



CITY OF BROWNSVILLE

Council Meeting

Tuesday – July 22nd, 2014

Regular Session 7:00 p.m.

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July						
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Phases of the moon: 5:☉ 12:☽ 18:☽ 25:☽

Holidays and Observances: * Independence Day

August						
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Phases of the moon: 3:☉ 10:☽ 17:☽ 25:☽

September						
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Phases of the moon: 2:☉ 8:☽ 15:☽ 24:☽

Holidays and Observances: * Labor Day



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, July 22nd, 2014

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: June 24th, 2014
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Medical Marijuana & Legalization Issues
- 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 745: Universal Residential Service (*Tabled*)
 - B. O 746: Public Buildings Smoking Ban (*Second Reading*)
 - C. R 2014.15: Update Machinery, Materials & Human Resource Rates
 - D. R 2014.16: Library Flooring Project
 - E. R 2014.17: Millhouse Sanitary Sewer Project Water Line Addition

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



10) ACTION ITEMS:

- A. Medical Marijuana Committee Recommendation
- B. Authorize Library Advisory Board Opening
- C. Community Development Services Contract
- D. Fourth of July Event
- E. Camping Rule Consideration
- F. Weapons Discharge Policy
- G. Millhouse Waterline Hydrant
- H. Moody Court – Unenumerated Nuisance
- I. Official Conduct

11) DISCUSSION ITEMS:

- A. Banking Update
- B. Public Works Standards
- C. Accessory Structures & Fences Language Proposals
- D. Corner Café – Roof Glare
- E. Council Training
- F. June 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

- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing and also Section (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

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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June 24th, 2014

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

PUBLIC: Kaye Fox, John Morrison, Sweet Home Sanitation's Josh Metcalf and Scott Johnson, Jannea Deaver, Christine Harrison, Rick Dominguez, Alan Buzzard, Jeana Graham, Dot March, Chenoweth Robertson, Carol Deshon, Homer Turnball, Patty Linn, Max Peschel, Marilyn Grimes, George Frasier, Bernie Castleberg, Anne Stein, Jerry Baker, Don Lyon, Jim Bitle, Susan Edens, Shannon Cason, Heather Dillon, and Randy & Gayle Simpson.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: Mr. McDowell advised Council that he will add several items to the agenda tonight: under Public Hearings E. Shannon Cason & Heather Dillon; under Legislation Items: H. Millhouse Approval; under Action Items: G. Melinda Spenser, Kettle Corn July 4th; and H. OLCC approval for Kirk's Ferry at Randy's Main Street Coffee on July 4th.

MINUTES: Council reviewed the minutes of the May 27th, 2014 meeting. *Councilor Cole moved to approve the minutes with one small correction. The motion was seconded by Councilor Gerber and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Illegal Dumping & Universal Residential Garbage Service – Mr. McDowell opened the public hearing with a slideshow highlighting ongoing trash nuisances around town. The crowd was very quiet during the slideshow. McDowell stated that several of these trash nuisances have a similarity to other like chronic offenses the City has been seeing over the last few years. Some people act as though the rules don't apply to them which causes delays in taking care of problems when they arise. One of the biggest concerns that City Staff faces is no force of law. This new ordinance will address that and also provide top quality service from Sweet Home Sanitation. Without the proper force of law, the City has no opportunity to make the nuisances, and particularly trash, better. Next Mr. McDowell talked about our franchisee, Sweet Home Sanitation, and their exclusive right to do garbage in the City of Brownsville. This ordinance has not been generated by Sweet Home Sanitation, they have been asked to come alongside Brownsville for help in solving the trash issues the City has been facing. Sweet Home Sanitation has been an unbelievable community partner for the City, to the tune of tens of thousands of dollars over the last several years. They were instrumental in the removal of the trailer houses on the west side of City limits on Highway 228. Each year they provide dumping facilities for the City-wide Clean Up Day for all City residents. McDowell shared Sweet Home Sanitation costs from their website. From 0-500 pounds, the dumping fee is \$19.00, more than 500 pounds is \$64.50, plus the fuel to get there. The minimum service they are offering is \$10.75 per month, which will include trash service as well as a recycling can and a yard debris can. McDowell has heard several concerns that the City is going to put an additional \$11 on each customer's water bill. McDowell clarified this concern, stating that garbage service will still be billed through Sweet Home Sanitation the normal way. This new ordinance will not affect you if you currently have service; it is just intended for those households that do not subscribe for



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residential service. Mr. McDowell then invited Sweet Home Sanitation to speak to the issue. Sweet Home Sanitation's Scott Johnson informed the group that their position is neutral. They were simply asked to put together a potential solution for the issue the City has been experiencing. Ultimately he says, this is not their decision to make. They have simply been here as needed, to contribute to the dialog as needed. Mr. Johnson stated that Sweet Home Sanitation has been here to answer the call for whatever Brownsville has needed, from City Wide Garage Sale, Sharing Hands, Brownsville Community Gardens, as well as the multiple cleanup projects around town, and that they will continue to be available to answer that call. Mayor Don Ware then talked about the parameters of the ordinance and opened up the meeting to public input. Citizens were asked to state their name and to keep their comments to within a three minute time frame. Several citizens (Jerry Baker, Homer Turnball, Max Peschel, Don Lyon, Rick Dominguez, Jim Smith, Alan Buzzard, and Susan Edens) spoke in opposition to this ordinance. Their concerns ranged from this ordinance creating a monopoly (these new 190 subscribers alone will pay over \$25,000 in a year to Sweet Home Sanitation), to the disabled folks unable to get their cans to the curb, and having to push the cans 1/2 a block away, and large items (tires and appliances) that don't fit in the trash cans anyway. Some folks stated that even if you make people pay for this service, it won't force them to put their trash in the cans. Others were concerned with the cost, and how this fee will be a hardship for low or fixed income folks, the poorest people in town. One solution offered was to table the ordinance and do further research, or try neighborhood block clean up parties. One senior citizen stated that he can afford the \$11/month, but frankly doesn't generate enough trash to put the cans out more than once a month or so. Council heard several negative comments to linking the trash service to the water accounts and the possibility of shutting off water/sewer service if trash service is not paid for. Kaye Fox spoke in favor of the ordinance stating that she has a neighbor that continually burns his trash, and that the flames go as high as the top of the trees and no one is there watching it, and that the smoke and fumes are noxious. Mr. McDowell also read into the record correspondence received from Betsy Roberts and Joni Nelson in support of the ordinance listing reasons such as protection from health hazards, tidiness, and keeping the town vermin free. Rob Wingren wrote in opposition stating that many people share services to save money. Public discussion ended and Council discussion began. Councilor Chambers responded to some of the complaints stating that she felt Sweet Home Sanitation was getting a bad rap, and that the thought that all of would have to pay more is not true. Rates go up regardless. When asked, Sweet Home Sanitation stated that they offer pack out services, on a case by case basis, many times at no additional cost to the customer depending on level of need. Councilor Gerber stated that at this time we have no clear answer for circumstances such as sharing a garbage can, fixed incomes, etc. Mr. McDowell addressed the tires and large appliances question. He said this ordinance is not designed to deal with those issues; it is focusing on the compilation of bags of trash issue. He also stated that every small town in America has franchisees for vital services such as telecommunications, solid waste, power, and natural gas service to name a few. For example, CenturyLink is the City's telecommunications provider. Often, companies must invest a lot of assets into a town to provide service and the only way for them to recover their costs is to enter into a franchise agreement with the City for a specific length of time. All of these are a "monopoly" of sorts but that is the most common way of providing these vital services to a community. Councilor Cole commented that what has sparked this debate and this issue is not the people who are courteous to their neighbors, it is the others who are chronically and flagrantly in noncompliance. These folks are creating health hazards and putting a drain on the City resources. The tax payers pay the City to deal with these kinds of problems, and that these issues are diverting City Staff from their tasks, and end result is that this is costing the City money. This ordinance was one of the ideas that were created to deal with this problem, and the beauty of this particular ordinance is



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that it is easily enforceable by being tied to the water service. Councilor Cole stated that whatever proposal we approve needs to be easily enforceable and clear to the population. Councilor Gerber stated that this ordinance is clear, but obviously has problems for the people that are complying in non-traditional ways such as sharing with a neighbor, dealing with trash through their business or place of employment, etc. Is there a way to make an ordinance with an opt out process for those folks? Councilor Van Sandt agreed that all City tax payers are paying for City Staff to deal with these issues and the folks that fall into the noncompliance area. The health issues with trash lying about with flies, rats, etc., is concerning. The current ordinance does not seem to be very enforceable. Councilor Cole stated that personally she does not support universal service. Her suggestion is to rework the current ordinance, and add more teeth to that. Councilor Van Sandt would like to solicit input from the citizens. Councilor Chambers is not for mandatory universal service, she feels it is un-American, and forces people to pay money. *Councilor Cole made a motion to table the proposed ordinance, put aside universal service, and direct staff to go back and find some teeth to make a new ordinance quick and easily enforceable. Councilor Boyanovsky seconded the motion. The motion was voted on and passed unanimously.* Mayor Don Ware invited further comments from the public. Max Peschel suggested perhaps implementing a system where the offenders were warned, and after a certain amount of warnings, they would be forced to subscribe to trash service. Councilor Cole commented that she thought it was pretty cool to have so many people in town that care enough about these issues to come to Council and share their thoughts. Councilor Gerber commented that the public's comments were well reasoned and thoughtful. Scott Johnson stated that he has over 25 years of experience of serving Brownsville, and universal service is just one idea. He looks forward to working as a team and solving this problem. He and his staff are willing to do whatever they need to, and remains committed to being a community partner, he appreciates the opportunity to serve Brownsville.

Central Linn Recreation Association (CLRA) – Mr. McDowell informed Council that George Frasier is present to take any questions that Council may have for him. A committee from the CLRA and City Staff (McDowell and Morrow) met recently to discuss future operations. An agreement has been drawn up utilizing City Staff to come alongside the CLRA to help with operational and organizational items. Councilor Cole inquired as to what impact that may have on City Staff. Mr. McDowell qualified that at this time, it is not set in stone, and may go program by program. Perhaps a 60/40 or 50/50 arrangement will work best between Staff and Rec Center Representatives. George Frasier stated that he had approached Mr. McDowell and the School District about a year ago, and figured that it would take 3-4 years before implementation. He thanks McDowell for his willingness to help with this vital mission, stating that McDowell is the reason for the forward progress. The new law last year concerning concussions has been a big paperwork nightmare for them. CLRA does not look at this agreement as binding; either party can opt out as needed or desired. George Frasier remarked that it is his dream to hire a youth facilitator to run all the programs. This position would be funded by Brownsville, Halsey, CLSD, etc. This is just a dream at this point, and this agreement is just to start to address the current problems. The Rec Center building gets used a lot, and it is a great community resource. Councilor Chambers asked about booking the facility. In the future, the City will likely be in charge of this as well. This agreement will help alleviate shortfalls and work on solutions for problems. Councilor Gerber stated that she appreciated having sports programs that were available to all kids in the area. *Councilor Gerber made a motion to approve the CLRA partnership agreement. Councilor Van Sandt seconded the motion. The motion was voted on and passed unanimously.*



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Budget Hearing – Mayor Don Ware opened the budget hearing and called for public comment. No comment was made, the hearing was closed.

Jeana Graham, Street Dance – Jeana Graham was present and was requesting a road closure on Spaulding Avenue to hold a street dance on August 2nd, 2014 from 5:30-9:00 p.m. This event will be a non-alcoholic street dance, potluck for her neighbors and community members. It will feature accordions, waltzing, polka and salsa. She has gathered 13 signatures from her neighbors approving the event. *Councilor Gerber made a motion to approve the Spaulding Street closure on August 2nd from 5:30-9:00 p.m. Councilor Cole seconded the motion.* Discussion was called for. Councilor Shepherd asked if Ms. Graham had considered other options such as the city owned public lot by the doctor's office or Kirk's Ferry Park. Ms. Graham stated that she would rather have the event at her house for convenience to a restroom, kitchen, etc. She stated this is not a public party, although all are welcome. *The motion was voted on and passed unanimously.*

Shannon Cason and Heather Dillon – Ms. Cason and Dillon were present to lodge a complaint with Council about the overpopulation of dogs and cats at 120 Moody Court. This problem has been ongoing for years, with no relief in sight. They reported this is a very densely populated area of town, with over 30 children living in the direct neighborhood. By their count there are 40-50 feral cats living at this one residence. They are receiving no vet care and are not spayed or neutered, so the cat population continues to grow. Ms. Dillon's daughter was recently treated for staph infection stemming from the flea bites she incurs when she plays in her own yard. These ladies have been seeking help from other authorities (Linn County Animal Control) but have been advised that this is within the City's jurisdiction, and to address the situation here to Council. This particular resident also has a kennel license to breed Pomeranians (estimated to have 12-15 dogs inside the home). They have talked with their neighbor, but have gotten no cooperation. The ladies stated that they hated to complain, but this is a serious health situation, not only for them and their families, but for the whole neighborhood. Mr. McDowell indicated that Staff can verify that during a recent weed abatement posting that the neighborhood is filled with the stench of cat feces. He stated that this situation is exactly like the trash issue we have been discussing tonight. *Councilor Gerber made a motion to direct Staff to draft an ordinance and authorizes publication of said ordinance. Councilor Van Sandt seconded the motion. The motion was voted on and passed unanimously.*

DEPARTMENT REPORTS:

1. Sheriff's Report. No comments.
2. Public Works. Mr. Frink reported that Public Works has been working very hard the last few weeks to prepare the town for Pioneer Picnic. The new park caretakers are doing a great job. The millrace pump station has been started, but is experiencing a bypass out by Bob & Sharon Babcock's place at the end of Kirk Avenue on the edge of the City limits. Mr. Frink has contacted the Canal Company. This overflow needs to be blocked off, or the pumps will need to be shut down as the water is just cycling back around, which means the City is spending a lot of money for no benefit. Mr. Frink indicated that the water would be shut off on Monday if the problem was not addressed by the Canal Company. Mayor Don Ware asked if we could send a thank you card to Sue Karo for mowing the Blakely Park.



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3. Administrator's Report. – Mr. McDowell reported that the San Martin-Jeffries easement is finished and filed with the County. The LCSO agreement is finished. Greg Tilley has been hired for dust control, and should be putting the oil down this week. The City Hall Phase I is nearly complete; the tree out front looks good and should be salvageable. In regards to the Canal Company – we are still on hold with the culvert dispute. The McFarland Cascade project is progressing on schedule, and Staff will be following up in July. The John Voight situation is still pending awaiting conversation with his attorney and engineer. The Willamette Country Music Festival is proceeding. Peace talks are ongoing but there is still a fair amount of work that will be required. Mayor Don Ware and Councilor Cole have officially turned in their paperwork declaring that they will be running for reelection.
4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. No comments.
7. Citizen Comments. Alan Buzzard informed Council that he had filed for election for one of the upcoming City Council positions.

LEGISLATIVE:

1. O 746: Smoking Ban (First Reading). Councilor Cole made a motion to read Ordinance 746 by title only. Councilor Gerber seconded the motion and it passed unanimously.
2. R 2014.09: FY 2014-15 Budget Appropriations. Councilor Cole made a motion to approve R 2014.09 as presented. Councilor Van Sandt seconded the motion and it passed unanimously.
3. R 2014.10: Water Rates Annual Adjustment. Councilor Gerber made a motion to approve R 2014.10 as presented. Councilor Cole seconded the motion and it passed unanimously.
4. R 2014.11: Sewer Rates Annual Adjustment. Councilor Cole made a motion to approve R 2014.11 as presented. Councilor Gerber seconded the motion and it passed unanimously.
5. R 2014.12: Year End Transfers FY 2013-14. Councilor Gerber made a motion to approve R 2014.12. Councilor Cole seconded the motion and it passed unanimously.
6. R 2014.13: Zoning and Planning Update. Mr. McDowell informed Council that this resolution is allowing us to update legislation regarding garage sales, RV permits, and weapons permits. It is also incorporating a new construction permit implementation as discussed over the last year and a half and most recently at last Council meeting. The construction permit will be \$30 and will serve as a mechanism to verify the proper distances are complied with in the Zoning Code.



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The resolution provides an update to the fees and charges. It has not been done updated since 1996. Councilor Cole inquired if the HRB is included in this legislation. McDowell responded that hopefully these issues will be addressed more efficiently through the new permitting system. *Councilor Gerber made a motion to approve R 2014.13 as presented. Councilor Cole seconded the motion and it passed unanimously.*

7. R 2014.14: \$115,285 Millhouse Sanitary Sewer Project Award. *Councilor Cole made a motion to approve R 2014.14 as presented. Councilor Van Sandt seconded the motion and it passed unanimously.*

ACTION ITEMS:

1. Library Rates Increase. *Councilor Van Sandt made a motion to approve raising the library card fee for out of town users from \$15 to \$20. The motion was seconded by Councilor Gerber and it passed unanimously.*
2. Authorize League of Oregon Cities Legislative Priorities. *Councilor Shepherd made a motion to approve authorizing Mr. McDowell to proceed. Councilor Gerber seconded the motion and it passed unanimously.*
3. Authorize Library Carpet Project. Mr. McDowell informed Council that none of the bidders are willing/able to deal with asbestos testing or abatement. Staff has called for testing from a certified hazardous materials testing company, and expect to get results back within the next two weeks. All bidders have been notified that award of this project will be held for approximately thirty days to complete this testing. If asbestos is found, this project may have to be put off for another budget season for funding reasons. This project is tabled until next meeting.
4. Authorize Mr. McDowell 2nd Term on Oregon Parks & Recreation Department's Grant Advisory Board. Mr. McDowell informed Council that he recently finished up his first four (4) year term on the OPRD Board. He feels that his participation has been worth the effort, and he is making an impact. As the only city administrator on the Board (all others are within the parks & recreation realm), he has been able to share insight on how to best spend grant funding to target the biggest population groups, instead of funding dog parks, skate parks, etc. and continuing to stress the importance of capital improvement planning and tracking. He would like to continue on this board for a second term. *Councilor Cole made a motion to approve Mr. McDowell's participation on the OPRD Grant Advisory Board. Councilor Van Sandt seconded the motion, and it passed unanimously.*

A two (2) minute recess was called and granted.

5. Appointed Official Conduct. Mr. McDowell encouraged Marilyn Grimes to approach the podium. Ms. Grimes is currently an appointed official for the City, serving on the Park Board and the Budget Committee. She has waived her right to



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discuss her recent conduct in an executive session. In the recent June 11th article in *The Times* Ms. Grimes wrote an article that did not contain facts, and caused a great deal of concern from the general public. One reason this letter was of great concern was the amount of calls and inquiry directed to City Hall regarding the information she wrote in the paper. McDowell was forced to write a rebuttal, containing the facts, effectively causing McDowell to spend hours publicly correcting this misinformation. This will be the first time that R 718 (relatively new legislation) has implications due to Mrs. Grimes being the Chair of the Park Board Committee and a member of the Budget Committee. McDowell turned the floor over to Ms. Grimes for her input. She said that she stands by her letter 100%, except maybe the numbers were off. She stated that what she stated in the paper about clean up day was told to her, and she was shown slides. She also stated that the paper had stated that if the universal service ordinance was not passed, Sweet Home Sanitation was going to raise the rates. Mayor Don Ware countered that the paper did not say that. Councilor Van Sandt suggested that in the future, when an elected/appointed official writes a paper, they should run it by McDowell first to check the facts, which is what she has done in the past. Ms. Grimes stated that if she had known that she was going to be called out for this tonight, she would have been more prepared for this confrontation and been able to prove what she is saying. She is feeling very blindsided right now. Ms. Grimes stated that if she knew that what she wrote was going to cause this big of a disturbance, she probably wouldn't have written it. Councilor Cole stated that she is feeling blindsided as well, she had no idea this was going to happen tonight; it's a bit bizarre. Councilor Van Sandt remarked that she felt this situation is more of an example for every appointed/elected official concerning proper conduct. Councilor Chambers inquired as to the problem – she stated that her understanding that it was a letter she wrote, not an editorial. Councilor Cole stated that she would like this issue dealt with in executive session. Ms. Grimes stated that she wanted this discussion in public session. This item was tabled at this time.

