



CITY OF BROWNSVILLE

Council Meeting
Tuesday – April 22nd, 2014

Regular Session 7:00 p.m.

Table of Contents

1	Agenda
3	<i>Minutes: March 25th, 2014</i>
9	Administrator
25	Public Works
27	Sheriff
30	Library
31	Court
32	Council Goals
37	Ordinance 744 (Cross Connections)
40	Ordinance 745 (Health & Safety)
43	Resolution 2014.06 (State Shared Revenues)
44	Resolution 2014.07 (Workers' Comp Coverage)
45	Mental Health Month Proclamation 2014
46	Older Americans Month Proclamation 2014
47	OLCC License Renewal
49	Pioneer Picnic Association Letter
51	CFA Rental Agreement
53	BCC Memorandum of Understanding (Addendum)
55	BSC Memorandum of Understanding
56	BAA Application (Brownsville Community Foundation)
57	National Day of Prayer
58	Willamette National Forest (Toll Joe Project)
62	CIS Article March 2014
65	Live Well Expo
66	LCCPCA Flyer
67	Moratorium Information
74	VanSandt letter to Commissioner. Lindsey (BWCMF)
75	Democrat Herald Article (BWCMF)
77	OCWCG March 27 th , 2014 Notes
81	Financials

April

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers

Tuesday, April 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: March 25th, 2014
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Madeline Decker – Outside Initiatives
 - B. John Voight – Vacate Sage Street
 - C. Tim McBride
- 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 744: Cross-Connection Program Modification (*First Reading*)

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



- B. O 745: Universal Residential Service (*First Reading*)
- C. R 2014.06: Annual Verification of Services for State Revenue Sharing
- D. R 2014.07: Annual Worker's Compensation Coverage Declaration

10) ACTION ITEMS:

- A. Senior Center Agreement
- B. Joe Ervin – Dam Run Closure
- C. Annual OLCC License Renewals
- D. Authorize Annual Linn County Pioneer Picnic Letter

11) DISCUSSION ITEMS:

- A. KeyBank Update
- B. Central Linn School District Facilities
- C. Swap Meet & Central Linn Rec Center
- D. Budget Meeting – 04.24.2014 at 7:00 p.m.
- E. 2014 Bi-Mart Willamette Country Music Festival
- F. Randy's Main Street Fourth of July Celebration
- G. March 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 (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.



Council Minutes

March 25th, 2014

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

PUBLIC: Wes & Laura Meckle with their granddaughter Mackenzie, Don & Kim Block, Randy & Gayle Simpson, Roger & Alice Tetamore, Kaye Fox, John Morrison, Dale Middlestat and Max Peschel.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: Mr. McDowell add Linn County Sheriff's Office Law Enforcement Agreement under 10) E. Action Items and the Voight scenario under 11) G. discussion items.

MINUTES: Council reviewed the minutes of the February 25th and March 11th, 2014 meetings. Councilor Van Sandt made a modification to the minutes on March 11th, 2014. Councilor Cole provided the proper way to make the correction. *Councilor Van Sandt moved to approve both sets of minutes as presented modifying the March 11th, 2014 minutes as discussed. The motion was seconded by Councilor Chambers and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

Alice Tetamore (Art Association) – Mrs. Alice Tetamore representing the Brownsville Art Association reported that the Association would like to submit a grant application to the Brownsville Community Foundation and would like to request Council support. Mrs. Tetamore indicated the application would include a digital projector, a high resolution camera and additional funds to help defray the costs for education classes during the course of 2014. Mrs. Tetamore was very appreciative of Council for their assistance with Association projects in the past. *A motion was made by Councilor Shepherd to support and allow the Association to utilize the City's nonprofit status in order to apply for said funding as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously.*

Laura Meckle (Chamber of Commerce) - Ms. Meckle representing the Brownsville Chamber of Commerce reported on two different events, the Antique Faire and the City-wide Garage Sale. Ms. Meckle provided a full report for the proposed Swap Meet & Car Show that is planned to be part of this year's Antique Faire in August. Meckle indicated that they would like to use the west ball diamond for the swap meet. Mayor Ware expressed concern about the potential for rain. Councilor Cole asked if the Central Linn Rec Board had reviewed these plans. Ms. Meckle wanted to come to Council the before going to the Board. Mr. McDowell indicated that the Board will have a meeting on March 31st at 7:00 p.m. in the Music Room at the Rec Center. McDowell indicated that he would forward the information provided to Board President George Frasier.

Ms. Meckle continued by requesting the closure of the downtown parking lot on Spaulding Avenue for the City-wide Garage Sale. She is requesting the closure for Saturday (July 19th) only, hoping this will allay the concerns of Mrs. Debbie Larsen at the Brownsville Liquor Store. Councilor Cole asked about the logistics between Sharing



Council Minutes

Hands and St. Vincent's donations. Ms. Meckle reported that Sharing Hands does not want to take big items and that Sharing Hands is involved in the event as well. Councilor Shepherd indicated that Ms. Meckle will be responsible for setting up the signs and coordinating for the signs with Public Works Superintendent Karl Frink prior to the event. *A motion was made by Councilor Cole to approve the closure of the parking lot on Spaulding Avenue as requested and to allow the use of Pioneer Park pending Central Linn Rec Board approval. The motion was seconded by Mayor Ware and was approved unanimously.*

Linn County Pioneer Picnic Association - The Association requested the closure of the necessary roads for the Kiddie Parade and the Grand Parade as has been done in years past. The Association will need to coordinate signage with Public Works Superintendent Karl Frink. *A motion was made by Councilor Van Sandt to approve the closures as requested for the Linn County Pioneer Picnic to authorize the Mayor and/or City Administrator to execute any necessary documents. The motion was seconded by Councilor Shepherd and approved unanimously.*

DEPARTMENT REPORTS:

1. Sheriff's Report. No report tonight.
2. Public Works. Mr. Frink reported that the SCADA, computer system at the Water Treatment Plant, was up and running. The City will be receiving an inspection from the Oregon Health Authority on April 8th, 2014. Mr. Frink reported that the wall had been completed in the Red Barn on Park Avenue. He is still working on procuring roll up doors for the building. The City should be able to move forward now with an agreement with the Calapooia Food Alliance for the continued use of the facility. Mr. Frink spent some time on the cross connection program to ensure compliance. He reported that 27,000,000 gallons of wastewater had been treated and discharged from the facility since last meeting. Public Works has cleaned up a few trees that have fallen recently. Mr. Frink has been working with Norm's Electric to install new LED lights throughout town. The City should see a longer useful life of each light and lower electric bill. Mr. Frink reported that Cascade Timber Consulting has finished the second gate in Pioneer Park. The new gates will provide a better level of security and better functionality for Public Works during the off-season. Several improvements have been made to the Rec Center including a thermostat in the preschool room and new door returns for the two front doors.
3. Administrator's Report. – Mr. McDowell reported that the City Wide Clean-up has been set for Saturday, October 4th, 2014. The Central Linn Rec Board has been notified of this date change as has the public via the City website. McDowell indicated there would be a delay in the delivery of the March Newsletter. McDowell reported that the pre-construction meeting for the McFarland Cascade utility project will be held at City Hall on March 26th at 11:00 a.m. Public Works Superintendent Karl Frink and City Engineer Jon Erwin will be representing the City. Staff continues to work closely toward the development of Bishop Royale which will be located between Sharing Hands and Dr. Glenn's Office. The City is requiring a public sewer and several other improvements to ensure the best future outcomes for the City and future owners. McDowell said he was in the process of lining up Mike Sossie for the flooring work at the Rec Center. McDowell hoped to have Sossie complete the work by the end of April. McDowell reported that he will be meeting with Seniors representative Kneil Stucky on



Council Minutes

developing a memorandum of agreement as authorized by Council at the January meeting. McDowell said he is also still working with the Calapooia Food Alliance to develop a similar agreement for the use of the Red Barn on Park Avenue. McDowell shared that the Visit Linn Coalition had been working very closely with the Oregon Jamboree, Willamette Country Music Concerts and Bi-Mart to create Facebook pages that drive traffic to the Trails to Linn website. McDowell was very encouraged by the cooperation and very interested to see what results from this continuing effort.

4. Library Report. No comments.
5. Court Report. No comments.
6. Council Comments. No comments.
7. Citizen Comments. Kaye Fox shared times when Seniors could use the Central Linn Rec Center for walking.

Randy Simpson of Sheep Head Road, Brownsville spoke in opposition to the second reading of Ordinance 743. (Mr. Simpson provided a handout which can be found as part of the public record.) Mr. Simpson's points are summarized as follows, 1) the security system is now in place and the look of the building will not change, 2) Council is not in breach of their "oath of office" due to the State's administration and regulation of Medical Marijuana Facilities, 3) the facility will be highly regulated and there have been no problems reported by the media to date, 4) we encourage Council to consider a probationary period for this facility so folks don't have to drive out of the community for their medicine, and 5) if it is necessary for them to hire additional help their neighbor, Mike Reed who is a retired Linn County Probation Officer, would assist.

LEGISLATIVE:

1. O 743: Establish Moratoria for Medical Marijuana Facilities (Second Reading). Councilor Van Sandt made a motion to read Ordinance 743 by title only. Councilor Shepherd seconded the motion and it passed unanimously. Mayor Ware read the ordinance by title only. Mayor Ware then opened the floor for Council discussion.

Councilor Chambers indicated that she takes her oath of office very seriously and to that end she's discussed this issue with many residents. She indicated that most are not discussing the medicinal qualities of marijuana, rather they are concerned about the facility being located downtown. Chambers continued by stating that folks using medical marijuana are already receiving their medicine somewhere else. She feels it is appropriate for Council to take the necessary steps to study this issue further. Councilor Shepherd said that most of the folks he's talked to were not in favor of having a dispensary in town. He indicated that he would like to have more time to study this issue, determine outcomes in other communities and consider any additional safeguards in place. Councilor Cole agreed with both Councilor Chambers and Councilor Shepherd and wanted to clarify that this moratoria does not have to last an entire year. The City could take action sooner. Mr. McDowell indicated that Council could act sooner and



Council Minutes

reported that the State Legislature would be taking a more in-depth look at this issue when their session opens next year. *A motion was made by Councilor Cole to adopt Ordinance 743 as written, placing a one-year moratorium on Medical Marijuana Facilities/Dispensaries, and declaring an emergency. The motion was seconded by Councilor Chambers and approved by a 5 to 1 vote. Councilor Van Sandt dissented.*

ACTION ITEMS:

1. Unsafe Structure (Calapooia Avenue). Mr. McDowell provided a report in the Council packet that showed the dilapidation of a structure along Calapooia Avenue. Mayor Ware indicated that he had recently been approached about this same structure. Mr. McDowell recommended Council proceeding as the City had on the unsafe structure at the corner of Pine Street and Hausman Avenue last year. (Staff simply visited with the property owner in order to create a timeline for removal, avoiding the public hearings and notices.) Council agreed to use this same approach. *Councilor Shepherd made a motion to have Staff proceed with approaching the property owner in creating a timeline for the removal of the structure on Calapooia Avenue. The motion was seconded by Councilor Boyanovsky passed unanimously.*
2. Mayor's Day for National Service Proclamation. The Mayor provided a proclamation thanking volunteers for their service to our greater community.
3. System Development Charge (SDC) Agreement. – Mr. McDowell reported that Bobby & Carine Jeffery never paid for their system development charges for their home on Holloway Heights. McDowell indicated that he based this agreement on the McFarland Cascade agreement that was approved last year by Council allowing for a payment plan with 3% interest as provided for in the Brownsville Municipal Code. *Councilor Van Sandt made a motion to approve this SDC agreement as written and asked Staff to proceed with notifying the property owner to make the necessary arrangements for payment. Councilor Cole seconded the motion and it passed unanimously.*
4. Linn County Sheriff's Office Law Enforcement Agreement. – Sheriff Bruce Riley provided the updated law enforcement agreement for Fiscal Year 2014 – 2015; there is a 5% increase which is the same as the last three years. Councilor Cole inquired as to the amount of hours the Sheriff's Office spends in the community. McDowell reported the figures from the agreement then continued saying deputies spend about three times that amount providing service to Brownsville. *A motion was made by Councilor Cole to approve the law enforcement agreement and to authorize the Mayor and/or the City Administrator to execute any necessary documents. The motion was seconded by Councilor Shepherd and it passed unanimously.*



Council Minutes

DISCUSSION ITEMS:

1. Goals Review & Organizational Prospectus. Mr. McDowell reported that the date will be Saturday, April 19th, 2014 at 9:00 a.m. here at City Hall. Councilor Cole will be unable to attend. Lunch will be served.
2. Central Linn School District Meetings (Washburn Property). Mr. McDowell reported that Central Linn School Superintendent Brian Gardner has begun a series of discussions with the Central Linn community regarding the possibility of building new schools somewhere in the Central Linn community. The next meeting will be held on Tuesday, April 8th at 6:00 p.m. at the Elementary School in Halsey with a final meeting to be held on Thursday, April 17th at 6:00 p.m. at the fire station in Shedd. McDowell reviewed the development logistics of the Washburn property. McDowell indicated that should the School Board decide to build a K-12 building on this property, they would need an additional 15 to 20 acres. McDowell reminded Council of the letters previously forwarded to the School District regarding the development of this property. McDowell indicated that Staff, Administrative Assistant Elizabeth Coleman, had met with former City Planner Bill Sattler to discuss possibilities for the development of this property. Mr. Sattler indicated that the easiest path would be to keep the property in the County and simply have it recognized as School land. The other option is to move toward an Urban Growth Boundary expansion and include light industrial land in a broader area south of the McFarland Cascade property. Sattler warned this process could be lengthy and expensive. Mayor Ware reported on a follow-up meeting he had with the City of Halsey's officials. The City provided Halsey with copies of all communication regarding this issue to help ensure that our relationship stays intact. McDowell encouraged attendance at either of the next meetings.
3. Linn County Commissioners. Mr. McDowell gave a brief description of the March 18th meeting with Commissioner Tucker, Robert Wheeldon and Rick Partipilo that he attended with Administrative Assistant Tammi Morrow. McDowell reported that he shared Council's solutions oriented approach concept and it was heard by Mr. Partipilo of Environmental Health. Basically, Commissioner Tucker did not feel that Brownsville had anything to add. He was not interested in allowing Brownsville to participate. McDowell had a long conversation with Senator Beyer regarding all details surrounding this issue on March 20th. Senator Beyer has contacted Commissioner Nyquist. McDowell felt that doing anything further would be counterproductive at this point. Hopefully, the Commissioners will do the right thing at the April 1st, 2014 Public Hearing for this year's Festival set for 10:00 a.m. at the Courthouse.
4. KeyBank Update. McDowell reported that building owner Bob Anderson has been working non-stop to garner interest of another financial institution. Commissioner Nyquist has offered support on this issue. The hope is to have another financial institution in place just as KeyBank closes this facility on June 6th, 2014. McDowell will be meeting with officials from Willamette Community Bank later this week.
5. GR 12 Update. McDowell shared the map and options as provided by City Engineer Jon Erwin for the well redevelopment located off of Kirk Avenue. Council agreed to move forward with the lowest cost option for this upcoming budget.



