding property owners.*
- ☑ *Council reviewed the significant happenings at the November 2014 Council meeting.*
- ☑ *Umpqua Bank is currently interested in locating a branch in Brownsville. Mayor Ware and Administrator McDowell will work on the communications plan for the opportunity. Council passed R 2014.23 in support of Umpqua Bank.*
- **Community Amenities**
 - **Council would like to encourage and facilitate a Senior Living Facility to be developed in Brownsville.**
 - **Council would like to encourage and facilitate Youth Activities by continuing to work in partnership with the Central Linn Recreation Association and by fostering a better partnership with the Central Linn School District.**

Where are we now?

- ☑ *Mayor Ware began discussions as "Citizen Ware" to develop the idea of a Senior Living Facility. Staff provided background research and cost estimates.*
- ☑ *Council instructed Mayor Ware to be careful not to implicate Council or City involvement. The investment should be from the private sector.*
- ☑ *The Rec Center is working on several initiatives for funding.*
- ☑ *Council & CLRA continues to work closely on events and Park uses.*
- ☑ *Council & CLRA approved an updated agreement.*
- ☑ *Council discussed the implications of purchasing property on behalf of the Central Linn School District.*
- ☑ *Staff has been working with CLSD & the City of Halsey on possible locations and facilities for the District.*
- ☑ *Council entered into an agreement with the CLRA to assist with programmatic and organizational developments pieces in July 2014.*

Community Development Plan

- **Adopting a Brownsville Development Plan**
 - **Council is actively auditing City zoning rules and requirements.**
 - **Council is implementing new policies regarding issues including, but not limited to, mixed-use options, garage sales, recreational vehicles use, zoning permits and other administrative processes.**



2013-2014 Council Goals

- Council is reviewing requirements toward adopting a comprehensive model for proper growth and development.
- Council is developing Public Works standards.

Where are we now?

- ☑ *Administrative Assistant Elizabeth Coleman has re-developed many of the forms that haven't been updated since the late 1980's.*
- ☑ *Staff asked for policy changes in October 2013 but Council was not ready to make changes.*
- ☑ *Public Works Standards are with the City Engineer for review.*
- ☑ *Public Works Standards are in the process of being approved by Council.*
- ☑ *Accessory Structures and fences are currently in the process of being approved by Council.*
- **Sidewalk Inventory**
 - Council is actively working on developing a sidewalk program.
 - Council will determine action steps once the inventory is complete.

Where are we now?

- ☑ *An initial sidewalk inventory is complete.*
- ☑ *The sidewalk inventory still needs Council approval.*

Capital Improvements Plan

- **Water Plant & Distribution**
 - Council has contracted for the repair of the Water Treatment Plant (WTP) computer system.

Where are we now?

- ☑ *System is installed and running properly.*
 - Council has budgeted for a new emergency generator for the WTP.

Where are we now?

- ☑ *Staff has not had time to complete this project.*
- ☑ *Funds were budgeted for FY 2014-2015.*
 - Council understands that the City is in need of a new 1.1 million gallon reservoir which will be part of a new water treatment plant in 2022.

Where are we now?

- ☑ *Part of future bond project.*
- ☑ *The implication of this project on the System Development Charges (SDC) is significant. Any changes to the methodology would require this improvement to be used in the calculation of SDC. The end result would be a significant increase in the SDC which is counterproductive to attracting new development.*



2013-2014 Council Goals

- Council understands there are a few critical water lines that need to be replaced including the Main Street waterline.

Where are we now?

- ☑ *Main Street line failed on December 13th, 2013. Council created a plan for temporary repair of the line that will be included in the FY 2014-2015 Budget.*
- ☑ *Council budgeted for the Main Street line, the Averill Street line and for the redevelopment of the GR 12 site in FY 2014-2015. All projects are currently in being engineered and are expected to be ready for bid as one project in March of 2015.*
- ☑ *Public Works just finished a significant 12" water line loop on School Avenue which will protect against catastrophic failure of the north part of the City's water distribution system.*
 - Council is currently repairing the Calapooia Crossing waterline this upcoming fiscal year.

Where are we now?

- ☑ *Project is complete.*
- **Wastewater Treatment & Collections**
 - Council has budgeted for a well for the South Plant.
 - Council understands that nearly 45% of the collection lines are in need of replacement.
 - Council is aware that the Millhouse line will be a priority in FY 2014-2015.

Where are we now?

- ☑ *Staff has prepared plans for the construction of this project in FY 2014-2015.*
- ☑ *The project is complete pending the final testing on four manholes. The City expended an additional \$37,350 for the water line to be extended from Kirk Avenue up Millhouse and had \$29,995 in additional pavements work due to subsurface conditions.*
- ☑ *The City has completed this project.*
 - Council is conducting visual inspections of the collection system to determine priorities.
- **Kirk Avenue Improvements**
 - Council has determined that the first block of Kirk from Main Street to Averill Street will be fully reconstructed with sidewalks, curb and gutter improvements. The remainder of Kirk Avenue will be a grind and overlay project.

Where are we now?

- ☑ *Linn County Road Master is including a route through Brownsville for the Bi-Mart Willamette Country Music Festival. Hopefully, this will help speed the process up for Linn County.*
- ☑ *The City will work in conjunction with the Festival and the Linn County Road Department to perform traffic counts in Jul 2015 and then during the*



2013-2014 Council Goals

Festival 2015 to have empirical data about the increase in traffic for the event.

- Council approved the additional route at the request of the Linn County Commissioner's in 2014. The route seemed to work due in large part to the Linn County Sheriff's Office running traffic on the road during the event and placing the electronic speed sign as an effort to slow motorists down. The only complaint received was from Kaye Fox who apparently kept traffic data of her own which she forwarded to the Linn County Commissioners. Her information was part of the public documents for the September 24th, 2014 hearing for the Festival's 2015 & 2016 applications.*
 - *Council determined that Linn County will put the improvement on their capital improvements list which will hopefully be no later than FY 2014-2015.*
 - *Council's only other alternative is to execute the project as a City project and assess all abutting property owners according to the project cost.*

Staff & Organizational Development

- **Titles Changes**
 - *City Hall Staff recently revamped job descriptions along with organizational responsibilities to better reflect duties.*

Where are we now?

- In process. CIS recently released the updated policy handbook. Staff hopes to have this to Council by the end of 2014. Due to shifting priorities, Staff has had great difficulty finding the needed time to spend on this important item.*
 - *The goal is to cross-train all City Hall Staff in all responsibilities. Having job descriptions such as Utility Billing Clerk and Planner limit the scope of the employee which has historically caused job dissatisfaction and lack of cooperation toward executing proper cross-training.*

Where are we now?

- In process. Administrative Assistants have been working on many projects and increased Staff capacity and efficiency. Several meetings have been held to assist in breaking down historic barriers for greater communication among all members of the Staff. We continually work on these areas to increase our performance level and capabilities.*
 - *Council encourages Staff to continually develop their professional skills and capacities as employees.*

Where are we now?

- On going. Staff has attended training and the City Administrator is working toward a collective impact piece that will bring all employees up to speed with Council goals and objectives.*
- **Council Development**
 - *Council recognizes the need for additional training & development. Council will continue to improve individually in their role as community leaders working together to accomplished shared organizational goals.*



2013-2014 Council Goals

Where are we now?

- ☑ *To be determined.*
- ☑ *Council discussed possibilities at the July 2014 meeting. After the election in November, Council will discuss strategies moving forward after the election.*
 - *Council will be working on a resolution that articulates the accountability of all officials both elected and appointed. Proper training and execution of responsibilities is vital for the overall health of the organization.*

Where are we now?

- ☑ *Complete. Council passed Resolution 718.*
- ☑ *Failed first attempt at implementation. Council needs to be trained on the application of this resolution and how it will positively impact organizational culture. Second attempt was very successful.*

Emergency Preparedness Effort

- **Community Awareness & Education**
 - *Council would like to execute several goals pertaining to on-going community education in the area of emergency preparedness.*
 - *Council would like to have an on-going partnership and dialogue with the Brownsville Rural Fire District and the Central Linn School District to assist getting the message to the extended community.*

Where are we now?

- ☑ *Staff has not had time to begin this goal. Discussions have been held and some members have been identified.*
- ☑ *Staff recommends supporting a group of individuals who would form a non-profit group that would be charged with most of the mission as defined in the Brownsville Municipal Code. The first attempt at a City operated committee failed because two members could not work well within the scope defined by the group. They were also interested in collecting information that would cause the City some legal concerns. If a non-profit is formed, they would be less restricted and better equipped to implement concepts that would be illegal for the City to handle.*
- ☑ *Council is currently working toward a fresh approach and hoping to include the Brownsville Rural Fire District, the Central Linn School District and Halsey-Shedd Fire District.*
- ☑ *An initial discussion is scheduled for December 29th, 2014 at 7:00 p.m.*
- **Agreements**
 - *Council would like to execute agreements for specialized services and for designated mass gathering areas throughout the community.*

Organizational Development

1. **Elected & Appointed Officials.** *People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville.*



2013-2014 Council Goals

People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who understand the unrelenting nature of citizen complaints and how to effectively deal with emotional issues from the general public.

- 2. *Staff.* People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
- 3. *Organizational Axiom.* Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.

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

How are expectations set in City Government?

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

**Acceptable
Conduct**
vs.
**Unacceptable
Conduct**



2013-2014 Council Goals

THE PROCESS OF PROGRESS

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

Lexipol's 10 Families of Risk Model

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

Information added after April 19th, 2014 Council Retreat:

1. Proposed Policy Changes as they relate to current Council Goals:

Councilor Gerber said that it would be great to have holistic approach to these improvements instead of a fragmented, piece meal approach. So, we have them listed below for discussion:

- ▶ **ROW Infractions Policy:** Trailers, Boats, Porches and Irrigation Systems. Council discussed what this would like with some detail. Basically, history has not been kind to the City. How do we make things better now and in the future?
- ▶ **Nuisance Abatement Timelines:** Taking November & December, March through May off due to the holidays and budget season.
- ▶ **Construction Permits:** Making sure that Zoning laws are understood by the general public, carried out by applicants and properly enforced by City Officials.
- ▶ **Business Registration Process:** Council discussed the practical application of adopting this sort of process.
- ▶ **Zoning Code Review:** Staff reviews currently underway.
- ▶ **Civil Engineering Standards:** Staff reviews currently underway.



2013-2014 Council Goals

McDowell indicated that these can be brought to Council as a group, though it will be difficult due to all the parts and pieces that are required. Unfortunately, piecemeal may be the only real way to implement some of these policies. Staff will try to get these discussions on the agenda as early as July 2014.

2. Council Training & Development

- ▶ Continuing to Seek Opportunities
- ▶ Regular Attendance
- ▶ Come Prepared
- ▶ Be an Active Participant
- ▶ McDowell to provide a weekly recording to keep Councilor abreast of weekly developments



ORDINANCE NO. 748

AN ORDINANCE AMENDING TITLE 15, UNIFORM DEVELOPMENT CODE, 15.15.020 DEFINITIONS, 15.15.035 CONSTRUCTION PERMIT REQUIRED, 15.45.020 SPECIFICATIONS FOR IMPROVEMENTS, 15.75.010 ADMINISTRATION, 15.75.030 BUILDING PERMIT APPROVAL, 15.80.045 MINIMUM SETBACK CHART & FENCING VISION DIAGRAMS AND 15.85.060 VISION CLEARANCE TO THE MUNICIPAL CODE OF THE CITY OF BROWNSVILLE, OREGON;

WHEREAS, Title 15 of the Brownsville Municipal Code (BMC) defines Uniform Development within the City of Brownsville; and,

WHEREAS, Council has filed the appropriate notice to the Department of Land Conservation & Development in accordance with State law; and,

WHEREAS, the Council desires to establish Public Works Standards and design criteria to provide a clear process for the construction of public improvements and improvements affecting public infrastructure; and,

WHEREAS, the Council desires to create a clear process and system for the construction of accessory structures; and,

WHEREAS, the Council desires to create a clear process for the construction and installation of fences; and,

WHEREAS, the Council desires to create necessary definitions in accordance with these processes and applications; and,

NOW THEREFORE, the City of Brownsville ordains the following additions to the Brownsville Municipal Code as follows:

SECTION I. 15.45.020 Specifications for improvements.