6. Melinda Spenser –Kettle Corn in the Park. Melinda Spenser called today and requested permission to set up and sell kettle corn in the park during the 4th of July activities. As there is no group really in charge of the park that day, this request would need to be approved by the Council. Councilor Cole stated that she sees no reason why she can't, if she meets all compliance issues. Council seemed concerned about it turning into a free for all with vendors without some procedures to follow. *Councilor Shepherd made a motion to deny this request this year as there is not enough information, or time to gather more information. Councilor Boyanovsky seconded the motion, and it passed unanimously.*
7. Kirk's Ferry – OLCC Permit. Kirk's Ferry submitted paperwork requesting a special permit to operate at Randy's Main Street Coffee on the 4th of July festivities. *Councilor Gerber made a motion to approve this special permit. Councilor Cole seconded the motion. It was voted on and passed, unanimously.*



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DISCUSSION ITEMS:

1. Key Bank Update. Mr. McDowell reported that KBO closed its doors on June 6th, 2014. There is now currently no bank in town. There are still three banks showing interest in locating in town. Hopefully there will be a resolution in the near future. Currently, the City will courier the deposit once a week, or as needed.
2. Medical Marijuana Moratorium Committee. Councilor Cole reported that the medical marijuana moratorium committee has been formed. They have met one time, and it seems to be a good and thoughtful committee. The next meeting is scheduled for July 8th, and they are hoping to have a recommendation to Council next month.
3. Calapooia Food Alliance MOU. Mr. McDowell forwarded to Council a letter that the City received from CFA leader Don Lyon. Don Lyon indicated that he wished this letter to be part of the public record. Mr. Lyon indicated in his letter that the CFA does a lot for this town, and seems irritated that the City would ask for rent for them to continue to use a City building for storage. McDowell commented that this seems to be a reoccurring theme. Many other groups/nonprofits do a lot of work for the town; without them town would not be as vibrant. McDowell pointed out the amount of capital outlay the City has put out for the CFA alone. The City has installed two water meters (approximately \$10,000), grants them over \$300 a year in water for them, allows them to collect the fees for the garden plots with no oversight and periodically negotiates the agreement with the CLSD for the use of their land. The City has also granted them to use the current building for more than five (5) years, rent free. Councilor Cole clarified that the issued is closed basically now. The rent was agreed on at \$25 per month.
4. April Financials. No questions or concerns.

CITIZEN COMMENT: No comments or concerns.

COUNCIL COMMENTS: Councilor Van Sandt is concerned about letting the elected officials piece fester until next month. It is our job to come up with the guidelines to let our elected officials know what proper conduct is. She feels the Marilyn Grimes situation is kind of like water under the bridge at this point. Councilor Van Sandt was concerned about dealing with this in public session. Ms. Grimes was still present, and she reiterated that she had asked to deal with this situation in the public session. One idea that was suggested was that the president of Council, the Mayor, and Administrator could meet and discuss the situation with Ms. Grimes. *Councilor Gerber made a motion to authorize said members to meet with Ms. Grimes and address this issue. Councilor Cole seconded the motion.* Discussion was called for. Councilor Chambers asked what the end result will be? What are we looking for? McDowell stated that the committee will look at R 718 and review the situation. Councilor Chambers stated that both she and Councilor Van Sandt felt that this is overkill. Councilor Van Sandt suggested that perhaps we all need to learn these operating guidelines better. She feels that this is just a learning curve. Councilor Chambers asked Ms. Grimes if she had received a copy of R 718. McDowell stated that all elected/appointed officials were mailed a copy of R 718 after it was passed by Council. Ms. Grimes did concede that if she thought she was violating the rules, she would not have written the letter. *The motion was voted on and passed, with Councilor Gerber, Councilor Cole, Councilor Shepherd, and Councilor Boyanovsky voting yes, and Councilor Chambers and Councilor Van Sandt voting no.*



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EXECUTIVE SESSION: The Council adjourned to Executive Session at 9:15 p.m. pursuant to ORS 192.660 Section (e).

Mayor Ware & Council returned to Regular Session at 9:49 p.m.

City Administrator Contract. *Councilor Gerber made a motion to approve the contract as proposed. Councilor Cole seconded the motion. The motion was voted on and passed unanimously.*

Real Estate Transaction. *Councilor Gerber a motion to appoint Councilor Shepherd and Councilor Chambers to negotiate a real estate transaction. Councilor Van Sandt seconded the motion. The motion was voted on and passed unanimously.*

ADJOURNMENT: *Councilor Shepherd moved to adjourn. Councilor Van Sandt seconded the motion, and it passed unanimously. The meeting was adjourned at 9:55 p.m.*

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

July 22nd, 2014

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

Note: I apologize if things are misspelled or sound "wacky"... well wackier than normal ☺ as I didn't have the time to go back and edit the document. Dragon, voice recognition software, usually does a good job but isn't perfect. I also did not have time to add pictures! Sorry!

Reminder: I have added new section headings in an effort to assist you in preparing for the upcoming meeting. Please refer to the centered, bold sections for information contained under each of those headings. 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.



Start where you are. Use what you have. Do what you can."
 – *Tennis Champion Arthur Ashe, Writer*

"No person was ever honored for what he received. Honor has been the reward for what he gave."
 – *President Calvin Coolidge*

"Be brave enough to start a conversation that matters."
 – *Margaret Wheatley, Author*

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

Medical Marijuana & Legalization Issues – Mayor Ware will address Councilor Cole, who recently served as the Chair for the Medical Marijuana Committee, to give a brief report as to the outcome and recommendation of the Committee. (*See information below for more information.*) City Attorney Lauren Sommers will be in attendance due to recent actions and comments by Randy Simpson. Mayor Ware will open the floor for public comment for anyone wishing to speak in favor of medical marijuana or any other marijuana issue. He will then open the floor for anyone wishing to speak in opposition to medical marijuana or any other marijuana issue. Council can decide to move to action items regarding this topic or wait. I would recommend moving to the action item since the City Attorney will be in attendance and we will be paying for her time.

Universal Residential Garbage Service Public Input – Mayor Ware will open the floor to anyone from the public wishing to discuss this ordinance. Staff will provide a quick explanation of the issue.

Ordinance 746: Public Buildings Smoking Ban (Second Reading) – Council may make any changes to the proposed piece of legislation.



From 06.24.2014: Council requested Staff create an ordinance that would address smoking in public buildings to include electronic cigarettes.

R 2014.15: Update Machinery, Materials & Human Resource Rates – Council passed Resolution 575 in January 2008 setting costs associated with the City performing work on behalf of others. This Resolution simply updates the old resolution. I've included Resolution 575 for comparison purposes. The reason why Council initially passed this piece of legislation was to be able to send invoices to contractors, subcontractors and other entities including residents that requires Public Works to complete work on their behalf or caused by their negligence. The City has used this multiple times over the last several years to invoice items such as broken fire hydrants, problems with projects that are not completed and the occasional nuisance or weed abatement.

R 2014.16: Library Flooring Project – The City received the good news in that as best as was only present in the restroom which amounts to about seventy square feet (70 s.f.) The City as it entered into a contract with Atez, out of Harrisburg, Oregon, to remove the hazardous material. I will be completing a resolution like the one Council passed for the Millhouse Sanitary Sewer project at the last meeting. The resolution will award the contract for this project. I still have some research to do prior to completing this resolution, so I will have it on your desk for consideration on Tuesday evening.

R 2014.17: Millhouse Sanitary Sewer Project Water Line Addition – The City learned last Wednesday that the location of the water line for this project was not in the location shown in the drawings the contractor used to bid the job. The City had archive plans that showed an 8 inch water line all along the east side of Millhouse, but it turned out that the City crew, years ago, had "daisy chained" a 2 inch water line to serve homes in the area. Public Works Superintendent Karl Frink and I asked Erwin Engineering to see if Wildish Construction was interested in building the water line in conjunction with this project. Fortunately, Wildish provided the City with a good price for this work. More information can be found in the actual resolution contained in the packet.

Medical Marijuana Committee Recommendation – Below is the press statement that was issued regarding the Committee's recommendation to Council:

The Medical Marijuana Committee met two times to discuss issues surrounding marijuana in Brownsville. The Committee consisted of six participants, Councilor Mandy Cole, Councilor Carla Gerber, local downtown property owner Bob Anderson, long time business owners Merritt Schilling and Joe Ervin, and downtown business owner Aimee Addison. City Administrator Scott McDowell served on the Committee as well. The Committee recommended that Council consider developing a business registration process that included language that would require business applicants to be in compliance with Federal, State and local laws. The Committee did not want the process to be onerous, but wanted to make sure that it was enforceable.

The Committee felt this recommendation was in the best interest of Brownsville. Members felt that this option will provide the City with many benefits including the preservation of the health and safety of the business community in Brownsville and allow for better administration of the City's Zoning Code. Committee members felt that folks needing medical marijuana already have options provided in the current laws of the State of Oregon. The Committee made



it clear that they were in favor of people obtaining their medicine of whatever kind in the construct of the traditional doctor, patient model.

The Committee also felt that the issue of legalizing marijuana, medical marijuana are continually evolving right now on the national policy stage. It is impossible to predict what any of the outcomes will be on a national level. The State Legislature is not finished with this issue and it appears as though there will be a ballot measure for the 2014 November Election for the legalization of marijuana for recreational use; the State has until August 2nd to verify the signatures on the petition recently filed with the Secretary of State. With so much uncertainty, the City is concerned about the possible Federal funding implications. The City relies on the Federal government to fund major capital improvements projects like the one completed by the City in 2008 to the tune of \$8.5 million dollars. The City will be going back to the United States Department of Agriculture in 2019-2020 to begin the funding process for a new Water Treatment Plant.

I have also included an e-mail string between Randy Simpson, Councilor Cole and myself for your information.

What is Council being asked to do?

- ^ Ask questions, discuss and consider the Committee's recommendation.
- ^ Council can decide to table the recommendation.
- ^ Council can decide execute the recommendation.
- ^ Council can ask Staff to go forth and bring back language based on the recommendation.
- ^ Council may take any action that it deems proper and in the best interest of Brownsville.

City Attorney Lauren Sommers will discuss a tax measure being considered by the City of Ashland. Basically, the City is trying to put a tax on marijuana prior to the State pre-empting City's ability to tax any marijuana revenue.

If the Council should decide to not take the Committee's recommendation and proceed with a zoning change, then action should be taken at the September meeting toward that particular end.

I have included the minutes from each of the Medical Marijuana Committee meetings for your information.

Authorize Library Advisory Board Opening – The Library Advisory Board has an opening due to the recent passing of Marion Reinemer. Mrs. Reinemer was a faithful member and she will certainly be missed. Staff is requesting authorization to advertise the opening.

Community Development Services Contract – Mr. Dave Kinney currently works for several communities in the Valley and has served for many years as a City Administrator and a City Planner. Staff is requesting the City enter into an agreement with Mr. Kinney to provide support as needed on Community Development/Planning issues. Mr. Kinney will bring a wealth of knowledge and experience as well as a fresh perspective.

Fourth of July Event – Public Works Superintendent Karl Frink and I are hoping to discuss a few operational concerns regarding this event with Council; this year was by far the largest turnout in recent memory which led to a discussion about better ways to accommodate the additional visitors.



We would like to discuss additional lighting, additional portable toilets, a new parking concept and traffic flow.

Camping Rule Consideration – Park Board is currently at recess, so we would like to request a camping rule regarding checkout time with Council. The Park Caretakers are experiencing difficulties collecting fees because there is no hard and fast rule being followed. In an effort to increase efficiency, we feel that a standard checkout time will allow the Park Caretakers to collect fees and timely manner and prevent problems. We would like a motion to this effect so that we have something more concrete than an internal policy.

Weapons Discharge Policy – 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.

Millhouse Waterline Hydrant – The City recently installed a hydrant between two properties as part of the Millhouse Sanitary Sewer project. Mr. Melero, property owner to the north of the hydrant, is upset about the hydrant location. Staff explained to Mr. Melero that the hydrant is place legally on the City right-of-way and is in the optimum spot for fire protection. Melero felt that the City should have communicated better with him as a property owner. Staff explained the amazingly quick turn-around time that had to be executed to complete this project. He indicated that he was interested in putting in a pad for his RV and feels that the hydrant location will make it difficult for him to do that. I explained that it is impossible for us to communicate with him when we do not know his plans. The hydrant had to be placed where it was for the reasons listed above and due to the existence of a gas line. Melero's fence is 2 feet on the neighbor's property which would make it very difficult to develop the property in the way he wants to develop it. Erwin Engineering estimates the cost of moving the hydrant is \$6,000. I recommend Council keep the hydrant where is currently located. Perhaps the City can relocate the hydrant after the project is finished, a substantial cost will be incurred to do so. What are Council's thoughts?

Moody Court & Unenumerated Nuisance – 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:

8.30.140 Unenumerated nuisances.

A. The acts, conditions or objects specifically enumerated and defined in BMC [8.30.020](#) through [8.30.120](#) are declared public nuisances; and such acts, conditions or objects may be abated by any of the procedures set forth in BMC [8.30.150](#) through [8.30.200](#).

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.]



Report

The conditions at 120 Moody Court are a public health and welfare nuisance because:

- ▶ About forty (40) feral cats are frequenting the neighborhood regularly due to the property owner at 120 Moody Court putting out large quantities of food.
- ▶ The neighborhood smells of cat feces.
- ▶ Neighbors are concerned about the health of the cats calling the cats condition inhumane; cats appear to have mange.
- ▶ Neighbors have accidentally killed cats because they didn't see them or the cats did not move.
- ▶ Mr. Hinds friend described some of the cats as "zombie" cats.
- ▶ Neighbors complain about cats scratching paint on their vehicles.
- ▶ Neighbors expend money treating their yards for flea infestations.
- ▶ Mrs. Dillon reported that her child had to taken to the emergency room because a flea bite had gotten infected.
- ▶ Mrs. Reister is concerned about all the small children who play in the cul-de-sac. The children pet the cats, forget to wash their hands and then get sick due to the unhealthy condition of the cats.
- ▶ Mrs. Reister also reported that on two occasions someone removed the cats from the neighborhood, but Mr. Gardner continues to make food available starting the cycle all over again.
- ▶ Feral cats kill birds and other small animals in the area.
- ▶ Feral cats can be carriers of incurable diseases such as toxoplasmosis and rabies.
- ▶ Feral cats can be a threat to pets.

** Staff will provide pictures of the neighborhood at the meeting.

Should Council agree & deem this a public nuisance, then:

Procedure

1. Council must make a motion deeming this property a nuisance.
2. Staff posts the property under the procedure for nuisance.
3. The property owner has the right to appeal to Council.
4. Council & Staff may have to hire someone to safely remove the cats from the neighborhood at the City's cost.

Banking Update – Umpqua Bank was recently purchased by Sterling Bank and closed 27 branches in Oregon. I hope to have more information for the meeting.

Public Works Standards – Staff is putting the finishing touches on the City Standards. Council will be asked to adopt the standards at the next session of Council. Standards will address the proper way to install a sidewalk up to and including how to install a sanitary sewer within the City. A copy is on file at City Hall for those of you who are interested in learning more.

Accessory Structures & Fences Language Proposals – At the May Council meeting, Council asked staff to go forth on developing and accessory structures definition for consideration. Council also asked for staff to develop language for fence ordinance. Enclosed in the packet is some



information that will be discussed at the meeting about those two ordinance proposals. I will be providing an oral overview of how Staff is attempting to roll out this program. I also want to discuss the implications of adopting a fence ordinance.

Corner Café Roof Glare – The City has received several complaints that I would like to discuss with Council primarily for training purposes.

Council Training - There will be a brief discussion regarding organizational development concepts as they relate to Council goals.

Greg Tilley & Dust Control – Public Works and Mr. Tilley recently finished applying dust control as has been the practice the last few years. I'm very pleased with Staff's work with Mr. Tilley on this issue.

Budget Input – Staff has had a very difficult time getting FY 2014-2015 in the accounting system. It took about a week to get a reply from our vendor. Staff is well pleased that Council has budgeted funds to replace the software system.

Master TTDL – Provided with the packet is the annual things to do a checklist from FY 2013-2014 and the new one for FY 2014-2015. I will be giving an oral report about the significance of this list and how it being used by Staff.

City Hall Phase I – 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.

Central Linn Recreation Association Proposal – 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.

Ordinance 745: Universal Residential Service (Tabled) – Staff has not had time to address this situation. I have had a few conversations with individual Councilors and a few members of the public. I will attempt to make contact with Sweet Home Sanitation to provide some other language for Council to consider in order to address these situations. Councilor Boyanovsky would like to discuss a few ideas on Tuesday.

Tabled from 05.27.14: Staff has had one notable conversation about the application of this type of measure. Marilyn Grimes, Rick Dominguez and Councilor Chambers shared their opposition to such a wide-scale approach to this concern. Their points are well taken. The City certainly does not want to create unnecessary expenditures for residents. On the other hand, we are responsible for proper sanitation within the City. Staff has seen a significant increase in the occurrences involving trash & refuse over the last two years. In 2012 we had twenty (20) instances of trash & refuse being a problem for neighborhoods. In 2013, we experienced over thirty (30) instances of trash & refuse being a problem in neighborhoods.

The City had great success instituting a permitting system for RV's. In 2011-2012, prior to legislation, the City had thirty-six (36) complaints about illegally used recreational vehicles that drew a host of concerns including illegal drugs and domestic violence including child



abuse. After the policy change, the City has had 1 major problem that recently has seemed to resolve itself.

Perhaps Council considers a few other options instead of the proposed ordinance. Council could consider changing the laws regarding trash & refuse that would allow Staff to post the trash immediately with a twenty-four (24) notice and require the trash to be hauled away within that time frame. Council could also ban trash trailers from being located in the right-of-way as the residents who have trash trailers use them for hauling purposes. Council could also institute a number of other changes that would attempt at targeting residents to properly dispose of their trash & refuse.

The concerns I have for the later approach is the time element for Staff and the use of tax money. Granted, there is a time element now that we are trying to reduce in an effort to execute more efficiently but either approach will have Staff time involved and time for Sweet Home Sanitation making additional trips potentially. The wording of the ordinance would need to be specific enough to eradicate the trash & refuse in a timely manner. The City could craft something that allows Sweet Home Sanitation to remove the trash & refuse on the normal pickup day as an example. Everyone is paying for a few people who are not complying.

The bottom line is that sanitation is a major concern for the City. Council needs to take steps that will allow Staff to address the problem quickly and with the proper laws to support all actions.

From 04.22.2014: The City initiated a conversation with Sweet Home Sanitation about universal residential garbage service because the City has been experiencing widespread private garbage problems. Josh Metcalf will be available for questions.

What is Council being asked to do?

- ⤴ Ask questions, discuss and make any changes.
- ⤴ Potentially table the ordinance for future discussion.
- ⤴ Execute the second reading of the ordinance.
- ⤴ Decide to investigate another option as presented above or develop something different.

League of Oregon Cities Legislative Priorities – Staff completed the recommendations and forwarded it to the League.

Pending: Water Line Projects – *From 05.27.14:* Staff and the City Engineer would like to bid all three water line projects together in an effort to save money and get a better price. The three projects budgeted for FY 2014 – 2015 include the GR 12 development, the Main Street water line, and the Averill Street water line. Projects would go out for bid in early January 2015 and hopefully finish up by the end of the fiscal year.