Council Minutes

6. Voight Scenario. Administrative Assistant Elizabeth Coleman explained the lot line adjustment as completed by Mr. Voight and Mr. Castleberg recently. The City required a deed restriction to be placed on this property due to its location in the floodplain. Mr. Voight is asking the City to develop the end of Sage Street or to grant him permission to develop the end of the street. Mr. McDowell explained the challenges and wanted Council to be aware of the situation.
7. February Financials. No questions or concerns.

CITIZEN COMMENT: No additional comments.

COUNCIL COMMENTS: Councilor Boyanovsky said that he appreciated the work of Staff in dealing with the many difficult issues that have recently been presented.

EXECUTIVE SESSION: The Council adjourned to Executive Session at 8:27 p.m. pursuant to ORS 192.660 Section (e).

Mayor Ware & Council returned to Regular Session at 8:35 p.m.

A motion was made by Councilor Cole to appoint Councilor Chambers, Councilor Boyanovsky and the City administrator as representatives to negotiate a real estate transaction. The motion was seconded by Councilor Shepherd passed unanimously.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The meeting was adjourned at 8:37 p.m.

City Administrator S. Scott McDowell Mayor Don Ware



City Administrator Report

April 22nd, 2014

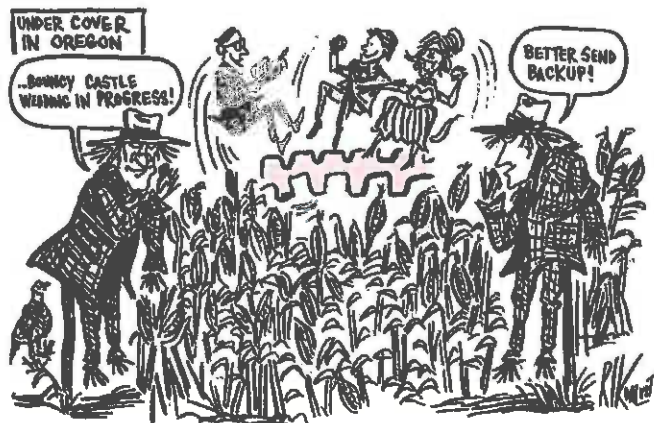
From: S. Scott McDowell
To: Mayor & Council
Re: General Business

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.



"The only person who is educated is the one who has learned to learn and change."
 – Carl Rogers

"Always try to be a little kinder than is necessary."
 – J.M. Barrie



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

Madeline Decker – Outside Initiatives – Maddie will be here with a few friends to discuss the horse programs available at Susan & Mark Schwendiman's farm. They have formed a group known as COLT (community outreach leadership team) to develop young leaders to expand their abilities and interests through program management.

What is Council being asked to do?

They are asking for permission to use Pioneer Park, Kirk's Ferry Park & Blakely Park for horse demonstrations and for the general public to learn more about what they have to offer. They are planning on conducting this programming on weekends in May.



John Voight: Vacate Sage Street – I will provide an oral report for Council or send along an e-mail explanation.

O 744: Cross-Connection Program Modification (First Reading) – The Oregon Health Authority is requesting changes to the City's current Cross-Connection Program. The language that is in ordinance form is approved by the Drinking Water Program.

What is Council being asked to do?

Ask questions, discuss and make any changes. Have a first reading of the ordinance by title only.



O 745: Universal Residential Service (First Reading) – 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. Have a first reading of the ordinance by title only.

R 2014.06: Annual Verification of Services for State Revenue Sharing – Each year Council must submit this resolution to eligible to receive State Revenue Sharing dollars.

R 2014.07: Annual Worker's Compensation Coverage Declaration – Each year Council passes this resolution to cover all volunteers, who provide valuable services to the City, in the event of injury. It is required to be submitted as part of the City's insurance renewal process.

Active: Senior Center MOU – The Seniors have executed the agreement in your packet.

What is Council being asked to do?

Authorize the Mayor's signature as the agreement is exactly what Council directed in February; of course, Council make any modifications as deemed necessary.

From March 25th, 2014 meeting: Mr. Kneil Stucky and I have not had an opportunity to connect due to his vacation. He is scheduled to return before the meeting. It is possible we will have something for Council's consideration the night of the meeting.

From February 25th, 2014 meeting: Kneil Stucky and I were unable to connect prior to him being out of State. I should have something ready for the March Council meeting.

From 01.29.2014: The Seniors would like to add internet to the phone service that Council continues to provide and are interested in working out some kind of payment arrangement.

Joe Ervin: Dam Run Closure – Mr. Ervin is requesting that Park Avenue be closed on Sunday, June 22nd as part of the Linn County Pioneer Picnic from 6:30 a.m. through 11:00 a.m. for the run. Event organizers decided to host the run on Sunday instead of Saturday. Mr. Ervin is aware that



representatives from the Picnic Association will be responsible for placing the signage. Details are included in the Picnic Letter that is part of the packet.

Annual OLCC License Renewals – Each year Council is asked to comment on the liquor licenses that are operational in Brownsville. Each year Council requests Staff to forward a letter. Council may make comments or suggestions as they see fit.



Authorize Annual Linn County Pioneer Picnic Letter – Park Board is recommending Council approve the enclosed draft letter to the Picnic Association for this year's event.

KeyBank Update – The City continues to work with community partners to discuss possibilities to attract a financial institution. We have been visited by several institutions so far.

From last meeting: KeyBank made an announcement to leave Brownsville on March 3rd, 2014. The Bank will be closing on June 6th, 2014.

Active: Central Linn School Meetings – Mayor Ware and I attended the meeting on April 8th at Halsey Elementary and will attend the meeting on April 17th in Shedd. Mayor Ware and I will provide an update at the meeting.

From last meeting: Superintendent Gardner held two public meetings on March 13th, 2014. Gardner spoke with the Chamber and then held a community meeting at the District Office on Blakely Avenue that evening. The City was well represented by Mayor Don Ware, Administrative Assistant Tammi Morrow, Administrative Assistant Elizabeth Coleman, Administrative Assistant Jannea Deaver and myself. The City of Halsey was well represented too including Administrator Ronda Fisher, Assistant City Recorder Hilary Norton, Mayor J.R. Tharpe and Councilor Rella Johnson. Superintendent Gardner's message was talking about the possibility of new facilities for Central Linn.

Superintendent Gardner's message included a discussion of the old educational model originated in part by Horace Mann in the late 1890's and the new educational model being currently instituted which allows students to progress at their own pace. A centralized campus would be crucial for this model to work best. Gardner explained that the School Board received a seismic report from the State of Oregon that said both schools would be destroyed in a 5.5 (*Richter scale*) earthquake event. The Board hired Hill International to evaluate all facilities and property to make recommendations for remodeling or constructing new facilities. Facilities Committee members John Cavill & Dr. Kirt Glenn reported the limitations of remodeling versus constructing new buildings.

There were great questions asked at the evening session; some of those questions included, 1) providing the Hill International Study for public review, 2) providing the Seismic Report for public review, 3) what are the associated costs with each options as presented, 4) is the District considering selling any current properties, 5) how are enrollment numbers, 6) what is the future viability of the District, and 7) a light discussion about educational models.

Ronda Fisher and I gave a brief State of the City report for those in attendance. I simply reviewed the City's current debt load, the current condition of utility lines and the need for the City to build a new Water Treatment Plant starting in the year 2020. Mrs. Fisher explained that the City of Halsey also



has a major project slated in Wastewater in the near future. I have included the handout from the meeting along with the letter the City forwarded Hill International about the Washburn Street property.

From a past report: Superintendent Brian Gardner is working toward getting this committee back together for discussions involving school related issues. Mayor Ware, Councilor Shepherd and Councilor Van Sandt represented Brownsville last year. The original idea was to bring members from Halsey, Brownsville and the School Board together to discuss common issues and identify ways to improve the School District.

Chamber of Commerce & Laura Meckle Update – Staff met with Ms. Meckle to discuss an alternate site for the Swap Meet that will be part of the Antique Faire this year. The Central Linn Rec Association would prefer to have the event located elsewhere. President George Frasier said the group is concerned about an actual rain event that would cause damage. If the fields were to be damaged it could be up to two years before they are playable again. Ms. Meckle liked the other site which is over by the well fields. I have prepared an agreement for Council's review which is included in the packet.

What is Council being asked to do?

Ask questions, make any comments or changes to the agreement.



Budget Meetings – The Budget Message will be delivered on April 24th, 2014 at 7:00 p.m. in Council Chambers. The meeting will reconvene on May 1st and May 8th at 7:00 p.m. The Committee could call another meeting for the 15th if deemed necessary.

The Festival & the Linn County Commissioner's Office – The next hearing will be April 23rd at 10:00 a.m. at the Courthouse. Council Van Sandt also forwarded an e-mail to Commissioner Tucker which I have included for your review.

What is Council being asked to do?

Commissioner Nyquist is requesting that Council sign off on the new traffic plan which directs traffic off of I-5 at OR 34, down Seven Mile Lane, through Brownsville and out Northern Drive as an alternate route.

From last meeting 03.25.2014: Please see the information enclosed in the packet for reference. As reported at the Work Session, Administrative Assistant Tammi Morrow and I will be meeting with Commissioner Tucker and key County Staff to discuss the City's position, which is included in the packet, on March 18th, 2014. I will provide an oral update for Council as this report is being written prior to that meeting. Chamber Representatives Aimee Addison and Chamber President John Morrison had a conversation with Commissioner Nyquist on March 13th. I hope to learn more about this meeting. I have not been contacted by the Chamber just yet.

The hearing for the Festival's permit will be Tuesday, April 1st, 2014. It will more than likely be held at 10:00 a.m. The meeting will be in the Commissioner's Hearing Room at the Courthouse. I will announce the time when I find out.

The City obtained the audio from the April 10th, 2013 public hearing.

Below is the City's hope:

Administrator's Report



Action Plan

- ▶ The approach we are suggesting is based on changing the adversarial relationship that has been developed over the years regarding this event.
- ▶ We feel that a better approach would be to engage the State's Regional Solutions Team, ODOT, OLCC, Senator Beyer, Senator Olsen, the appropriate County officials and agencies including the ones who are at the event, the event organizer and sit down to collectively address concerns such as:
 - State Land Use Laws
 - Outdoor Mass Gathering
 - Traffic
 - Law Enforcement
- ▶ How do we work together to resolve issues with State & Local laws?



Senator Beyer has taken an active role into this matter. I am hoping to learn more and report to Council at the meeting.

The County did a flyover of the this year's Festival but did not share the information. The Festival launched an inquiry in an attempt to obtain the information. Why didn't the County share this information, if not for immediate feedback, by at least the debrief in October?

Outcomes To Date:

- ▶ The Festival's permit will be evaluated using the existing Linn County Code.
- ▶ The City can forward recommendations regarding the Outdoor Mass Gathering re-write.
- ▶ First positive article involving the Commissioner's Office in the *Albany Democrat-Herald*.
- ▶ The City will meeting with key County Officials on March 18th, 2014.
- ▶ The Commissioner's will be acting in a judicial manner at the April 1st, 2014 hearing.
- ▶ Commissioner Nyquist indicated that the Festival did a great job last year.
- ▶ The County will be releasing the flyover pictures to improve traffic flows. *(Hopeful!)*

From 02.25.2014 meeting: The City is in receipt of the changes proposed by Linn County. The Commissioners have appointed a committee to review the proposed changes. The changes are extensive and would basically prevent the Festival from happening in Linn County. The City has the proposed changes on file as received from the County through the Festival.

The City called a meeting with community partners on Thursday, February 20th to discuss these issues and to determine an appropriate course of action. Everyone will do what they can to seek understanding from the Commissioner's Office and once again aim for cooperation.

No date has been set for the hearing yet, even though the permit was submitted in early January.

(The City has the Festival's submittal for the OMG permit on file. 01.23.2014)



Randy's Main Street Fourth of July Celebration – Mary Parker is asking Council to allow them to put, "in cooperation with the City of Brownsville" on their poster for the event. Council will be responsible for authorizing the OLCC license and maybe closing a street depending on the need to be determined.



Mayorial Proclamations – Older Americans Month & Mental Health Month. Please see enclosed proclamations for more information.

2014 Population Data by County

Benton County

Total county population – 85,579
60 and older total population – 14,827
% of residents who are 60 and older is 17%

Linn County

Total county population – 116,672
60 and older total population – 24,898
% of residents who are 60 and older is 21%

Lincoln County

Total county population – 46,034
60 and older total population – 14,202
% of residents who are 60 and older is 31%

What is Council being asked to do?