E. Public Standards and design criteria pertaining to all developments and improvements to the public infrastructure within the City of Brownsville are hereby accepted and approved by the Planning Commission and Council and can be found under Appendices, Appendix F., in the Brownsville Municipal Code.

SECTION II. 15.75.010 Administration.

The City Administrator or designee shall be responsible for administering Public Works Standards and design criteria, the proper placement and execution of accessory structures and fences as these are common development components of property within the City of Brownsville.

Fence requirements can be found in Appendices, Appendix G., in the Brownsville Municipal Code.



ORDINANCE NO. 748

SECTION III. 15.75.030 Building Permit Approval.

The City Administrator or designee shall have the authority to review and approve all accessory structure permits and fence permits as required by the Brownsville Municipal Code. The City Administrator shall also ensure that the Public Works Standards and design criteria are properly applied and enforced in coordination with the Public Works Superintendent and the City Engineer. Each of the reviews and approvals shall be both prior and subsequent to construction.

Fence requirements can be found in Appendices, Appendix G., in the Brownsville Municipal Code.

Modify the following definition to read as follows:

SECTION IV. 15.85.060 Vision Clearance.

"Vision Clearance" means area near intersections of right-of-ways, curb cuts and other roadway entry points where a clear field of vision is necessary for traffic safety. Vision clearance shall be determined by the City Administrator or designee using City Standards, State or Federal traffic guidelines. The City Engineer may be used for vision clearance review at the property owner's and/or applicant's expense.

SECTION V. 15.15.020 Definitions.

For the purpose of this ordinance, the following terms shall mean:

1. **"Construction Permit"** means an application obtained from the City to construct a primary structure.
2. **"Accessory Structure Permit"** means an application obtained from the City to place a structure that is incidental or subordinate to the primary use of the property.
3. **"Fence Permit"** means an application obtained from the City to place a fence on private property.

These definitions shall be added to Titles 13.05.010 & 15.70.030.

SECTION VI. 15.15.035 Construction Permit Required

The City of Brownsville requires a construction permit for primary structures, accessory structures and fences. Permit costs shall be set by resolution and periodically reviewed by Council.

"Accessory Structure" means a structure incidental and subordinate to the primary use of the property in accordance with the Zoning Code and which is located on **Ordinance 748 Title 15 Proposed Changes (Second Reading)**



ORDINANCE NO. 748

the same lot with the primary use. Accessory structures include, but are not limited to, a storage shed, carport, greenhouse, pole building/shop, detached garage, or farm animal enclosures are all subject to the setback requirements and lot coverage requirements of the Zoning Code.

SECTION VII. 15.80.045 Minimum Setback Chart & Fencing Vision Diagrams

CITY OF BROWNSVILLE ZONING SETBACK CHART

Zone	Front Yard Minimum Setbacks	Corner Lot (Street Side) Minimum Setbacks	Interior Lot (Total of both side yards) Minimum Setbacks	Side Yard (Not on a Street) Minimum Setbacks	Rear Yard Minimum Setbacks	Garage/Carport Minimum Setback from the Street	Max. Bld. Height*	Max. Bld. Coverage/ Impervious Surface
Primary Structures								
Low Density Residential	20'	20'	15'	5'	15'	20'	35'	30% / 40%
Medium Density Residential	15'	15'	15'	5'	15'	20'	35'	40% / 55%
High Density Residential	10'	10'	15'	5'	5'	20'	35'	50% / 80%
Old Town Commercial	Zero	Zero	Zero	Zero	Zero	Zero	n/a	n/a
Volume Commercial ^(M)	20'	20 ft.	15'	5'	10'	n/a	35'/2 Stories	50% / 90%
Light Industrial ^(M)	20'	20'	15'	5'	10'		45'	0% / 80%
Heavy Industrial	20'	10'	15'	n/a	n/a	n/a	45'	0% / 85%
Special Development ^(M)								
Public ^(M)							35'	50% / 80%
Accessory Structures								
Low Density Residential				5'	5'		22'	
Medium Density Residential				5'	5'		18'	
High Density Residential				5'	5'		18'	
Public ^(M)								
Volume Commercial ^(M)							22'/1 Story	

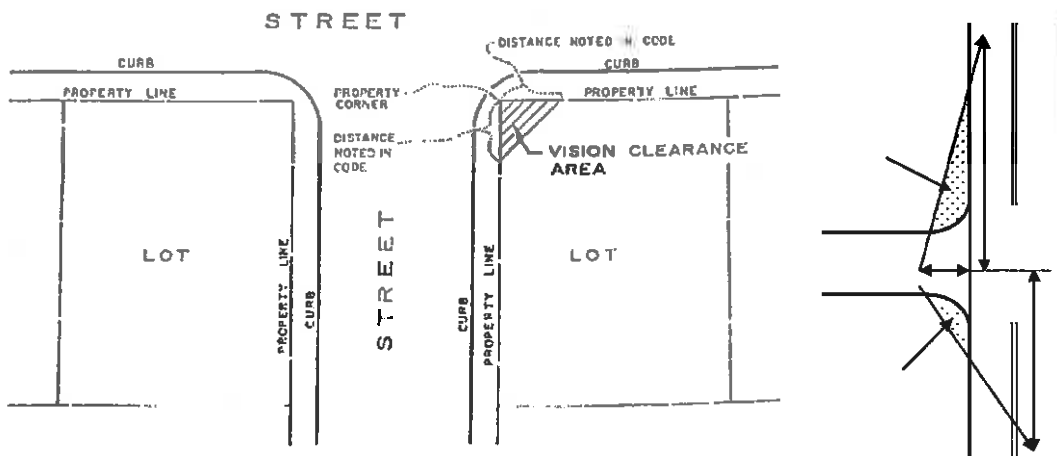
- I. Height of the Principal Building only.
- II. Structures built along Highway 228 shall follow setback requirements as established by the Oregon Department of Transportation.
- III. Yard requirements for the Public Zone may be determined on an individual basis, guided by the prevailing yard requirements in the immediate vicinity.
- IV. An accessory structure or use shall comply with the setback requirements of the applicable zoning district, and shall not be closer to the street than the primary structure.
- V. No accessory structure or use will be permitted on any lot without an established principle use.
- VI. Setbacks in Special Development Zones shall go through Administrative Review for determination.

NOTE: For minimum setbacks in a Manufactured Home Park, please contact City Hall.



ORDINANCE NO. 748

Vision Clearance Diagram:



PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of _____, 2014.

Mayor Don Ware

City Administrator S. Scott McDowell



TITLE 15.75.030
Fence Standards

- I. Purpose.
- II. Scope.
- III. Definitions.
- IV. Permitted fences.
- V. Similar fences.
- VI. Corner or through lot.
- VII. Maintenance.
- VIII. Permit.
- IX. Inspection.

I. PURPOSE.

The purpose of this chapter is to establish regulations controlling the use of fences, hedges, and walls whereby the lot owner may have the privilege of privacy and landscape design within his or her own lot with due consideration to the environment of his or her neighbor, the safety of the public, the individual and the general appearance of the community.

II. SCOPE.

This chapter shall apply to all zoning districts. The fence regulations herein shall not apply to any permanent fence erected prior to the effective date of this adoption.

III. DEFINITIONS.

"Fence" means any structure composed of wood, iron, steel, shrubbery, hedges or other material erected in such a manner and position as to enclose or partially enclose all or any part of any premises. Trellises or other structures supporting or for the purpose of supporting vines, flowers and other vegetation when erected in such position as to enclose all or any part of any premises shall be included within the definition of the word "fence".

"Deer Fence" means a structure erected to allow light and air for the proper growth of gardens or other plant life with the purpose of keeping animals out of a defined area. The structure may be as high as eight feet (8') and materials may include polypropylene netting, taut wires and woven wire mesh that are adequate at keeping animals such as deer out.

"Property Line Verification" means the City will use GIS and other means to determine the general location of property lines plus or minus one or two feet. It may mean an official, certified survey document completed by a surveyor licensed in the State of Oregon. All costs for any official survey shall be the sole responsibility of the applicant and/or the property owner.

"Measurements" shall mean the required yard setbacks will be measured from the actual property line or closest proximity and not from the paved portion of the right-of-way.

"Right-of-way" means a City owned street, alley, easement, or through way, and/or utility owned easements. City owned right-of-ways vary in width but are always wider than the paved portion that exists within said right-of-ways. Paved portions of right-of-ways are not always centered in any given right-of-way.

"Fence Height" is the vertical distance measured from the natural grade to the highest



point of the fence including structural supports.

"Vision Clearance" means area near intersections of right-of-ways, curb cuts and other roadway entry points where a clear field of vision is necessary for traffic safety. Vision clearance shall be determined by the City Administrator or designee using City Standards, State or Federal traffic guidelines. The City Engineer may be used for vision clearance review at the property owner's and/or applicant's expense.

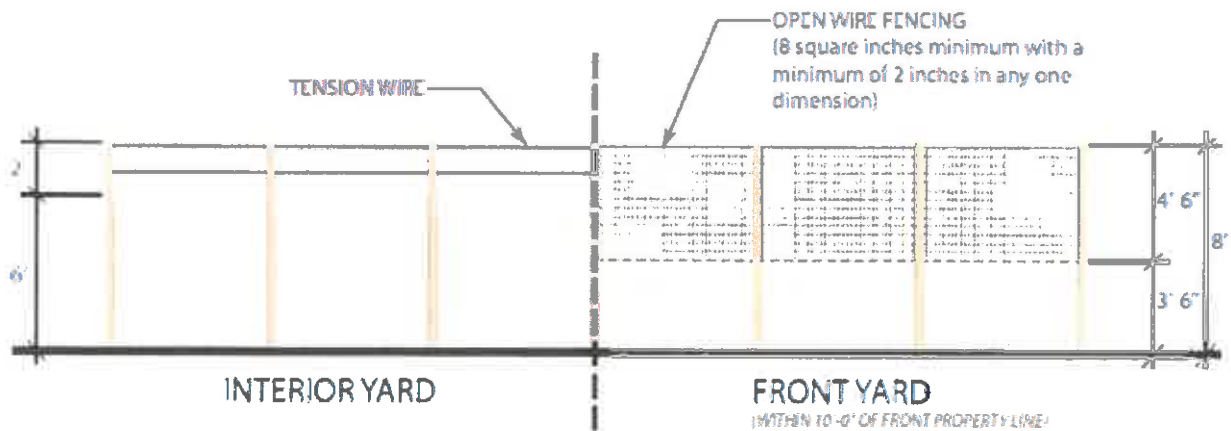
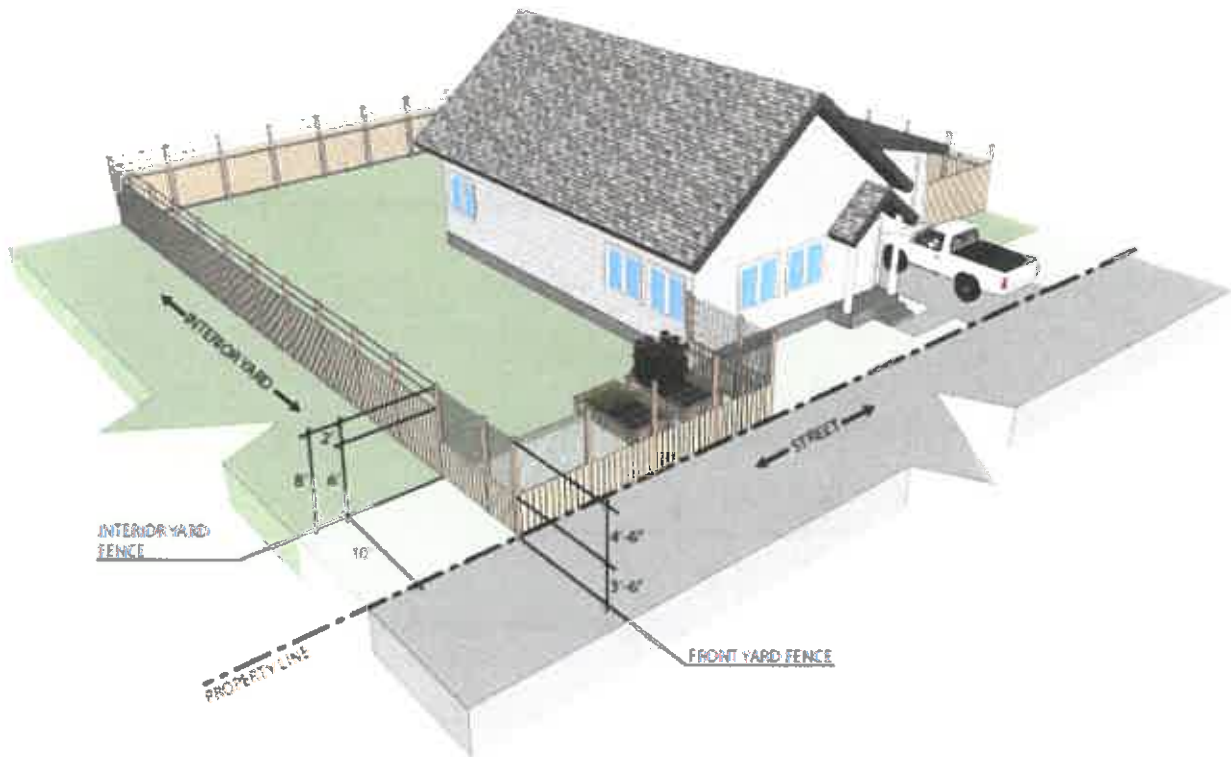
IV. PERMITTED FENCES.