Pending: John Voight & Sage Street – *From 05.27.14:* Staff spent considerable time and resources investigating possibilities for Mr. Voight to improve Sage Street. Mr. Voight's lawyer has contacted the City and discussed the issues involved in coming to an agreement as well. Currently, Staff is waiting to hear back from Mr. Voight's lawyer. Staff expressed several developmental concerns based on topography and state flood regulations. The City also has a concern about the future maintenance of the roadway and possible future implications for property owners.

Pending: Central Linn School Meetings – No new news.



Pending: The Festival & the Linn County Commissioner's Office – Sandy Sayer was pleased with the signage she received from the Festival folks.

From 05.27.14: Mayor Ware, Councilor Boyanovsky and I attended the latest hearing for the Bi-Mart Willamette Country Music Festival. Commissioner Nyquist ran a very good meeting though the result was not exactly what we had hoped. Basically, the commissioners continued the hearing for September 24, 2014 at 10 a.m. in the Courthouse. The public record will be left open until that time and the traffic plan for the current event will be reviewed to determine if any additional attendees will be allowed or if additional changes to the traffic plan will be necessary.

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

- ▶ *The Albany Democrat Herald's Jennifer Moody has had many questions about R 718 & R 476.*
- ▶ *The Millhouse Sanitary Sewer Water Line extension was very significant.*
- ▶ *Atez finds asbestos at the Library that will need to be abated prior to the flooring project starting.*
- ▶ *Additional concerns with the application of the Weapons Discharge Permit.*
- ▶ *The Medical Marijuana Committee forwards a recommendation to Council.*

STATUS UPDATES – Projects, proposals and actions taken by Council

Unsafe Structures – The structure on Calapooia Avenue is removed.

From 05.27.14: Staff met with the property owner of the unsafe structure on Calapooia Avenue. Staff is working on finding someone to work with the property owner to remove the structure. Good progress is being made.

Sheriff Riley & Donnie Nealon – *From 06.24.2014 meeting:* Staff forwarded a letter to the Sheriff's Office regarding routing of citations for Gail Erickson, Tim McBride and Jeb DeZurney.

From 04.22.2014 meeting: Captain Guilford indicated that he has spoken with both parties involved in the Pearl Street saga. He has also made all of the deputies aware of the arrangement for the two properties explaining the ¼ interest of Nealon & the City.

From 03.27.2014: Mr. Nealon and I met with Sheriff Riley and Patrol Captain Kevin Guilford to discuss the ongoing issues along the easement known as 'Pearl Street.'

City-Wide Clean Up – Is set for October 4th, 2014. The event will be depot style as it has been for the last two years. It will be held behind City Hall in the parking lot of the Rec Center.

Active: McFarland Cascade Update – McFarland is actively working on installing water and sanitary sewer along OR 228. City Engineer Jon Erwin is providing inspection services for the City. Pacific Excavating is the contractor doing the work.

Active: Economic Development Process – Council will continue to work 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: Main Street Water Line Estimate – *From 05.27.14:* The costs have been budgeted for FY 2014-2015.

Active: City Hall Restoration – *From 06.24.2014 meeting:* Mr. Swartzendruber and Public Works made significant progress on Phase I of the City Hall project. Seating is due after Pioneer Picnic due to a delay in obtaining the bricks.

From 05.27.14: Mr. Swartzendruber has been awarded the contract for assisting Public Works in completing Phase I of the City Hall Project.

From 03.25.2014: Council approved the Phase I plan at the last Council meeting. Staff is in the process of obtaining quotes.

From 01.29.2014: I will share a conceptual design from Duane Knox at the meeting.

From 11.26.2013 meeting: Public Works Superintendent Karl Frink and I have developed specifications for the work in front of City Hall. The City will be contacting a few contractors to review the project. The City would like the project to be completed by the middle of June. Council may recall this has been discussed at several past meeting and during the Budget Committee meetings and with the Brownsville Art Association when their agreement was renewed. The City will be redoing the concrete in front of the building, adding grass, adding seating underneath the existing tree, street parking, irrigation and drainage among some of the components.

Impending Election – *From 06.24.2014 meeting:* Councilor Cole has decided to "throw her hat in the ring" for a re-election bid in November! *The Times* printed the first election advertisement. So far interest has included all of the incumbent Councilors and Mayor to run for re-election. The City is aware of interest from Kaye Fox, Marilyn Grimes and Thane Ashcraft.

From 05.27.14: Staff has been briefed about election procedures for the November election. McDowell has forwarded filing dates to candidates who have expressed interest. Candidates are eligible to file beginning June 4th, 2014 through August 26th, 2014. Candidates interested should visit City Hall for more information. The City will be required to execute to public notices, 1) to announce the positions, and 2) to announce the election.

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.

From 04.22.2014 meeting: Councilor Gerber indicated that she felt it best to collect all of these items for discussion at the retreat. I have listed the items below:

Planning Pieces

Administrator's Report



- ▶ Construction Permit
- ▶ Well Policy
- ▶ RV Teeth & Process Defined
- ▶ Nuisance Abatement Timeline (Season)
- ▶ Business Registration Program
- ▶ Civil Standards
- ▶ Zoning Code Revisions & Update

From 01.29.2014 meeting: I would like to collect input from Council on a few challenges Staff has experienced this Summer with the execution of the City's new policy. I would also like some thoughts around trailers and rear ends of old pickup trucks being stored on the right-of-way. The City should consider standardized procedures to properly handle situations when owners decide to take no action.

Pending: Historic Registry & Downtown Buildings Update – The City has not heard any movement around this issue from the Chamber. Historic Review Board did place an article in the recent City Newsletter.

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.

Active: System Development Charges & Request for Proposals – I am in the process of collecting proposals for this project.

From 12.17.2013 meeting: Council is being asked to authorize the City Administrator to begin exploring firms who would re-tool the City's System Development Charge system and structure.

Active: GR-12 Update – *From 05.27.14:* The costs, as approved by Council at last meeting, have been budgeted for FY 2014-2015.

Pending: Water Rights – *From 12.17.2013:* The City has received a few notices about updating two of the City's water rights. Jon Erwin is currently investigating the next steps. The City may also be using Schroeder Law, Portland, with any technical, legal issues.



Complete: Unsafe Structures (Pine Street) – Finished!

From a past meeting: Administrative Assistant Tammi Morrow and I met with Diana Young at her property to discuss the two structures at her rental property at 1104 Pine Street. Mrs. Young explained that they (husband) were planning on demolishing the larger structure and repairing the smaller structure. Our goal was to seek a plan instead of going through the formal process as outlined in the Brownsville Municipal Code. We have asked Mrs. Young for a plan and a timeline for the repairs. We will continue to try to work cooperatively with Mr. & Mrs. Young.

Active: Mortuary Board Report & Audit – Staff finalized the report to the State. *From 06.24.2014 meeting:* Staff is working on findings that apply to the City as determined by the audit.

From previous reports: Jannea Deaver and I finalized this report before the end of the year. The City received information from the Board about providing information for an audit of the cemetery. Staff is currently working on the necessary documentation and information request.

Active: CIS & the Affordable Care Act – *From 10.29.2013:* Mayor Ware, Councilor Van Sandt, Administrative Assistant Elizabeth Coleman and I attended/hosted the League of Oregon Cities Region III meeting at Kirk's Ferry earlier this month. CIS Executive Director Lynn McNamara was the guest speaker discussing the impacts of the Affordable Care Act on small municipalities. Mrs. McNamara's message was vastly different than the one received two months ago at a CIS training in Lincoln City. I have attached the handout from the meeting for your review and will continue to keep Council abreast of the changes and requirements. Soon I will be asking Council to make a few policy changes in an effort to keep everyone on the City's traditional plan. Council may decide to change that policy later, however until we can fully determine the impacts of the necessary changes this decision will be in the best interest of all employees.

Active: Visit Linn Coalition (VLC) Update – July is no meeting. *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.

From 05.27.14: The Festival, the Jamboree and Bi-Mart are working with the Coalition to develop an annual promotion for Linn County. Bi-Mart has made a huge commitment to Linn County. I will provide an oral update.

From last meeting: I have been busy coordinating contest efforts for promotion of the Trails to Linn website. The Oregon Jamboree and the Bi-Mart Willamette Country Music Festival are putting on promotions on their website in an effort to drive traffic to the Trails to Linn website. It has been great to watch the two work together for a common goal.

Pending: Canal Company Update – 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

Water System & Wells Policy – Council will be asked to develop policy around this issue at a later date. Staff is still attempting to gather information and determine all of the possible courses of action for Council's consideration.

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.

Administrator's Report





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 black ink, appearing to read "Sm".

S. Scott McDowell



Public Works Report July 16, 2014

Karl Frink, Public Works Superintendent

Water:

- *Billing Support* – Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the months of July.
- *Distribution System* – Two water leaks and several broken curb stops this month.
- *Cross Connection Program* – I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* – All of the parts needed to replace the infiltration gallery pumps have arrived. We will be installing the new pumps in the next few weeks. Preparations are under way to clean and scrape filter 2.
- *Misc.* – Hydrant flushing has begun, it typically takes about 3 weeks to flush all of the hydrants in town without running the system out of water.

Sewer:

- *North Lagoons* – This facility has been mowed and will soon be sprayed for weeds.
- *South Lagoons* – This facility has been partially mowed, and sprayed.
- *Collection System* – No sewer problems this month!
- *Misc.* – The Millhouse sewer line project is under way, the contractors intend to start installing the new line on July 18th. Due to a utility conflict and an undersized water line, a new 8 inch PVC waterline has been installed to replace an old 2 inch steel line that was in the path of the new sewer line.

Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis. All of the right-of-ways are mowed and maintained as needed.
- *Asphalt/ Gravel Road Maintenance* – Gravel street maintenance is complete and dust control applied on July 14th.
- *Storm Drainage* – Public Works has been working on clearing tall grass and weeds from the ditches and right-of-ways around town.
- *Misc.* – We are currently working on getting estimates for paving several streets around town. The Millhouse pump station has been working well this year with very few problems.

Parks:

- *Pioneer Park* – The Park is mowed weekly and facilities cleaned daily. We experienced a water issue to the new restrooms, an obstruction in the water service line supplying the restrooms. The necessary repairs have been made and the restrooms are now operating correctly. The gates and various posts around the park have been painted. We are also working on clearing brush and weeds around the perimeter of the park.
- *Blakely Park* – Mowing at this facility has begun. Sue Karo has been doing an outstanding job keeping up Blakely Park!
- *Kirk's Ferry Park* – The drinking fountain for this facility has arrived and will be installed soon. Mowing at this facility has begun.

Cemetery:

- *Grounds* – This facility has been mowed and trimmed this month.

Library:

- *Grounds*- This facility is mowed and trimmed weekly. Library staff waters these areas weekly.
- *Buildings*- Nothing to report this month

Downtown

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

City Hall:

- *Buildings* – Nothing to report at this time.
- *Grounds* – The grounds are mowed weekly and areas trimmed as needed. The landscape project in front of City Hall is under construction.
- *Community Center* – Nothing to report this month.

Rec. Center:

- *Grounds* – Mowing has begun at this facility.
- *Buildings* – Nothing to report this month.

Public Works:

- *Grounds* – Mowing has begun at this facility.
- *Buildings* – Cleaning and organizing continues as time allows.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use. The public works computer failed due to corrupt hardware. The files from the hard drive have been recovered and are in the process of reorganizing for easy access.



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: June

TRAFFIC CITATIONS: -----	5
TRAFFIC WARNINGS: -----	3
TRAFFIC CRASHES: -----	0
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	1
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	45

TOTAL HOURS SPENT IN: BROWNSVILLE 231

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

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST #	ADDRESS	CITY	DESCRIPTION
141810404	6/30/14	22:20:54	WARRANT SERV	806	W BISHOP WY	Brownsville	No Additional Report Necessary
141810388	6/30/14	21:36:59	CRIM MISCHIEF	818	CALAPOOIA AV	Brownsville	No Additional Report Necessary
141810318	6/30/14	17:19:52	ASST-OUTSIDE AGENCY	219	WASHBURN ST	Brownsville	No Additional Report Necessary
141810313	6/30/14	17:17:20	DISTB-DOMESTIC	407	FAUST ST	Brownsville	No Additional Report Necessary
141800284	6/29/14	19:28:52	NEGLECT	220	S MAIN ST	Brownsville	No Additional Report Necessary
141800279	6/29/14	19:19:59	ASSAULT REPORT	200	N MAIN ST	Brownsville	No Additional Report Necessary
141790350	6/28/14	23:17:20	EXTRA PATROL	101	PARK AV	Brownsville	No Additional Report Necessary
141790311	6/28/14	21:45:22	VEH-STOLEN	761	TEMPLETON ST	Brownsville	No Additional Report Necessary
141790162	6/28/14	12:07:06	SUSP-PERSON	101	PARK AV	Brownsville	No Additional Report Necessary
141780122	6/27/14	11:18:33	SUICIDAL-SUBJECT	405	KAY AV	Brownsville	No Additional Report Necessary
141780005	6/27/14	0:07:54	BURGLARY *IN PROGR	304	MOYER ST	Brownsville	No Additional Report Necessary
141770404	6/26/14	23:43:43	SUSP-PERSON	200	PARK AV	Brownsville	No Additional Report Necessary
141770334	6/26/14	18:54:04	DISTB-DOMESTIC	212	WILLSON AV	Brownsville	No Additional Report Necessary
141760335	6/25/14	17:56:14	THEFT-RPT	741	TEMPLETON ST	Brownsville	No Additional Report Necessary
141760002	6/25/14	0:08:57	JUV-COMPLAINT	604	CALAPOOIA AV	Brownsville	Incident Report
141750358	6/24/14	22:08:33	FIREWORKS COMPL	217	KIRK AV	Brownsville	No Additional Report Necessary
141750113	6/24/14	9:18:30	CRIM MISCHIEF	146	SPAULDING AV	Brownsville	Incident Report
141740268	6/23/14	16:54:29	911 HANGUP	352	KIRK AV	Brownsville	No Additional Report Necessary
141730231	6/22/14	16:55:11	Trf Speed Viol	100	E BISHOP WY	Brownsville	WARNING - MOVING VIOLATION
141730040	6/22/14	2:23:22	DISTB-NOISE	220	S MAIN ST	Brownsville	No Additional Report Necessary
141720219	6/21/14	15:24:42	DISORD CONDUCT	200	PARK AV	Brownsville	No Additional Report Necessary
141720017	6/21/14	1:03:42	DISTB-NOISE	149	SPAULDING WY	Brownsville	No Additional Report Necessary
141710373	6/20/14	19:40:21	DISTB-OTHER	216	ELM ST	Brownsville	Incident Report
141700219	6/19/14	12:41:53	WELF CHECK		OAK ST	Brownsville	No Additional Report Necessary
141690120	6/18/14	10:34:51	WELF CHECK	224	SAGE ST	Brownsville	No Additional Report Necessary
141680365	6/17/14	20:40:43	DOG COMPLAINT	800	KIRK AV	Brownsville	No Additional Report Necessary
141680276	6/17/14	16:09:48	TRAFF-OTHER VIOL	529	ROBE ST	Brownsville	No Additional Report Necessary
141680162	6/17/14	12:06:14	FIRE ARMS COMPL	1019	OAK ST	Brownsville	No Additional Report Necessary
141670352	6/16/14	20:59:46	THEFT-RPT	118	W BLAKELY AV	Brownsville	Incident Report
141650194	6/14/14	15:03:23	INFORMATION REQUES	707	BUTTE ST	Brownsville	No Additional Report Necessary
141640389	6/13/14	21:00:15	INFORMATION REQUES	707	BUTTE ST	Brownsville	No Additional Report Necessary
141640209	6/13/14	12:58:18	Trf Moving Viol	298	S MAIN ST	Brownsville	WARNING - MOVING VIOLATION
141640070	6/13/14	6:47:57	Trf Speed Viol	298	S MAIN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
141630262	6/12/14	14:41:19	SUSP-CIRCUMSTANCE	340	E BLAKELY AV	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST ##	ADDRESS	CITY	DESCRIPTION
141630219	6/12/14	13:04:47	DISTB-DOMESTIC	903	ASH ST	Brownsville	No Additional Report Necessary
141620381	6/11/14	21:41:00	INFORMATION REQUES	804	KIRK AV	Brownsville	No Additional Report Necessary
141600236	6/09/14	15:01:48	Trf Aggressive Driver	100 E HWY 228		Brownsville	CITE ISSUED - SPEEDING VIOLATION
141580335	6/07/14	19:07:49	WELF CHECK	224 SAGE ST		Brownsville	No Additional Report Necessary
141570147	6/06/14	10:54:49	Trf Citz Compl	990 WASHBURN ST		Brownsville	No Additional Report Necessary
141560260	6/05/14	16:59:58	BURGLARY REPORT	515 N MAIN ST		Brownsville	Incident Report
141560065	6/05/14	6:22:08	Trf Aggressive Driver	800 W BISHOP WY		Brownsville	CITE ISSUED - AGRESSIVE DRIVER
141550391	6/04/14	23:41:03	PERS-MISSING	111 SPAULDING WY		Brownsville	No Additional Report Necessary
141550068	6/04/14	8:04:43	TRESPASS	200 PARK AV		Brownsville	No Additional Report Necessary
141550053	6/04/14	6:57:09	Trf Aggressive Driver	811 N MAIN ST		Brownsville	CITE ISSUED - AGRESSIVE DRIVER
141540362	6/03/14	20:40:14	DOG COMPLAINT	200 N MAIN ST		Brownsville	No Additional Report Necessary
141540356	6/03/14	20:17:46	ALARM - POLICE	351 N MAIN ST		Brownsville	No Additional Report Necessary
141540287	6/03/14	16:12:03	FRAUD	517 TEMPLETON ST		Brownsville	No Additional Report Necessary
141530354	6/02/14	19:42:17	DOG COMPLAINT	35620 KIRK AV		Brownsville	No Additional Report Necessary
141530260	6/02/14	15:27:29	CUSTODIAL INTERF	112 HOLLOWAY HTS		Brownsville	No Additional Report Necessary
141530234	6/02/14	14:36:18	SUSP-PERSON	200 PARK AV		Brownsville	No Additional Report Necessary
141520234	6/01/14	17:06:31	Trf Speed Viol	811 N MAIN ST		Brownsville	WARNING - SPEEDING VIOLATION
141520232	6/01/14	16:58:37	Trf Speed Viol	811 N MAIN ST		Brownsville	CITE ISSUED - SPEEDING VIOLATION
141520112	6/01/14	10:34:11	TRESPASS	500 LOUCKS WY		Brownsville	No Additional Report Necessary



Library Advisory Board

Librarian's Report

June 2014

Here are a few facts about our library the month of June 2014. We have received 23 new books for the library. Volunteers donated 76.5 hours to our library. There were 797 materials checked out. 245 adult fiction books; 57 adult non-fiction books; 42 audio books; 189 children's books; 195 junior books; 28 junior reference books and 41 large print books.

June has found the Library staff getting ready for the Summer Reading Programs this summer. Our Kickoff on Saturday at the Pioneer Picnic was very successful. The Juggling Brothers brought in a crowd of more than 60 people! Afterwards, they taught anyone who wanted the basics of juggling. I gave it a good try. Even though I can juggle the Library, my three teenage kids, a busy husband, and a home business; I found I could only keep two balls in the air at once. Perhaps setting aside more to practice would be a good idea. We received three bids on our carpet project. At this time we are waiting for the asbestos testing to come back from Atez, Inc.