Nothing. The Mayor is allowed to declare proclamations without Council approval although Mayor Ware has included the Council in nearly all of the proclamations he has executed during his tenure as Mayor.

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

Staff has been working on preparing the budget, McFarland Cascade's project and Bishop Royale. We have been short staffed over the last several weeks.

STATUS UPDATES – Projects, proposals and actions taken by Council

Jeffery SDC Agreement – Staff sent the agreement on March 30th, 2014. The City has received no word to date.

Art Association Letter – Enclosed is a letter the City sent on behalf of the Association for their grant request.

LCSO Law Enforcement Agreement – Staff forwarded the law enforcement agreement on March 31st, 2014.



Oregon Health Authority Submittal O 743 – Submitted to the State on March 31st. Acknowledgement is provided in the packet for your review.

Unsafe Structures – Staff hopes to have an oral report for Council regarding the unsafe structure on Calapooia Avenue.

Sheriff Riley & Donnie Nealon – 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 last meeting: 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.

March Newsletter – Staff mailed the newsletter on Friday, April 18th. Sherri Lemhouse deserves kudos for stepping up and putting the newsletter together.

Active: Sweet Home Sanitation Residential Service Requirement – Staff recently met with Josh Metcalf and Scott Johnson to discuss universal. Council should have something to consider at the April 22nd, 2014 Council meeting due to recent developments.

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 – *From 12.17.2013 Packet:* I feel a need to review a few concepts with Council so I have included a Zoning Map for you in the packet that we will review at the meeting. Below are some key concepts for understanding this process and remembering where we are:

Key Concepts & Definitions

Council has been discussing several different economic development concepts over the last several months. All of these topics are interrelated so in an effort to keep everyone on the same page, I thought I would endeavor to review the topic.

Council has been discussing a possible expansion of the Urban Growth Boundary (UGB) as part of a possible annexation west of town, the Linn County Commissioners' have requested that Council consider an UGB extension and legislative action has been taken in an effort to redevelop System Development Charges.



Oregon Senate Bill 100 – The **Oregon Land Conservation and Development Act of 1973**, formally Oregon Senate Bills 100 and 101 of 1973 (SB 100 and SB 101), were pieces of landmark legislation passed by the Oregon State Senate in 1973 and later signed into law. It created a framework for land use planning across the state, requiring every city and county to develop a comprehensive plan for land use. SB 100 expanded on Senate Bill 10 (SB 10) of 1969. This legislation created the Oregon Land Conservation and Development Commission (LCDC), which expanded on the statewide planning goals of SB 10.^[1] It also established the Oregon Department of Land Conservation and Development.

Urban Growth Boundary – An **urban growth boundary**, or **UGB**, is a regional boundary, set in an attempt to control urban sprawl by mandating that the area inside the boundary be used for higher density urban development and the area outside be used for lower density development. Oregon passed the requirement in an effort to preserve farmland.

Department of Land Conservation & Development (DLCD) – This is referred to in the definition for Oregon Senate Bill 100; it is the "new" renamed State agency that regulates all growth in the State of Oregon. The DLCD has specific requirements and procedures that must be met before a municipality can take action on land use issues.



Annexation – is the permanent acquisition and incorporation of some territorial entity into another geo-political entity (either adjacent or non-contiguous). The State of Oregon does not allow municipal corporations to annex land. Petitioners must come to the City with a plea for annexation, Council would have to legislatively accept the annexation and then it would have to be ultimately approved by the DLCD. In many cases, cities have to expand their UGB in an attempt to accept more land into city boundaries. Revisions to UGB's can be very costly.

Zoning – is a device of land-use planning used by local governments in most developed countries. The word is derived from the practice of designating permitted uses of land based on mapped zones which separate one set of land uses from another. Zoning may be use-based (regulating the uses to which land may be put, also called functional zoning), or it may regulate building height, lot coverage (density), and similar characteristics, or some combination of these. Similar urban planning methods have dictated the use of various areas for particular purposes in many cities from ancient times.

Active: Main Street Water Line Estimate – The costs have been budgeted for FY 2014-2015.

Active: Linn County Planning & Building Department Proposal Update – I believe Councilor Van Sandt will be asking some questions about this process.

From 03.25.2014 meeting: Administrative Assistant Tammi Morrow and I will be meeting with Mr. Wheeldon along with Mr. Rick Partipilo and Commissioner Tucker. I should have an oral report for Council the night of the meeting.

From 02.25.2014 meeting: Staff reported that the State of Oregon has indicated that it would be impossible to expand the Urban Growth Boundary as proposed by Linn County. I also had a



conversation with Chamber President John Morrison about this issue. Apparently there could be even more confusion about this topic. I have held discussion on this topic because we have not had a full Council at a regular session since last July.

From 11.26.2013 meeting: Enclosed in the packet is the letter that was sent to Robert Wheeldon regarding Council's clarification questions from his letter earlier this summer regarding an Urban Growth Boundary (UGB) adjustment for the Bi-Mart Willamette Country Music Festival (BWC MF). The City is still waiting to hear an official response from the County.

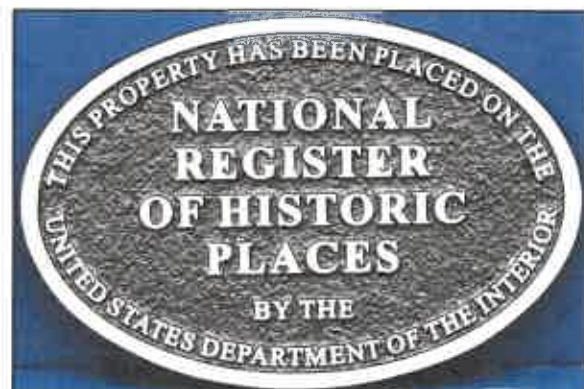
I will also be informing Council about a conversation Staff had with DLCD's Ed Moore & a possible zoning change request from Ms. Gail Erickson.

Recreational Vehicles & Travel/Storage Trailers – 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

- ▶ 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.



Active: 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: City Hall Restoration – Staff met with Ben Swartzendruber to discuss the details for Phase I. The City should have an estimate in the next two weeks. Public Works will be helping extensively during the installation process.

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 01.29.2014 meeting:* I have spoken with the Mayor and Councilors Shepherd, Cole & Boyanovsky about running for office again. I will provide a brief review of those conversations at the meeting.

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

Pending: Water Rights – *From 12.17.2014:* 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.

Pending: Central Linn Rec Center Flooring – Mike Sossie will be performing gym floor maintenance April 23rd through April 25th. CLRA President George Frasier will keep all parties off of the floor through May 4th, 2014 to make sure the floor properly cures.

Active: Unsafe Structures (Pine Street) – Progress continues.



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 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.

Calapooia Food Alliance MOU – I forwarded a draft agreement as directed by Council to Kathleen Swayze & Don Lyon current acting President.



From 03.25.2014 meeting: Kathleen Swayze and I have not had an opportunity to connect over the last few weeks. Public Works is close to finishing the wall. I hope to have some ideas to Council by April.

Red Barn Initiatives – *From previous meetings:* Kathleen Swayze and volunteers have done a great job cleaning up the Barn and getting into the foot print we discussed. Karl & I have discussed a great alternative for the space. I have reviewed that information with Kathleen & Steve Brenner and they like the plan too.

The plan consists of building a wall and delineating the bays. The City has some revamping to do. Council should consider entering into an MOU for the use of the space... On January 15th, 2013, I met with Don Lyon & Kathleen Swayze of the Calapooia Food Alliance to discuss entering into a Memorandum of Understanding for the use of the Red Barn. The City would like to reclaim the space for operations and equipment. I will provide an oral update at the meeting.

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.

Complete: Water Treatment Plant Computer System

From 03.25.2014 meeting – Public Works Superintendent Karl Frink will give an oral report.



From 02.25.2014 meeting – Public Works Superintendent Karl Frink has been working diligently to get this issue resolved with The Automation Group (TAG) meeting with Owner Eric Wick recently. Mr. Wick was embarrassed about TAG's performance to date and assured Mr. Frink that the services would be delivered to the City's satisfaction.

Continuance: The City has held back a portion of the final payment until this project is completed to the City satisfaction. Mr. Frink will be providing an update.

Active: Visit Linn Coalition (VLC) Update – The Festival, the Jamboree and Bi-Mart are working with the Coalition to develop an annual promotion for 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 – 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.

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 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



April 22nd, 2014

TO: Council
FROM: Administrative Assistant Elizabeth Coleman
City Administrator S. Scott McDowell

RE: John Voight Right-of-Way Vacation Information

INFO: See Attached Map
Council discussed details March 25th, 2014

Administrative Assistant Elizabeth Coleman wrote:

John Voight recently purchased a landlocked piece of property along the river and has approached the City to vacate the south end of Sage street to gain access. After discussing the future utility needs for this area with Public Works Superintendent Karl Frink, vacating Sage Street could be a feasible option. Mr. Voight has received an application to "Request for Council to Vacate" to begin the process. If Council decides to vacate this portion of Sage, Mr. Voight will complete an additional application to "Request to Vacate," and the consenting property owners will be responsible for any fees associated with the transaction (surveys, recording fees, etc.)

NOTE: As the property is in the floodplain, a fill permit may be necessary; in addition, the property owners may be subject to FEMA regulations.

Scott:

I have discussed this issue with Staff and the City Attorney. Public Works Superintendent Karl Frink & I feel that the City will not need this right-of-way in the future for storm water management. The City already has an easement on Galbraith for a storm sewer that was installed in 2006 and an existing, active outlet on the south end of Putman Street.

City Attorney Ross Williamson advised that the sixty foot (60') right-of-way could be divided into thirds. If that would be the case, Mr. Jim Hagan would receive the easterly twenty feet (20'), Mr. John Voight would receive twenty feet (20') in the middle, and Ms. Iva Jean Snook would receive the westerly twenty feet (20').

Should Council decide not to vacate this right-of-way, future outcomes could be very similar to other undesirable property disputes between neighbors.

Recommendation

Staff is recommending that Council vacate the right-of-way primarily because the City will have no future use for this piece of property.





Public Works Report April 17th, 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 April.
- *Distribution System* – No water leaks this last month.
- *Cross Connection Program* – I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* –The emergency response plan and operations and maintenance manual are under construction. The new computer and new Rockwell SCADA system and PLC upgrades are installed and finalized! All of the water analysis instruments have been cleaned and calibrated.
- *Misc.* – Oregon Health Authority was here on April 8th to conduct a sanitary survey of our water treatment facilities and distribution systems. The inspection went very well, only minor deficiencies were identified during the inspection. The new waterline on Hwy. 228 is going well. The contractors will be connecting the new line to our system on April 18th.

Sewer:

- *North Lagoons* – Public Works has completed the discharge from this facility. In March we discharged a total of 8.146 million gallons of treated effluent safely into the Calapooia River. The rebuilt pump has been reinstalled in the lift station.
- *South Lagoons* – Discharge continued from this facility until March 22nd. A total of 25 million gallons of treated effluent was safely discharged into the Calapooia River.
- *Collection System* – No sewer problems this month!
- *Misc.* – The new sewer crossing on Hwy. 228 has not gone as planned, however it is now installed and complete.

Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis.
- *Asphalt/ Gravel Road Maintenance* – Gravel street maintenance has begun at the wastewater treatment facilities. The crew finished grading the roads the last week of March.
- *Storm Drainage* – There have been no problems with the storm drainage thus far despite the rain and snow. Catch basins are scheduled to be cleaned the last week of April. The crew has begun clearing all of the drainage ditches around town.
- *Misc.* – The LED street light project is complete. The lights include the bridge north to Stanard Ave., and Spaulding Ave.

Parks:

- *Pioneer Park* – The second gate has been installed in Pioneer Park. The Park was opened April 1st, and mowing of the facilities has begun. Staff is currently acquiring estimates to perform the needed electrical work for Pioneer Park.
- *Blakely Park* – Mowing at this facility has begun.
- *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 weed eaten.

Library:

- *Grounds* – Mowing have begun at this facility.
- *Buildings* – Several light bulbs and ballasts have been replaced.

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.* – A wall has been constructed in the red barn to provide space for the Calapooia Food Alliance materials and supplies.