Fences shall be permitted in required yards as follows:

- a) Fences. Shall be permitted in public facilities and all zoning districts.
 1. **Front yards**. Fences may be erected in front yards parallel to the building line to a height not exceeding three and one-half feet.
 2. **Side and rear yards**. Fences may be erected in side and rear yards as described herein and shall be at least one foot (1') from the property line, unless a certified survey (property line verification) is obtained or existing property pins have been located.
- b) Chain Link Fences. Shall be permitted in all zoning districts ~~only in rear and side yards~~. Said fences may be erected at a height not exceeding six feet above the natural grade, exceptions include Light & Heavy Industrial Zones.
- c) Privacy Fences. Shall be permitted in all zoning districts in rear and side yards. Fences shall not exceed six feet in height above the natural grade unless a building permit is obtained.
- d) Shrubbery or Hedges. Shall be permitted in public facilities and all zoning districts provided they do not encroach upon the abutting property. Responsible owner shall maintain shrubbery and grass on both sides of the vegetation.
- e) Barbed Wire or Stockade Fences. Shall be permitted in the light & heavy industrial zones only in rear and side yards. Said fences may be to a height not exceeding six feet unless a building permit is obtained.
- f) Deer Fencing
 1. Deer fencing may be stand alone or be attached to a permitted front, side or rear yard fence(s) provided the area is not in excess of the maximum allowable fence heights. Fences shall be designed and constructed to provide a clear view through the fence.
 - a. Within required front yards, at least eighty-five percent (85%) of the surface shall be unobstructed to both light and air when viewed perpendicular to the place of the fence.
 - b. Within required side and rear yards at least eighty percent (80%), of the surface shall be unobstructed to both light and air when viewed perpendicular to the place of the fence.



2. Deer fencing shall have a minimum height of six and a half feet (6 1/2) and shall not exceed eight feet (8) above grade.
3. Permitted deer fencing materials may include, woven wire fencing, field fence, "hog panels", wire strand of polypropylene mesh net that is open and visible through the material. Within front yards all mesh material shall have a minimum open diameter of one and a half (1 1/2) square inches.
4. Deer fencing shall be supported by structural supports, or tension wires, that run along the top of the fence to prevent sagging.
5. Chain link fences shall not be considered to be deer fences under this section even if they meet the criteria above.



g) General. Any and all fences shall comply with vision clearance distances as described
Fence Standards



herein. All fences must be constructed of wood, chain link, stone, rock, concrete block, masonry brick, brick, decorative wrought iron, or other material(s) which are similar in durability. Unacceptable fence materials include cast-off, secondhand, and other items not originally intended to be fencing, (examples include plywood less than 5/8 inch thick, low-grade plywood, particle board, paper, visqueen plastic, plastic tarp and similar materials, razor wire and other dangerous materials, sheet metal, roll metal, and corrugated metal.)

All applicants shall ensure that they have obtained the proper permission from any abutting utility or Franchisee. Fences may not cross any non-exclusive ingress/egress easements. The following utilities or Franchises may be contacted regarding easements:

- ▶ Electrical – Pacific Power Company &
- ▶ Natural Gas – Northwest Natural Gas
- ▶ Water, Sewer or Drainage – City of Brownsville
- ▶ Telephone - CenturyLink

No fence shall extend beyond the property line.

V. SIMILAR FENCES.

The City Administrator or designee may permit other fences which are similar in character, design and materials to one or more of the fences permitted by this chapter.

VI. CORNER OR THROUGH LOT.

Where any part of a fence either in a front, rear or side yard abuts a street or other public right-of-ways, fences shall provide adequate vision clearance which may require review from the City Engineer at the owner's expense. Vision clearance shall be determined by the City Administrator or designee using City Standards, State or Federal traffic guidelines.

VII. MAINTENANCE.

Such permitted fences shall be maintained in good condition and be structurally sound and shall not be verbally offensive to neighbors. Fences shall also not be overgrown with vines and weeds.

VIII. PERMIT.

Any fence which may be permitted shall require the issuance of a permit and approval by the City prior to its erection. Prior to the construction of any fence, an application to construct the fence must be obtained from the City of Brownsville, together with a plot plan showing the location and dimensions of the property to be fenced and the location of the proposed fence, as well as the permit fee as adopted by resolution of Council.

IX. INSPECTION.

It shall be the duty of each property owner to determine property lines and to ascertain that the fence thus constructed does not deviate from the plans as approved by the City. The City shall furnish such inspection as is deemed necessary to determine that said fence is constructed in accordance with plans submitted per the permit application. The issuance of any fence permit by the City shall not be construed as to mean the City has determined said fence is not encroaching upon another lot, nor shall it relieve the property owner of the duty imposed herein.



Fee: \$30.00

Accessory Structure Pre-Application Form

Pre-application Application

Date of Application: _____ Permit #: _____

Applicant Name : _____ Phone Number: _____

Mailing Address: _____

Legal Owner: _____ Phone Number: _____

Mailing Address: _____ Zone: _____

Township _____ Range _____ Section _____ Tax Lot No. _____

Site Address: _____ Proposed Construction: _____

Please attach a drawing on 8.5" x 11" or larger paper that includes distances from the new structure to existing buildings and to all property lines.

Distance of Structure from Property Lines: _____ North _____ South _____ East _____ West

NOTE: Information below may require review from the City Engineer. Additional fees for review will apply. See attached Brownsville Municipal Code Setback Chart for requirements for your zone.

▶ 100- year Floodplain YES NO ▶ Floodway YES NO

Onsite Inspection Required: Prior to construction, City Hall Staff must verify all setbacks. Please call to schedule.

Proposed grading and/or fill, if applicable. (All fill and backfill soil within six (6) feet of the building shall be compacted so as not to allow displacement).

Submitted: Yes No

Approved: Yes No

Proposed Drainage plans including destination for drainage from gutters and downspouts, and surface drainage destinations, if applicable.

Submitted: Yes No

Approved: Yes No

I hereby declare that the above and attached information are correct. I agree that in consideration of and upon issuance of a building permit, I will do or will allow to be done only such work as herewith applied for and such premises and its existing and proposed building and structures shall be used for such purposes as set forth above. I further declare that I have been duly authorized by the Owner to make the above application and agreements.

Applicant Signature: _____ Date: _____

Zoning Coordinator: _____ Date: _____



Fee: \$30.00

Permit No: _____

Residential Fence Permit Application

Fences over 6' will require a building permit

Date: _____

Applicant Name: _____ Phone Number: _____

Mailing Address: _____

Legal Owner: _____ Phone Number: _____

Mailing Address: _____

Township _____ Range _____ Section _____ Tax Lot No. _____

Site Address: _____ Zone: _____

*****Please attach a sketch including fence dimensions & distances from property lines.**

Fence Material

Fence Type

Wood Plastic/Vinyl Picket Lattice
Metal Chain-link Split Rail Split Rail

Other (Describe) _____ Other (Describe) _____

Fence Location & Height Front Yard* _____ Rear Yard _____ Side Yard _____

- *A fence located in the front yard may not exceed a height of 42" in height, with limited exceptions.
- In no instance shall a fence extend beyond the property line.
- Fences and hedges shall not conflict with requirements of a vision clearance area.
- On-site inspection required prior to construction. Please schedule with City Hall Staff.

Provide a site plan of your property: Indicate which direction is north. Show the location of the proposed fence, house, garage, neighbor's buildings, streets, alleys & sidewalks.

Construction of a fence must not obstruct any existing easements, including but not limited to drainage, utility, ingress and egress easements.

I hereby declare that the above and attached information are correct. I agree that in consideration of and upon issuance of a building permit, I will do or will allow to be done only such work as herewith applied for and such premises and its existing and proposed building and structures shall be used for such purposes as set forth above. I further declare that I have been duly authorized by the Owner to make the above application and agreements.

Applicant Signature: _____ **Date:** _____

Zoning Coordinator: _____ **Date:** _____



Construction Permit Pre-Application Form
LDR, MDR, HDR Zones

Fee: \$30.00

Date of Application: _____

Permit #: _____

Applicant Name : _____ Phone Number: _____

Mailing Address: _____

Legal Owner: _____ Phone Number: _____

Mailing Address: _____

Township _____ Range _____ Section _____ Tax Lot No. _____

Site Address: _____ Proposed Construction: _____

*****Please attach a sketch of your project. For new homes, attach lot and home layout drawings.**

Distance of Structure from Property Lines: _____ North _____ South _____ East _____ West

Onsite Inspection Required: Prior to construction, City Hall Staff must verify all setbacks. Please call to schedule.

Will you need?	<i>Yes</i>	<i>No</i>
Sanitary Sewer Tap	<input type="checkbox"/>	<input type="checkbox"/>
Water Tap/Meter	<input type="checkbox"/>	<input type="checkbox"/>
Sprinkler System	<input type="checkbox"/>	<input type="checkbox"/>

<u>Flood Elevation Certificate Required</u>		
<u>Please verify with City Hall</u>		
100- year Floodplain	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Floodway	YES <input type="checkbox"/>	NO <input type="checkbox"/>

NOTE: Information below may require review from the City Engineer; additional fees will apply.

Proposed grading and/or fill, if applicable. (All fill and backfill soil within six (6) feet of the building shall be compacted so as not to allow displacement).

Submitted: Yes No **Approved:** Yes No

Proposed Drainage plans including destination for drainage from gutters and downspouts, and surface drainage destinations.

Submitted: Yes No **Approved:** Yes No

I hereby declare that the above and attached information are correct. I agree that in consideration of and upon issuance of a building permit, I will do or will allow to be done only such work as herewith applied for and such premises and its existing and proposed building and structures shall be used for such purposes as set forth above. I further declare that I have been duly authorized by the Owner to make the above application and agreements.

Applicant Signature: _____

Date: _____

Zoning Coordinator: _____

Date: _____



15.80.045 Minimum Setback Chart

CITY OF BROWNSVILLE ZONING SETBACK CHART

Zone	Front Yard Minimum Setbacks	Corner Lot (Street Side) Minimum Setbacks	Interior Lot (Total of both side yards) Minimum Setbacks	Side Yard (Not on a Street) Minimum Setbacks	Rear Yard Minimum Setbacks	Garage/Carport Minimum Setback from the Street	Max. Bid. Height*	Max. Bid. Coverage/Impervious Surface
Primary Structures								
Low Density Residential	20'	20'	15'	5'	15'	20'	35'	30% / 40%
Medium Density Residential	15'	15'	15'	5'	15'	20'	35'	40% / 55%
High Density Residential	10'	10'	15'	5'	5'	20'	35'	50% / 80%
Old Town Commercial	Zero	Zero	Zero	Zero	Zero	Zero	n/a	n/a
Volume Commercial (M)	20'	20 ft.	15'	5'	10'	n/a	35'±Series	50% / 90%
Light Industrial (M)	20'	20'	15'	5'	10'		45'	0% / 80%
Heavy Industrial	20'	10'	15'	n/a	n/a	n/a	45'	0% / 85%
Special Development (MD)								
Public (MD)							35'	50% / 80%
Accessory Structures								
Low Density Residential				5'	5'		22'	
Medium Density Residential				5'	5'		18'	
High Density Residential				5'	5'		18'	
Public (MD)								
Volume Commercial (MD)							22'±Series	

I. Height of the Principal Building only.

II. Structures built along Highway 228 shall follow setback requirements as established by the Oregon Department of Transportation.