This being the last month of the budget year, here's some numbers for thought: We checked out 16,114 items; we have 163 active patron families; 38 Volunteers donated 1,473 hours to the Library; we have had 73 programs for adults with 83 attending; 117 programs for children with 1,705 attending; fines collected totaled \$1,178.37; patrons made 4,007 copies; Library card renewals totaled \$995; and patrons lost and replaced \$128.80 worth of books. I think our patrons are happy and being well served. I am looking forward to serving our community in the coming years.

Respectfully submitted,

Sherri Lemhouse
Librarian

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

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	35	2	1	36	
Violations	27	7	10	24	
Contempt/Other	36	3	2	37	
TOTALS	98	12	13	97	

BALANCE SHEET FOR THE MONTH OF JUNE 2014

Court Revenue

Court Payments

Total Deposits +	\$ 1,721.00	City	\$ 1,338.80
Total Bail Forfeits +	\$ -	Restitution	\$ 50.00
Total Bail/Bank Fees -	\$ -	State Share	\$ 262.08
Total Bail Held -	\$ -	Linn County	\$ 70.12
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -

TOTAL COURT REVENUE \$ 1,721.00 **TOTAL COURT PAYMENTS** \$ 1,721.00

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY \$ 1,338.80
STATE \$ 262.08
COUNTY \$ 70.12

*REFUND/RESTITUTION \$ 50.00

ACCOUNTS RECEIVABLE:

BEGINNING \$ 2,442.59
ENDING \$ 2,148.59



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.*
- **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 is 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.*
- 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.*
- Council has forged a solid working relationship with McFarland Cascade which could lead to future development opportunities for Brownsville.*
- **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



2013-2014 Council Goals

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 continue 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.*

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.
 - 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.*
- **Sidewalk Inventory**
 - Council is actively working on developing a sidewalk program.
 - Council will determine action steps once the inventory is complete.



2013-2014 Council Goals

Where are we now?

- ☑ *An initial sidewalk inventory is complete.*

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.*
 - Council understands that the City is in need of a new 1.1 million gallon reservoir.

Where are we now?

- ☑ *Part of future bond project.*
 - 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 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.*
 - 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



2013-2014 Council Goals

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.*
- 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 in October of 2014.*
- 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.*
- 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.

Where are we now?

- ☑ *To be determined.*
- 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.



2013-2014 Council Goals

Where are we now?

- ☑ *Complete. Council passed Resolution 718.*

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.*

- **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. 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



2013-2014 Council Goals

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**

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



2013-2014 Council Goals

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 review currently underway.
- ▶ **Civil Engineering Standards:** Staff review currently underway.

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. 745

**AN ORDINANCE CREATING SECTION 8.35.300 – 8.35.350
OF TITLE 8, HEALTH AND SAFETY, OF THE MUNICIPAL CODE
OF THE CITY OF BROWNSVILLE, OREGON;**

The City of Brownsville does ordain as follows:

WHEREAS, Title 8 of the Brownsville Municipal Code (BMC), Chapter 835 defines Solid Waste Management, and;

WHEREAS, Council desires to require universal residential service for Brownsville;

NOW THEREFORE, the City of Brownsville ordains as follows:

8.35.300 – Universal Service: Responsibility for Payment.

The owner and/or occupant of any dwelling or other property shall subscribe to and pay for service rendered to, the dwelling or property. The franchisee and the owner may agree that the occupant will initially be responsible for payment for service, but such agreement shall not relieve the owner in the event of nonpayment.

8.35.305 – Minimum Level of Service.

Minimum level of service to any developed property is one manual pickup solid waste container per week, which container size shall be at least a 21-gallon cart, except as provided in Sections 8.35.340 and 8.35.345. In the case of multifamily dwellings, minimum service is one manual pickup solid waste container per dwelling, occupied or not, but the service may be containerized. Minimum service for other developed property is that necessary to prevent the accumulation or storage of solid waste so as to create a fire, safety or health hazard or public nuisance.

8.35.310 – Subscription to Service.

The owner or occupant of any property shall subscribe for service to such property occupant within seven days of occupancy. For purposes of universal garbage service, property shall be considered to be occupied if the property is hooked up to city water and sewer and is receiving water and sewer service.

8.35.315 – Service Billing.

The franchisee shall bill the property owner for all service provided to the property including service above required minimums. The owner and the franchisee may agree to have the occupant billed initially on non-owner occupied property.

8.35.320 – Payment: Notice.

The property owner, or the occupant under a special billing agreement in Section 8.35.315, shall pay within thirty days of the billing date. Notice shall briefly state the service provided, time period, charges and the remedies for nonpayment as provided in Section 8.35.325. If payment is not made within the required time, enforcement



proceedings in Section 8.35.325 may be instituted or the franchisee may use any other lawful process to collect the debt.

8.35.325 – Nonpayment: City Action.

In the event of nonpayment after notice in Section 8.35.320, the franchisee may terminate service and the City may, upon notice from the franchisee:

- A. Pay the franchisee, establish the debt as a lien against the property, in the same manner as liens are created for utility services provided by the City, which lien shall include the cost of service, administration, legal time, recording and other direct and indirect costs plus the maximum legal interest allowed by state law;
- B. Shut off utility service to the property after seven days from date of mailing written notice to the owner of the property informing him or her of the City's intention to shut off utility service to the property due to nonpayment for garbage service. The City shall also post a physical notice;
- C. Pay the franchisee, become subrogated and collect the debt in the same manner that other debts are collected including without limitation, the payment for service, costs of collection by City or other persons and the maximum legal interest allowed by state law;
- D. Require a restart charge before restarting service; or
- E. Any combination of the above.

8.35.330 – Nonpayment: Notice to City.

The notice given by the franchisee to the City informing the City of nonpayment and termination of service pursuant to Section 8.35.325 must contain the name of the owner or occupant of the property, the address of the property, the amount owed and a statement that there is no dispute as to the amount owed between the collector and the owner or occupant of the property.

8.35.335 – Nonpayment: Dispute Resolution.

In the event of a dispute as to the amount owed between the franchisee and the owner or occupant of the property, the franchisee shall resolve the dispute in any manner prescribed by law, prior to terminating service and giving the City notice as prescribed in Section 8.35.330.

8.35.340 – Exemption from Mandatory Service.

Property which does not receive utility service, by choice of the owner, and the property is unoccupied, is exempt from mandatory service until utility service is received.

8.35.345 – Service Suspension.

Upon proof by affidavit, a property owner may suspend mandatory service in the event the home is unoccupied either due to selling of the property or foreclosure.



8.35.350 – Customer Responsibility.

- A. All solid waste disposal shall be performed by the franchisee, except for recyclable material which may be disposed of by the owner by delivering to the City’s recycling center in a manner which promotes its reuse.
- B. The owner, contract purchaser or person in control of any residential structure offered to others for rent, lease or occupation within the City shall provide through the franchisee for the collection and disposal of solid waste from any such structure.



ORDINANCE NO. 746

AN ORDINANCE ADDING TO TITLE 8, HEALTH & SAFETY, OF THE MUNICIPAL CODE OF THE CITY OF BROWNSVILLE, OREGON;

WHEREAS, Title 8 of the Brownsville Municipal Code (BMC) addresses general health & safety issues within the community, and;

WHEREAS, the Oregon State Legislature passed the Oregon Indoor Clean Air Act in 1981 with the goal of protecting nearly every Oregon employee from the health risks associated with secondhand smoke, and;

WHEREAS, the Oregon State Legislature passed the Oregon Smokefree Workplace Law in 2007 which went into practice January 1st, 2009 which bans smoking within ten feet (10') of any entrances, exits, windows or ventilation intakes, and;

WHEREAS, the Council desires to officially ban smoking in all City owned facilities and to provide definitions as provided herein;

NOW THEREFORE, the City of Brownsville ordains as follows:

Chapter 8.25 Smoke Free Facilities

Sections:

- 8.25.010 Definitions.
- 8.25.015 Purpose.
- 8.25.020 Smoking Prohibited at City Owned Facilities.
- 8.25.025 Removal from Premises.
- 8.25.030 Severability.

8.25.010 Definitions.

- A. 'City Owned Facilities' means all City owned buildings including, but not limited to, City Hall, the City Public Works Shop, the Library, the Central Linn Rec Center, the interior of all Pioneer Park facilities and structures, the Water Treatment Plant, and the North & South Wastewater Treatment Plants. It does not include public streets or public sidewalks within the City.
- B. 'Smoking' means inhaling, exhaling, vaping, burning, or carrying a lit cigar, cigarette, electronic cigarette, pipe, hookah and/or any other smoke producing device. Any other individual devices or individual means that produce smoke is also prohibited.



ORDINANCE NO. 746

8.25.015 Purpose.

The purpose is to ensure a safe, clean environment for patrons, guests, residents, employees and other visitors to the City to participate in civic matters and other governmental purposes of the City by controlling smoking.

8.25.020 Smoking Prohibited at City Owned Facilities.

Smoking shall be prohibited from all City Owned Facilities as described in 8.25.010 (A). Smoking outdoors on City Owned Property is only prohibited as allowed by State Law.

8.25.025 Removal from Premises.

Any City Official or designated representative of the City shall have the authority to direct any person to leave City Owned Facilities who fails to discontinue prohibited behavior.

8.25.030 Severability. If any section of this ordinance, or any portion thereof, is held invalid or unconstitutional by any court of competent jurisdiction or State administrative agency, such decision shall not affect the validity of the remaining portions thereof, except as otherwise provided for herein.

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

Mayor

City Administrator



RESOLUTION NO. 2014.15

A RESOLUTION SETTING THE COSTS FOR MACHINERY, MATERIALS AND RESOURCES FOR WORK PERFORMED BY CITY PERSONNEL

WHEREAS, City resources are utilized on various occasions to complete tasks which should have been completed by a contractor, subcontractor, resident, property owner or other entity; and

WHEREAS, the following rate schedule for machinery, materials and human resources shall be utilized when invoices are sent to any contractor, subcontractor, resident, property owner or other entity for these tasks; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon:

SECTION I. That the following costs for machinery, materials and resources for work performed by City personnel be and are hereby set:

Human Resources Per Hour

Regular Pay = \$37.06/individual Overtime Pay = \$55.60/individual

Machinery Rates Per Hour

Backhoe	\$90.00	Dump Truck	\$75.00
Pickup Truck	\$50.00	Grader	\$70.00
Sweeper	\$75.00	6" Trash Pump	\$50.00
Air Compressor & Hammer	\$65.00	Lawn Mower	\$35.00
Weed Trimmer	\$15.00	Boring Machine	\$500 Flat Rate + \$7.00/linear foot

Materials

Appurtenances	Cost + 20%	Stone	Per Contract
<i>Examples Include:</i>		Blacktop	Market Price
▶ Hydrants		▶ Fittings	
▶ Meters		▶ Light Poles	
▶ Pipe Sizes Vary			

SECTION II. That this Resolution be in force and effective immediately and repeals all previous resolutions include Resolution 575.

PASSED AND ADOPTED by the Council of the City of Brownsville this 22nd day of July, 2014.

S. Scott McDowell
City Administrator

Don Ware
Mayor

RESOLUTION NO. 575

A RESOLUTION SETTING THE COSTS FOR MACHINERY, MATERIALS AND RESOURCES FOR WORK PERFORMED BY CITY PERSONNEL

WHEREAS, City resources are utilized from time to time to complete tasks which should have been done by the contractor or other entity; and

WHEREAS, the following rate schedule for machinery, materials and human resources shall be utilized when bills are sent to the contractor or other entity for these tasks.

BE IT RESOLVED, by Council of the City of Brownsville, State of Oregon:

SECTION I. That the following costs for machinery, materials and resources for work performed by City personnel be and are hereby set:

Human Resources

Regular Pay = \$31.14/individual

Overtime Pay= \$46.71/individual

Machinery

Backhoe	\$70.00/hr.
Dump Truck	\$45.00/hr.
Pickup Truck	\$35.00/hr.
Grader	\$65.00/hr.
Sweeper	\$75.00/hr.
6" Trash Pump	\$50.00/hr.
Air Compressor & Hammer	\$65.00/hr.
Lawn Mower	\$35.00/hr.
Weed Trimmer	\$15.00/hr.
Stone	Per Contract
Blacktop	Market Price
Boring Machine	\$6.50/linear foot
Materials	Cost + 20%

SECTION II. That this Resolution be in force and effective immediately.

PASSED:

ATTEST:



S. Scott McDowell
City Administrator

APPROVED:



Don Ware
Mayor



RESOLUTION NO. 2014.17

A RESOLUTION AUTHORIZING CHANGE ORDER #1 TO WILDISH CONSTRUCTION COMPANY, EUGENE, OREGON TO CONSTRUCT AN 8" WATER LINE AS PART OF THE MILLHOUSE SANITARY SEWER PROJECT IN THE AMOUNT OF \$37,350

WHEREAS, the City recently discovered the existing water line was not located where originally shown on the City's mapping system and was not located correctly on the drawings for the Millhouse Sanitary Sewer project as awarded by Resolution 2014.14; and

WHEREAS, significant delays and change orders would have been required to repair the conflicting 2" water line due to the depth of the Millhouse Sanitary Sewer project; and

WHEREAS, Council has appropriated sufficient funding to cover the costs associated with this change order without significantly changing capital projects in FY 2014-2015; and

WHEREAS, the City Engineer has verified the bid to be accurate, correct and reasonable for the work being performed; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon:

- That the City of Brownsville authorizes Change Order #1 for Wildish Construction to build the water line in conjunction with the Millhouse Sanitary Sewer;
- The contract amount is **\$37,350**;

PASSED AND ADOPTED by the Council of the City of Brownsville this 22nd day of July, 2014.

Don Ware
Mayor

S. Scott McDowell
City Administrator



DATE: 7/10/2014

TO: Erwin Consulting, Change Order 1

FROM: Wildish Construction Co., CCB #00695

Wildish Construction Company is pleased to offer you the following price for a new water line on Millhouse St. in Brownsville, Oregon.

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Price</u>
Supervision/Overhead	1.00	LS	2,200.00	\$ 2,200.00
8" C900 Water Line	260.00	LF	78.00	\$ 20,280.00
Service Connections	6.00	EA	1,200.00	\$ 7,200.00
6" MJxFLG Gate Valve	1.00	EA	1,100.00	\$ 1,100.00
8" FLGxMJ Gate Valve	1.00	EA	1,500.00	\$ 1,500.00
8" MJxMJ Gate Valve	1.00	EA	1,500.00	\$ 1,500.00
Fire hydrant Assembly	1.00	EA	2,400.00	\$ 2,400.00
AC Patch (includes dwy repair)	90.00	LF	13.00	\$ 1,170.00
Total Lump Sump				\$ 37,350.00

If you have any questions in considering this quote, please call.

Thank You

Kevin D. Madsen

Project Engineer/Estimator

541-913-0683

kevinm@wildish.com



Medical Marijuana Committee

June 17th, 2014

7:00 p.m.

Council Chambers

Meeting Synopsis

Members: Councilors Cole & Gerber, Bob Anderson, Merritt Schilling, Joe Ervin, and Aimee Addison. S. Scott McDowell was also present.

Public: Gary Shepherd & Lynda Chambers.

Chair Cole discussed the purpose of the Committee which is to make a recommendation to Council for the July 22nd Council meeting in regards to marijuana. The primary question is, "Should marijuana be allowed in town or not at all?" If it is allowed, where should it be allowed. Should it be allowed outright?

McDowell gave an overview of several issues regarding marijuana in Oregon.

1. **Home Rule** – the ability of cities and counties to have local control over issues effecting their political boundaries. The State Legislature has been pre-empting local control for years. The League of Oregon Cities, who lobbies on behalf of city governments, saw this issue as a major example of the State Legislature taking away local control. The State Legislature is not finished discussing this issue and how it relates to Medical Marijuana.
2. **Federal Implications** – there is no way to know what the Federal government will do in terms of legalizing marijuana for medical and/or recreational use. Marijuana is currently a Schedule I Controlled Substance.
3. **State Legislature** – a brief synopsis of events was given to the members as to what had transpired during the last session. The League of Oregon Cities has indicated that there will be much more discussion at the upcoming session about this topic. There are several items that the current system and legislation did not address.
4. **Department of Land Conservation & Development (DLCD)** – currently the DLCD governs everything from a land use planning perspective in the State. The Committee could recommend that Council go through the DLCD's process to zone this particular use, a medical marijuana dispensary, in a specific zone of the town whether that be a Light Industrial Zone or the Volume Commercial Zone. The Land Use Board of Appeals (LUBA) will probably classify a medical marijuana dispensary as a commercial or retail business which means that it should be allowed where a commercial business is allowed. The City will need to get clarification from the DLCD on this issue should we move forward with this option.
5. **Business Registration** – the City could employ a registration program that would be in the best general interest of the City from a Health & Safety perspective for law enforcement and fire protection purposes. The City of Lebanon has the language to th effect that the City will not



grant a business registration if the business is selling products and/or services that are illegal at the Federal, State or local level.

6. **Other States Experiences** – the Committee was cautioned about delving too far into statistics from other States who have legalized or who have medical marijuana. It is too early to extrapolate anything meaningful to those outcomes in terms of crime and traffic issues. The State of Colorado is being sued because they did not allow advertisements. The group suing is indicating that their First Amendment rights are being violated because of this State law.

Members were asked to give a brief weigh-in on the topic. Bob Anderson liked the idea of the zoning implications. He thought that it would be great to list it as a conditional use in certain zones; that way any applicant would need to go through the Planning Commission for approval. The Planning Commission could then make reasonable requests for the applicant to be compliant in terms of lighting, parking etc. Merritt Schilling asked if this is the right direction for Brownsville? Mr. Schilling wanted to know a little more about the demographics of those who would use this service. Mr. Schilling also indicated that the City cannot worry about being sued. Regardless of what happens, the City may get sued. Mr. Ervin explained some of the implications from a pharmaceutical perspective. He also stated that he has substantial investment in this property; it is his retirement. Aimee Addison talked about the implications for this type of business anywhere in town, not just in the downtown core. She asked, "How comfortable would anyone be with this business as a neighbor?" Some would not be bothered, others would. Councilor Cole discussed the legal implications of either decision. She was in favor of the DLCD process as described. Councilor Gerber wanted to explore what was in the best interest of Brownsville. Does this use fit with what Brownsville currently has or desires to become in the future?

McDowell shared concerns about future implications should marijuana be legalized. Any decision Council renders may eventually be abated by the Federal government. If the City goes through the DLC process, it may not matter because a dispensary or "head shop" would be viewed as a commercial business which means that type of business could be located anywhere in town. Regardless, the City should have plenty of time to take action if the Council continues to monitor this issue closely. The DLCD process will take four to six months. The business registration process is a good process regardless if it is used in the manner described above or not. McDowell shared an experience that happened in Sweet Home, Oregon a couple of years ago.

McDowell also pointed out that folks with medical marijuana cards can grow marijuana in their own backyards. They also have the freedom to have someone to grow for them.

General discussion ensued. Bob Anderson cannot make the scheduled meeting of July 1st so the Committee decided to move the meeting to July 8th. Meeting outcomes included McDowell checking in with the City Attorney and Lebanon's City Attorney on topics. McDowell will also check in with the League of Oregon Cities. Members were going to look at national information surrounding this topic and continue to educate themselves on the issues. Chair Cole would like to move toward a recommendation at the upcoming meeting.



Medical Marijuana Committee

July 8th, 2014

7:00 p.m.

Council Chambers

Meeting Synopsis

Members: Councilors Cole & Gerber, Bob Anderson, Merritt Schilling, Joe Ervin, and Aimee Addison. S. Scott McDowell was also present.

Public: Gary Shepherd, Randy & Gail Simpson.

Chair Cole summarized the June 17th, 2014 meeting saying that the Committee had a general discussion and information share. No decision or recommendation has been made. The Committee has been charged with sending a recommendation to Council by July 22nd Council meeting. The goal is to have a recommendation ready for Council by the end of the evening. Chair Cole turned it over to McDowell for the latest information.