City Hall:

- *Buildings* – Nothing to report at this time.
- *Grounds* – Nothing to report this month.
- *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:

March

TRAFFIC CITATIONS: -----	2
TRAFFIC WARNINGS: -----	7
TRAFFIC CRASHES: -----	1
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	1
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	43
TOTAL HOURS SPENT IN:	
BROWNSVILLE	247

70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH= 202 HOURS

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

By: Sgt. Brad Kelley

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST #	ADDRESS	CITY	DESCRIPTION
140870210	3/28/14	14:20:37	ASST-OUTSIDE AGENCY	200	HAUSMAN AV	Brownsville	No Additional Report Necessary
140870179	3/28/14	13:14:59	WELF CHECK	200	HAUSMAN AV	Brownsville	No Additional Report Necessary
140870026	3/28/14	3:47:45	SUSP-VEHICLE	200	PARK AV	Brownsville	No Additional Report Necessary
140850372	3/26/14	23:08:19	SUSP-PERSON	220	S MAIN ST	Brownsville	No Additional Report Necessary
140850298	3/26/14	17:38:22	Trf Aggressive Driver	100	STANARD AV	Brownsville	WARNING - SPEEDING VIOLATION
140850248	3/26/14	14:39:59	WELF CHECK	761	TEMPLETON ST	Brownsville	No Additional Report Necessary
140840120	3/25/14	9:31:08	PARKING COMPL	411	N MAIN ST	Brownsville	No Additional Report Necessary
140830148	3/24/14	11:04:03	WARRANT SERV	118	E BLAKELY AV	Brownsville	No Additional Report Necessary
140830011	3/24/14	0:23:14	VIOL CITY ORD	500	TEMPLETON ST	Brownsville	No Additional Report Necessary
140820272	3/23/14	21:21:48	ALARM - POLICE	255	N MAIN ST	Brownsville	No Additional Report Necessary
140820060	3/23/14	4:16:29	PARK PATROL	200	PARK AV	Brownsville	No Additional Report Necessary
140790313	3/20/14	16:49:06	WARRANT SERV	118	E BLAKELY AV	Brownsville	No Additional Report Necessary
140790147	3/20/14	11:04:44	WELF CHECK	303	SPAULDING AV	Brownsville	Contact Attempted/No Contact Made
140780434	3/19/14	23:02:51	ALARM - POLICE	220	S MAIN ST	Brownsville	Incident Report
140780127	3/19/14	8:51:14	MVC-NON INJURY	220	N MAIN ST	Brownsville	No Additional Report Necessary
140780109	3/19/14	8:05:16	CRIM MISCHIEF	111	STANARD AV	Brownsville	Incident Report
140770255	3/18/14	16:42:53	COURT SECURITY	255	N MAIN ST	Brownsville	No Additional Report Necessary
140770238	3/18/14	15:34:04	WARRANT SERV	200	PUTMAN ST	Brownsville	No Additional Report Necessary
140770236	3/18/14	15:29:15	Trf Equipment Viol	200	PUTMAN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
140770198	3/18/14	13:40:51	SUSP-CIRCUMSTANCES	190	N MAIN ST	Brownsville	No Additional Report Necessary
140770188	3/18/14	13:22:20	WELF CHECK	316	SPAULDING AV	Brownsville	No Additional Report Necessary
140770183	3/18/14	13:08:30	VACATION CHK	822	N MAIN ST	Brownsville	No Additional Report Necessary
140750131	3/16/14	10:23:44	CUSTODIAL INTERF	218	W BLAKELY AV	Brownsville	No Additional Report Necessary
140750012	3/16/14	1:04:07	TRAFF-OTHER VIOL	218	E BLAKELY AV	Brownsville	No Additional Report Necessary
140740350	3/15/14	22:14:33	Trf Moving Viol	811	N MAIN ST	Brownsville	CITE ISSUED - DWS/NO ODL
140730204	3/14/14	13:28:37	CIV PROCESS-OTHER	822	N MAIN ST	Brownsville	No Additional Report Necessary
140700439	3/11/14	22:30:41	Trf Equipment Viol	811	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
140700432	3/11/14	22:08:06	Trf Moving Viol	200	N MAIN ST	Brownsville	WARNING - MOVING VIOLATION
140700138	3/11/14	9:33:11	ALARM - POLICE	146	SPAULDING AV	Brownsville	No Additional Report Necessary
140690006	3/10/14	0:25:03	SUSP-CIRCUMSTANCES	500	FISHER ST	Brownsville	No Additional Report Necessary
140670210	3/08/14	16:22:52	DISTB-OTHER	207	KIRK AV	Brownsville	No Additional Report Necessary
140670170	3/08/14	14:04:09	SUSP-VEHICLE	1196	LINN WY	Brownsville	No Additional Report Necessary
140660093	3/07/14	9:13:15	DISTB-DOMESTIC	224	SAGE ST	Brownsville	No Additional Report Necessary
140660026	3/07/14	2:54:04	ALARM - POLICE	220	S MAIN ST	Brownsville	No Additional Report Necessary
140650403	3/06/14	22:02:38	FIRE ARMS COMPL	600	ASH ST	Brownsville	No Additional Report Necessary
140650229	3/06/14	13:11:43	DOG COMPLAINT	604	KIRK AV	Brownsville	No Additional Report Necessary
140640381	3/05/14	21:07:14	NARCOTICS OFF	401	KAY AV	Brownsville	MDT Narrative Update
140640366	3/05/14	20:12:31	ALARM - POLICE	736	WEST VIEW ST	Brownsville	No Additional Report Necessary
140640336	3/05/14	18:06:37	WELF CHECK	804	KIRK AV	Brownsville	No Additional Report Necessary
140640290	3/05/14	16:20:15	ALARM - POLICE	204	N MAIN ST	Brownsville	No Additional Report Necessary
140630395	3/04/14	23:12:15	Trf Aggressive Driver	200	SPAULDING AV	Brownsville	CITE ISSUED - AGGRESSIVE DRIVER
140630336	3/04/14	19:47:09	DISTB-OTHER	217	KIRK AV	Brownsville	No Additional Report Necessary

PATRL_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST #	ADDRESS	CITY	DESCRIPTION
140630326	3/04/14	19:01:48	DISTB-NOISE	400	SPAULDING AV	Brownsville	No Additional Report Necessary
140630268	3/04/14	16:00:07	VEH-STOLEN	217	KIRK AV	Brownsville	Incident Report
140630231	3/04/14	14:48:37	SUSP-VEHICLE	123	PUTMAN ST	Brownsville	MDT Narrative Update
140630213	3/04/14	14:04:01	Trf Seatbelt	200	N MAIN ST	Brownsville	WARNING - SEATBELT VIOLATION
140630093	3/04/14	7:38:05	Trf Speed Viol	100	HAUSMAN AV	Brownsville	WARNING - SPEEDING VIOLATION
140620108	3/03/14	9:11:17	Trf Seatbelt	200	KIRK AV	Brownsville	WARNING - SEATBELT VIOLATION
140610186	3/02/14	15:02:03	DISPUTE-NEIGHBOR	217	KIRK AV	Brownsville	No Additional Report Necessary
140610176	3/02/14	14:27:53	INFORMATION REQUEST/F	118	E BLAKELY AV	Brownsville	No Additional Report Necessary
140610151	3/02/14	13:05:33	FIRE ARMS COMPL	220	S MAIN ST	Brownsville	No Additional Report Necessary
140600293	3/01/14	19:59:24	FIRE ARMS COMPL	220	S MAIN ST	Brownsville	No Additional Report Necessary



Library Advisory Board

Librarian's Report

March 2014

Here are a few facts about our library the month of March 2014. We have received 49 new books for the library. Volunteers donated 165.8 hours to our library. There were 1,298 materials checked out. 405 adult fiction books; 146 adult non-fiction books; 132 audio books; 264 children's books; 234 junior books; 26 junior reference books and 91 large print books.

Recently, I took an inventory of the variety of programs we offer here at the Library. These include two story times, one book club, Summer Reading Program for children and teens, a stitchery group, the Dolly Parton Imagination Library Program for 0 – 5 years and so much more! We have little or no waiting for new books that are published within the last couple months, unlike the large city libraries that have waiting lists up to 50 people. We average about 50 people walking through our doors each day the Library is open. With so much going on at our Library it is fun to take time each day and converse with patrons. Our Library is a personal experience. I and our volunteer staff have worked hard to keep it personal.

Recently, I spoke with the Corvallis Morning Rotary about continuing their funding of the Dolly Parton Imagination Library (DPIL) program here in our community. This is a free program to families of children birth – 5 years of age. A free quality book will be mailed to the child at home each month. The idea behind this program was to encourage parents to read with their children starting at birth. Studies have shown that parents read 30% more to their children. Another encouraging study showed that the standardized test scores in 3rd grade were about 30% greater than those who did not participate in the DPIL! This continued through the final 11th grade standardized testing. These studies and the DPIL program affirm why our story times are so important in our community.

Respectfully submitted,

Sherri Lemhouse
Librarian

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

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	32	3	0	35	
Violations	25	3	8	20	
Contempt/Other	31	5	2	34	
TOTALS	88	11	10	89	

BALANCE SHEET FOR THE MONTH OF MARCH 2014

Court Revenue

Total Deposits +	\$ 2,696.00
Total Bail Forfeits +	\$ -
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ -
Total NSF's -	\$ -

Court Payments

City	\$2,394.30
Restitution	\$ -
Unitary Assessment	\$ 210.48
Linn County	\$ 91.22
State Misc.	\$ -
DUII Surcharge	\$ -

TOTAL COURT REVENUE

\$ 2,696.00

TOTAL COURT PAYMENTS

\$2,696.00

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 2,394.30
STATE	\$ 210.48
COUNTY	\$ 91.22

*REFUND/RESTITUTION \$ -

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 4,837.59
ENDING	\$ 3,173.59



2013 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. Transparency is the focus of Council as is working closely with Staff, volunteers, civic organizations, appointed officials and the citizenry to execute the goals and responsibilities of the City.

Brownsville has a tremendous sense of place and synergy between City Hall and with our residents. Active citizens are the true strength of Brownsville as evidenced by the volunteers who give freely of themselves to provide many municipal 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 Council Goals

- Exploring Additional Resources
 - Options include exploring the procurement of upstream water rights and other possibilities that exist in other areas of Brownsville.

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.
- Community Amenities
 - Council would like to encourage and facilitate a Senior Living Facility to be developed in Brownsville.
 - Council would like to encourage and facilitate Youth Activities by continuing to work in partnership with the Central Linn Recreation Association and by fostering a better partnership with the Central School 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.
- Sidewalk Inventory
 - Council is actively working on developing a sidewalk program.
 - Council will determine action steps once the inventory is complete.

Capital Improvements Plan

- Water Plant & Distribution
 - Council has contracted for the repair of the Water Treatment Plant (WTP) computer system.
 - Council has budgeted for a new emergency generator for the WTP.
 - Council understands that the City is in need of a new 1.1 million gallon reservoir.
 - Council understands there are a few critical water lines that need to be replaced including the Main Street waterline.



2013 Council Goals

- Council is currently repairing the Calapooia Crossing waterline this upcoming fiscal year.
- **Wastewater Treatment & Collections**
 - Council has budgeted for a well for the South Plant.
 - Council understands that nearly 45% of the collection lines are need of replacement.
 - Council is aware that the Millhouse line will be a priority 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 improvements. The remainder of Kirk Avenue will be a grind and overlay project.
 - 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.
 - 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.
 - Council encourages Staff to continually develop their professional skills and capacities as employees.
- **Council Development**
 - Council recognizes Council's need for additional training & development. Council will continue to improve individually in their role as community leaders working together to accomplished shared organizational goals.
 - 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.

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.



2013 Council Goals

- 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.
- 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 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:



2013 Council Goals

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



ORDINANCE NO. 744

**AN ORDINANCE AMENDING SECTION 13.05.640 CROSS CONNECTIONS
OF TITLE 13, UTILITIES, OF THE MUNICIPAL CODE
OF THE CITY OF BROWNSVILLE, OREGON;**

The City of Brownsville does ordain as follows:

WHEREAS, Title 13 of the Brownsville Municipal Code (BMC) defines Utilities, and;

WHEREAS, at the request of the Oregon Health Authority, Council desires to update and replace current language as provided herein;

NOW THEREFORE, the City of Brownsville ordains as follows:

Current Brownsville Municipal Code reads as follows:

13.05.640 Cross-connections.

- A. Whenever the City of Brownsville Cross-Connection Control Inspector has reasonable cause to believe that an existing or potential cross-connection is located on the user's premises, an approved backflow prevention assembly, as determined by the City's designated Certified Cross-Connection Control Inspector, shall be installed at the service connection, by the owner of the premises, and at the owner's expense.
- B. The owner of the premises requiring an approved backflow prevention assembly shall have the assembly tested by a certified tester upon installation and at least once per year thereafter. Reports on the tests shall be prepared by a certified tester and copies of the reports shall be provided to the owner of the premises and to City Hall. Approved results of the initial test upon installation must be submitted to the City prior to the service being connected.
- C. Failure to install the proper assembly upon order of the City, or failure to maintain or annually test a required assembly will result in discontinuation of water service to the premises.
- D. All approved backflow prevention assemblies shall be installed in accordance with OAR 333-061-0071.
- E. A copy of the Oregon Health Division list of backflow prevention assemblies approved for use in Oregon will be maintained by the City and made available to customers upon request.
- F. Backflow prevention assemblies installed before the effective date of these rules which were approved at the time they were installed but are not on the current list of approved assemblies maintained by the Division shall be permitted to remain in service provided they are properly maintained, are commensurate with the degree of hazard, are tested at least annually, and perform satisfactorily. When assemblies of this type are moved, require more than minimum maintenance or are on services that are modified, changed size or remodeled, they shall be replaced by assemblies which are on the Division list of approved assemblies. [Ord. 660 § 1, 1998; Ord. 650 § 2, 1997; Ord. 534 § 31, 1981; 1981 Compilation § 3-2.31.]

The **New Ordinance** would read as follows:

O 744: Cross Connections (First Reading)

Page 1 of 3



13.05.640 Cross-connections.

The purpose of this ordinance is to protect the health of the people served by this water system by preventing contaminants from flowing backwards into the water supply. To accomplish this, these rules are in compliance with Oregon Administrative Rules (OAR) 333-061-0070 thru 333-061-0074. This includes installation, maintenance and testing of backflow prevention devices and assemblies; as well as other rules to report backflow data to the Oregon Health Authority every year.

Division refers to the Oregon Health Authority or duly charged State agency of the State of Oregon responsible for protection of public water supplies.

OAR refers to the Oregon Administrative Rules and corresponding, applicable code, chapters, paragraphs, subsections etal. of the State governing cross-connection and/or backflow.

Actual or potential cross connections are prohibited. If a potential exists for a cross connection and this is necessary, the water system must be protected by an appropriate backflow prevention device or assembly. Most high hazards or health hazard are specified in the above listed Oregon Administrative Rules; OAR 333-061-0071. They are given the highest priority.

- A. No person shall install or maintain any physical cross connection between the City water system and any other source of water supply.
- B. No cross connections are allowed. The water system must be protected by an appropriate backflow preventer.
- C. A list of "High Hazard" installation areas is on file with City Hall.
- D. Installation of backflow assembly devices and assemblies are to be installed per 2014 Oregon Plumbing Specialty Code (OPSC) or the most current revision or version.
- E. All backflow devices and assemblies are to be tested:
 - a. Upon installation, and
 - b. After a backflow incident, and
 - c. If the device is moved or repaired, and
 - d. At least yearly.
- F. These devices may be part of the water system well or distribution system or on customer's property. There are no "grandfathering" clauses for these rules to allow customers to not have and test these devices.