III. Yard requirements for the Public Zone may be determined on an individual basis, guided by the prevailing yard requirements in the immediate vicinity.

IV. An accessory structure or use shall comply with the setback requirements of the applicable zoning district, and shall not be closer to the street than the primary structure.

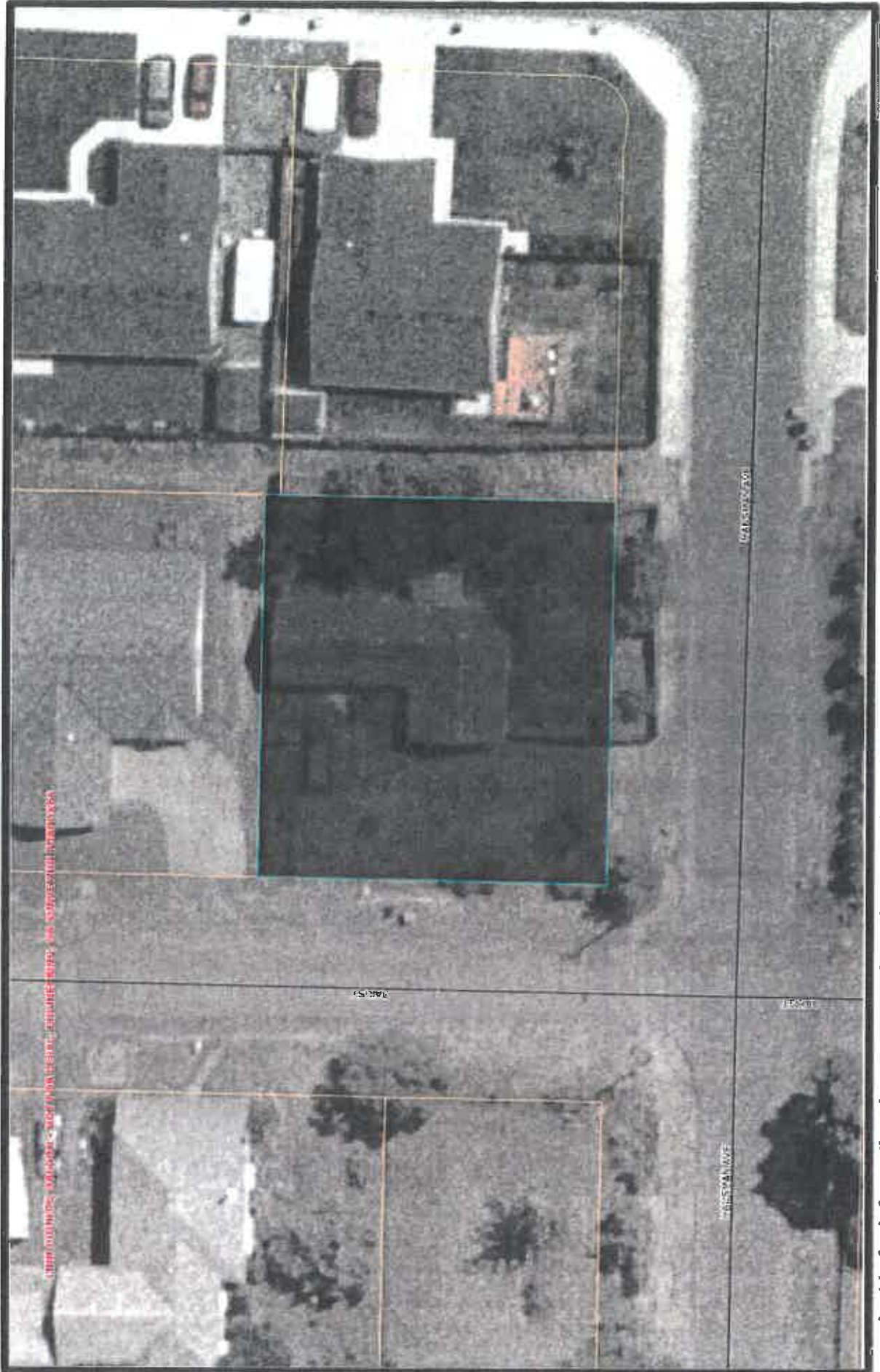
V. No accessory structure or use will be permitted on any lot without an established principle use.

VI. Setbacks in Special Development Zones shall go through Administrative Review for determination.

NOTE: For minimum setbacks in a Manufactured Home Park, please contact City Hall.



Map



This product is for informational purposes only and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



RESOLUTION 2015.01

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT Richard E. Triska and Jessica K. Meyer are hereby appointed to serve as Municipal Judges Pro Tempore of the Brownsville Municipal Court for a term ending on the last day of December 2015.

Introduced and adopted this 27th day of January 2015.

Don Ware, Mayor

S. Scott McDowell, City Administrator



RESOLUTION 2015.02

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

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

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

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

Introduction:

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

Goal/Purpose:

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

Objectives:

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



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

Responsibilities:

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

Employee Participation:

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

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

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

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

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

Closing Statement:

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

PASSED by the Council and Approved by the Mayor on this 27th day of January 2015.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



RESOLUTION 2015.04

**A RESOLUTION THANKING
ROBERT BOYANOVSKY
FOR HIS SERVICE TO THE
BROWNSVILLE CITY COUNCIL**

WHEREAS, the City of Brownsville depends on volunteers to provide many essential services for the community; and,

WHEREAS, the Brownsville City Council performs the most essential function and plays a vital role in the community by making major decisions, creating policy and continually working toward and for the best interests of the City; and,

WHEREAS, serving as a Councilor for the City of Brownsville is a challenging and important post; and,

WHEREAS, Mr. Boyanovsky has served the City of Brownsville since November 20th, 2008 as Park Board member and April 27th, 2010 as City Councilor; and,

WHEREAS, Mr. Boyanovsky has been dedicated to his office, represented the community with class & dignity and served the public with grace & humility giving of himself in many admirable ways;

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

Thank you for your diligent service, commitment
and contribution to our community!

PASSED by Council and approved by the Mayor on this 27th day of January 2015.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



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.

Draft Marijuana Land Use Ordinance



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 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 1000 feet of public or private elementary, secondary, or career school; or
 - b. Within 1000 feet of a public library; or
 - c. Within 1000 feet of a public park, playground, recreational facility, or athletic field; or
 - d. Within 1000 feet of another Marijuana Use; or
 - e. Within 100 feet of real property zoned LDR, MDR, HDR or OTC.
2. For purposes of this Chapter the following definitions apply:
 - a. “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.
 - b. “Elementary School” means a learning institution containing any combination of grades Kindergarten through 8 or age level equivalent.
 - c. “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.
 - d. “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.



- e. “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.
- f. “Within 1000 feet” means a straight line measurement in a radius extending for 1000 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.
- g. “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.

S. Scott McDowell

From: Randy Simpson [crf2ex@yahoo.com]
Sent: Thursday, December 18, 2014 12:25 AM
To: S. Scott McDowell
Subject: More dispensary thoughts

Hello again scott,

Gayle and I got a walk-thru tour of the Kirks Ferry Salon today for our first good look inside the building. It looks like we will have to do some modification work to the building to make it work as a medical marijuana dispensary.

The main problem is the big room will have to be split into two rooms so there can be a reception/waiting area and a separate "lockable secure" area where the meds are dispensed, as per OMMP dispensary rules. This requirement is most likely different than what will be needed for the upcoming recreational sales requirements.

We have visited many state-licensed dispensaries over the past few months, and have observed that there is not a lot of people going in and out of them. It's not a large volume type business. Medical mj cardholders have talked to their doctors about their mj use, and use it as medicine. We still feel that our old town location is the best for a medical dispensary, and it will not impact old town in any negative way. The look of our old town building will not change.

Please understand the only reason we're so seemingly "stubborn" about wanting to stay in the old town site is we know it is so perfect as a medical marijuana dispensary, logistics-wise, and would be an asset to our downtown.

From what we've seen in the news about Colorado and Washington's recreational sales dispensaries, it is different from Oregon's medical dispensaries. Recreational MJ dispensaries are much busier, and need more room and parking space than medical dispensaries, due to the much more volume of customers. The recreational mj users most likely will have a different mindset than the medical mj cardholders. For this reason, we support only allowing recreational sales outside of old town.

While talking this over and trying to look at "the big picture", we've realized our best overall plan would be to operate our medical marijuana dispensary in our existing bank building, and use the next year getting the Kirks Ferry location ready for a recreational marijuana sales store. I am assuming that the city can regulate zoning of medical dispensaries differently than recreational marijuana sales stores.

In closing, I feel that a medical marijuana dispensary and a recreational marijuana dispensary should be operated out of separate buildings, as the clientele and rules are different for each.

If you have any questions or concerns about any of this, please let us know. I know this is a busy time for you, and we're not trying to add too much to your job, but we also know this is an important time in determining our future.

Thanks for your time,
Randy and Gayle Simpson
Green Cross Dispensary

Sent from my iPad=

ALBANY Democrat-Herald

Home / News / Opinion / Editorial

Editorial: Brownsville inches toward a pot compromise

7 hours ago

(0) Comments

You could call it, maybe, "The Christmas Miracle in Brownsville."

Too strong? How about "Green Christmas in Brownsville?"

It might be premature to slap either of those headlines on recent events in Brownsville, but there's no doubt that recent events have given hope to those of us who were wishing that cooler heads would prevail in a long-simmering battle over medical marijuana dispensaries.

You'll recall that Brownsville's City Council has been locked in a battle with Randy and Gayle Simpson, who seek to open a medical marijuana dispensary in the town. The City Council has taken advantage of a state law allowing cities and counties to impose a one-year moratorium on the dispensaries. The moratorium expires at the end of April. The city also has a business registration process that requires all businesses to comply with federal as well as state and local laws; marijuana still is illegal under federal law. (One would hope that the federal government keeps its hands off states that are experimenting with medical and recreational marijuana, but that's another editorial.)

City officials and the Simpsons have engaged in a bout of what could be called marijuana brinksmanship: The Simpsons held a pair of so-called "resource events" at their downtown building, giving information and free pot to cardholders in the state's medical marijuana program. They said they were within their rights as cardholders to share medical pot with other cardholders.

Brownsville responded to this provocation – and that seems a fair term – by adding a general penalty section to the city's municipal code calling for fines of up to \$500 or jail time up to 30 days for each offense. The penalty applies to any city ordinance that doesn't already carry a specific penalty.

And there matters stood, with both parties inching toward a legal morass that would have served no one's interest, until word broke this week that Brownsville is exploring the idea of allowing marijuana-related facilities in industrial or volume commercial zones. In turn, the Simpsons suggested they might be willing to relocate their dispensary to a building inside the city's volume commercial zone.

This is a welcome development, of course, but it is stretching matters a bit to term it a "miracle." Oregon voters last month passed Measure 91, which legalized recreational use of marijuana, and so Brownsville officials are trying to prepare for the event that the Legislature comes up with rules that pre-empt the city's bans. It's a wise precaution, and one that paves the way for a compromise over an issue that already has generated too much brinksmanship.