McDowell indicated that changes are happening very quickly. He reported that the Secretary of State received a petition to put the legalization of recreational use on the ballot for November. Ethan Nadelmann who is the Executive Director of Drug Policy Alliance was in Portland today discussing the possible ballot measure hoping that everyone can see the hybrid mix of the best of all the efforts so far although there is no way of testing people who would be driving under the influence. McDowell provided several statistics on tax projections if marijuana were to be legalized. Councilor Gerber stated that the discussion must include the possibility of legalization. The proposed legalization for recreational use concept would be regulated by the Oregon Liquor Control Commission (OLCC).

Chair Cole described articles she read about Colorado being able to transition quickly from medical marijuana to recreational use. Joe Ervin asked about the implications of the OLCC. Will liquor stores be able to legally distribute marijuana if this comes about? Bob Anderson indicated that OLCC will regulate the dispensation of marijuana but distributing from current store locations may not be a part of that future. McDowell indicated that it depends on how quickly the State policy changes. Should advocates be successful, what better way to get the product to the consumers? Stores already exist with strict regulations and guidelines.

McDowell shared that the national perception of medical marijuana has changed dramatically just in the last few years. There seems to be a diminishing moral concern about the medical use of marijuana. It has become a bi-partisan effort. Due to these changing views, legalization of recreational use seems like it can possibly overcome some of the national policy implications. Chair Cole talked about the potential revenue stream.

Councilor Gerber has heard a lot of opinions on all side of this issue; everything from no way to no problem. Bob Anderson supports the use of marijuana medically because it happens to help a lot of people. Anderson shared that it was reported that the City of Medford's business registration policy was upheld based on the Supremacy Clause in the US Constitution. Mr. Anderson did not want the City to spend a lot of money on the legal implications surrounding this issue; let others decide what public policy will be. Anderson was in favor of a business registration process. Anderson is concerned



about the possible negative implications of the Federal government. He recommends that we put a business registration process in place that includes the language that must products and services must be in compliance with Federal, State and local laws.

Mr. Schilling discussed the implications of drug policies in the workplace. He also stated that there are laws already in place that allows people to get medical marijuana. People can grow for personal use if they have a medical marijuana card. People can get what they need. Schilling would recommend to not violate Federal law.

Mr. Ervin likes the idea of business registration as described earlier. We already have a model that is the doctor, patient, pharmacy that dispenses medicine to patients. Ervin is very open minded about the topic, but wants to make sure that the proper safeguards are honored.

Mrs. Addison talked about the City of Salem and their process. She discussed the business registration idea and still liked the idea of the zoning change. She was a proponent of preserving the downtown core business area. She does not have a problem with medical marijuana. Salem has a lot of city regulations on top of the State regulations that could possibly be developed.

McDowell reported a conversation with the City Attorney about imposing a blue law like the City of Monmoth had several years ago regarding liquor. Mrs. Sommers said that that was a possibility. The League of Oregon Cities is still reporting that the State Legislature is not through with this issue. McDowell shared Sweet Home's concern or lack of concern with the Committee. Since there was no pending applications, Sweet Home Council decided to take no action in terms of a moratorium.

As Mr. Anderson indicated earlier, the Medford decision will be appealed. Right now the discussion around marijuana is making for a very dynamic policy environment due to some proponents strongly advocating for legalization. The Federal implications could be massive depending on the policy stance taken nationally. The City does not have the luxury of self-funding utility projects which will be upon us all in the year 2019-2020 with the City pushing for a new Water Treatment Plant. The City did not have the ability to tell the Federal government that we were not going to put in the Wastewater Improvements of 2007-2008. The City had no choice. The implications of the Total Maximum Daily Load (TMDL) has not yet been fully felt by the City; another unfunded mandate that cities are being required by law to do by the Federal government. The United States Department of Agriculture is the arm of the Federal government that ends up loaning communities money to address deficiencies with the Federal and State laws.

Chair Cole reported that she interviewed area real estate agents and the perception was again split about the implications surrounding these kinds of proposed uses. One agent said that it really depends on the atmosphere of your community. Cole liked the idea of business registration as discussed earlier. Cole is concerned about the Federal funding implications. She also talked about the reasons why communities adopt business registration. Cole asked about the ability of the City to tax marijuana. McDowell explained that cities may be pre-empted by the State for those revenues. He shared the example of State Shared Revenue experience. He also pointed out the shortfalls in the State budget and that they will be hard pressed to share any new funding. McDowell explained the implications the State recently imposed on municipal courts which has made them less viable.



Council Gerber felt that if we have a consensus around the table regarding business registration that maybe there could be a combination that would include zoning law changes. McDowell explained the difference between the business registration process and the zoning process. The State is more than likely going to view a medical marijuana dispensary as a retail/commercial business which could potentially allow them anywhere in town.

McDowell wrote a few options on the white board and they were, 1) Business Registration with restrictive language, 2) Zoning change says 'yes' to medical marijuana, but would place that particular use a specific zone like Volume Commercial and would be listed as a Commercial Use, 3) Do nothing and both medical marijuana operations and potentially legalized recreational opportunities would be legal to go forward in the community, 4) develop a blue law which would ban marijuana from Brownsville.

McDowell shared a few examples of the Planning Commissions role and how that relates to the zoning aspects and discussed other things that have transpired over the course of the last several years within the City with residents; the importance of the City having force of law was also discussed. Conditional uses allow a use but restrict business hours, maybe require a fence or some kind of screening, additional parking spaces, additional lighting, improved drainage, proper signage etc. Neighboring properties are noticed for those meetings. The blue law concept would have to have an exemption based on the existing State law but would ban marijuana outright regardless of any future Federal policy change.

The business registration process should be made as simple as possible, however there will have to be serious language that will make the process enforceable.

McDowell asked Chair Cole to request that Council keep the Committee together due to the uncertainty of the issue.

The Committee asked McDowell to draw up the Committees recommendation for Council.

Addison asked about how easy is it to change an ordinance. McDowell explained how easy it is to change and used the City of Ashland's process. Ashland recently removed the Federal language from their ordinance in order to allow medical marijuana dispensaries.

Anderson said basically the City is buying some time to see how this issue shakes out. Schilling made it clear that people can still get their marijuana for medicinal use.

McDowell was also asked to put together a press release as well. McDowell also said that the press/media is free to call individual members. He indicated that he has been given the title of Public Information Officer for the City. The Committee indicated that they will direct questions back to McDowell at City Hall.

Chair Cole wanted to make it clear that medical marijuana has utilitarian uses when worked out with a doctor. She thanked the Committee for their service.

S. Scott McDowell

From: S. Scott McDowell [admin@ci.brownsville.or.us]
Sent: Thursday, July 10, 2014 10:28 AM
To: 'Randy Simpson'
Cc: 'Mandy Cole'
Subject: RE: So much for an unbiased committee

Good Morning Randy,

The "do nothing" option would include lifting the moratorium and would allow dispensaries in Brownsville. The State Legislature allowed cities to place a moratorium for up to one year to determine what cities wanted to do with the issue of dispensaries within their city limits. Advocates of legalizing marijuana for recreational use have been successful in filing a ballot petition that is currently under review with the Secretary of State. If the petition is validated, the question will appear on the ballot in November; there are a lot of 'moving parts' regarding this discussion. Council has a recommendation from the Committee and will discuss the matter at the July 22nd meeting as I shared with you yesterday. I am not sure if Council will take action on the recommendation or not at that meeting. It is up to Council to determine the best course of action for the City of Brownsville. The moratorium can be lifted at any time, but it also can stay in place through April 30th, 2015.

Council will be held in Council Chambers at City Hall on Tuesday, July 22nd, 2014 at 7:00 p.m.
 Thanks Randy!



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

From: Randy Simpson [mailto:crf2ex@yahoo.com]
Sent: Wednesday, July 09, 2014 6:54 PM
To: S. Scott McDowell
Cc: Mandy Cole
Subject: Re: So much for an unbiased committee

Scott (and Mandy),

I find it curious that during the tuesday evening dispensary research committee meeting, white-board "options" didn't include "lifting the temporary ban and let licensed dispensaries operate".

Why wasn't that included as an option? Letting us operate wasn't even an option put on the table? Good grief...

I saw the "do nothing" as "not lifting the temporary ban"...is that correct?

Sent from my iPad

On Jul 9, 2014, at 3:12 PM, "S. Scott McDowell" <admin@ci.brownsville.or.us> wrote:

Good Afternoon Randy & Gayle,

Thank you for coming to the meeting last night. I certainly understand your passion. I also want to invite you to the upcoming Council meeting on July 22nd, 2104 at 7:00 p.m. in Council Chambers. Council will have the Committee's recommendation on their agenda and they will be taking public comment. Please let me know if I can be of further assistance.

<image001.jpg>

S. Scott McDowell

255 N. Main Street

P.O. Box 188

Brownsville, OR 97327

541.466.5880

Fax 541.466.5118

-----Original Message-----

From: Randy Simpson [<mailto:crf2ex@yahoo.com>]

Sent: Tuesday, July 08, 2014 9:18 PM

To: S. Scott McDowell

Cc: Mandy Cole

Subject: So much for an unbiased committee

Scott,

The meeting tonight really pissed me off. What a joke. Seems like most of the committee members are very uninformed about the problem that MANY medical marijuana cardholders have in getting safe access to their meds. Let the sick and hurting people drive to another town to buy their meds, is their attitude.

Looks like the committee was only researching ways to keep us out of Brownsville, because of their personal opinion of mmj dispensaries. They all claim they're not against mmj...(just against cardholders having safe, convenient access to it).

We've tried to work nice with the city. This "mmj dispensary research committee" wants to deal with the issue by requiring all businesses to obtain a city license? Make us wait until the Feds re-classify cannabis? Seems like discrimination to me, and we will be seeking legal advice and most likely legal action against the city of Brownsville (as a last resort) if that's how the city council acts. We've already spent thousands of \$\$ setting up our business right. What's a few thousand more, fighting the city? Not what we want to do, it's sort of being forced, it seems...

All three male members of the committee cited their reasons for not allowing us to do business in Brownsville was that it's still illegal federally... Obviously, the committee members haven't heard of the federal "Cole memo"...Look it up, read it, and show it to them.

Worried about losing federal assistance money if the dispensary is allowed in Brownsville? Like all of Washington and Colorado and any city in the country that allows marijuana dispensaries are going to lose federal money?? How stupid is that?

I know I wasn't allowed to speak during the meeting. I was getting so upset, hearing the BS without being able to speak in response, I had to leave the room.

Randy (and Gayle) Simpson

Sent from my iPad=



Going Cold Turkey?

turntohelp.com

Thursday, July 10, 2014

66° Forecast | Radar

Info on withdrawal, detox & rehab for opioid painkiller addiction.

NEWS SPORTS BUSINESS OPINION LIFESTYLE TEMPO PHOTOS/VIDEOS COMMUNITY SPECIAL REPORTS INTERACT CLASSIFIEDS MAGAZINES

Judge rules against Medford dispensary, pot law

Gerking: Oregon medical marijuana law is 'unenforceable'; Medford councilor says, 'Obviously, the city is pretty happy'

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May 14, 2014
By **Damian Mann**
Mail Tribune

A Jackson County Circuit Court judge on Tuesday upheld the city of Medford's right to revoke the business license of MaryJane's Attic and Basement for unlawfully selling marijuana.

In what could prove to be more far-reaching, Judge Timothy Gerking also found that the landmark Oregon Medical Marijuana Act governing medical marijuana is in conflict with federal law.

Relying on a previous Oregon Supreme Court employment case involving medical marijuana use, Gerking wrote that the state law is "unenforceable" because it conflicts with federal law.

In his ruling on the Medford business, Gerking said substantial evidence also showed that MaryJane's wasn't operating lawfully under the OMMA.

Leland Berger, attorney for Richard and Marlene Nuckols, owners of MaryJane's, said he wouldn't comment on the judge's ruling until he had a chance to discuss it with his clients.

The city issued a business license to MaryJane's on April 9, 2012, but the City Council revoked it in March.

The Nuckolses appealed the city of Medford's revocation of their business license to Jackson County Circuit Court.

At the time, Gerking said owners of MaryJane's could operate the business until he made a ruling, as long as medical marijuana or other controlled substances were not exchanged on the premises.

The Nuckolses have two separate businesses under one roof. MaryJane's Attic sells clothing, candles and other products. MaryJane's Basement dispenses medical marijuana to patients who display a valid Oregon Medical Marijuana Act patient card.

1 of 3 Premium Clicks used this month

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"Suffice it to say, the city was authorized to issue a single business license to the Nuckols for their multiple business operations on the same premises, and the city was also authorized to revoke that license if there was unlawful activity occurring on any part of that premises," Gerking wrote.

Councilor Daniel Bunn said, "Obviously, the city is pretty happy with the results."

The biggest issue resolved by Gerking's ruling is that federal law preempts state law in this case, he said.

"I think it spells trouble for the OMMMA," Bunn said.

Under his reading of the city code, Bunn said, the Nuckolses' business license would be revoked for a one-year period, after which they could reapply, though not as a marijuana dispensary.

While pleased with the outcome, Bunn said he anticipates an appeal and expects the debate on medical marijuana to continue.

He said the city sought clarity about whether it should be considering federal or state law because it hadn't received enough direction from lawmakers.

"We're happy the court sided with us but frustrated we're in this position," he said.

Gerking said he relied heavily on an Oregon Supreme Court case known as Emerald Steel Fabricators Inc. vs. the Bureau of Labor and Industry.

The Supreme Court ruled in that case that federal drug laws preempt the OMMMA.

The court ruled Emerald Steel had the right to fire a marijuana-smoking employee who operated a forklift even though the employee had a medical marijuana card and limited his marijuana use to when he wasn't working.

Gerking found the Nuckolses obtained compensation from the sale of marijuana in excess of that allowed by state law.

The couple claimed the additional compensation was a donation, but Gerking stated, "This argument is disingenuous at best."

Last September, the Medford City Council enacted an ordinance essentially banning marijuana dispensaries. On March 20, the council enacted a permanent moratorium on marijuana dispensaries in response to House Bill 3460, which provides state licenses to sell medical marijuana.

Mary-Jane's recently obtained a state license to operate a marijuana dispensary.

Gerking didn't specifically rule on whether Medford's ordinance and moratorium violates state law.

"It is unnecessary for me to examine whether the city's ordinance is preempted by state law because I have already found that the applicable state law is unenforceable under the Supremacy Clause of the United States Constitution," Gerking wrote.

Reach reporter Damian Mann at 541-776-4476, or email dmann@mailtribune.com. Follow on Twitter at [@reporterdm](https://twitter.com/@reporterdm).

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Premier Care Dental

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Southern Oregon Subaru Volvo Mitsubishi

Buy One Candle, Second Candle 40% OFF
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City of Brownsville Professional Services Agreement

A Professional Services Agreement
Between the City of Brownsville
and
David W. Kinney, Community Development Consultant

This agreement dated this 1st day of July 2014 is between the City of Brownsville, Oregon, a municipal corporation in the State of Oregon, hereinafter referred to as the "CITY" and David W. Kinney, Community Development Consultant, hereinafter referred to as the "CONSULTANT".

RECITALS

Whereas, the City of Brownsville desires to contract with CONSULTANT for the purpose of providing planning, financial analysis and management services for the CITY.

Whereas, the CONSULTANT has demonstrated an expertise in managing and providing land use planning and project management services to local governments in the State of Oregon. The CITY desires to retain the CONSULTANT to provide these services under the terms of this Agreement.

NOW, THEREFORE, the CITY and the CONSULTANT, for the considerations set forth, agree to the recitals and as follows:

ARTICLE 1 - SERVICES OF THE CONSULTANT

The CONSULTANT, as an independent contractor, agrees to perform professional services, as defined and described in Exhibit A, attached hereto and made a part of this Agreement, in accordance with applicable local, state, and federal laws, statutes, ordinances, rules and regulations,.

ARTICLE 2 - CITY'S RESPONSIBILITIES

The CITY will:

- 2.1 Provide adequate information to the CONSULTANT regarding the CITY's requirements for the services outlined in Exhibit A.
- 2.2 Assist the CONSULTANT by placing at its disposal all reasonably available information and technical data pertinent to the project outlined in Exhibit A including previous reports and any other data relative to the services or projects.
- 2.3 In accordance with applicable local, state or federal laws or statutes, ordinances, rules or regulations, upon reasonable notice, provide access and make all necessary provisions for the CONSULTANT to enter upon public and private property as required for the CONSULTANT to perform the services under this Agreement.

2.4 Appoint a city employee to serve as a staff liaison to coordinate projects and services. The City Administrator, or designee, will serve as the CITY’s liaison with CONSULTANT.

ARTICLE 3 - AUTHORIZATION, SCHEDULES AND COMPLETION

3.1 The CONSULTANT shall commence its services upon receipt of a project description, scope of work and a written authorization to proceed.

3.2 The CONSULTANT agrees to complete professional services in a timely manner. The time of performance will be set at the time written authorization to proceed is given by the CITY.

3.3 Upon receipt of an authorization to proceed, the CONSULTANT agrees to either meet with a CITY representative or communicate with the CITY to determine project priorities and set a schedule showing how the project will be carried out in a timely fashion.

3.4 Time is of the essence of this Agreement.

ARTICLE 4 - PAYMENTS TO CONSULTANT

Upon compliance with the terms and conditions of this Agreement, the CITY shall compensate the CONSULTANT as follows:

4.1 Compensation

4.1.1 The CITY agrees to pay the CONSULTANT for professional services provided under terms of this Agreement.

4.1.2 The CITY may withhold from payments due the CONSULTANT such sums as are necessary to protect the CITY against any loss or damage which may result from negligence or unsatisfactory work by the CONSULTANT, the failure of the CONSULTANT to perform the obligations under this Agreement, or claims filed against the CONSULTANT or the CITY relating to the CONSULTANT's services or work under this Agreement.

4.2 Billing and Payment Procedure

4.2.1 The CONSULTANT will provide an itemized statement to the CITY for work performed. The CONSULTANT shall maintain detailed records to support these charges and such records shall be available to the CITY for audit and copying.

4.2.2 Payment to the CONSULTANT shall be:

4.2.2.1 The sum of the actual cost for professional services for the time the CONSULTANT is involved in carrying out the terms of this Agreement at the hourly rates for the employees and principals, inclusive of project overhead, clerical support, professional services and profit, as follows:

General Planning and Management Services	\$75.00 per hour
Special Projects	\$85.00 per hour

- 4.2.2.2 Reimbursable expenses which shall be for the reasonable costs directly incurred for fulfilling the terms of this Agreement including, but not limited to, travel, phone, copying, printing, facsimile, delivery services, and supplies.
- 4.2.2.3 The actual cost of services provided by sub-consultant performing services required by this Agreement provided that such sub-consultant services are approved by the CITY in writing. A 5% mark-up will be added to sub-consultant services to cover the CONSULTANT's administrative expenses.