The City of Brownsville has the ***right to refuse or terminate water service to any customer*** who does not install a backflow device or assembly, when necessary, test at least annually and repair if necessary the backflow devices on the customer's property.

- G. Whenever the City of Brownsville's certified Cross-Connection Specialist has reasonable cause to believe that an existing or potential cross-connection is located on the user's premises, an approved backflow prevention assembly, as determined by the City's designated certified Cross-Connection Specialist, shall be installed at the service connection, by the owner of the premises, and at the owner's expense.



The City of Brownsville reserves the right to demand a backflow device at the customer's side of the water meter if access is not allowed to determine if a backflow device or assembly is necessary.

- H. Failure to install the proper assembly upon order of the City, or failure to maintain or annually test a required assembly will result in immediate discontinuation of water service to the premises.
- I. The City of Brownsville will allow a reasonable time to achieve compliance with our rules, but should a backflow incident occur, the water system has the right to terminate service immediately and restore it only after compliance.
- J. Annual testing for devices will be performed at the customer's expense.
- K. In addition to any other sanctions allowed for under this chapter or State law, any violator will be responsible for all costs to the city for any cross contamination. (Ord. 3004 §1 (Exh. A)(part), 2011)

13.05.645 Violation – Penalty.

Any person violating any of the provisions of this chapter, other than those relating to payment or nonpayment of rates or charges, shall, upon conviction thereof, be punished by a fine or by imprisonment of not more than one hundred days, or both.

- L. The use of any type of radiator flush kits attached to the premises plumbing is prohibited within the city's water system without proper protection from the potential of backflow occurring.



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.



RESOLUTION NO. 2014.06

**A RESOLUTION VERIFYING SERVICES PROVIDED BY THE
CITY OF BROWNSVILLE IN ACCORDANCE WITH THE
DEPARTMENT OF ADMINISTRATIVE SERVICES
REQUIREMENTS FOR STATE-SHARED REVENUES**

WHEREAS, Oregon Revised Statutes (ORS) 221.760 provides as follows:

Section 1. The office responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police Protection
- (2) Fire Protection
- (3) Street Construction, Maintenance and Lighting
- (4) Sanitary Sewer
- (5) Storm Sewers
- (6) Planning, Zoning, and Subdivision Control
- (7) One or more utility services and;

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, hereby certifies that it provides the following municipal services enumerated in Section 1, ORS 221.760:

- Police Protection,
- Street construction, maintenance and lighting,
- Sanitary Sewer,
- Storm Sewers,
- Planning, zoning, and subdivision control,
- Water Utility,
- Library Services,
- Municipal Court and
- Parks;

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

Attest:

S. Scott McDowell
City Administrator/Recorder

Don Ware
Mayor



RESOLUTION NO. 2014.07

A RESOLUTION EXTENDING CITY OF BROWNSVILLE WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF CITY OF BROWNSVILLE.

WHEREAS, the City of Brownsville elects the following:

1. Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteer workers listed on the attached Volunteer Election Form.
2. Non-public safety volunteers will keep track of their hours and have their assumed payroll reported in the correct class code for the type of work being performed using Oregon minimum wage; and
3. Court-mandated community service workers/inmates on work release may be covered for workers' compensation benefits by the sentencing court. Coverage will be determined prior to work inception and stipulated to in writing between the City of Brownsville and the respective sentencing court. Court-mandated volunteers will keep track of their hours and have their assumed payroll reported in Class Code 7720V using Oregon minimum wage; and
4. A roster of active volunteers will be kept monthly for reporting purposes. The City shall update the current list of volunteers utilizing the CIS Web portal. It is acknowledged that City/County Insurance Services (CIS) may request copies of these rosters during year-end audit; and
5. Unanticipated volunteer projects or exposure not addressed herein will be added onto the City of Brownsville's coverage agreement (1) by endorsement, (2) with advance notice to CIS, and (3) allowing two weeks for processing it is hereby acknowledged that coverage of this type cannot be backdated.
6. An aggregate assumed annual wage of \$2,500 will be used per volunteer board, commission and/or council for the performance of their administrative duties.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, to provide for workers' compensation insurance coverage as indicated.

Introduced and adopted this 22nd day of April 2014.

ATTEST:

Don Ware, Mayor

S. Scott McDowell, City Administrator



Mental Health Month 2014 A Proclamation

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, promotion and prevention are effective ways to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that support user-friendly tools that all Americans can access to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, faith-based organization, health care provider, veteran's groups and citizen has a responsibility to promote mental wellness and support prevention efforts; and

WHEREAS, the Linn County Mental Health Advisory Board, in cooperation with other community organizations, is promoting the message there is no health without mental health through Public Service Announcements, Health Fairs, public speakers and various trainings regarding mental health issues;

NOW, THEREFORE, BE IT RESOLVED that I, *Don Ware*, Mayor of Brownsville, Oregon do hereby proclaim May 2014 as Mental Health Month in Brownsville, Oregon. As the Mayor, I also call upon the citizens, governmental agencies, public and private institutions, businesses and schools in Brownsville to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Proclaimed this 22nd day of April, 2014.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor



Older Americans Month 2014 A Proclamation

WHEREAS, the City of Brownsville includes 321 citizens ages 60 and older; and

WHEREAS, the City of Brownsville is committed to helping all individuals live longer, healthier lives; and

WHEREAS, the older adults in the City of Brownsville have made countless contributions and sacrifices to ensure a better life for future generations; and

WHEREAS, we recognize the value of injury prevention and safety awareness in helping older adults remain healthy and active; and

WHEREAS, our community can provide opportunities to enrich the lives of individuals young and old by:

- ▶ Emphasizing the need to take action to safeguard themselves from unintentional injuries where they live, work and socialize.
- ▶ Providing information on avoiding leading causes of injury for older adults – falls, motor vehicle-related incidents, suffocation, medication overdose, and fire/burns.
- ▶ Helping older adults take control of their safety and wellbeing.

NOW, THEREFORE, BE IT RESOLVED that I, *Don Ware*, Mayor of Brownsville, Oregon do hereby proclaim May 2014 to be Older Americans Month. I urge every resident to take time this month to recognize older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

Proclaimed this 22nd day of April, 2014.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor

OLCC LICENSE RENEWALS

City of Brownsville
 BROWNSVILLE
 PO Box 188
 Brownsville OR 97327

Received
 City of Brownsville

APR 02 2014

Clerk _____

Attached is the list of OLCC liquor licenses in BROWNSVILLE that are eligible for license renewal. These licenses will expire on 6/30/2014.

Oregon Revised Statute (ORS) 471.166 establishes the process for local governments to make recommendations to the OLCC. It also requires the OLCC to notify licensees of the license renewal application or processing fees charged by their local governments. According to our records, you charge:

License Renewal Fee:

Off Premises Fee:

We will direct renewal applicants to mail the renewal fees to the address on this letter. Please notify us immediately if the fees or address are incorrect.

Approximately 40 days after the licenses expire, the OLCC will send you a list of the licensees who filed a renewal application. You can use this list to verify that applicants have paid your fees.

Recommendation Process:

You have until 6/5/2014 to exercise one or more of the following options:

1. Provide a written renewal recommendation to the OLCC for any or all of the licenses on this list.
2. Make a written request for additional time to investigate a specific renewal or renewals. The request must set forth the reason additional time is needed, state that the local government is considering making an unfavorable recommendation, and state the specific grounds being considered toward an unfavorable recommendation.
3. Take no action. After 6/5/2014, the OLCC will process the renewal application as if you made a favorable recommendation.

Please send correspondence to OLCC License Renewals at P.O. Box 22297, Portland OR 97269 or email olcc.renewals@state.or.us. You can also contact the license renewal section at 1 (800) 452.6522 ext 5138 or at 503.872.5138.

Dist. #	License #	Tradename	Participant	License	Premises Address
Local Government: BROWNSVILLE					
3	189292	ARMANDOS FAMILY RESTAURANT	ARMANDOS 2 LLC	F-COM	122 SPAULDING AVE, BROWNSVILLE, OR
	189489	BROWNSVILLE SALOON	WADE, NATALIE L	F-COM	419 N MAIN ST, BROWNSVILLE, OR
	186848	BROWNSVILLE VIDEO	LARSEN, DEBORAH A	O	130 SPAULDING AVE, BROWNSVILLE, OR
	187433	DARI MART STORE #24	DARI-MART STORES INC	O	220 S MAIN ST, BROWNSVILLE, OR
	186875	JERRY'S GAS & FOOD MART	JERRY'S GAS & FOOD MART LLC	O	203 E BISHOP WAY, BROWNSVILLE, OR
	189631	KIRK'S FERRY TRADING POST	KIRK'S FERRY TRADING POST LLC	F-COM	217 W BISHOP WAY, BROWNSVILLE, OR

To Be Place on Letterhead
DRAFT

April 23rd, 2014

Pioneer Picnic Association

Attn: Ms. Leisa Keyser, Treasurer
401 Washburn Street
Brownsville, Oregon 97327

Re: Pioneer Picnic, June 20th – 22nd

Dear Leisa,

The City's goal is the same as the Association's which is to have a fun Picnic. In order to accomplish that goal we want to make sure that we do our part. I have included a couple of notes from last year that I received from various key people helping with the event. Karl & I have articulated the major responsibilities below just to make sure we are all on the same page:

- 1) **Camping Fees** – The City appreciates the addition of the fifteen dollar (\$15) camping fee this year. The City will charge a flat rate (\$15) for the weekend which includes Thursday through Sunday nights. The City will make the Caretakers aware.
- 2) **Service Personnel** – The Association will have people designated to serve as garbage men, handy men and security for the event.
- 3) **Gates** – The City keeps the gates open at the discretion of the Park Caretakers; this item is at the sole discretion of the Association for the weekend.
- 4) **Park Caretakers** – Lamont & Georgann Davis will be serving as Park Caretakers this year. Their role on behalf of the City will be to clean restrooms, stock restroom supplies and unplug toilets. (See item #6.)
- 5) **Additional Bathroom Supplies** – The City supplies the necessities and they will be available as needed through the Caretakers.
- 6) **Gator Use** – We anticipate the Association working out an agreement with the Park Caretakers to use their services and the Gator for miscellaneous purposes again this year. As you know, the State requires Off Highway Vehicles (OHV) safety training. Karl & I plan on having everyone take or renew the training.
- 7) **Wood Chips** – Please make sure Karl is aware of exactly where you want these placed. Please also make sure that arrangements have been made with Bear Mountain well in advance of the event. The City will pick up the wood chips and place them as directed.
- 8) **Keys** – We will issue keys to you for your distribution for the event. The Caretakers can always let folks in buildings if necessary. This practice has worked well for the last two years. We will *only* release the keys to one official from the Association which has been you in the past. Last year, we had a lot of confusion at City Hall over issuing additional sets of keys. We would like to avoid this from happening this year if possible.
- 9) **Horse Area** – The group responsible for preparing the area will be making those arrangements.
- 10) **Parade Barrels/Cones/Candlesticks** – These are stored behind the stage, by the north door. Public Works will make sure you have the amount you request. The City will ask for any lost items to be replaced at cost.

To Be Place on Letterhead
DRAFT

- 11) **Barricade Placement** – Public Works will put them out for the Kiddie Parade on Friday and pick them up afterwards. We can make arrangements to hand the barricades over to a volunteer for placement on Saturday. The City will need to know who the Association wants to be responsible for the barricades.

Run Event Organizer Joe Ervin indicated that there was a snafu last year with the placement of the traffic signage & barricades. Joe indicated that a runner almost got hit because no one put up the road closure signs and barricades.

- 12) **Park Street & Main Street Closure** – Traditionally, Council closes Park Street, as requested by the Association, on Friday before Picnic between the hours of 12:00 p.m. and 2:00 p.m. for the Kiddie Parade. Please forward a request for Council. The City also signs off on the Oregon Department of Transportation request.
- 13) **ADA Campers** – The City would like you to make room behind the new restrooms for folks who may have ADA concerns. Historically, folks have camped behind the Pavilion which causes problems for the rest of the season for us.
- 14) **Kitchen Support Campers** – Historically we have allowed people helping with the kitchen area to camp in that area. We would strongly encourage a different plan.
- 15) **Kitchen** – We would like to let you know that we are not encouraging any items to be placed or left in the kitchen for the Fourth of July celebration. The City has the Pavilion rented to others before that event and it always causes problems. If you see something, please let us know. We would like to avoid this problem from arising.
- 16) **Information Booth** – Please make sure that the room is clean. Last year we had reports that it wasn't left in good condition.
- 17) **Banners** – Public Works hangs the Welcome signs and banners.
- 18) **Dumpster** – We provide one, ten (10) cubic yard dumpster in the park for trash.

We know there are other items the City does in preparation for Picnic, however we wanted to address as many issues as possible to ensure good cooperation. We wish the Association the best of luck on a successful event! If you have any questions or concerns, please let us know.

Sincerely,

S. Scott McDowell
Administrator

Karl Frink
Public Works Superintendent

cc: Mayor and Council
Park & Open Space Advisory Board
Staff
File



Rental Agreement

BETWEEN: City of Brownsville (City)

AND: Calapooia Food Alliance (CFA)

DATE: May 2014

RECITALS

- A. CFA is interested in entering into a rental agreement with the City to provide storage space for the Farmer's Market.
- B. City believes that CFA provides a valuable public service by offering the Farmer's Market and desires to provide storage space to support their effort.

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

DELIVERABLES.