Of course, this all presumes that the Legislature is able to come up with reasonably coherent rules for the implementation of Measure 91. The process the Legislature went through to regulate medical marijuana dispensaries does not exactly fill one with confidence, but perhaps we do learn from our mistakes. (mm)

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Tags Editorial, Brownsville, Marijuana, Medical Marijuana, Legalization, Brownsville City Council, Gayle Simpson, Randy Simpson, Measure 91, Oregon Legislature, 2015 Oregon Legislature

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S. Scott McDowell

From: S. Scott McDowell [admin@ci.brownsville.or.us]
Sent: Thursday, January 22, 2015 12:02 PM
To: Mark Running (markerunning@yahoo.com); Mark Stevens (cowpie1@centurytel.net); Mike Neddeau ; Mike Nida (mn949@centurytel.net); Mike Nehls (mike@nativegroundsnursery.com); Monte Lewis (mlewis@lewissseed.com); Ralph Morrow (ralphmorrow09@yahoo.com); Joel Pynch (oregonshepherd@att.net); Nan Van Sandt (moonandstarsfarm@centurytel.net); Neal & Sue Karo (snkaro@gmail.com); Nell Hanft (anateeker@yahoo.com); Norman Simms; Norms Electric (normselectric@centurytel.net); Larry & Holly Northern (northernjr.larry@yahoo.com); Roger Nyquist (rnyquist@co.linn.or.us); Tim Otis (tim.otis@cascade-earth.com); Wendy Parker (parker@dswwebnet.com); patmac@centurytel.net; Patty Linn (pattysulinn@centurytel.net); Paul Baxter (pbaxter@uoregon.edu); Paul Rowton (paul.rowton@centrallinn.k12.or.us); Marilyn Peterson (mzpeterson@centurytel.net); Dace Phearson (phearson@carsonoil.com); Tara Putney (calapooia@peak.org); Reed Anderson (andersonranches@hotmail.com); Rob Reygers (rob@a1commercialconstruction.com); Rhoda Fleischman (flashpointartworks@gmail.com); Roger Russell (roger@heritagenw.com); Ronda Fischer (cityrecorder@cityofhalsey.com); Rosemary (fbc000@centurytel.net); Sam Whipple (whipplessam@hotmail.com); Sandra Weingarten (swfawnridgeor@yahoo.com); Sandy Sayer (jsayer@proaxis.com); Sarah Glenn; Scott Schilling (scott@gemini-corp.net); Chris Seale (lighthouse751@yahoo.com); Shannon Cason; Skip Smith (halseyfire@rtinet.com); Fred & Edi Smith (frededi@earthlink.net); Anne Stein (scottanne@proaxis.com); Stephen Brenner (sbrenner@archetype.org); Kneil Stucky (kncstucky@centurytel.net); Sue Middlestadt (sue97070@gmail.com); susan.beaudin@centrallinn.k12.or.us; Susan and Mark Schwendiman; George Sutton (gsutton@le.linn.or.us); Telly Wirth (tawfarms@peak.org); Jennifer Ashcraft (ashcraft9@gmail.com); David and Trish Thompson (patriciakay@peak.org); Tim Smith (timdsmith69@gmail.com); Heather Timmon (greenleaf1@centurytel.net); Todd Karo (tkaro@centurytel.net); Toni Reynolds; Vance Parrish (thetimes089@centurytel.net); Aimee Addison (aimee@wearmejewels.com); Cyndi Anderson (cynthia97327@centurytel.net); Andrew Wenger (aswenger@gmail.com); Arlen Krabill (kingdombuilderz-ask@juno.com); Bud Baumgartner (budbaumgartner@centurytel.net); Betsy Ramshur; Bill Sattler (bobaloo@newsguy.com); Blake & Erika (harr1sfamily@yahoo.com); Bob Anderson (robert140@centurytel.net); Brian Gardner (brian.gardner@centrallinn.k12.or.us); Marguerite Burleigh (marguerite.burleigh@centrallinn.k12.or.us); Carl Widell (cwcaledonia1@gmail.com); Catholic Church (snkaro@yahoo.com); Carolyn Pearce (carolynpearce@centurytel.net); Lynda Chambers (lynda_chambers@hotmail.com); Charley Wolff (lcfarms@alryca.net); Cheryl Haworth (cherylhaworth@centurytel.net); Jeff Cone (jcone@le.linn.or.us); Corey Putney (cputney@linnsheff.org); Daryl Rainbolt (rainbolt@centurytel.net); Merlin Evans (grammaevansof14@yahoo.com); Sara and Rod Fielder (sara@Limo.Net); Ginn, Rob

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Cc:

Subject: Brownsville - Umpqua Bank Call to Action

Attachments: 2015 Umpqua Bank Contact Information.pdf; 2015 Umpqua Deposit Worksheet.pdf

Good Morning Everyone,

UMPQUA BANK UPDATE

CALL TO ACTION

Umpqua is hoping to get about \$20,000,000 in holdings before they commit to opening a store here in Brownsville. So, far they have \$3,000,000. Umpqua's Staff is trying to get an idea of the investment so the Umpqua Board will make the decision to come to town.

We have heard a lot of people say that when they come to town, they will switch over. NOW, is the time to give them an idea of your individual holdings. To that end, I have attached a contact list and information worksheet as provided by Umpqua officials. We are encouraging everyone to contact one of the individuals on the contact list and share with them your willingness to be a part of Umpqua, if they should open a store here. Every little bit helps!

You can simply call them or e-mail them if that is convenient. Marie Fidler's e-mail address is mariefidler@umpquabank.com. Umpqua Staff is keeping all information confidential and making a tally of the results. They are willing to give two more weeks or until the first week of February to see if Brownsville is a viable location.

Please spread the word. If you know of others who may be interested, please feel free to forward them this e-mail. We will only get this accomplished if we all work together! Thanks!



S. Scott McDowell
255 N. Main Street
P.O. Box 188
Brownsville, OR 97327
541.466.5880
Fax 541.466.5118

VIGILANT

● counsel for employers

We're in this together.

Readings were taken with a 3M SD-200 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: 13:35

Temp: 51.8

Dew Pt: 48.2

Humidity: 88%

Wind direction: NE

Wind Speed: 5.8 MPH

Location:	Time	Sound Level
Pioneer Park Diamond 200 Park Ave	13:56	44.7
Christian Church 117 Main Street	14:02	45.2
1119 Kirk Ave (Home close by was using a chop saw)	13:50	45.5
Near 510 Hausman	13:40	UR 43.0
Remington Park Across 801 Northpoint Loop	13:30	UR 43.0
Washburn St. and Worley Ave	14:00	UR 43.00

*** UR – Under Range**

3M Oconomowoc
Personal Safety Division

3M Detection Solutions
1060 Corporate Center Drive
Oconomowoc, WI 53066-4828
www.3M.com/detection
262 567 9157 800 245 0779
262 567 4047 Fax



Certificate of Calibration

Certificate Number: 1406121020SD20014344

Model: SD-200 Class 2 Integrating SLM

Date Issued: 12-Jun-2014

S/N: SD20014344

On this day of manufacture and calibration 3M certifies that the above listed product meets or exceeds the performance requirements of the following acoustic standard(s)

ANSI S1.4 1983 (R 2006) - Type 2 / Specification for Sound Level Meters

ANSI S1.43 1997 (R 2007) - Type 2 / Integrating - Averaging Sound Level Meter

IEC 61672-1 (2002) - Class 2/Electro Acoustics - SLMs - Pt1: Specifications

Test Conditions: Temp: 18-25°C Humidity: 20-80% R.H. Barometer: 950-1050 mBar

Test Procedure: S053-771

Reference Standard(s):

Device	Ref Standard Cal Due	Uncertainty - Estimated at 95% Confidence Level (k=2)
B&K Ensemble	1/23/2015	+/- 2.2% Acoustic (0.19dB)

Calibrated By:

Daun Zimdars - Assembler

In order to maintain best instrument performance over time, we recommend the instrument be recalibrated annually.
Any number of factors may cause the calibration to drift before the recommended interval has expired.
See user manual for more information.

All test equipment used in the test and calibration of this instrument is traceable to NIST, and applies only to the unit identified above.
This report must not be reproduced except in its entirety without the written approval of 3M.

December 18, 2014

City Administrator
City of Brownsville
P.O. Box 188
Brownsville, OR 97327

Received
City of Brownsville
DEC 22 2014
Clerk _____

Dear City Administrator,

As a citizen of Brownsville, I would like to make a comment about the noise pollution that must be assaulting everybody these past few weeks due to McFarland Cascade on the highway. What was once a quiet, peaceful town where it was a pleasure to take an afternoon walk or spend some time in one's yard or on one's porch has made it so that one can no longer enjoy being out of doors. In fact, the noise is so bad that it penetrates the walls of one's house.

There should be a limit as to how much noise pollution is allowed. Property values are assuredly going downward as nobody would want to move into a town where they must put up with such noise. People move to an area such as Brownsville to listen to nature and enjoy the peace and quiet of the valley, the woods, and the country. It is an outrage that such noise is being allowed to ruin the daily life quality of its citizens. It will be difficult to attract any businesses to a town that is being destroyed by noise levels that are unacceptable to the average person.

Something must be done so that Brownsville once again may enjoy the tranquility of the town that we all enjoy.

Certainly it must fall under the following:

Title 8
Health and Safety

B. In addition to the nuisances specifically enumerated within this chapter, every other thing, substance or act which is determined by the Council to be injurious or detrimental to the public health, safety or welfare of the City is declared a nuisance and may be abated as provided in this chapter. [Ord. 588 § 45, 1989; Compilation § 4-5.45.]

It is common knowledge that there are health effects. Noise health effects are the health consequences of elevated sound levels. Elevated workplace or other noise can cause hearing impairment, hypertension, ischemic heart disease, annoyance, and sleep disturbance. Changes in the immune system and birth defects have been attributed to noise exposure.

Beyond these effects, elevated noise levels can create stress, increase workplace accident rates, and stimulate aggression and other anti-social behaviors. The most

significant causes are vehicle and aircraft noise, prolonged exposure to loud music, and **industrial noise**.

Environmental noise regulations usually specify a maximum outdoor noise level of 60 to 65 dB(A), while occupational safety organizations recommend that the maximum exposure to noise is 40 hours per week at 85 to 90 dB(A). For every additional 3 dB(A), the maximum exposure time is reduced by a factor 2, e.g. 20 hours per week at 88 dB(A). Sometimes, a factor of two per additional 5 dB(A) is used, however, these occupational regulations are acknowledged by the health literature as inadequate to protect against hearing loss and other health effects. In recent years, Buy Quiet programs and initiatives have arisen in an effort to combat occupational noise exposures. These programs promote the purchase of quieter tools and equipment and encourage manufacturers to design quieter equipment.

Disturbed Resident of Brownsville



Emergency Preparedness Committee Minutes



December 29th, 2014

An EPC discussion was led by City Administrator S. Scott McDowell on this day at City Hall, Brownsville, Oregon at 7:00 p.m.

Present: Bill Mazurek, Brandi Aston, Marilee Frazier, Lynda Chambers, Kneil Stucky, Administrative Assistant Tammi Morrow and S. Scott McDowell.

Mr. McDowell called meeting to order at 7:00 p.m. McDowell asked those present to introduce themselves. Bill Mazurek comes from a military background and feels it is very important to train people to be ready for action in the event of an emergency. Brandi Aston has been working in the field of Risk Management for nearly ten years and has worked on emergency plans with both the University of Oregon and Oregon State University. She has also worked with an area hospital. Ms. Aston's two points were making sure people are generally ready for an emergency event and to train those who will be helping manage the emergency. Councilor Lynda Chambers is a CERT member and has been working on this through all four iterations of this effort for the City. Marilee Frazier is also a CERT member and has been involved with the local Senior Center for awhile. Mrs. Frazier continues to take information and her demonstration materials to various events throughout the year to create awareness of "homemade" preparedness efforts. Kneil Stucky is also CERT trained and a member of several civic organizations including the Senior Center and the American Legion. Mr. Stucky also helps extensively with Neighborhood Watch just outside the City limits. Administrative Assistant Tammi Morrow views this area from a staff perspective working with the Halsey-Shedd Fire District for over twenty years.

McDowell gave a brief historical overview about the City's attempts to start an effort in the past. The City has tried several times to start an effort only for it to be thwarted by overzealous members. Last year, Council reworked the ordinance to make the Committee one that is appointed by the City Administrator in hopes that a meaningful, sustained effort could be established. McDowell said that in order for that to work, the group must have a laser sharp focus on the mission and goals of the effort. McDowell passed out the ordinance from the Brownsville Municipal Code that defines the role of the Committee. *(Attached for to these summary minutes convenience.)*

McDowell shared his vision which was to have this group act as a strategic committee that directs efforts involving emergency preparedness. McDowell indicated that he would eventually love to see the greater Central Linn community involved with this effort. For this effort to be sustained over time and with the right amount of efficiency, the Central Linn School District, Brownsville Rural Fire District and Halsey-Shedd Fire District all will need to be involved with the cities of Brownsville and Halsey. McDowell said this would take at least three years to get everyone on-board with this

concept, if it is a valid proposal and the right people are involved. The Committee should have a broad overview approach and not get "lost in the weeds" because there are a lot of details that can bog down efforts toward this end. The group then brainstormed ideas about the kinds of things that would be beneficial for Brownsville to have. The initial list of ideas is attached for review.