4.2.3 The CITY shall pay CONSULTANT within 30 days of the CITY'S receipt of the CONSULTANT's monthly statement.

ARTICLE 5 - GENERAL CONDITIONS

- 5.1 Term. The services required by this Agreement shall commence on July 1, 2014 or the date this contract is executed by the CITY, whichever is later.
- 5.2 Termination. CONSULTANT may terminate this Agreement by giving CITY thirty (30) days written notification without giving cause for such termination. CITY may terminate this Agreement at any time by providing CONSULTANT with written notification without giving cause for such termination. The CITY shall pay the CONSULTANT for services performed and expenses incurred to the date of termination.
- 5.3 Amendments. This agreement may be amended only by the written agreement of both parties.
- 5.4 Independent Contractor. The CONSULTANT is an Independent Contractor and assumes sole responsibility for the performance of its services.
 - 5.4.1 As an independent contractor, the CONSULTANT will be solely responsible for payment of any local, state or federal taxes required as a result of this Agreement. If the CONSULTANT performs this Agreement without the assistance of any other person, the signing of this Agreement shall constitute the declaration of independent contractor status.
 - 5.4.2 This Agreement is not intended to entitle the CONSULTANT or its subcontractors to any benefits generally granted to owners and employees. Without limitation, but by way of illustration, the benefits not intended to be extended by this agreement to the CONSULTANT or subcontractors are vacation, holiday and sick leave, other leaves with pay, tenure, medical and dental coverage, life and disability insurance, overtime pay, Social Security, workers' compensation, unemployment compensation, or retirement benefits.
 - 5.4.3 The CONSULTANT an independent contractor for purposes of the Oregon Workers' Compensation Law (ORS Chapter 656) and is solely liable for any Workers' Compensation coverage under this Agreement. If the CONSULTANT hires subconsultants for the performance of this Agreement, the CONSULTANT agrees to require that the subconsultant(s) shall comply with ORS Chapter 656.

5.5 **Hold Harmless Clause.** The CONSULTANT and the CONSULTANT's partners, agents, representatives and /or employees shall be held harmless by the CITY as may be required by State law. The CITY agrees to defend the actions taken by the CONSULTANT in the performance of his duties. However the CITY will not be liable for any willful and wanton acts of the CONSULTANT that is malicious in nature that may give rise to a claim against the CITY.

5.6 **Other Terms and Conditions.**

5.6.1 **Applicable Law.** This Agreement is construed under the laws of the State of Oregon, the City of Brownsville Charter and the Brownsville Municipal Code.

5.6.2 **Attorney Fees.** In the event of any action or proceeding herein, including mediation or arbitration, the prevailing party in such action or proceeding shall be entitled to reasonable attorney fees to be fixed by the presiding party, and if an appeal is taken from the decision, such further sums as may be fixed by the appellate court as reasonable attorney fees, together with prevailing party costs and disbursement incurred therein.

5.6.3 **Performance of Duties.** CONSULTANT shall perform his duties in accordance with all applicable laws, ordinances, rules and regulations applicable to his position.

5.6.4 **Entire Agreement.** This Agreement, except as herein expressly provided to the contrary, constitutes the entire Agreement between the parties. The provisions of this Agreement are solely for the benefit of the parties and not for the benefit of any other person, persons or legal entities.

5.6.5 **Communications.** All communications regarding this Agreement shall be sent to the parties at the addresses included herein:

City Administrator
City of Brownsville
255 N. Main St.
PO Box 188
Brownsville, Oregon 97327

David W. Kinney
Community Development Consultant
791 E. Hollister St.
Stayton, OR 97383

The CONSULTANT shall advise the CITY, in writing, of any change in his business address for forwarding any communications regarding this Agreement. Any written notice hereunder shall become effective as of the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to any addresses stated in this Agreement or hereafter specified by notice in writing. In lieu of mailing, written notice shall become effective as of the date it is personally delivered to the addressee.

5.6.6 **Inducements and Representations.** The CONSULTANT acknowledges that he has not been induced to enter into this Agreement by any representations or statements, oral or written, not expressly contained herein or guarantees, expressed or implied, other than the expressed representations, warranties and guarantees contained in this Agreement.

5.6.7 **Assignment.** This Agreement may not be assigned by either the CITY or CONSULTANT.

- 5.6.8 Dispute Resolution. In the event a dispute arises under the terms of this Agreement, it shall be resolved by mandatory mediation; if it is not settled thereby, the dispute shall be resolved by binding arbitration in accordance with the Uniform Trial Court Rules of Oregon, whereupon the prevailing party may be awarded reasonable attorney's fees.
- 5.6.9 Representation. The CITY has been represented by its City Attorney in the preparation of this Agreement. The CONSULTANT has the right to independent counsel at his own expense regarding to the preparation of this Agreement.
- 5.6.10 Severability. It is understood and agreed by the parties that if any part, term, portion or provision of this Agreement is held by the courts to be illegal or in conflict with the laws of the State of Oregon, the validity of the remaining portion of this Agreement shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, portion or provision.

City of Brownsville

David W. Kinney
Community Development Consultant

By: _____
S. Scott McDowell, City Administrator

By: _____
David W. Kinney

Date: _____

Date: _____

Exhibit "A"

SCOPE OF WORK**Task 1 - General Planning Services**

Planning consultant services for the City of Brownsville. The CONSULTANT will provide the following land use planning services, including but not limited to:

- 1.1 Public assistance on land use issues.
- 1.2 Assist with review of land use applications. Review of land use applications includes, but is not limited to, review of applications for certificate of completeness, preparation of notices of public hearing, agency coordination, staff reports, preparation of notices of decisions, final orders of approval, review of public works requirements, reviews of related ordinances and resolutions
- 1.3 Attendance at City of Brownsville Planning Commission and City Council meetings (as requested).
- 1.4 Goal setting and Annual Work Program Prioritization with the City staff and Planning Commission

Task 2 - General Administrative Services

The CONSULTANT will provide the general management, administrative or financial services to the City Council and City Administrator on an as-requested basis. This work includes, but is not limited to:

- 2.1 Budget Analysis or Financial Projections
- 2.2 Project management services related to a specific public works or development project.
- 2.3 Grant writing
- 2.4 General city administrative or management services.
- 2.5 Community Goal Setting

Task 3 –Special Projects

The CONSULTANT will provide planning and project management services for special projects. No special projects have been identified as of July 1, 2014.



City of Brownsville

Discharge of Weapons

NEW X RENEWAL _____

Applicant Name: Chad Hein

Property Owner: Chad & Debra Hein

Mailing Address: 285 Hunter St. Brownsville Tex. 77327

Property Address: SAME

Phone Number: 541 466 5417 / Cell # 541 401 7100

E-mail: heinfam@centurytel.net

Have you ever been convicted of a felony, misdemeanor or other offense in the last five (5) years? NO

If yes, please explain. _____

By making this application for license, the applicant represents that he/she is aware of the requirements of City of Brownsville Ordinance 742 relating to weapons discharge and hereby agrees to comply with those requirements.

I, Chad Hein, applicant or authorized representative of applicant, swear and affirm that all statements contained in this application, including statement of my authority are true under penalties of perjury.

Chad Hein
Signature of Applicant

Date of Application

Chad Hein
Signature of Property Owner

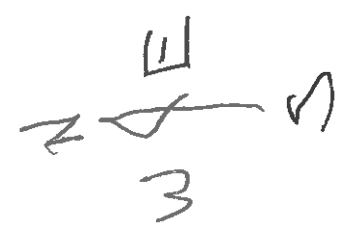
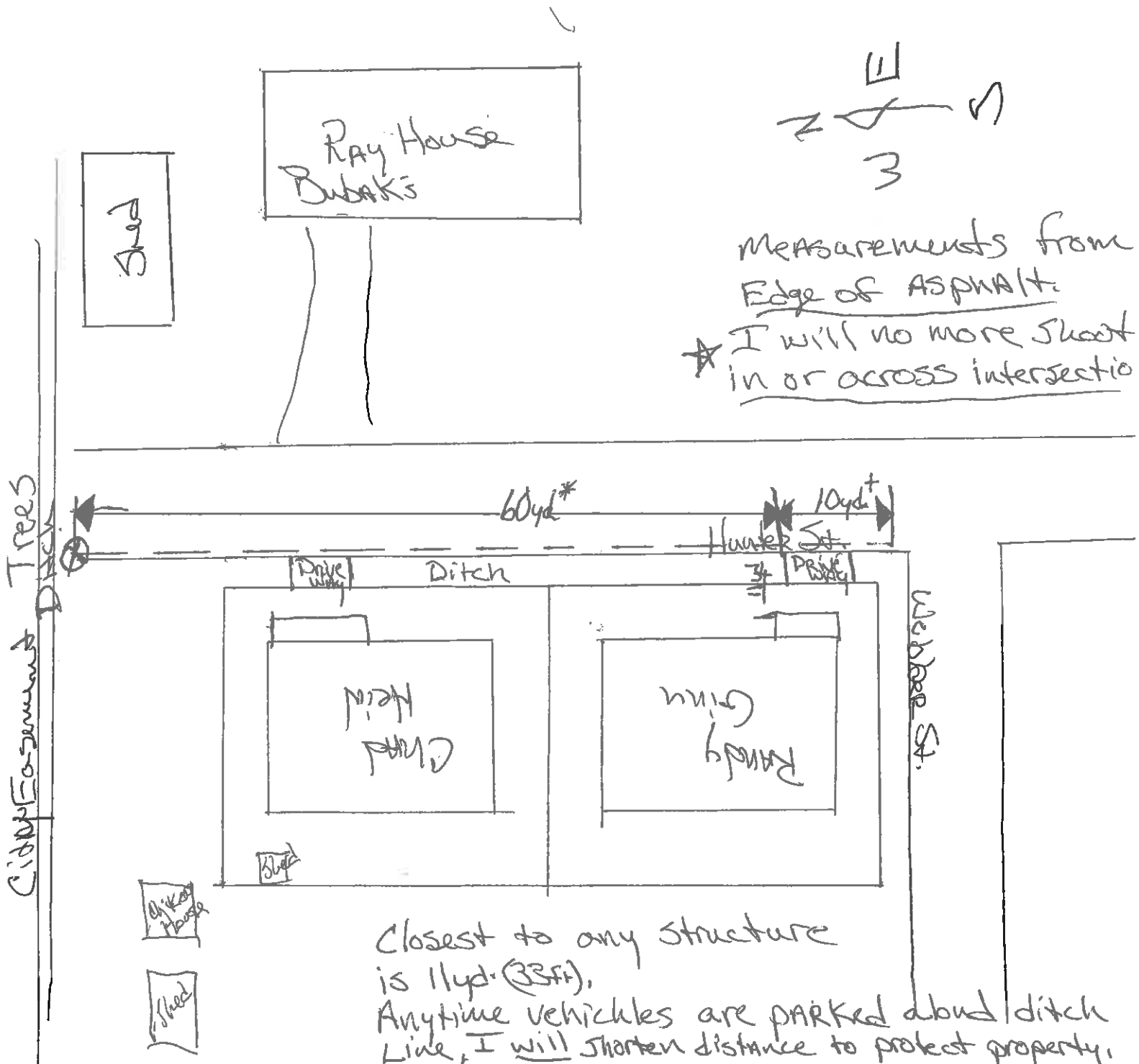
Date of Application

Property Parameters

▶ Please provide a map of your property parameters including general layout, property dimension, distances between structures including all neighboring properties, distance of shooting area, proximity to any public right-of-ways, etc.

▶ Distance of shooting area from Property Lines:

North _____ South _____ East _____ West _____



Measurements from
Edge of ASPHALT.
 * I will no more shoot
in or across intersection

Closest to any structure
 is 11 yd. (33ft).
 Anytime vehicles are PARKED along ditch
 line, I will shorten distance to protect property.

--- Proposed shooting lane (which is in gravel between
 Asphalt and ditch)

- ⊗ where TARGET sits
- * 60 yd to North edge of Randy's driveway
- + if possible to be ok'd for 70 yd.

I have painted yardage markers on edge of Rd
 The signatures aquired have seen this proposal.



City of Brownsville

Discharge of Weapons

Other Relevant Factors: I shoot competition out to 100yds.. I proposing
70yds. if possible which is NW corner of intersection. Its highly
visible to traffic. The range is on the ^{west} edge of Hunter St. in front of Randy's

Signatures of property owners affected saying its ok

Property owner East of property X Ray Bubak

Property owner South of property X Randy Ginn

Property owner North of property X [Signature]

For Official City Use Only:

Suitable Property Size: Yes No **Suitable Property Configuration/Design:** Yes No

Approved

Declined

Revoked

Comments:

City Administrator

Date

Linn County Sheriff / Representative

Date

- ▶ Permit is valid **if** there are no changes to this approved application.
- ▶ Any change will require property owner to file a new permit application.

Please keep this permit available for inspection upon request.



City of Brownsville

Discharge of Weapons

9.20.010 Discharge of weapons.

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



Proposed Definition Changes

Accessory Structures

15.15.020 Definitions.

As used in this division, the following words and phrases shall mean:

"Construction Permit" means an application obtained from the City to construct a primary structure.

"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.

15.15.035 Construction Permit Required

The City of Brownsville requires a construction permit for primary structures, accessory structures and fences. The cost of a construction permit 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 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 enclosure are subject to the setback requirements and lot coverage requirements of the Zoning Code.

- *Definitions will have to be replaced in Section 13.05.010 & 15.70.030 in the Brownsville Municipal Code.*
- Proposed Minimum Setback of five feet (5') from the side & rear setbacks.
- Setback Table will also be added to the Code.
- Question: Carport Setback is currently twenty feet (20'). Staff would like to discuss policy versus practical application of this use.

Fences

Discussion points:

- Identifying fence styles.
- Prohibited styles.
- Survey requirement.
- One foot from property line.
- Planning Commission Variances.
- Violations.

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. Bldg. Height*	Max. Bldg. 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**	20'	20 ft.	15'	5'	10'	n/a	35 1/2 Stories	50% / 90%
Light Industrial**	20'	20'	15'	5'	10'	n/a	45'	0% / 80%
Heavy Industrial	20'	10'	15'	n/a	n/a	n/a	45'	0% / 85%
Special Development								
Public***							35'	50% / 80%
Accessory Structures								
Low Density Residential				5'	5'		22'	
Medium Density Residential				5'	5'		18'	
High Density Residential				5'	5'		18'	
Public***								
Volume Commercial**							22 1/1 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.

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

What to do When an Ethical Dilemma Involves your Elected Official

By Martha Perego

Any CEO, whether leading a private or public organization, knows that success can depend on first establishing a solid relationship with the governing body. The relationship, individually and collectively, must be built on a foundation of mutual trust and respect for the other's unique role and responsibilities. Local government managers face the added challenge of doing this publicly, despite competing interests and the pesky requirements of democracy.

When either party fails to understand its role or strays across boundaries, intentionally or not, the relationship can be strained or fractured. An elected official acting like a manager can create an ethical dilemma for the manager as well. Here are two real-world incidents that highlight ethical issues that can arise.

Incident #1

The takeaway from the new city manager's first council retreat was that public works was a real weakness in the organization. The manager promised to pay close attention to the situation and, after a year, concluded that the public works director lacked the technical and management skills needed to lead the department.

A significant amount of coaching and direction didn't seem to yield better results. The manager terminated the public works director and then informed the mayor and council. The following year, the wife of the now former employee ran for and won a spot on city council.

The new councilmember is highly critical of the manager's performance and prefers to address her concerns and complaints only in public forums. She also goes directly to staff to inquire about project status, get information, and issue requests for service. The manager met with the councilmember in an effort to get her to deal directly with him and identify the source of her discontent. Nothing has worked.

The manager next learned from a vendor that the councilmember called the vendor to determine why a project was not progressing on time and to demand better results. The

manager believed her action was improper! He wonders what his next step should be. Should the manager address this issue with the councilmember? Go to the mayor?

Many times elected officials are motivated by pure desire to serve the voters, and they wander into the manager's "territory" because they lack an understanding of the manager's role and how to get things done. Managers can help newly-elected officials understand the division of labor between elected officials and staff. Council retreats, orientations, presentations by corporation counsel, and regular discussions are all effective ways to build a strong understanding of roles and responsibilities and establish the ground rules for conduct of all parties. A low-key, one-on-one approach often is successful in resolving missteps and issues.

But the manager can't be expected to correct inappropriate upstream conduct. Governing body members must police the conduct of their peers and weigh in when it crosses boundaries. In this case, the manager should explain to the councilmember that her intervention is neither helpful for the project nor appropriate. The manager should also inform the mayor and request that the councilmember's conduct be addressed by her peers.

Incident #2

What do you do when the mayor is the offending party? One city manager faced that issue after the departure of the director of the city's performing arts center. The mayor then presented the manager with an ultimatum: rehire the director or meet with council in executive session called specifically to consider the manager's continued employment.

The director had resigned from the city following a media report that he had accepted many gifts from individuals doing business with the city and failed to follow the disclosure laws. The director had been competent, but his conduct violated city policy and the law and embarrassed the organization.

This was a deal breaker for the manager because all staff, including the director, had been through ethics training that specifically addressed the gifts issue. The manager had offered the director the option to resign or be fired.

The manager informed the mayor that he would not reconsider his decision and was glad to discuss his rationale with the full council in executive session. From the manager's perspective, this was not about power or territory but about preserving the city charter and rule of law. His ethical obligation is to resist encroachment on his professional responsibilities, to handle each personnel matter fairly and on the merits, and to do what is right—even at the cost of losing his position.

Governance coach Mike Conduff reminds both managers and elected officials of the importance of the team relationship: "It is hard to imagine an effective team environment where members don't know or operate within their roles. Visualize an airline pilot leaving the cockpit to serve drinks or a pitcher abandoning the mound to catch a fly ball in the outfield.

"Elected officials are critical in their governing role, and in order to be effective must be educated, trained and coached in that role. Managers can clearly assist with training, but mentoring and discipline rest largely with the mayor and governing body." We skip training camp at our peril!

Martha Perego, ICMA-CM, is the ICMA Ethics Director based in Washington, D.C. She can be contacted at mperego@icma.org.

Reprinted from *PM Magazine*

CALENDAR OF EVENTS

July 8-11, 2014

OCCMA Summer Conference, Mt. Bachelor Village, Bend

September 14-17, 2014

100th Annual ICMA Conference, Charlotte/Mecklenburg County, NC

September 25, 2014

OCCMA Fall Workshop, Eugene Hilton Hotel

October 23-24, 2014

Annual OCCMA Board Retreat, The Oregon Garden, Silverton

September 27-30, 2015

ICMA Annual Conference, Seattle/King County, Wash.

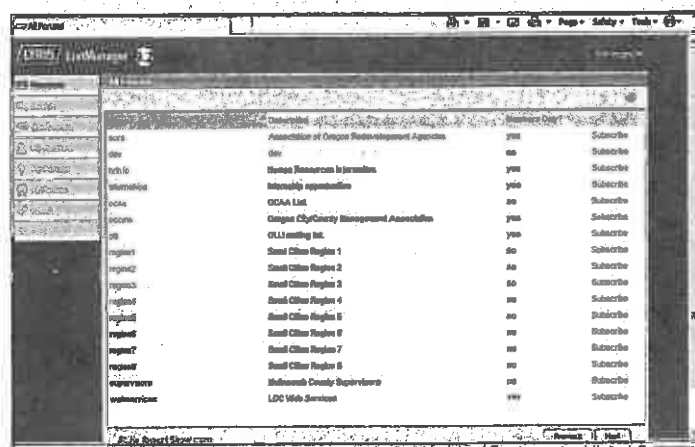
OCCMA Listserv –

Message Reduction and Management

Did you know that you do not have to receive all of the messages as individual e-mails? You can choose to get a digest of daily e-mails. You can also search for older e-mails, so there is not a need to save them on your computer.

This URL is your key: <http://list.orcities.org:81>. You will most likely get a pop-up screen asking you to log in.

Use your e-mail address as your user name and enter your listserv password. This will bring you to the Lyris ListManager. Click on "Discussion Forum" under Shortcuts and the screen will change to show your subscribed forums.



Select one of your forums and go to "My Account" to change your e-mail options. The "Membership Type" drop down list allows you to change how you receive e-mails; including stopping e-mails should you go on vacation, or getting a daily digest. Click on the "Help" button for a manual that explains the LYRIS program. The "Editing Your Settings" (selection 8) explains the options.

Remember a post from a while back? No problem. You can scroll through the messages back to November 5, 2003, or search for a subject. Clicking on the column heading will sort the list by date, by subject, by replies, or by author. Sometimes it takes a bit of searching or scrolling, but you can find those messages.