1. **Storage Space:** The City offers the continued use of the Red Barn, behind the Picture Gallery, situated along Park Avenue across from the Linn County Museum for general, operational storage. The City has allowed the use of the Red Barn since 2008. The City does not allow for food or other organic materials that could attract insects and other pests to be stored at this location.
2. **Logistics:** The CFA will be issued one key for accessing this storage area. The City has walled off the far east bay of the Red Barn for CFA use. Any physical modification to the space should be approved by the Public Works Superintendent & City Administrator. The City shall have permission to access the storage space as needed.

COMPENSATION. City believes the fair market value for rent to be \$200 per month. City will contribute \$150 per month as an in-kind contribution to support the work of the CFA. The CFA shall remit the balance of \$50 per month for use of the space.

TERM. The term of this Memorandum shall commence upon execution hereof and shall continue for three years to be revisited and renegotiated in June 2017.

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



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

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

City:

CFA:

Mayor

Calapooia Food Alliance President

Date:

Date:



Memorandum of Understanding Addendum

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

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

NEW EVENT DETAILS

1. **TERM & ORIGINATION.** The original agreement was made the 17th day of December, 2013, between the City and the Organizer shall commence upon signature and expire December 31st, 2016. The term shall be three (3) years with a one (1) year option. Any changes can be made mutually between the parties including updating the event dates from year to year. This addendum has been added for one year for this new event.
2. **ADMINISTRATION.** The Organizer will be hosting a Swap Meet & Car Show during the Antique Faire this year. Ms. Laura Meckle is the Event Chair designated by the BCC. Council referred the matter to the Central Linn Recreation Association who preferred the event be located somewhere other than the west baseball diamond in Pioneer Park. Staff met with Ms. Meckle and discussed the possibility of using the area by the City wells.
3. **LOGISTICS.** Any event chair or designee should meet with Council at least sixty (60) days prior to the event. Ms. Meckle is interested in creating up to sixty (60) 20' X 20' vendor spaces. She will use baseball chalk to line out the spaces. The general public will not be charged to enter the event area. Any additional restroom units or trash receptacles shall be the responsibility of the BCC to acquire and place.
4. **CONDITIONS.** The City grants permission to the Organizer to use Pioneer Park for holding the Event on the date stated above subject to the following conditions:
 - A. The City shall provide:
 1. The use of the requested space for the specified dates. Normal day use of the Park shall be permitted. Normal day use includes people using the river, playground equipment and other normal uses of the Park during the Event.
 2. The City asks that care is used parking cars around structures.
5. **COMPENSATION.** This event shall fall under the scope of the Chamber of Commerce MOU as adopted in December 2013. There will be no additional charges for the use of this space. The City charges \$10 for tent camping per night, per tent. The City charges \$15 for dry, RV camping per night, per RV. The City is willing to allow RV camping for \$10 per night, per RV for this event, this year. All camping fees will be collected by the Park Caretakers. A system will be developed by Ms. Meckle to properly designate the campers associated with the Swap Meet.
6. **ENTIRE AGREEMENT.** This document embodies the entire agreement between the parties. There are no promises, terms, conditions or obligations other than those



contained herein. This agreement shall supersede all prior communications, representations or agreements, either verbal or written, between the parties.

7. **MODIFICATION AND WAIVER.** No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.
8. **INTENT.** The intent of this Agreement is to cooperatively work together to create a working relationship that will be mutually beneficial.

City:

Organizer (BCC):

S. Scott McDowell
City Administrator

John Morrison
President

Date:

Date:



Memorandum of Understanding

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

AND: Brownsville Senior Center (SENIORS)

RECITALS

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

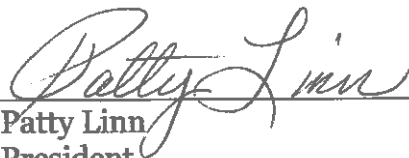
AGREEMENT

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

City:

Seniors:

Don Ware
Mayor



Patty Linn
President

Date:

Date: April 7, 2014

March 31st, 2014

Brownsville Community Foundation

Attn: President Don Ware

P.O. Box 4

Brownsville, OR 97327

Re: Brownsville Art Association's Application

Dear President Ware:

The City has been working with the fine folks at the Brownsville Art Association since 2009. The City has found their efforts to be first-class. They have created a tremendous community asset by very capably managing the Art Center at City Hall and their members have demonstrated a tireless dedication to the organization's mission. The City has sponsored two (2) Linn County Cultural Coalition grants on their behalf; funding that has been vital to their success. Council is very appreciative of Linn County for having these funds available.

Mrs. Alice Tetamore recently requested support from the City at the March 25th, 2014 Council meeting for the Association's application to the Brownsville Community Foundation. Council voted unanimously to support their application and to provide the necessary tax exempt status should their application be awarded funding. The City understands that you have many worthy applicants, but we can attest, first-hand, to the Association's ability to deliver desired outcomes that meet and exceed expectations. If you should have any questions, please contact me at your convenience.

Cordially,

S. Scott McDowell
Administrator

c: Brownsville Art Association
Council
File

NATIONAL DAY OF PRAYER

DATE: MAY 1ST

TIME: 6:00-6:15 PM

LOCATION: FARMER'S MARKET LOT

PURPOSE: 1. ALL INVITED TO PRAY FOR TOWN, STATE, NATION

2. SING "GOD BLESS AMERICA"

3. READ 2. CHRONICLES 7:14



United States
Department of
Agriculture

Forest
Service

Willamette National Forest
Sweet Home Ranger District

4430 Highway 20
Sweet Home, OR 97386

File Code: 1950

Date: April 4, 2014

Dear Interested Public,

The Sweet Home Ranger District would like to inform you that we have just completed the draft decision notice for the Toll Joe Project and Non-significant Forest Plan Amendment#55. The proposed decision is to select a modification of Alternative 2 (see Figure 1). The modification involves dropping the two eastern-most patch cuts in Unit 50 and changing the prescription for the remaining two patch cuts (Units 50 and 55) to thinning (see Figure 2). The modified alternative thins about 920 acres and introduces about 24 acres of gaps, ranging in size from $\frac{1}{10}$ to $\frac{1}{2}$ acres in size, into thinned stands. It also reduces hazardous fuels within 200 feet north of Highway 20 using ground and ladder fuel treatments on about 95 acres and ground, ladder and canopy fuel treatments on about 44 acres. To access harvest units about 1.3 miles of temporary roads would be constructed and about 2.7 miles of non-system spur roads would be re-opened.

The non-significant Forest Plan Amendment #55 allows about 95 acres of thinning (of the 920 proposed acres) in two young plantations in the Three Creeks Old Growth Grove, located within the South Santiam Late Successional Reserve.

The project area is located in T13S, R4E, Section 36; T13S, R5E, Sections 26, 28, 31-36; T13S, R6E, Section 31; T14S, R4E, Sections 1, 12 and 13; T14S, R5E, Sections 1-24, 27-29; and T14S, R6E, Sections 6, 7, 8, 17 and 18, Willamette Meridian.

Project documents can be accessed at: <http://www.fs.usda.gov/goto/willamette/projects-all>. For further information about the project or to request a copy of the Draft Decision Notice, contact Anita Leach at (541) 367-3538 or Sweet Home Ranger District, 4430 Highway 20, Sweet Home, OR 97386.

The project is subject to pre-decisional administrative review pursuant to 36 CFR 218, Subpart B. The 45-day objection period begins the day following publication of notice of objection in the Eugene-Register Guard, the newspaper of record. Only individuals or organizations who submitted specific written or oral comments (36 CFR 218.2) during the designated opportunity for public participation (scoping or 30-day comment period) may object (36 CFR 218.5). Issues raised in objections must be based on previously submitted specific written comments regarding the proposed project and attributed to the objector, unless the issue is based on new information that arose after the opportunities for comment. The burden is on the objector to demonstrate compliance with the requirement for objection issues 36 CFR 218.8 (c).

Minimum requirements of an objection are described in 36 CFR 218.8 (d). An objection must include: a description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would



resolve the objection; supporting reasons for the reviewing officer to consider; and a statement that demonstrates the connection between prior specific written comments on the particular proposed project and the content of the objection, unless the objection concerns an issue that arose after the designated opportunities for comment.

Objections can be submitted in several forms, but must be received by the Regional Forester, the Objection Deciding Officer, within 45 days from the date of publication of notice of objection in the Eugene Register-Guard. The publication date in the Eugene Register-Guard is the exclusive means for calculating the time to file an objection. Attachments received after the 45 day objection period will not be considered. Those wishing to object to this Draft Decision Notice should not rely upon dates or timeframe information provided by any other source.

Objections can be:

- **Mailed to:** Regional Forester, USDA Forest Service, Attn. 1570 Objections, P.O. Box 3623, Portland, OR 97208-3623;
- **E-mailed to:** objections-pnw-regional-office@fs.fed.us . Please put OBJECTION and the proposed amendment's name in the subject line. Electronic objections must be submitted in a format such as an email message or as an attachment in Microsoft Word (.doc) plain text (.txt), rich text format (.rtf), or portable document format (.pdf) only to the email address above. E-mails submitted to addresses other than the ones listed above or in formats other than those listed above or containing viruses will be rejected. It is the responsibility of the objector to confirm receipt of objections submitted by electronic mail. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification;
- **Delivered to:** Pacific Northwest Regional Office, 1220 SW Third Avenue, Portland, OR, between the hours of 8:00 am and 4:30 pm, M-F, excluding legal holidays; or
- **Faxed to:** U.S. Forest Service, Regional Office, ATTN: OBJECTIONS at 503-808-2339. The office business hours for those submitting hand-delivered objections are: 8:00 am to 4:30 pm.

Attached for your convenience is a map of the modified alternative and an enlargement of the alternative map highlighting changes.