OUTCOMES

Members were asked to review the list of ideas for a meeting to be held in the next couple of weeks to get a firm grip on a strategy effort. McDowell indicated that we would Doodle, an online scheduling service, for the next meeting time. McDowell indicated that he would like to have the meeting about 4:00 p.m. and every attempt would be made to honor a one hour time window.

There being no further business to discuss the meeting adjourned at 8:00 p.m.

S. Scott McDowell
Administrator



Chapter 2.15 Emergency Preparedness Committee

Sections:

[2.15.010](#) Establishment of the Emergency Preparedness Committee.

[2.15.020](#) Purpose.

[2.15.030](#) Terms of committee – Vacancies.

[2.15.040](#) Removal from committee.

[2.15.050](#) Quorum – Meetings.

[2.15.060](#) Officers.

[2.15.070](#) Records.

[2.15.080](#) Powers and duties.

[2.15.090](#) Responsibilities.

Prior legislation: Ord. 683.

2.15.010 Establishment of the Emergency Preparedness Committee.

The Council of the City of Brownsville hereby establishes the Emergency Preparedness Committee (hereafter, the “EPC”). The EPC shall consist of seven members to be appointed by the City Administrator. Members shall be selected from the City and can be residents of the Brownsville Rural Fire District. At least one member of the EPC shall also be a member of the Brownsville Rural Fire Department. EPC members shall receive no compensation. [Ord. 738, 2013; Ord. 730, 2010.]

2.15.020 Purpose.

The purpose of the EPC is to build relationships and heighten emergency awareness efforts to make the Brownsville area disaster ready:

- A. By creating a local plan for domestic and disaster preparedness, emergency response, disaster recovery and hazard mitigation in coordination with the Linn County Emergency Management Plan, the State and in accordance with the National Incident Management System (NIMS).
- B. By informing and encouraging citizens to participate in individual and family emergency preparedness measures.
- C. By working with public and private groups and organizations to mitigate hazards and to promote and foster community cooperation and awareness. [Ord. 738, 2013; Ord. 730, 2010.]

2.15.030 Terms of committee – Vacancies.

EPC members shall serve a two-year term. The City Administrator shall fill any vacancies. Re-appointment is allowed. [Ord. 738, 2013; Ord. 730, 2010.]

2.15.040 Removal from committee.

Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by Council, after hearing, for misconduct or nonperformance of duty. A member who is absent for three consecutive, regularly scheduled meetings without permission from the Administrator shall be in nonperformance of duty and the Council shall declare the position vacant unless finding otherwise following the hearing. [Ord. 738, 2013; Ord. 730, 2010.]



2.15.050 Quorum – Meetings.

A simple majority shall constitute a quorum. The members may make and alter rules, regulations and policy for its governance and procedures consistent with the laws of this State, Federal and local ordinances. It shall meet at least once every three months, or quarterly, and at such times and places as may be fixed by the EPC. Special meetings may be called at any time by the Administrator or by a simple majority of members by serving a written notice upon each member by the City Recorder and posted at City Hall at least 24 hours before the time of the proposed meeting. [Ord. 738, 2013; Ord. 730, 2010.]

2.15.060 Officers.

At the first meeting of each calendar year, the EPC shall elect a Chair and Vice Chair that shall hold office during the course of the year. [Ord. 730, 2010.]

2.15.070 Records.

The EPC shall elect a Secretary, who need not be a member. The Secretary shall keep official minutes of all EPC proceedings. [Ord. 738, 2013; Ord. 730, 2010.]

2.15.080 Powers and duties.

The EPC shall have all the powers and duties which are now or which are hereafter granted to it by ordinances of this City, the Brownsville City Charter or by the general laws of the State of Oregon and the United States of America. [Ord. 730, 2010.]

2.15.090 Responsibilities.

The responsibilities of the EPC are to assist the Administrator in advising Council, Brownsville Rural Fire District Board and to work with staff as follows:

- A. Developing and maintaining an Emergency Preparedness Plan;
- B. Defining goals;
- C. Implementation of priorities and strategies for accomplishing Emergency Preparedness and Planning goals;
- D. Determining logistics and developing working relationships with partners and stakeholders;
- E. Creation of public documents, both electronic and printed formats, designed to inform and encourage the general public;
- F. Recommendations on proposed emergency preparedness needs for operating and capital budgets. [Ord. 738, 2013; Ord. 730, 2010.]



December 29th, 2014

Thoughts & Ideas

- A. Events Calendar & Outreach
- B. Community Members
- C. NIMS Inventory
- D. Fire Department & School District Involvement
- E. Website Development & Static Publications
- F. Reverse 911 (*Customizable*)
- G. Medical Needs
- H. Phone Tree
- I. Civic Engagement & Organizations
- J. Neighborhood Watch Concept
- K. Joe Ervin – Angle on what kinds of medical supplies are needed...
- L. What are Brownsville's community risks?
- M. Availability of People
- N. Funding & Grants

January 5, 2015

To the members of the Brownsville Park Board:

My name is Elizabeth Ramshur but I go by Betsy, I have lived in the area for close to 44 years.

I recall going to kindergarten at the Rec Center and playing in the park close by with all my friends and those wonderful memories are why I would like to become more involved in the Brownsville Park Board. I want those memories for my own kids growing up.

I have the last several years attended the Pioneer Picnic Association meetings and recently agreed to become a voting member. The memories of parades and other activities down in the park is another reason I have gotten involved with our towns picnic. I have coordinated the Rec Centers major fund raiser for the last 6 years by volunteering my time to run the kitchen at Pioneer Picnic.

Thank you for your time.

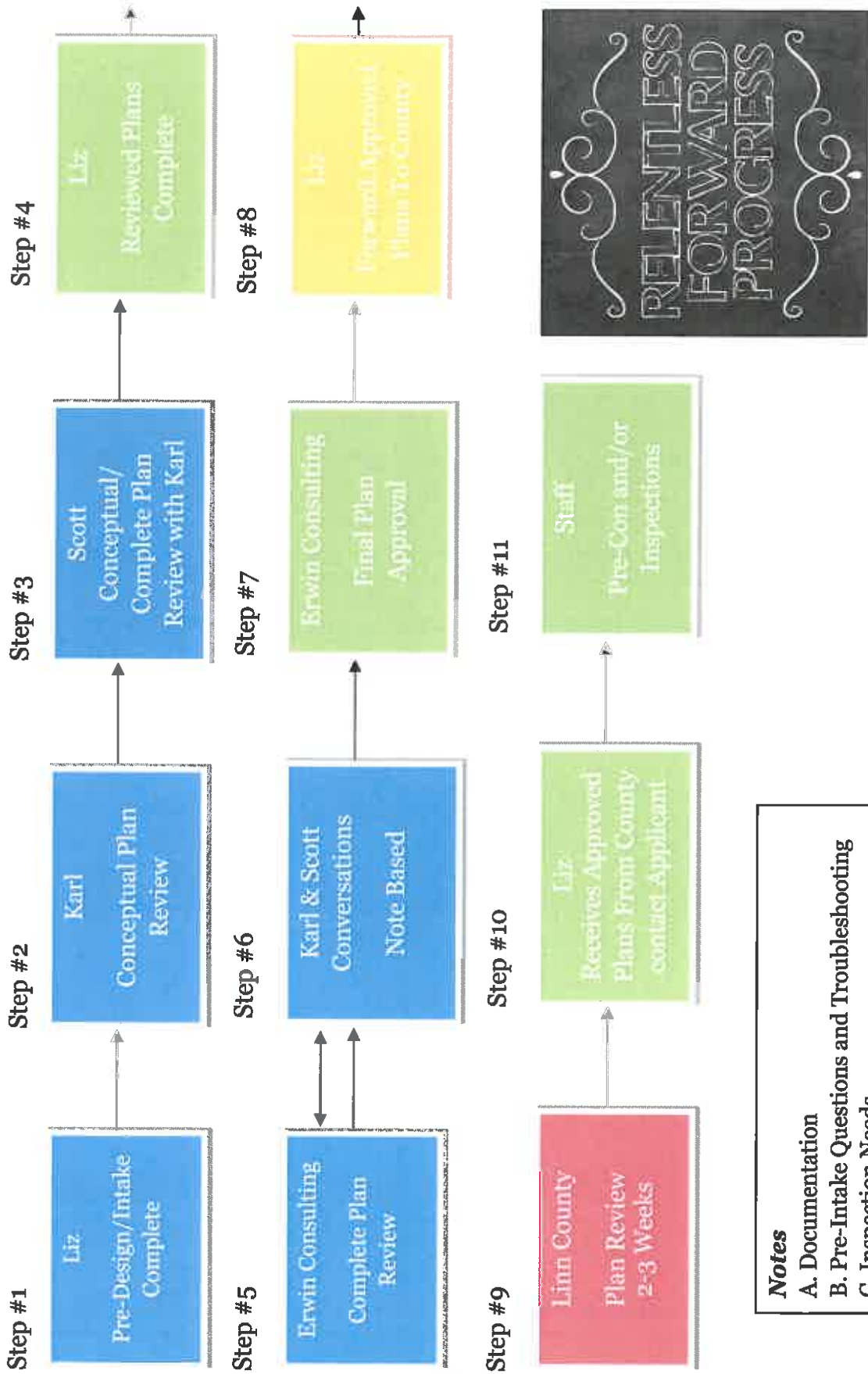
Sincerely,

Betsy Ramshur
26966 Gap Road
Brownsville, Oregon 97327

Phone 541-466-3085



Development Plan Review Process



Notes
 A. Documentation
 B. Pre-Intake Questions and Troubleshooting
 C. Inspection Needs
 D. Elizabeth is the point person.



Rick Dominguez and Charlotte Bates found Brownsville Ordinance 384, a copy is enclosed for your review. Brownsville City Council repealed that Ordinance by passing Ordinance 462 on February 6th, 1978.



"All his life he tried to be a good person. Many times, however, he failed. For after all, he was only human. He wasn't a dog."

- Charles M. Schulz

What does the current Brownsville Municipal Code say?

PARKS

8.20.040 Pets.

The following regulations regarding pets shall apply to all public park areas:

A. Any dog brought into a park shall either be on a leash not more than eight feet in length, be under voice control of the owner or confined in a vehicle, and must be kept under control at all times from the day after Labor Day through the day before Memorial Day.

B. Dogs may be off leash and under voice control from Memorial Day through Labor Day in designated areas only. Dogs off leash in any other area of the park are subject to removal from the park.

C. Dog owners are responsible for the removal of any solid waste deposited by the owner's dog.

D. A dog's owner is responsible for the dog's behavior at all times while the dog is in the park.



The Linn County Sheriff's Office has indicated that voice command is a legal means of controlling dogs. To be clear, in the absence of an actual adopted law, voice command is a legal means.

Portland Law

Obeying Leash & Scoop Laws

Leashed dogs are welcome visitors in most Portland parks. Dog owners help keep parks fun and healthy for all visitors by obeying leash and scoop laws, following off-leash area rules of use, and complying with all Multnomah County Laws and Park Rules.

By law, dogs **must always be on leash** when not in a designated off-leash area. No dogs, on or off-leash, are allowed at Tanner Springs Park, Whitaker Ponds Nature Park, Foster Floodplain Natural Area, or the amphitheater at Mt Tabor Park.



You must carry a leash for each dog in your care, and keep pets leashed on the way to and from off-leash areas. At unfenced off-leash areas, boundary maps are posted. Familiarize yourself with the boundaries, and play with pets within the designated area only.

Law also requires that pet **waste must be picked up and disposed of** in a trash can. Being in an off-leash area does not exempt owners or handlers from obeying scoop laws. Scoop bags are not supplied, so bring bags with you.

Violation of leash or scoop laws will result in a fine of up to \$150.

Multnomah County

Dogs must be properly licensed and vaccinated. Dogs must be leashed at all times while on public property and in parks (except in designated off-leash areas), and owners must remove their dog's waste. These laws exist for the health and safety of dogs and people.

13.305 Duties Of Owners.

(A) For the purposes of this section, unless otherwise limited, the owner is ultimately responsible for the behavior of the animal regardless of whether the owner or another member of the owner's household or a household visitor permitted the animal to engage in the behavior that is the subject of the violation.