July 3rd, 2014

Re: Millhouse Sanitary Sewer Project

Dear Resident,

The Council has been planning on replacing the sanitary sewer collection line on Millhouse & Spaulding Way for the last two years. Last year, the maintenance to the line became critical. City Engineer Ryan Quigley of Erwin Consulting was asked to design the replacement sewer. The City has been busy getting the project ready and Council recently, June 24th, passed a resolution authorizing contracts for this project. Wildish Construction out of Eugene, Oregon was the successful bidder. The City had a positive experience working with Wildish Construction on the Gateway project a few years ago.

The City Engineer has executed contracts in place and the City will be hosting a pre-construction meeting on Monday, July 7th. The project consists of replacing the sanitary sewer collection line from Kirk Avenue, north up Millhouse, west on Millhouse to Spaulding Way. Wildish Construction is planning on starting the project on July 8th. The contract is sixty (60) days to complete the entire project.

The City will strive to keep the area in continuous service and make the project as "painless" as possible although there will be times when service may be disrupted or a driveway may be blocked. We ask for your patience and understanding as we complete this important project.

If you should have any questions or concerns, please contact me at City Hall. We appreciate your help in making this another successful project for the City.

Cordially,



S. Scott McDowell
Administrator



Karl Frink
Public Works Superintendent

c: Council
Staff
File

Subject: Re: Democrat-Herald new question, code of conduct
From: Don Ware <timeseditor@centurytel.net>
Date: 7/10/2014 9:39 AM
To: Jennifer Moody <Jennifer.Moody@dhonline.com>

The city's position is in the resolution. The city has not decided yet how to handle a code of conduct issue with an official, but will likely follow this process of a meeting with several city councilors and the person, along with the city administrator. I can be called on the carpet if I write inaccurate information as editor, because I am also the Mayor. I and all officials need to be conscious of accuracy and careful not to misinform the public.

On 7/9/2014 3:45 PM, Jennifer Moody wrote:

Hi Don, thanks for taking the time to talk to me this afternoon. I have one more question about the Marilyn Grimes situation, plus something I just want to make sure I clarify:

The question: Is it the city's position that an elected/appointed official should, before making a comment in public (i.e. letter to the editor, press interview, comment at a public hearing, etc.) make sure that comment is first fact-checked with city staff?

The clarification: You mentioned that you try very hard - and indeed, I know you do - to make sure Don Ware the Editor is separate from Don Ware the Mayor. But it's my understanding the code of conduct that is in play here essentially says there is no difference. In other words, Marilyn Grimes the Private Brownsville Resident can be called on the carpet for writing a letter containing inaccurate information, because she is also Marilyn Grimes the Parks Chair and Budget Committee Member, and those two things cannot be separated because she is seen as such. Is this correct? If this is so, doesn't Don Ware the Editor become equally culpable for allowing incorrect information to be publicly disseminated when Don Ware the Mayor knew it was wrong? If Editor/Mayor can be separate, why can't Private Citizen/Parks Chairman?

I won't be working on this story any more today, but I do hope to be in the next few days, so - looking forward to hearing back. Thanks

Jenifer

Jennifer Moody
Albany Democrat-Herald
541-812-6113

Briefing Paper

Pacific Northwest Region – Willamette National Forest

Topic: South Santiam All Lands Collaborative and the Community Forest Corridor

Issue: South Santiam All Lands Collaborative's (SSALC) purpose is to coordinate public and private land and watershed management in the South Santiam area. SSALC envisions activities that provide for local economic development, forest and riparian health, clean water, a high quality of life, vibrant recreation, and cultural resource protection in East Linn County. On March 10, 2014 the many partners of SSALC held a Declaration of Cooperation signing ceremony in Sweet Home, OR.

The South Santiam Community Forest Corridor will be a physical place that improves and demonstrates the connections between visitors, residents, and natural resources. Establishment of the corridor will respect the rights and values of landowners. We will seek opportunities to coordinate land management on public and private forests, generate forest products, and create recreation and conservation education activities in this special corridor.

Background: The South Santiam All Lands Collaborative is the new name for the Sweet Home All Lands Collaborative, a diverse group of local leaders that formed in the summer of 2012. The four focus areas for SSALC's work are: Working forests, Recreation and tourism, Cascadia Cave ownership and management, and the Livability Initiative.

A provisional charter to support the work of the SSCFC has been signed by the Willamette National Forest, Cascade Timber Consulting, the US Army Corps of Engineers, a Linn County Commissioner; Linn County Parks and Recreation, the City of Sweet Home, Sweet Home Economic Development Group, the Sweet Home Trails Group, the School of Forestry at OSU, the UO Ecosystem Workforce Program, and the South Santiam Watershed Council. This charter allowed the group to obtain three significant grants: \$8.2 Million from the Federal Highways Administration (Federal Lands Access Grant), assistance from the National Park Service to develop trails (Rivers, Recreation, and Trails program), and assistance from the Federal Highways Administration and the Conservation Fund for the Livability Initiative.

Results to date:

- **Working Forests:** Thomas Manness, Dean of OSU School of Forestry, is creating the Institute for Working Forest Landscapes, the South Santiam Community Forest Corridor will be a key component.
- **Recreation and Tourism:** A Rivers, Trails, and Conservation Assistance program grant is assisting with planning a trails network in the East Linn County.
- **Cascadia Cave Ownership and Management:** The transfer of Cascadia Cave from private to public ownership is in progress: public ownership will result in increased protection for this important cultural site.
- **Livability Initiative:** In progress. Seven aspects of community life, from transportation to housing are under review

Contact: Cindy Glick, Sweet Home District Ranger, 541.367.3145, cghick@fs.fed.us



for the greatest good


**LINN BENTON
FOOD SHARE**

545 SW 2nd Street
Suite A
Corvallis, OR 97333
(541) 752-1010
Fax 752-2348

Federal ID #
93-1099406

Linn Benton Food
Share is a nonprofit
agency dedicated to
eliminating hunger in
Linn and Benton
Counties

A Program of
Community
Services
Consortium



Member of Oregon
Food bank Network

June 27, 2014

Dear Friend,

We need your help!

The recession may be over, but in our area more than 14,000 people each month depend on meals from an emergency food box and the goodwill of the community to keep themselves fed. Because of your support, no one is turned away for lack of food. **Linn Benton Food Share needs your help again to make sure shelves remain stocked at local food pantries and soup kitchens this year.**

Nobody wants to stand in line at an emergency food pantry. Every one of those 14,000 people seeking help wishes they had the means to buy their own food.

But they don't.

Your donations feed hungry people. Most of the people asking for food are at a temporary spot in their lives where they need help the most — and these food boxes provide nourishment, and the support they need until they get back on their feet. But for seniors on fixed incomes (food insecurity for seniors has doubled since 2001), and people too disabled to work — these pantries ensure that they have something to eat each month after their bills are paid.

Your support determines the amount and the quality of food we distribute. Food Share asks for your help twice a year — July and December. Your generous response to our newsletter last December provided nutritious meals throughout the winter and spring for area residents in need. We need your support again now. Hunger doesn't let up in the summer. In fact, with the kids at home and Food Stamps reduced due to lower utility bills, many families have a harder time making ends meet this time of year.

This year our goal is to distribute 5.5 million pounds of food to our 74 member agencies. This food will fill 51,000 emergency food boxes and provide over 270,000 meals at soup kitchens and shelters. Those food boxes and meals won't happen without the amazing volunteers who provide over 200,000 hours a year sorting and repacking, ordering and distributing, and preparing and serving the food. Our goal also won't be reached without your support, making it possible for us to purchase, store and deliver the food. You make it possible that "Everybody Eats".

Your donation will make a difference — and someone will eat because you care.

Sincerely,

Michael T. Gibson

Mike Gibson

Linn Benton Food Share Director

your support is needed and appreciated.

June 2014

Re: Northwest Pipeline overview

NORTHWEST PIPELINE
PO Box 58900
Salt Lake City, UT 85158-0900
(866) 857-7094

As you may be aware, Williams operates a high-pressure natural gas transmission pipeline in your community known as Northwest Pipeline. You may be more familiar with your local distribution company, or public utility, which receives its natural gas supply from pipeline operators like Williams. I am writing to you to make sure that you are aware that the pipeline is in your community, that you know where it is located, and that you know how to obtain additional information.

Large diameter transmission pipelines transport far greater volume and operate at higher pressure than smaller local distribution lines. Northwest Pipeline is constructed of high-strength steel ranging in diameter from 6 to 48 inches. Compressor stations, meter stations, mainline valves and smaller facilities support the transmission system.

Pipeline Location

You may have seen our yellow aboveground pipeline markers, which indicate the presence of one or more pipelines within an easement. These markers, which contain the name of the pipeline operator and emergency contact information, are usually located near road, rail, fence, water crossings and curbs.

The enclosed map identifies the location of our pipeline in your county. You can find information about ours and other pipelines operating in your community by accessing the National Pipeline Mapping System (NPMS) on the Internet at www.npms.phmsa.dot.gov. NPMS provides pipeline maps, product and pipeline operator contact information.

Land Use Planning

Pipeline safety can be enhanced by making risk-informed decisions for land use planning and development near transmission pipelines. One way to reduce transmission pipeline risk is for communities to be aware of transmission pipeline locations and informed of pipeline risks when making decisions regarding land use planning and development. This is something that may be instituted during local zoning and permitting processes. The Pipelines and Informed Planning Alliance (PIPA) was developed to help communities make good decisions for land use planning and development adjacent to transmission pipelines. You can access the PIPA's recommended practices at <http://PIPA-info.com>.

Emergency Response

Finally, we'd like you to be aware that Williams meets with emergency responders in your area to educate them about pipelines and prepare them for potential hazards that may be present. Detailed information has been provided to emergency response agencies in your jurisdiction, including the enclosed fact sheet and link to our online emergency training program: www.williams.com/emergencytraining. We also regularly provide emergency response procedures like those found on the back of this letter to residents and businesses located in the vicinity of the pipeline. Please encourage your local emergency responders to take advantage of this training.

In addition, you should be aware that some pipe segments in your area may have been designated as high consequence areas due to population density or other factors. As a result, in accordance with federal regulations, we have developed a supplemental threat assessment and prevention plan, known as an Integrity Management Plan. A summary of the basic requirements and components of Williams' Integrity Management Plan, as well as potential hazards, can be found on the Internet at www.williams.com/safety.

If you have any questions about our operations, feel free to contact me. In the event of a pipeline emergency, you can reach Northwest Pipeline's 24-hour Gas Control Center at 800-972-7733.

Thank you for your time.

Sincerely,

Mike Haberkorn
District Manager
Williams
Eugene, OR
541-342-4434

Commitment to Safety

Williams' pipelines are monitored 24 hours a day, seven days a week by employees who are experienced and thoroughly trained. Our pipelines are regulated by the Department of Transportation's Office of Pipeline Safety, which imposes a broad range of construction and operations standards and specifications.

Williams' employees inspect the pipeline by conducting foot, vehicle and aerial patrols. Our employees and vehicles are all clearly identified. If anyone in your community notices any unauthorized person working near our facilities, or suspects anything unusual, they should contact our Gas Control Center anytime at 800-972-7733.

What Are the Signs of a Natural Gas Pipeline Leak?

- Blowing or hissing sound
- Dust blowing from a hole in the ground
- Continuous bubbling in wet or flooded areas
- Gaseous or hydrocarbon odor
- Dead or discolored vegetation in an otherwise green area
- Flames, if the leak has ignited

What Should I Do if I Suspect a Pipeline Leak?

Your personal safety should be your first concern:

Evacuate the area and try to prevent anyone from entering.

Abandon any equipment being used in or near the area.

Avoid introducing any sources of ignition to the area.

Call 911 or contact local fire or law enforcement

Notify the pipeline company

Do not attempt to extinguish a natural gas fire, and do not attempt to operate pipeline valves.

Working Around Pipelines

You should be aware that state law requires that anyone planning to dig or perform excavation must notify your state One Call Center at least 72 hours before they begin. To contact the one-call center in your state, simply dial 8-1-1. This three-digit-number will connect anyone intending to dig with their respective One-Call center.

Northwest Pipeline Emergency Gas Control: 800-972-7733



Prepared by Williams Gas Pipeline

Responding to Natural Gas Transmission Emergencies



EMERGENCY GAS CONTROL: TRANSCO PIPELINE 800-440-8475 NORTHWEST PIPELINE 800-972-7733

Williams has prepared this fact sheet as a guide for emergency response officials who may be asked to respond to an incident involving a Williams natural gas pipeline facility. Since emergency response officials may arrive at the scene of a pipeline incident before pipeline personnel, you should know in advance what to expect and how to respond to potential hazards that may be present.

For more information about Williams' emergency drills, training, or pipeline location information in your area, contact your local Williams field supervisor.

Natural Gas Pipelines

Williams' transmission pipelines are part of a vast pipeline transportation system sometimes referred to as the "interstate highway" for natural gas. This national network consists of about 300,000 miles of high-strength, large-diameter steel pipe moving huge amounts of natural gas thousands of miles from producing regions to market. You may be more familiar with your local distribution company, or local public utility, which receives its natural gas supply from pipeline operators like Williams.

The transmission pipelines operated by Williams transport far greater volume and operate at much higher pressure than local service lines that feed most homes. The typical pressures found on pipeline systems are:

Williams

- Transmission Line: High pressure..... 300-1200 psig

Local Utility

- Distribution Main: High pressure..... 60-300 psig
- Distribution Main: Intermediate pressure..... 5-60 psig
- Service Line: Low pressure..... ¼ - 5 psig

The transmission pipelines operated by Williams are constructed of high-strength steel ranging in diameter from 6 to 48 inches. Compressor stations, meter stations, mainline valves and smaller facilities support the transmission system.

Compressor Stations

Natural gas is transported through pipelines at high pressure using compression. Compressor stations, located approximately every 60 miles, use large turbines, motors or engines to pressurize the gas and move it through the pipeline.

Meter Stations

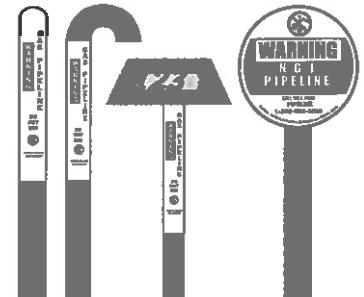
Often referred to as the city gate, a meter station is the point where distribution companies receive custody of the gas from transmission companies. At these locations the operating pressure is reduced and odor is added to the gas. The local gas utility then uses distribution pipes, or mains, to bring natural gas service to homes and businesses.

Mainline Valves

Mainline valves are shut-off devices that are designed to stop the flow of gas through the pipeline. Some are manually operated, while others are either automatic or operated by remote control. Valves can be placed every 5 to 20 miles along the pipeline, and are subject to regulation by federal safety codes. It is important to remember that valves should only be operated by qualified company personnel.

Locating Pipelines

Transmission pipelines follow well-defined easements, many times sharing the same corridor with other utility or power lines. These easements vary in width, generally anywhere from 50 to 175 feet depending on the number of pipelines and terrain.



In accordance with federal law, aboveground pipeline markers are used to alert excavators of the presence of one or more pipelines within an easement. These markers, which contain the name of the pipeline operator and emergency contact information, are usually located near road, rail, fence, water crossings and curbs. However, these markers do not necessarily represent the exact location of the pipeline facilities within the easement.

To find information about the locations of pipelines operating in your community, visit the National Pipeline Mapping System (NPMS) on the Internet at www.npms.phmsa.dot.gov. NPMS provides a list of pipelines, their operator and operator contact information.

One-Call

State law requires advanced notice be given to local one-call centers before digging or excavating. Local one-call centers provide a free service to assist in marking the location of underground pipelines, as well as buried cable, telephone, electric and other utilities. Anyone planning excavation, construction or blasting activities should notify one-call before they begin. Representatives from each company will then visit the proposed work site and mark the location of their facilities to reduce the risk of damage.

To contact the one-call center nearest you, dial 8-1-1.

Properties of Natural Gas

Before you respond to a pipeline related emergency you should know how natural gas behaves and some of its unique qualities.

Composition – Natural gas is a naturally occurring hydrocarbon mixture. After being processed, it is composed mostly of methane (about 94 percent) and also contains ethane (about 4 percent).

Non-toxic – Natural gas is non-toxic. The fuel is sometimes listed as a "hazardous material" due to its flammability, not due to toxicity.

Lighter than Air – Natural gas is 40 percent lighter than air. When natural gas escapes into an open area, it rises into the air and dissipates, although gas odorant is heavier than air and may still sink to the ground. In an enclosed area, it collects first near the ceiling. Suffocation can occur if natural gas displaces the oxygen in an enclosed area.

Flammable Within Narrow Limits – Natural gas will ignite only within a narrow range: approximately 3-15 percent gas-to-air mix. Above or below the range combustion will not occur.

Odorless – Natural gas is normally a colorless, odorless substance in its natural state. The smell often associated with natural gas is normally added by the local distribution company.

Heating Value – Natural gas has a heat content of about 1,000 BTU per cubic foot.

Combustion Products – There are no significant releases of harmful compounds as a result of natural gas combustion. However, incomplete combustion may produce carbon monoxide and warrant the use of self-contained breathing apparatuses by emergency response teams.

Ignition Temperature – Natural gas has a very high ignition point, twice as high as that of gasoline. A flame or spark must reach nearly 1200 degrees Fahrenheit to ignite natural gas. However, static electricity, pilot lights, matches and sparks from telephones, electric motors and internal combustion engines can reach this temperature.

Potential Hazardous Conditions

Due to the large volumes and high pressures, accidents involving natural gas transmission pipelines can be dangerous. There are three primary hazardous conditions you should be aware of:

1) Encroachment. If you notice excavation near a pipeline right of way, check to see if the contractors have notified the company or one-call about their work. Nearly 2/3 of fatalities involving pipelines are due to damage from outside forces.

2) Leaks. Natural gas is normally a colorless, odorless substance. Because natural gas cannot be detected on its own, local utilities add an odorant to help consumers smell gas should a leak occur. However, odorant is added at only certain places along the pipeline, so you may not always be able to detect a leak by smell. Unlike natural gas, odorant is not lighter than air. Therefore, the strong smell of natural gas odorant does not always mean that methane is present. Always use a methane detection instrument to determine if natural gas is present. The following signs can be an indication of a natural gas pipeline leak:

- A hissing sound
- Dust, water, bubbles or vegetation blowing around a pipeline
- Discolored or dead vegetation near a pipeline
- Bubbling in a wet area, marshland, river or creek
- A dry spot in a moist field

If you become aware of a leak, notify the pipeline company immediately. Emergency phone numbers are listed on all pipeline markers.

3) Rupture. A pipeline rupture has much more dramatic indicators. There will be a loud roaring sound of escaping gas. A pipeline rupture does not always lead to a fire, but if it does ignite, it can result in a large flame burning at high temperatures. Fire and emergency officials should be aware of the potential for secondary fires and disturbed earth in the vicinity of a rupture.

What to Do

Upon the first indication that a natural gas pipeline may be leaking or ruptured, **notify the pipeline company immediately.** The phone number on the pipeline marker will connect you with the company's 24-hour emergency gas control center. Tell them the location, your name and any other details about the incident. The gas control center will dispatch company representatives to the area where the incident has occurred. While that representative is en route, stay in close contact with the pipeline company. You should also take the following steps:

- Park vehicles a safe distance from the incident and turn off engines as soon as possible.
- Clear area around the site and evacuate people from the area of danger to an upwind location. Protecting people and then property should be your top priority.
- Provide first aid and call for additional emergency medical assistance if needed.
- Barricade area and keep onlookers safe distance away.
- Roads leading to and from the site should be kept clear for emergency and pipeline personnel.