Sincerely,

CINDY GLICK
District Ranger
Willamette National Forest

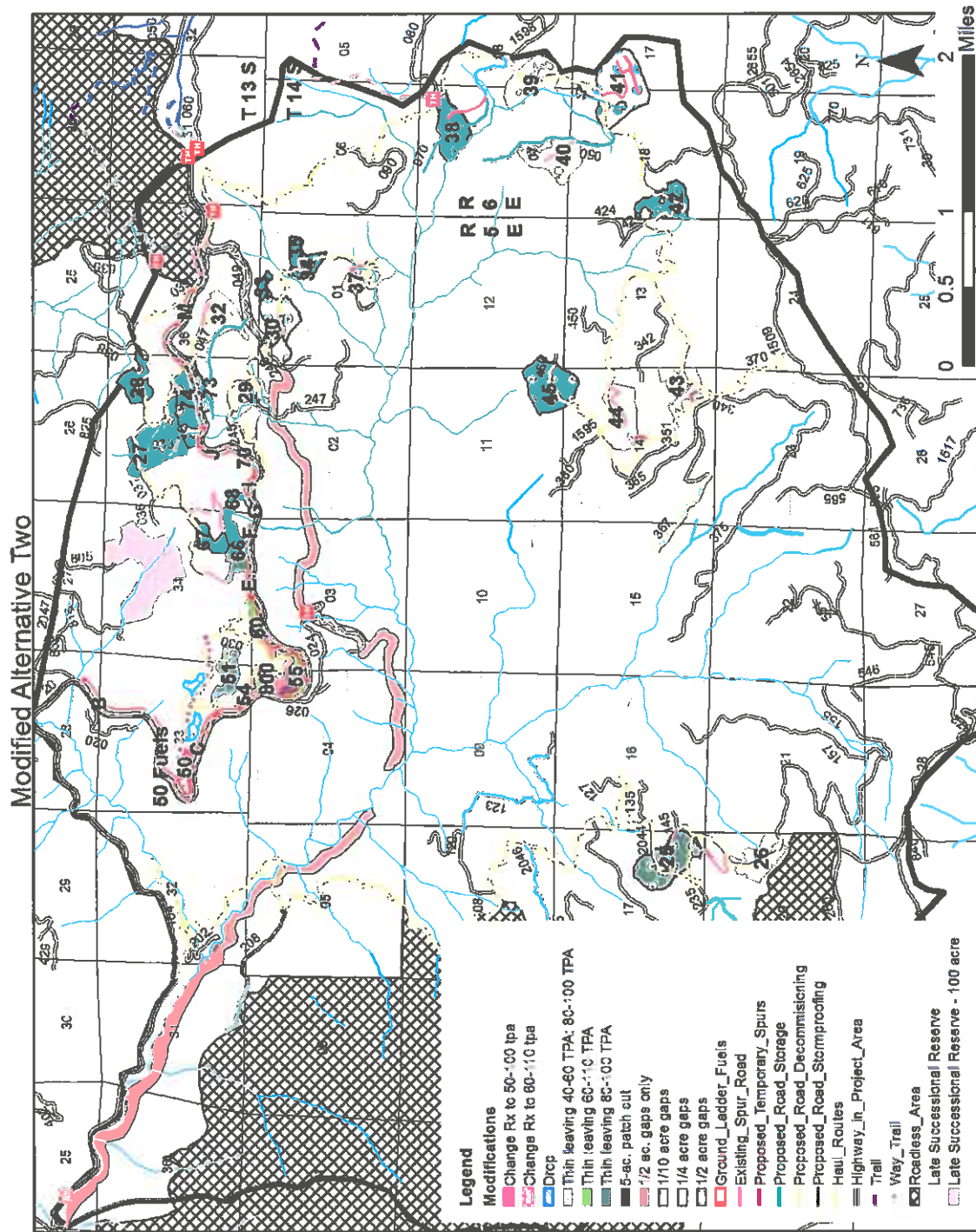


Figure 1: Map of Modified Alternative Two

Modified Alternative Two Changes

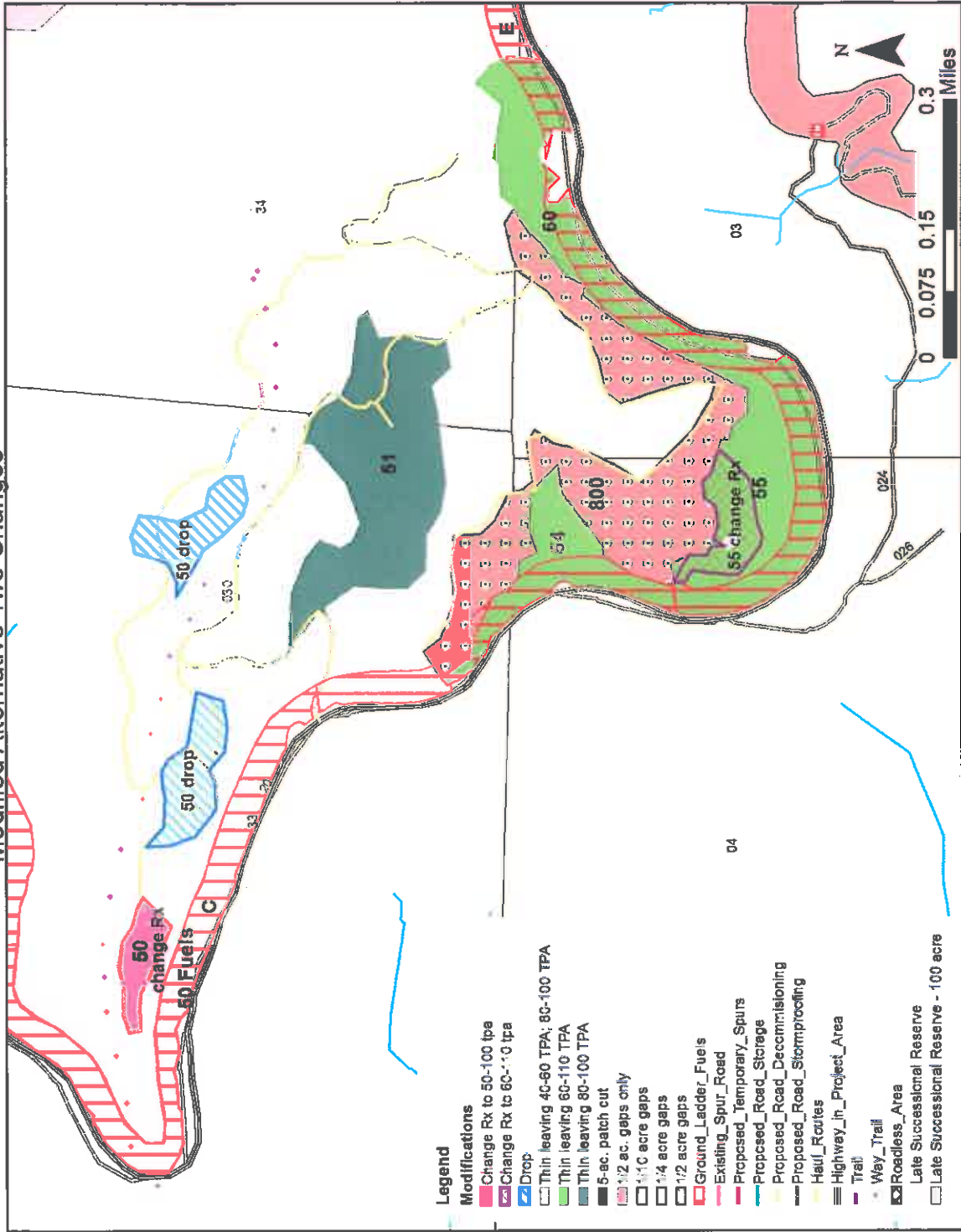


Figure 2: Enlargement of northern portion of project area highlighting changes.



citycounty insurance services
www.cisoregon.org



News, Updates and Emerging Risk Management Issues
of Interest to CIS Members

March 2014

Review Your Sewer Inspection Policies

No two ways about it: sewer backup claims are costly. They take time, stretch your citizens' goodwill, and can make for high-cost claims. Claims often are related to wastewater inspection and maintenance policies; reviewing and amending those plans and policies now can save your entity time and money later.

A sewer line runs from the house or business to the city's main sewer line (the "main"). Normally the property owner is responsible for the inspection and maintenance of the lateral line from the house to the main and the city is responsible for the inspection and maintenance of the main line. This means that sewer backups that occur in the lateral would be the responsibility of the property owner and not the city. Additionally, a city usually has a right-of-way for the street that extends beyond the curb toward the property, usually in the parking strip or under or even beyond the sidewalk.

In the right of way is often where you'll find a problem: a section of the private lateral line that is within the right of way.

[READ MORE...](#)

ADDITIONAL INFORMATION:

CLEAN AND INSPECT THOSE LINES!

Preventive maintenance is important, and one key step you can take now is to run a camera down your lines to determine where you need to make repairs. The camera allows you to inspect for clogs, cracks, leaks, and any areas where tree roots have crept into and cracked old lines.

503-763-3800 800-922-2684
www.cisoregon.org
1212 Court St. NE, Salem, OR 97301



citycounty insurance services
www.cisoregon.org

Real-Time Risk • March 2014

Page 2 of 3

Many ordinances simply state that the City accepts “responsibility” for service connections located within the public right-of-way. Accepting “responsibility” implies a duty by the city, not the property owner, to inspect and maintain the portion of the lateral that is within city right-of-way. Many cities adopt this language because they want to control who works on the city’s main line and who cuts into the street or sidewalk.

While understandable, the problem with such an ordinance is that the city is left without means to inspect that portion of the lateral. In effect, the city is agreeing to be responsible for, and to inspect and maintain, a lateral line within city right-of-way that it cannot inspect and maintain. All that is left is to wait for a back up to happen, followed by the inevitable claim that the city failed in its responsibility to inspect and maintain the line.

This is an example of an unintended consequence – the city wants to protect the work done on sewer lines and the integrity of city sidewalks that are on the right of way, but is left open to possible claims when sewers are not maintained and back up.

All is not lost, however. There are other ways to protect the integrity of the line and reduce the claims:

- Amend your ordinances so that the property owner is responsible for the inspection and routine maintenance of the entire lateral line, from where it leaves the house to its connection with the city main line in the street. If you want to control repair work in the City’s right-of-way, the City can voluntarily agree to perform such repair. However, the City should make it clear in its ordinance that it is not accepting any liability for damage to real or personal property due to an obstruction in a lateral, the collapse of a lateral or the separation of the lateral from the sewer main.
- Your amended ordinance should indicate that no one is allowed to work on the city main line, or to inspect or maintain the portion of the lateral within the city right of way, without obtaining a permit to do so. The permit can list the qualifications required of the firm working on the line and any additional requirements.



“Claims often are related to wastewater inspection and maintenance policies; reviewing and amending those plans and policies now can save your entity time and money later.”



citycounty insurance services
www.cisoregon.org

Real-Time Risk • March 2014

Page 3 of 3

- If the city cannot amend its ordinance in this manner, it should place a “clean out” where the private lateral enters the public right of way, and then make sure that city workers periodically go to the clean out and inspect that portion of the line.

If you have any questions or need help with your sewer policies or ordinances please contact your Risk Management Consultant.

NORTH/CENTRAL OREGON

Adrian Albrich
aalbrich@cisoregon.org
503-763-3858

SOUTH/CENTRAL OREGON

Dunny Sorensen
dsorensen@cisoregon.org
503-763-3853

NORTHWEST QUADRANT & THE GORGE

John Zakariassen
jzakariassen@cisoregon.org
503-763-3852

SOUTHERN OREGON

Laurie Kemper
lkemper@cisoregon.org
503-763-3851

EASTERN OREGON

Lisa Masters
lmasters@cisoregon.org
503-763-3859



If necessary repairs exceed your budget, the alternative is to itemize the repair/replacement needs and allow your governing body to prioritize the needs over the next few fiscal years. Doing so may provide discretionary immunity to your entity under ORS 30.265 if property damage is caused by broken or damaged lines.



Saturday, May 17th ~ 9 to 3

Linn County Expo ~ Albany

Free admission ~ Free parking ~ Easy drop off

Fitness & recreation

Free health screenings, consults & massage

Gardening, travel & leisure

Insurance, retirement & financial planning

Family activities, prizes & fun!

Free 4 x 6 family photo!

Classes & presentations:

- *Avoiding identity theft*
- *Planning for independent living*
- *Getting organized & downsizing*

Much more - all for Boomers & Seniors!

For a complete schedule & full details ~ www.agingwellexpo.org

Presented by:



Linn County Committee for the
Prevention of Child Abuse

April is Child Abuse Prevention Month

In the fight against abuse,
knowledge is our strongest
weapon.

The more you know about it,
the more you can:

- ◆ Help those who have already been hurt.
- ◆ Help prevent other children from being hurt.

Participate in an April
community event to learn
more.

Share information with family,
neighbors and friends.

Help teach children:

- ◆ You have a right to say "NO" if something is not OK.
- ◆ You have a right to be treated with respect.
- ◆ Talk to a trusted adult if something is not OK.

Volunteer your time – no gift
to your community is more
valuable.

LCCPCA 2014 Coalition

ABC House
Bicoastal Media
CASA of Linn County
Family Tree Relief Nursery
LBCC Family Connections
Lebanon Police Department
Linn County Maternal Health and
Healthy Start
United Way of Linn County

stop the hurt

cherish
protect
prevent

Call to Action ~ Invitation

Introduction

- Despite the best efforts of local agencies and community members, child abuse and neglect is still rampant in Linn County. Our county is tied for the ninth highest child abuse victim rate in Oregon for the 2012 reporting year.
- 1,040 children in Linn County are homeless. (2012 stats)
 - Most of these children left home because they suffered abuse or neglect.
- Estimated cost per case of child abuse - \$210,000 (2011 stats)
 - \$25K/year for foster care
 - \$54K/year in the Juvenile Justice system
 - \$42K/year for the Oregon Prison system

Bottom line: child abuse not only hurts the child - it hurts everyone.

- **It is time to take action to end child abuse and neglect.**
 - We need a stronger coalition.
 - We need to pool our community's expertise, outrage and decision-making capacity in a community-wide effort.

Call to Action

- **Please attend the meeting APRIL 30, 2014 ~ 9 am to noon.**
 - Representatives of all facets of the community impacted by child abuse and neglect are urged and invited to attend.
 - We will look at our current system of prevention and response to identify what needs to change.
 - We will determine key actions to most effectively reduce child abuse and neglect.
 - We will search for ways to align resources, methods and actions to achieve our goal of protecting all children.

Jackson County, Oregon is coordinating their efforts in a similar way to prevent abuse and neglect. Learn more at <http://www.childabusepreventionpartnership.com>

**Child Abuse Prevention Forum
April 30, 2014 ~ 9am to noon
Samaritan Center, 605 Mullins Drive, Lebanon**



We appreciate the support of the Samaritan Center.

To register contact liz@journeytooz.com, not later than 4/18/14

Cities with Moratoriums on Medical Marijuana Dispensaries – Updated 04/11/14

City	Moratorium	Notes
Adair Village	Yes	Passed on 5-0 vote April 1
Amity	Yes	Council passed moratorium on April 2
Baker City	Yes	Passed on 04/08/14
Banks	Yes	1 year
Bandon	Yes	120 day moratorium & will be reviewing whether to implement a longer moratorium of up to May 1, 2015.
Bay City	Yes	6 months
Beaverton	Yes	6 month moratorium in place; 2nd reading on new ordinance April 22; passage expected on moratorium through 12/31/14
Brownsville	Yes	Approved a 1 year moratorium on March 25th. Adopted moratorium language and have filed it with the OHA.
Clatskanie	Yes	Adopted on 7-0 vote April 2
Coburg	Yes	Passed on 04/08/14
Columbia City	Yes	Passed March 20
Coos Bay	Yes	1 year
Cornelius	Yes	Temporary 4 month prohibition on medical marijuana dispensaries effective on March 2, 2014. We'll be acting on the new 2014 legislation April 7th to extend the moratorium into May 2015.
Dayton	Yes	180 days
Detroit	Yes	Emergency
Eagle Point	Yes	Approved March 24 on 6-1 vote.
Florence	Yes	1 year
Gervais	Yes	Passed ordinance April 3
Gladstone	Yes	1 year moratorium that was passed on 04/08/14 by a unanimous vote.
Grants Pass	Yes	Approved unanimously April 2
Harrisburg	Yes	Passed on March 26, 2014.
Hermiston	Yes	Instituted a ban prior to the passage of SB 1531 and maintains that status.
Hillsboro	Yes	120 days; April 15 hearing on 1-year moratorium
Hubbard	Yes	Passed April 8
Joseph	Yes	04/03/14 - Passed the moratorium with a 5-0 vote.
Junction City	Yes	1 year
Keizer	Yes	150-day moratorium
King City	Yes	Adopted a moratorium on March 5, 2014 and will amend it April 15 to reflect the changed dates.
Lebanon	Yes	4/9/14 - 1 year moratorium. Unanimous vote.
Medford	Yes	Medford City Council enacted a ban on dispensaries.
Merrill	Yes	
Milwaukie	Yes	End of 2014