(B) It is unlawful for any person to commit any of the following: (1) Permit an animal to be an animal at large*;....

*ANIMAL AT LARGE. Any animal, excluding domestic cats, that is not physically restrained on owner's or keeper's premises including motorized vehicles in a manner that physically prevents the animal from leaving the premises or reaching any public areas; or, is not physically restrained when on public property, or any public area, by a leash, tether or other physical control device not to exceed eight feet in length and under the physical control of a capable person.

13.303 Animal Wastes; Duty To Remove. Any person in physical possession or control of any animal off the premises of the animal's owner or keeper shall immediately remove excrement or other solid waste deposited by the animal in any public area.

City of Albany

Dogs

- Dogs must be kept on leash when they are not otherwise contained by fencing or a kennel. Dog owners must clean up after their pets.
- Dogs that bark cumulatively for more than 10 minutes during any one-hour period when such barking is audible off the premises of the dog's owner or keeper is considered a public nuisance. **To report a barking dog nuisance, contact APD at 541-917-7680.**



Sweet Home

12.12.120 DOMESTIC ANIMALS.

No person in a park shall have been responsible for the entry of a dog or other domestic animal into a park which is not in some manner physically restrained. All dogs shall be restrained at all times on adequate leashes not greater than eight feet in length.

Linn County

560.410 Dog as a public nuisance

(A) A dog is a public nuisance, and not a dangerous public nuisance, if the dog:

- (1) Chases vehicles;
- (2) Damages or destroys property of persons other than the owner of the dog;
- (3) Scatters garbage of persons other than the owner of the dog;
- (4) Trespasses on private property of persons other than the owner of the dog;
- (5) Disturbs any person by frequent or prolonged noises;
- (6) Is running at large; or
- (7) chases, but does not bite, injure, wound, or kill, a pet or a domestic animal.

(B) The owner or keeper of a dog shall not allow the dog to be a public nuisance as described in subsection (A) of this section.

(C) Any person who has cause to believe a dog is being maintained as a public nuisance as described in subsection (A) of this section may complain, either orally or in writing, to the Director. The complaint shall be considered sufficient cause for the Director to investigate the matter and to determine if:

- (1) the owner or keeper of the dog is in violation of subsection (B) of this section; and
- (2) the dog is a dangerous dog or potentially dangerous dog and to take action authorized in this Chapter to protect the public if the dog is determined to be a dangerous dog or potentially dangerous dog.

General Dog Law Article

Source: http://doglaw.hugpug.com/doglaw_010.html

Leash Laws

Whatever may be said about the affection which mankind has for a faithful companion, modern city conditions no longer permit dogs to run at large.

- CALIFORNIA COURT OF APPEAL

Long gone from most of America are the days when you could answer a longing whine from your dog by opening the back door and letting it roam the neighborhood at will. Besides the fact that many people live in apartment buildings where back doors open onto upper-story balconies, roaming dogs are considered outlaws almost everywhere, either by state law or by city or county ordinance.

"Leash laws" generally require dogs to be on a leash and under control whenever they're off their owners' property, unless a specific area is designated for unleashed dogs. Some laws apply only at night (when dogs may form packs and do the most damage to livestock) or



allow an owner to have a dog unleashed if it is under "reasonable control."⁸ Even dog owners who let their dogs off a leash only because they're confident they have complete control over them are probably in violation of a leash law.

The intensity of enforcement, however, varies from city to city and neighborhood to neighborhood. In many places, an owner is unlikely to be cited if the dog really is under voice control and not bothering anyone, even if in technical violation of a leash law. But in some cities, police enforce leash laws strictly, especially if they have received complaints about unleashed dogs in a certain area. Ask about the custom in your neighborhood. A police department may have adopted an informal policy of not issuing citations in the early morning if a dog is under control, but strictly enforcing the leash law in a crowded park where a surfeit of dogs have made it unpleasant or unusable for others.

Walking a Dog Off-Leash

Dog parks Across the country, dog owners' groups, frustrated by strict leash laws, are championing city parks with areas set aside just for dogs. People can turn their pets loose and then, like parents at the edge of a playground, watch, scold, and applaud the results. The idea seems to have originated in Berkeley, California, where a fenced half-acre of Ohlone Park was set aside for dogs in 1979. The Ohlone Park Dog Owners Association, now a nonprofit corporation, still oversees the park. Like other such groups, it encourages owners to clean up after their dogs and provides plastic bags near trash cans.

LAW AND ORDER IN SUBURBAN LOS ANGELES

Here's a legal interpretation problem for you: If the law requires a dog to be on a leash, does the owner have to be holding on to the other end?

Jean Bessette of Van Nuys, California, was ticketed for walking his Labrador retriever, Rex, without a leash. Bessette protested that the dog was on a leash. The problem was that Bessette wasn't holding the other end of the leash - Rex was, in his mouth.

Bessette and Rex went to court, where Rex balanced dog biscuits on his nose to show how well trained he was. The pair got off with a warning.

Dogs Running at Large

A dog running loose can be picked up and taken to the animal shelter by municipal or county animal control officers. The owner will be fined and charged for the cost of impounding the dog. (See "Impounding and Destroying Dogs," below.) If the dog is unlicensed, there will be another fine as well.

There are other risks to allowing a dog to run at large. Of course, there's the obvious danger that the dog will be hit by a car. Owners are also letting themselves in for financial liability if



the dog causes trouble - bites someone or makes a bicyclist fall, for example. To take an extreme example,

in 1983, two men were severely injured when the driver of a truck in which they were riding swerved to avoid hitting a dog that had run into the road. They sued the dog's owner, and a judge awarded them \$2.6 million.⁹ (Liability is discussed in detail in Dog Bites.)

Dogs who damage property or injure livestock while running at large may be subject to other laws - including the "shoot first, ask questions later" rule that prevails in most rural areas, allowing a farmer to kill any dog that's threatening livestock. And if a dog threatens or injures a person, it may be classified as a "vicious dog" and made subject to strict regulations (See Dangerous Dogs).

THOUGHTS

Ask for the opinion and perspective of the Linn County Sheriff's Office. Even enforcement will be a key element for this kind of law.

General Leash Law Options include:

1. Require all dogs, pets to be leashed when on public property including but not limited to City parks and all public right-of-ways. The City could have off-leash times like currently exists in Pioneer Park.
2. Add a general leash law that would include a leash or tether law for all dogs, unless the dog was kenneled, fenced or contained in a manner that would prevent interaction with other animals or humans.
3. Leave the current laws in place and make no changes.
 - ▶ The first question is to what level does the City want to contain dogs. Currently, dogs are not allowed to run at large because the City falls under the County Code.
 - ▶ The second question is to what degree should the City require dogs to be controlled.
 - ▶ The third question is what kinds of implementation efforts are going to be executed.
 - ▶ The fourth questions is what are the types of penalties for violation.



Clearly there are a whole host of other things to think about but these are a few to get a discussion going.

ORDINANCE NO. 384

AN ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE IN THE CITY OF BROWNSVILLE; PROVIDING THE PENALTY FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES THAT CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

THE CITY OF BROWNSVILLE DOES ORDAIN AS FOLLOWS:

Section 1: DEFINITIONS.

A. Positive Control - a rope, chain, cord, or line attached to the dog and held in the hand of the owner or custodian.

B. At large - Anywhere within the limits of the City of Brownsville other than on the property of the owner or custodian of the dog.

C. Agents - Any State, county, or city official on duty within the limits of the City of Brownsville.

D. Dog Pound - the pound of the City of Brownsville or Linn County, Oregon.

Section 2: No dog or dogs shall be permitted to run or be at large unless under the positive care or control of the owner or custodian of said dog or dogs.

Section 3: The Police Department or their agents are authorized to impound any dog found at large and shall notify the owner of said dog. In the event the owner does not, within 24 hours, reduce to his possession said dog, the dog shall be transferred to the county dog pound. No dog seized under this section shall be released to its owner until such time as its owner complies with the laws of the State of Oregon regarding dog licensing.

Section 4: A person who violates this ordinance may be punished by a fine of not more than \$50.00 or confinement in the city jail for a period of not more than 10 days, or both.

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: It is hereby declared necessary for the immediate protection of the public peace, health, and safety of the people of the City of Brownsville, Oregon, that this ordinance be and become effective immediately upon its passage, therefore said ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor of the City of Brownsville.

Passed by the Council May 13, 1963.

Approved by the Mayor May 13, 1963.

ATTEST:

/s/ Ben Fisher
Recorder

/s/ Charles R. Fullager
Mayor

*Repealed by Ordinance 451
462, 02.06.1978 by City
Council.*

BROWNSVILLE CITY COUNCIL

REGULAR SESSION

FEBRUARY 6, 1978

Meeting called to order at 7:35 by Mayor Sheffer

Roll Call: Ralph Sheffer, Tony Gorsline, Dwaine Reid, Bruce Landon
Joe Clark, Fred Smith, Wendy Stucky, Bob Wilson, Jim Claypool
Absent: Fred Klinkibiel

Minutes of January 23rd meeting approved as read.

1. Municipal Judge Appointment

Larry Coady, Albany attorney, introduced himself to the council. Mayor Sheffer appointed Mr. Coady as Brownsville's Municipal judge, for \$50.00 an hour court time, with city employees doing the paper work. Mayor Sheffer will swear Mr. Coady in this week. Joe Clark moved to accept Mayor Sheffer's appointment of Larry Coady as municipal judge; motion seconded by Bruce Landon. Vote: 5 yes, 0 no. Motion carried.

2. Bert Layman - Appraiser

Mr. Layman explained to the council that he is an independent real-estate appraiser and has worked with various cities, helping them acquire land for municipal construction. He acts as liason between property owners and the city. Krause & Dalke suggested the council interview Mr. Layman in connection with the sewer project. Mr. Layman said he basically works on an hourly fee and works closely with city officials. If the council would like any further information they can contact either Mr. Layman or the city engineers.

3. LCDC Grant Application / Council Action On RM Zone

Mayor Sheffer signed the applications to LCDC for an extension to our current planning grant.

No action can be taken by the council on the zone change from Residential to RM tonight. A public hearing before the council will be held, with action taken at that time.

ORD. # 462

4. Repeal Ordinance #451 - Regulating Dogs

Mayor Sheffer explained that by repealing the city's existing dog control laws, the city would be under jurisdiction of Linn County Dog Control.

Mayor Sheffer read Ord. #462 in full. Bruce Landon moved to accept Ord. #462 as read in full; motion seconded by Tony Gorsline. Roll Call vote:

Tony Gorsline	- yes	
Dwaine Reid	- yes	
Bruce Landon	- yes	
Joe Clark	- yes	
Fred Smith	- yes	Motion carried.

Joe Clark moved to read Ord. #462 by title only; motion seconded by Bruce Landon. Vote: 5 yes, 0 no. Motion carried.

Mayor Sheffer read Ord. #462 by title only. Dwaine Reid moved to accept Ord. #462 as read by title only; motion seconded by Bruce Landon. Roll Call vote;

Tony Gorsline	- yes	Bruce Landon	- yes	Fred Smith	- yes
Dwaine Reid	- yes	Joe Clark	- yes		Motion carried.



November 19th, 2014

CIVIC ENGAGEMENT

Mayor Notes

Communications Plan

A. Make the Rounds – Service Groups

- ▶ **Purpose:** To visit with each civic group to discuss the City's pressing issues, accomplishments and future plans.
- ▶ **Plan:** Send a letter of interest to schedule a visit with the groups below. The letter will go out in January 2015. Mayor Ware would like the City Administrator or another Councilor to accompany him when possible.
 - Chamber of Commerce
 - Friends of the Library
 - Women's Study Club
 - Senior Center
 - American Legion
 - Sharing Hands
 - Pioneer Picnic Association
 - Calapooia Food Alliance
 - Central Linn Recreation Association
 - Brownsville Art Association
 - Pollyannas
 - Friends of Museum
 - Central Linn School Board

B. Morning with the Mayor

- ▶ **Purpose:** To visit with citizens in an informal meet and greet format. City issues will be discussed and explored.
- ▶ **Plan:** Hold meetings and Randy's Main Street in February 7th, May 2nd, August 1st & November 7th on a Saturday morning. Encourage a Councilor to join in as well. Advertise in the paper, on the website and post notices at City Hall. Staff as needed. (8:00 a.m. to 9:00 a.m.)