If you have trouble identifying the pipeline operator or other underground facility operators in the area, your state's One-Call center may be able to provide assistance. You can reach your state's One-Call center by dialing 8-1-1.

Also, be aware that when responding to an incident involving transmission pipeline facilities, the movement of heavy equipment on the right-of-way may pose an additional hazard to people working in, and around, the accident location. Check with the pipeline operator before positioning or moving any heavy equipment on or across the pipeline right of way.

In the case of a fire fed by a leak or rupture, do not try to extinguish the gas fire with water or other chemicals. Even if you were successful, there is a high probability of re-ignition and explosion. The best method to control a gas-fed fire is to stop the flow of gas. However, do not try to operate pipeline valves. Pipeline personnel are trained in the proper procedures for their operation. Instead, extinguish perimeter fires and wet down exposed flammable areas in the vicinity. Radiant heat from the gas fire is intense and can cover a large area.

Do Not:

- Forget to notify the pipeline company immediately.
- Allow smoking or spark-producing devices if unignited combustible gas is suspected.
- Open a closed pipeline valve at any time.
- Make any effort to extinguish flames of escaping burning gas. Use spray only to protect surrounding exposure.

Pipeline Personnel

The pipeline personnel you will be working with are trained for pipeline emergencies. They can supply you with information regarding the facilities involved in the incident, including the number and size of the pipelines in the area, location of valves and operating pressures. Pipeline personnel will also coordinate to set up a command post to act as a central clearinghouse for all emergency information.

The primary job of the pipeline response team is to stop the flow of gas to the accident site. The damaged section is isolated by closing valves on either side of the leak or rupture. Any fire will burn itself out once the fuel is consumed and the remaining gas will be vented to the atmosphere.

Compressor Station Emergencies

There is one other type of pipeline emergency that you may be asked to respond to. This involves an accident inside a compressor station. Compressor stations are designed with extensive emergency systems. If there is a leak or rupture, the station will automatically shut down appropriate equipment and vent gas through relief valves in the station yard.

Compressor station employees are also trained to fight minor fires with station extinguishers or fire hoses. Normally in a compressor station incident, emergency response teams would be summoned to offer the following services:

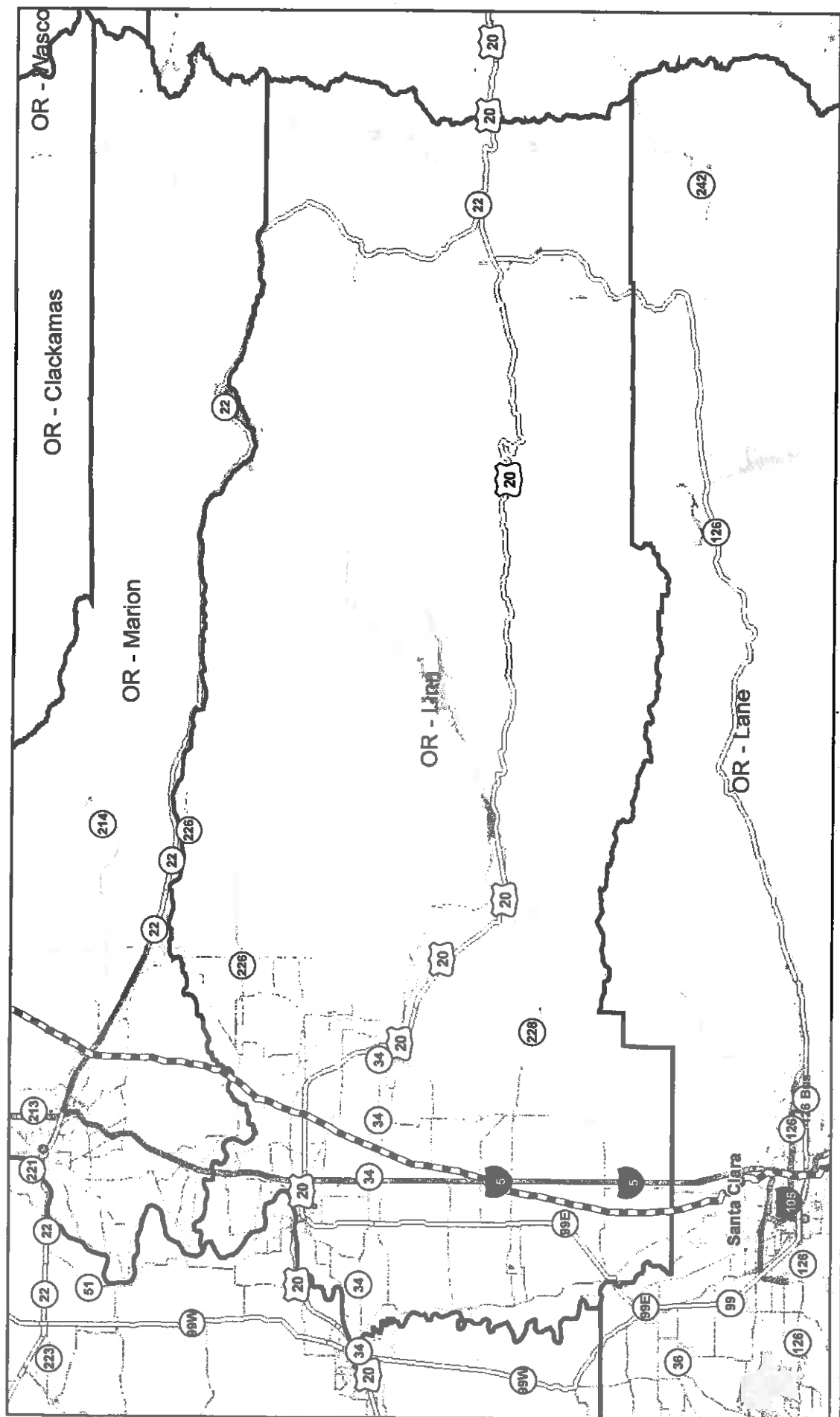
- Traffic or crowd control
- Medical treatment or evacuation
- Fighting any perimeter fires outside the station fence.

Because compressor stations sometimes store materials that may release toxic or hazardous substances when burned, pipeline emergency response teams can supply a list of and firefighting procedures for all combustible materials on the station property.

Other Emergency Situations

When responding to other emergency situations, such as wild fires or natural disasters, you should be aware of the pipeline's location and the potential that the pipeline may be inadvertently impacted.

- **Wild Fires:** Before cutting or digging a fire line, call 811 as soon as possible to put pipeline operators in the vicinity on standby. Buried pipelines as well as aboveground facilities and equipment, could be in the path of a fire.
- **Natural Disaster Response:** Before removing debris caused by a natural disaster such as a flood, tornado or ice storm, contact 811 to identify the location of pipelines or other underground utilities that may have been impacted.



Legend

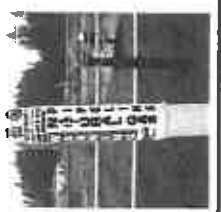
- Pipeline
- County Boundary



Northwest Pipeline

OR - Linn

Pipeline Emergency Contact
(800) 972-7733



Williams operates a high-pressure natural gas transmission pipeline known as the Northwest pipeline, ranging in diameter from six to 36 inches. You can find information about this and other pipelines operating in your community by accessing the National Pipeline Mapping System (NPMS) on the Internet at www.npms.phmsa.dot.gov.

Cascades West Area Commission on Transportation

Staffed by Oregon Cascades West Council of Governments

Notes from June 26, 2014 CWACT Meeting

1. Connect Oregon 5 Program

Approved during the 2013 session of the Legislative Assembly, Connect Oregon 5 provides \$42 million of state lottery-backed bonds for multi-modal projects (air, marine, rail, transit and bicycle/pedestrian projects). ODOT received 108 applications requesting a total of \$129 million.

Chair Doug Hunt reported the Connect Oregon Statewide Review Committee recommended allocations to the two projects ranked highest by CWACT: \$4.67 million for the Port of Toledo's Yaquina Boatyard Haul-Out Expansion and \$2 million for Benton County's Corvallis to Albany multi-use trail.

He indicated this action reflects the effectiveness of CWACT's long-standing partnership efforts and the commitment of members to work together and, by consensus, obtain support and funding for important projects of regional priority.

The list of people involved in the Connect Oregon process is long and includes the applicants, community/regional supporters, CWACT Board Members, CWACT TAC Members, Connect Oregon modal and regional review committees and ODOT and Business Oregon staff members; and, of course, the Oregon Transportation Commission and the Oregon Legislative Assembly.

CWACT Members expressed their appreciation for the efforts of Chair Doug Hunt and Vice-Chair Roger Nyquist at the Region 2 Review Committee meeting in May and the Statewide Review Committee meeting in June. Executive Committee member Linda Modrell joined them at both the meetings.

The Oregon Transportation Commission, at its July 17 meeting, will hold a public hearing on the recommendations and will make a final decision at its August 21-22 meeting.

2. ODOT's Bridge Seismic Safety Program

Albert Nako, ODOT Bridge Engineering Section's Seismic Standards Engineer, discussed with CWACT members the ODOT bridge safety program.

In the past four years ODOT, working with technical and policy stakeholders, has developed several reports related to seismic safety including the impacts of a Cascadia earthquake and subsequent tsunami. A large earthquake along the Cascadia subduction zone will cause widespread disruption of the transportation system. This includes substantial damage to a majority of bridges in western Oregon. Most of the bridges over the Willamette and Columbia Rivers will either collapse or have major damage.

Seismic retrofitting of bridges is a well developed and well understood practice and both California and Washington have dedicated significant funding to retrofits bridges. In comparison to California and Washington, Oregon’s seismicity is low but Oregon has the potential for a much larger and more damaging earthquake.

ODOT’s Seismic Options report indicates “ODOT has thus far expended minimal resources on retrofitting to prepare for such an earthquake. As a result, we are currently unprepared for use of the highway system immediately after a major seismic event.”

The report outlines the work that has been done to assess the risks associated with a major seismic event and describes the necessary sizeable investments needed to allow the highway system to be useable shortly after a major earthquake. The total estimated cost to repair all seismically deficient bridges and unstable slopes is in the billions of dollars.

The report accordingly outlines, in a Seismic Lifeline Route Evaluation Framework section, goals, objectives and criteria for **phased** retrofitting that will provide the maximum degree of mobility with reasonable investments.

Lifeline routes in the CWACT area:

Tier 1-Phase 1:	I-5	OR58 to I-405
Tier 1-Phase 2:	US101	US20 to OR6
Tier 1-Phase 2:	OR18 & OR99W	US101 to I-5
Tier 2:	OR99W	I-5 to OR18
Tier 3:	US101	OR126 to US20
Tier 3:	US20 & OR34	US101 to Sweet Home
Tier 3:	OR126	I-5 to US20

To evaluate the return on the investment, ODOT compared the retrofitting costs to the economic costs avoided a tough cost-benefit-ratio. The cost of the full program results in the avoidance of lost economic activity approximately 46 times greater in size (every taxpayer’s dollar invested to reinforce a bridge, on average, will avoid the loss of \$46 in gross state product).

For additional information:

http://www.oregon.gov/ODOT/HWY/BRIDGE/docs/Oregon_Highways_Seismic_Options_Report_3_2013.pdf

ftp://ftp.odot.state.or.us/Bridge/bridge_website_chittirat/2009_Seismic_Vulnerability_final.pdf

http://www.oregon.gov/OMD/OEM/ossprac/docs/Oregon_Resilience_Plan_Executive_Summary_Final.pdf

3. DOGAMI's Tsunami Mapping Project

The Oregon Department of Geology and Mineral Industries (DOGAMI) staff discussed with CWACT members tsunami research and planning efforts including the recently developed mapping for modeled tsunami inundation along the Oregon coast. Local communities can use these maps to, among other items, develop tsunami evacuation routes.

The Cascadia Subduction Zone is so close to the Oregon coast that tsunamis caused by earthquakes along this rift can strike the southern Oregon coast within 10-15 minutes of the earthquake and the north coast within 20-30 minutes. In many communities the only warning will be the earthquake itself.

DOGAMI provides “earth science information and regulation to make Oregon safe and prosperous”. This includes:

- Geo-hazard mapping
- Scientific study of hazards, including characterization, mitigation and risk assessment
- Outreach and education to help Oregonians understand risks and encourage them to prepare for hazards
- The Oregon Lidar Program, which uses innovative technology to collect exceptionally precise earth surface data

Last summer DOGAMI completed mapping for modeled tsunami inundation along the Oregon coast. The four year NOAA-funded project brought together the latest science, new mapping techniques and lessons learned from earthquakes and tsunamis around the globe. In December 2013 DOGAMI released seven technical publications to scientists, engineers and emergency managers involved in tsunami hazard mitigation. These publications model maximum tsunami wave elevations, velocities and flow depths at specific locations; as well as post-earthquake subsidence values and pre/post earthquake topography.

DOGAMI continues to work closely with coastal community leaders and emergency managers to strengthen their operations by being better prepared through advanced planning, education and awareness.

The largest earthquake drill in Oregon's history, “The Great Oregon Shake Out”, will be held on October 17 at 10:17 am.

4. ODOT Area Manager's Report

Revised STIP Schedule: Area Manager Amy Ramsdell discussed a letter sent to all ACT members in the state from David Lohman, Acting Chair of the Oregon Transportation Commission, which describes the funding challenges the federal/state/regional/local transportation system faces and explains the OTC's recent decision to postpone the development of the next STIP due to significant uncertainty about funding.

The OTC will hold off on development of the 2017-2020 STIP update. This update would have carried forward 2017 and 2018 projects and programmed new projects for 2019 and 2020. The next STIP will cover 2018-2021; with 2018 projects carried forward and new projects funded for 2019, 2020 and 2021.

Highway 34 I-5 to Corvallis Safety Corridor: The Highway 34 safety corridor was established in 1993 in response to various safety conditions.

Ramsdell reported that several actions have been taken over the years including additional enforcement of traffic laws by the Oregon State Police, a public education program, the realignment of the Oakville Road intersection (including illumination, signals, signs and improved grading), beacons installed on intersection warning signs at several locations, significant improvements to the Roche Lane and Wolcott Street intersections, the construction of dual left turn lanes at the Bypass onto Highway 20/34 and the installation of shoulder rumble strips.

These efforts have successfully reduced the number of serious and fatal crashes and the corridor safety record is now 46% below the statewide average. Between 1989-1993 there were 37 serious injury crashes on the corridor with 14 fatalities. Although the vehicle traffic increased by 30%, between 2008-2012 there were 13 serious injury crashes with 3 fatalities.

The safety corridor will, therefore, be decommissioned in July. Additional improvements are planned during the next year, the public safety education effort will continue, the Oregon State Police will continue to pay particular attention to speed limit violations and ODOT will continue to monitor this area for any changes in the crash rates.

**For additional information or to provide comments and suggestions please contact:
Mark Volmert (541) 924-8430 mvolmert@ocwcog.org
CWACT website: ocwcog.org/ccbindex.asp?ccbid=101**

S. Scott McDowell

From: S. Scott McDowell [admin@ci.brownsville.or.us]
Sent: Wednesday, July 09, 2014 9:22 AM
To: 'Carla Gerber (cgerber@peacehealth.org)'; Don Ware (timeseditor@centurytel.net); Eric Gerber (cgerber000@centurytel.net); 'Lynda Chambers (lynda_chambers@hotmail.com)'; Mandy Cole (thetimes242@gmail.com); Nan Van Sandt (moonandstarsfarm@centurytel.net); Robert Boyanovsky (rlboyano@gmail.com)
Subject: Graham Street Dance & Medical Marijuana Committee Recommendation

Good Morning Everyone,

Just a quick note, due to insurance implications Jeanna Graham has decided to not do the street dance idea as conditionally approved at the last meeting. Below is the statement I will be providing the *Albany Democrat-Herald* and *The Times* concerning the Committee's recommendation to Council for the July 22nd agenda:

The Medical Marijuana Committee met two times to discuss issues surrounding marijuana in Brownsville. The Committee consisted of six participants, Councilor Mandy Cole, Councilor Carla Gerber, local downtown property owner Bob Anderson, long time business owners Merritt Schilling and Joe Ervin, and downtown business owner Aimee Addison. City Administrator Scott McDowell served on the Committee as well. The Committee recommended that Council consider developing a business registration process that included language that would require business applicants to be in compliance with Federal, State and local laws. The Committee did not want the process to be onerous, but wanted to make sure that it was enforceable.

The Committee felt this recommendation was in the best interest of Brownsville. Members felt that this option will provide the City with many benefits including the preservation of the health and safety of the business community in Brownsville and allow for better administration of the City's Zoning Code. Committee members felt that folks needing medical marijuana already have options provided in the current laws of the State of Oregon. The Committee made it clear that they were in favor of people obtaining their medicine of whatever kind in the construct of the traditional doctor, patient model.

The Committee also felt that the issue of legalizing recreational marijuana and medical marijuana are continually evolving right now on the national policy stage. It is impossible to predict what any of the outcomes will be on a national level. The State Legislature is not finished with this issue and it appears as though there will be a ballot measure for the 2014 November Election for the legalization of marijuana for recreational use; the State has until August 2nd to verify the signatures on the petition recently filed with the Secretary of State. With so much uncertainty, the City is concerned about the possible Federal funding implications. The City relies on the Federal government to fund major capital improvements projects like the one completed by the City in 2008 to the tune of \$8.5 million dollars. The City will be going back to the United States Department of Agriculture in 2019-2020 to begin the funding process for a new Water Treatment Plant.



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MONTH END RECAP

		JUNE 2014			
	REVENUE	EXPENDITURES	YTD	%	Unexpended
1	GENERAL	\$ 11,910.70	\$ 46,919.27	57.10%	\$ 471,507.59
2	WATER	\$ 21,406.21	\$ 23,333.97	61.07%	\$ 457,767.86
3	SEWER	\$ 24,568.77	\$ 15,569.98	26.44%	\$ 584,480.37
4	STREETS	\$ 12,131.91	\$ 14,739.16	26.55%	\$ 387,134.82
5	WATER BOND	\$ -	\$ -	0.00%	\$ 75,078.00
6	SEWER BOND	\$ -	\$ -	81.29%	\$ 81,525.80
7	SEWER DEBT FEE	\$ 10,756.79	\$ -	94.52%	\$ -
8	BUILDING & EQUIPMENT	\$ -	\$ -	0.00%	\$ 450,000.00
9	WATER RESERVE	\$ -	\$ -		
10	HOUSING REHAB	\$ -	\$ -		
11	WATER SDC	\$ -	\$ -		
12	SEWER SDC	\$ -	\$ -		
13	STORMWATER SDC	\$ -	\$ -		
14	BIKEWAY/PATHS	\$ 82.24	\$ -		
15	LIBRARY TRUST	\$ -	\$ -		
16	CEMETERY	\$ 750.00	\$ -		
17	TRANSIENT ROOM TX	\$ 368.66	\$ -		
18	SEWER CONSTRUCTION	\$ -	\$ -		
19	LAND ACQUISITION	\$ -	\$ -		
20	COMMUNITY PROJECTS	\$ -	\$ 3,448.20	9.78%	\$ 109,593.48
		\$81,975.28	\$104,010.58		

KeyBank Accounts	2013-2014	YTD	% of Total
General	\$ 87,784.71	\$ 341,963.01	31.11%
Utility	\$ 19,550.01		
Park	\$ 11,877.00		
Court	\$ 2,148.59		
Oregon State Treasury	\$ 4,205,663.91		
Community Improvements	\$ 5.14		
DEBT Payments			Totals
Water		\$ 54,927.00	
Wastewater		\$ 396,307.00	
Total Debt			\$ 1,349,225.00
Water			\$ 12,371,610.00
Wastewater			\$ 13,720,835.00
		Total	\$ 13,720,835.00