C. At the Helm

- ▶ **Purpose:** To share the gavel and to mentor other Councilors.
- ▶ **Plan:** Ask Council at the January 2015 meeting for volunteers to run the March, June & October meetings.

Council Goal Setting Discussion Thoughts

A. Chamber & City Volunteer Appreciation Program

B. City Summer Gathering Concept

- ▶ Invite all Boards and Committees to an annual cookout with Staff to say thank you for your service and to promote cooperation and communication.

C. Public Service Announcements

- ▶ Create talking head announcements for hot topics facing the City.

C O P Y



www.ci.brownsville.or.us

City Hall

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

January 12th, 2015

Linn County Commissioner's Office

Attn: Chairman Roger Nyquist

300 4th Ave SW, Room 205

Albany, OR 97321

Chairman Roger Nyquist, Vice-Chair Lindsey & Commissioner Tucker,

The City would like to extend our appreciation for your willingness in working with all parties involved in the re-writing of the Outdoor Assembly Code especially Bi-Mart and Willamette Country Concerts over the course of the last several months. Thank you!

Best Wishes,

A handwritten signature in blue ink that reads "Don Ware". The signature is fluid and cursive, with a long horizontal line extending to the right.

Don Ware

Mayor

c: Council
File



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department

725 Summer St NE, Ste C

Salem, OR 97301-1266

(503) 986-0707

Fax (503) 986-0794

www.oregonstateparks.org



January 5, 2015

Scott McDowell, Administrator
City of Brownsville
PO Box 188
Brownsville, OR 97327

RE: Local Government Grant Program Advisory Committee

Dear Mr. McDowell:

Thank you for your interest and willingness to continue serving on the Local Government Grant Program Advisory Committee. It gives me great pleasure to re-appoint you to a second four-year term beginning January 1, 2015.

In this position you will continue to represent the interests of cities with a population under 15,000 as it relates to projects presented to the Local Government Grant Program.

The next Advisory Committee meeting is tentatively scheduled for the first week in June. The meetings will be held in Cascade Hall at the Oregon State Fairgrounds in Salem. More specific information will be coming to you from the grant program coordinator.

Thank you again for your continued service on this important committee.

Sincerely,

Lisa Van Laanen
Director

Received
City of Brownsville

JAN 09 2015

Clerk _____





January

It is once again time to invite you to join the Brownsville Chamber of Commerce. The Chamber appreciates your on-going partnership and commitment to improving the economic health and quality of life in our wonderful community.

Your Chamber is quite active in promoting Brownsville. Most of our marketing is done through our website (www.historicbrownsville.com) and our Facebook page ([historicbrownsville](https://www.facebook.com/historicbrownsville)). Recently we added Pintrest & Twitter. In 2014, with the help of BiMart and AVA, we revamped and modernized our website. The Chamber is linked to the Brownsville City website and the Willamette Valley Music Festival website. Your Chamber has established partnerships with the Albany Visitor's Association, the Visit Linn Coalition and Travel Oregon. These links & partnerships provide maximum exposure on a very small budget.

Of course, our organization's real strength is the dedicated volunteers, who make our many events into true builders of community spirit.

Your membership contributes to the Chamber's ability to sponsor these events, market and promote Brownsville and contribute to other organizations such as the Brownsville Community Foundation and the American Legion. In recent years, we have enhanced the downtown area with flower baskets, decorative signs and Holiday decorations. Our citizens and local businesses have benefited as a result.

The Chamber meets on the second Thursday of each month. Meetings generally feature speakers expert in current local topics. Watch the Brownsville Times or Chamber Newsletter for specific times and speakers. We would love to see you at a meeting and while that may not fit your schedule, we are anxious to hear your suggestions, ideas or comments. So, don't wait for a meeting, give us a call.

Thank you again for supporting Brownsville through your Chamber membership.



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Fax 541.466.5118 • T1/TDD 800.735.2900

January 7th, 2015

Ms. Cathy Staal
420 Hausman Avenue
Brownsville, OR 97327

Re: 708 Ash Street

Dear Cathy,

It has recently been brought to Council's attention that the above referenced property is being used as a residence. If this is the case, the City will need you to apply for a conditional use permit. Please stop in and see Administrative Assistant Elizabeth Coleman for details. Basically, the City Zoning Code does allow for property located in a Light Industrial Zone be used as a secondary residence. I have included the ordinance and highlighted the part that pertains to the property for your convenience. We would love to hear from you by Friday, January 16th, 2015. Please let me know if you have any questions or concerns!

Sincerely,

A handwritten signature in blue ink, appearing to read "SM", is written over the typed name.

S. Scott McDowell
Administrator

c: Mayor & Council
Administrative Assistant Elizabeth Coleman
File



15.80.100 Light industrial zone – LI.

A. Uses Permitted Outright. In an LI zone the following manufacturing uses and their accessory uses, including rental and sales, are typical of those permitted outright:

1. Appliance and motor vehicle painting when contained wholly within a building.
2. Agriculture.
3. Book binding and related activities.
4. Building materials, lumber yard.
5. Business office of a firm or operation permitted in the LI zone.
6. Carpentry shop.
7. Communications equipment manufacture.
8. Custom cabinet manufacture.
9. Dyeing and finishing textiles.
10. Electrical equipment manufacture.
11. Electronic component and accessories manufacture.
12. Engineering, laboratory, scientific, precision and research instruments and associated equipment.
13. Fabricated metal products.
14. Floor covering mills.
15. Footwear manufacture.
16. General hardware manufacture.
17. Greenhouses, nurseries.
18. Greeting cards.
19. Furniture manufacture.
20. Textile manufacture.
21. Laundry plants.
22. Luggage manufacture.
23. Parking lot or parking garage.
24. Paperboard container manufacture.
25. Office and store accessories manufacture.
26. Leather goods manufacture, except tannery.
27. Printing and publishing machines manufacture.
28. Radio and television manufacture.
29. Retail sales of products manufactured or produced on the premises.
30. Sign painting and carving.
31. Surgical, medical, dental, optical and pharmaceutical instruments and supplies.
32. Warehouses, mini-storage.
33. Watches, clocks, clockwork-operated devices and parts manufacture.
34. Wholesale firms.
35. Truck sales, rental and storage.
36. Marine pleasure craft sales, supplies and repair.
37. Mobile home and recreational vehicle sales.
38. Machinery, farm equipment or implement sales, service.
39. Single-family dwellings that existed on or prior to the effective date of the ordinance codified in this division shall be allowed to be altered, remodeled, expanded or enlarged. Single-family dwellings may be reconstructed if unintentionally destroyed.



B. Conditional Uses Permitted. In an LI zone the following uses and their accessory uses may be permitted subject to the provisions of Chapter 15.125 BMC:

1. Ambulance service.
2. Dwelling for owner or caretaker as secondary to an LI zone permitted use.
3. Fire station.
4. Church.
5. Government structure and land use.
6. Hospital, sanitarium, rest home, home for the aged, nursing home, convalescent home or hospice.
7. School.
8. Utility substation or pumping station with equipment storage.
9. Recreational vehicle park.

C. Uses Permitted with Special Development Standards. The following uses are permitted in accordance with the provisions of Chapters 15.95 and 15.100 BMC:

1. Aggregate and mineral resource development.
2. Planned unit development for industrial uses.

D. Yard Requirements. In an LI zone the yards shall be as follows:

1. The front yard shall be a minimum of 20 feet.
2. The side yard on the street side shall be not less than 20 feet on corner lots.
3. On interior lots, the total of both side yards shall be a minimum of 15 feet.
4. Each side yard not on a street shall be a minimum of five feet.
5. The rear yard shall be a minimum of 10 feet.
6. Structures built along Highway 228 shall follow State of Oregon Department of Transportation setback requirements.

E. Height of Buildings. In an LI zone, no principal building shall exceed a height of 45 feet.

F. Lot Coverage. In an LI zone, the total impervious surface will not exceed 80 percent of the lot area.

G. The supplementary use provisions as outlined in Chapters 15.85 and 15.115 BMC shall apply.

H. Sewage. Prior to the time a newly established use begins operation, adequate provision shall be made for the disposal of sewage and waste materials in accordance with the requirements of the City of Brownsville, the Linn County Health Department and the State Department of Environmental Quality, and any other public agency having appropriate regulatory jurisdiction.

I. Heat, Glare and Light. Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building and shall not be discernible at or beyond the property line. Exterior lighting shall be directed away from and not reflect onto adjacent properties or streets.



J. Vehicle Access. Access points to property from a street shall be located to minimize traffic congestion, and maximum effort shall be made to avoid directing traffic into residential areas. Before a street, other than an arterial, which is a boundary between a residential district and an LI zone, or a street which is within a residential zone, is used for any vehicular access to an LI zone, such use of those streets must first have been approved by the City Administrator.

Access roads and access points will be used to the maximum extent possible to serve the greatest number of uses. All access roads and driveways shall be surfaced according to City standards.

K. Environmental Quality Standards. All uses in an LI zone shall comply with standards adopted by the Department of Environmental Quality for air, land, water, and noise. Prior to approval of a conditional use application or building permit, evidence shall be submitted to the City indicating that the proposed use or activity has been approved by all appropriate regulatory agencies. Evidence shall be in the form of a letter or copy of a permit from the regulatory agency.

L. Open Storage Yards. All yard areas, exclusive of those required to be landscaped, may be used for materials and equipment storage yards or areas and may be used for the purposes permitted in the LI zone, provided such yard areas are enclosed with an ornamental sight-obscuring fence, wall or a hedge capable of attaining a height sufficient to screen the open area from any street or highway or from any residential area within two years.

M. Odors. The emission of odorous gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating such odors is prohibited.

N. Health Hazards. All grounds shall be maintained in a manner which will not create a health hazard. [Ord. 616 § 1, 1993; Ord. 567A § 5, 1987; Ord. 545 § 3, 1983; Ord. 504 § 3.210, 1980; 1981 Compilation § 8-5:3.210.]

MONTH END RECAP

		DECEMBER 2014					
		REVENUE	EXPENDITURES	YTD	%	Unexpended	
1	GENERAL	\$ 9,283.28	\$ 88,139.09	\$ 336,997.93	31.75%	\$ 724,302.07	1
2	WATER	\$ 24,439.88	\$ 25,593.03	\$ 162,608.87	15.90%	\$ 860,091.13	2
3	SEWER	\$ 25,967.37	\$ 18,925.91	\$ 296,229.62	42.12%	\$ 407,020.38	3
4	STREETS	\$ 12,242.70	\$ 11,264.33	\$ 64,981.09	12.29%	\$ 463,718.91	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	\$ 10,692.99	\$ -	\$ 64,147.83	51.32%	\$ -	7
8	BUILDING & EQUIPMENT	\$ -	\$ 10,914.08	\$ 41,050.08	8.93%	\$ 418,549.92	8
9	WATER RESERVE	\$ -	\$ -	\$ -		\$ -	9
10	HOUSING REHAB	\$ -	\$ -	\$ -		\$ -	10
11	WATER SDC	\$ 104.65	\$ -	\$ -		\$ -	11
12	SEWER SDC	\$ 258.00	\$ -	\$ -		\$ -	12
13	STORMWATER SDC	\$ 98.40	\$ -	\$ -		\$ -	13
14	BIKEWAY/PATHS	\$ 83.50	\$ -	\$ -		\$ -	14
15	LIBRARY TRUST	\$ -	\$ -	\$ -		\$ -	15
16	CEMETERY	\$ -	\$ -	\$ -		\$ -	16
17	TRANSIENT ROOM TX	\$ -	\$ -	\$ -		\$ -	17
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -		\$ -	18
19	LAND ACQUISITION	\$ -	\$ -	\$ -		\$ -	19
20	COMMUNITY PROJECTS	\$ -	\$ 750.00	\$ 9,000.00	6.42%	\$ 131,100.00	20
		\$ 83,170.77	\$ 155,586.44				

KeyBank Accounts	2014-2015	YTD	% of Total
General	Appropriated	\$ 1,242,939.59	24.00%
Utility			
Park	DEBT Payments		Totals
Court	Water	\$ 54,928.00	
	Wastewater	\$ 396,307.00	
Oregon State Treasury	Total Debt		
Community Improvements	Water	\$ 1,349,225.00	
	Wastewater	\$ 12,371,610.00	
	Total	\$ 13,720,835.00	