Cities with Moratoriums on Medical Marijuana Dispensaries – Updated 04/11/14

Molalla	Yes	Adopted moratorium on March 26th.
Monmouth	Yes	
Mt. Angel	Yes	Passed on 4/7/14
Myrtle Creek	Yes	
Newberg	Yes	4-2 vote passes moratorium on 4/7/14
Newport	Yes	
North Bend	Yes	6 months
Nyssa	Yes	Adopted 3/26; Effective until May 1, 2015.
Oakridge	Yes	1 year ban.
Ontario	Yes	Emergency - 1 year
Oregon City	Yes	Short term ban in effect; 1-year moratorium approved April 2
Pendleton	Yes	
Phoenix	Yes	4 month moratorium
Prineville	Yes	1-year moratorium
Redmond	Yes	Approved April 1 on 6-1 vote
Reedsport	Yes	Passed April 8th. 1 year moratorium. Unanimous vote.
Rogue River	Yes	Passed on March 27, 2014.
Roseburg	Yes	1 year moratorium
Sandy	Yes	
Shady Cove	Yes	Passed a 4 month moratorium on March 6 and will consider a one-year moratorium on April 3rd.
Sherwood	Yes	Repealed 150 day moratorium on a 7-0 vote April 1; enacted moratorium in compliance with SB 1531
Sisters	Yes	Passed temporary moratorium 3/27 on 5-0 vote. Possible Measure in November to let voters decide.
St. Helens	Yes	Approved April 2
Stayton	Yes	
Sutherlin	Yes	1 year
Talent	Yes	Approved moratorium April 2
Tigard	Yes	End of 2014
Tualatin	Yes	Adopted a ban with a sunset clause of December 31, 2014. They will be considering an ordinance on April 14 extending that sunset to May 1, 2015.
Umatilla	Yes	Approved one-year moratorium April 2
Warrenton	Yes	Passed a moratorium on first reading and will finalize in 8 days.
Wilsonville	Yes	04/07/2014
Woodburn	Yes	Approved moratorium ordinance (4-0 vote) March 24;

City	Moratorium	Notes
Albany	No	4/09/14 - Voted 4-3 against moratorium. Instead will consider 2 separate ordinances that would restrict where dispensaries could be located.
Arlington	Pending	Next meeting
Ashland	Pending	Approved 1st reading of limited moratorium on April 1. Officially enacted upon 2nd reading April 15
Astoria	Pending	Drafting an ordinance.
Aumsville	Pending	Will consider moratorium at their April meeting.
Brookings	No	
Cannon Beach	Pending	Expected to pass April 23
Canyonville	Pending	Considering at the April 17, 2014 meeting.
Carlton	Pending	Council approval expected on April 14
Cascade Locks	Pending	On agenda for implementation before May 1st.
Cave Junction	No	Business license code includes "must comply with state & federal law"; on agenda for April 14
Central Point	No	Updated business license code to address dispensaries; Considering moratorium ordinance April 10 as emergency clause
Coquille	Pending	Council will consider it (and likely pass it) at their meeting on April 7th.
Corvallis	Pending	3rd presentation from police chief on April 7; council may decide then to weigh in
Cottage Grove	Pending	City Council will meet on April 14th to consider a moratorium.
Creswell	Pending	Creswell will make a decision on a moratorium on April 21st.
Damascus	Pending	2nd reading is scheduled for 4/21/14
Depoe Bay	No	Had a meeting March 26th.
Donald	Pending	Consideration for their April 8th meeting.
Drain	Pending	Voting on it at the April 14th meeting.
Dundee	Pending	Will vote on 04/15/14.
Dunes City	Pending	4/10/14
Echo	Pending	On agenda for April meeting.
Enterprise	Pending	Has taken no action, but will adopt a Moratorium Ordinance at the April 14th City Council Meeting.
Estacada	Pending	Considering this at the April 14th meeting.

Falls City	No	#####
Forest Grove	Pending	
Gold Beach	No	
Gold Hill	Pending	2nd reading around 4/22/14
Gresham	Pending	2nd Reading 4/15/14
Halsey	Pending	Considering this at the April 8th meeting.
Heppner	Pending	Public hearing 4/8; Decision 4/14
Hood River	Pending	4/14/14 - PH
Independence	No	
John Day	Pending	Drafted an ordinance declaring a moratorium, it is their intention to have it adopted by the May 1st deadline.
Klamath Falls	No	On a 3-2 vote, council implemented regulations over a moratorium.
La Grande	Pending	La Grande has not, but it is an agenda item for April's City Council meeting.
Lakeview	Pending	Lakeview has not but is considering the issue April 8th.
La Pine	Pending	Discussed a draft on 04/09/14 and will decide on 04/23/14.
Lincoln City	Pending	Council considering?
Lowell	Pending	4/15/14
Madras	Pending	Vote on proposed moratorium on 04/22/14.
Manzanita	Pending	Will consider a moratorium at its April 9th meeting.
Mill City	No	Modification to the business license code to include the statement that no business license will be issued to a business that violates local, state or federal law. Will also be discussing moratorium at April 8 council meeting.
Millersburg	No	Amended the Land Use Dev. Code to add the words "and no use shall be permitted that is in violation of State or Federal Law."
Milton-Freewater	No	
Moro	No	Council given the information at 3/31 council meeting, with the possibility of a special meeting for approval before the month's end deadline.

Nehalem	Pending	Voting on April 14th council meeting.
North Plains	Pending	First reading on moratorium through May 2015 is April 7.
Philomath	Pending	On the agenda for April 14th, outcome is uncertain.
Port Orford	Pending	4/17/14
Rainier	Considering	Vote on 04/21/14
Scappoose		4/21/14 City Council Agenda
Scio	Pending	Reviewing this in ordinance form at April 14th council meeting
Sheridan	Pending	Introduced an ordinance to implement the moratorium. The final reading, and expected approval, of the ordinance is Monday, April 7th.
Silverton	No	On agenda for April 7 meeting.
Springfield	No	Public hearing on April 7
Sutherlin	Pending	4/14/14 - 2nd Reading
Sweet Home	Pending	The Sweet Home City Council did conduct first reading of an ordinance to establish a one year moratorium for medical marijuana dispensaries in Sweet Home. The ordinance did not have unanimous vote to conduct a second reading but Council did agree to schedule a special City Council meeting on Tuesday April 15, 2014 @ 7:30 PM to take public comment and possibly further action on adoption of the ordinance. At this time I would say that the outcome of the ordinance is still questionable.
Tangent	No	
Troutdale	Pending	04/22/14 - Vote on Moratorium
Union	No	
Veneta	No	
West Linn	Considering	
Wilsonville	Pending	Moratorium will be presented to the council on April 7th and could be adopted by April 21st. Already have changed business-licensing rules to prohibit the city from issuing a license to any business that is illegal under city, state, or federal laws.
Winston	Pending	Will consider April 7, 2014.
Wood Village	Yes	
Yachats	No	

S. Scott McDowell

From: MedMJ Dispensaries [medmj.dispensaries@state.or.us]
Sent: Tuesday, April 01, 2014 1:44 PM
To: S. Scott McDowell
Subject: RE: Brownsville, OR - Medical Marijuana Moratoria

Follow Up Flag: Follow up
Flag Status: Completed

Scott

Thank you for a copy of your resolution.

Thomas A. Burns
 Director, Pharmacy Programs
 Oregon Health Authority
 503-947-2344 (desk)
 503-224-6196 (cell)

From: S. Scott McDowell [mailto:admin@ci.brownsville.or.us]
Sent: Monday, March 31, 2014 12:26 PM
To: medmj.dispensaries@state.or.us
Cc: 'Burns Tom'
Subject: Brownsville, OR - Medical Marijuana Moratoria
Importance: High

Good Morning OHA:

Attached is Ordinance 743 passed by City Council at their March 25th, 2014 meeting. I will forward a copy in the mail as well. Please let me know if you need anything else. Thanks for your assistance!



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

From: Burns Tom [mailto:tom.burns@state.or.us]
Sent: Monday, March 31, 2014 12:07 PM
To: admin@ci.brownsville.or.us
Subject: FW: Brownsville, OR - Medical Marijuana Moratoria
Importance: High

Your question was forwarded to me to answer.

You may send your documents to medmj.dispensaries@state.or.us or by mail to

Medical Marijuana Dispensary Program
Oregon Health Authority
P.O. Box 14116
Portland, OR 97293

Thomas A Burns
Director, Pharmacy Programs
Oregon Health Authority
503-947-2344 (office)
503-224-6196 (cell)

From: Grasa Leslie A **On Behalf Of** OHPB Info
Sent: Monday, March 31, 2014 11:58 AM
To: medmj.dispensaries@state.or.us
Cc: Burns Tom; Souza Theresa
Subject: FW: Brownsville, OR - Medical Marijuana Moratoria
Importance: High

From the OHPB inbox.

Thanks!

Leslie

From: S. Scott McDowell [<mailto:admin@ci.brownsville.or.us>]
Sent: Saturday, March 29, 2014 4:26 PM
To: ohpb.info@state.or.us
Cc: Tammi Morrow
Subject: Brownsville, OR - Medical Marijuana Moratoria
Importance: High

Good Afternoon OHA:

How and to whom do I send the information on Council's recent decision to impose a moratorium on Medical Marijuana Facilities? I was unable to find a quick answer on the website. Any information would be greatly appreciated. Thanks!

S. Scott McDowell

From: Nan VanSandt [moonandstarsfarm@centurytel.net]
Sent: Saturday, April 05, 2014 12:09 PM
To: Nan VanSandt
Cc: S. Scott McDowell
Subject: Fwd: Lindsey

Follow Up Flag: Follow up
Flag Status: Completed

Dear Commissioner Lindsey,

Thank you for your vote of confidence for the Willamette Country Music festival at last weeks meeting. I had the opportunity to speak with you briefly in the hallway afterwards, and have been thinking about a couple of the points which you brought up in that conversation.

The first point is your suggestion that we should "just expand the urban growth boundary west of town" and our problem would be solved. I am curious about this on two levels. One is that when I asked our city administrator about this, I was told that such propositions can take many years and are quite costly to the city. There are also legal issues involved in doing so and It would need approval at the state level which may not be forthcoming. In addition, doing so would bring the event closer to I-5.... which would certainly increase the potential for traffic to back up on that freeway? Seeing as this issue seems to be the commissioner's biggest concern about approving the event in the first place, I don't understand your thoughts as to why this would be a good idea for us to attempt this. I would appreciate your thoughts and some clarification on it.

The second point is that when I expressed to you my concern about this event going elsewhere due to all the seemingly changing conditions they've been having to meet over the past several years, I was assured that you did not think there was any risk of that happening. I DO continue to be concerned about this and I believe that if they were to give up on our location, it would be a HUGE loss to our community AND to our county. I am also concerned that it would make us look a bit foolish for not working with them in a more positive manner. You may be aware that they are having another event on the coast in Curry county, and that the legislators there have welcomed them with open arms, doing all they can to encourage the event's success. The festival has assured us that this does not mean they will discontinue our event, but it does make us VERY concerned. The positive economic impact they have made on our county is something that there is no way the county can replace.

I look forward to hearing your thoughts on the above questions.
Thank you for your time!!
Nan VanSandt
Brownsville City Councilor

ALBANY Democrat-Herald

Fighting for a festival



1 HOUR AGO • BY ALEX PAUL, ALBANY DEMOCRAT-HERALD

Brownsville residents rally at meeting in support of country music event

Brownsville-area residents turned out en masse Tuesday to tell the Linn County Board of Commissioners how important the Bi-Mart Willamette Country Music Festival is to their community — pumping money into local businesses, the fire department and numerous programs for children.

More than 50 people filled the second-floor board room to standing room only, necessitating a move to courtroom four.

At issue was whether the commissioners would approve an outdoor assembly permit for the annual music festival held in August on a farm east of Brownsville that is owned by Reed and Robyn Anderson.

Anne Hankins of Willamette Country Music Concerts had asked the commissioners to increase the maximum daily attendance from its current 15,000 patrons per day to 18,000.

After nearly two hours of testimony — virtually all of it in favor of the event — the commissioners tentatively approved a Class 3 permit at the 15,000-person level. But a final decision was postponed until April 23, after the board reviews a staff report concerning traffic issues. Then the board may increase the daily maximum by another 3,000 people at that time.

Hankins said festival management has done everything the board has asked to improve fire, health and safety issues over the last few years. Improvements have included increasing law enforcement presence, imposing a no-alcohol rule in the campgrounds, adding several lanes into the event grounds, developing a color-coded admission placard system and developing an on-site mobile medical center.

She said there was only one medical transport off the site at the 2013 event.

“Commissioner Nyquist was concerned last year about possible misplaced children, so we instituted the Tag-a-Kid Program,” Hankins said.

Nyquist said his major concern is that the festival must move vehicles into the site more quickly. He believes it is not good business to have traffic backed up seven miles on Highway 228 to Interstate 5.

Nyquist was adamant that “I-5 should not be turned into a parking lot” especially on a Friday afternoon in the summer, when there might be 10,000 cars per hour moving by the exit ramp.

Central Linn Booster Club treasurer Connie McManus said the festival pumped more than \$77,000 into school athletic and activity programs.

“But even more important than the money is that for three days, we work side-by-side with the kids and they come to see us as people,” McManus said. “We make relationships with the kids and they look at us differently the rest of the year.”

Retailer Amy Addison said the festival and all of the Bi-Mart advertising leading up to it “have put Brownsville on the map.”

“About one-third of our downtown business buildings are empty,” she said. “The music festival is extremely important to the vitality of Brownsville. People come downtown to shop and maybe they will decide they want to move here.”

Mayor Don Ware said the city fields festival-related calls from all over the state.

He added that just as the Oregon Jamboree is an economic booster for Sweet Home, the Bi-Mart Willamette County Music Festival is an economic boon for Brownsville and for Linn County.

Reed Anderson said that he and his wife, Robyn, were skeptical when they were first approached about holding the event on their farm.

"But we have come to realize what an opportunity it is for our community," Anderson said. "It brings neighbors together. We take a week to enjoy working with our neighbors and folks from out of town."

Several people who live near the event site said they have noticed major improvements in traffic flow and they want the event to continue.

Austin Sayer, an area farmer and Brownsville volunteer firefighter, said more than \$17,000 was raised during the annual fireman's breakfast on site in 2013.

"Bi-Mart donates the ingredients for it as well," Sayer said. "That money helps provide two college scholarships for Central Linn graduates. And Bi-Mart also donates for our annual Fourth of July fireworks show. The music festival has a huge trickle-down affect."

Last year, Sayer and his family also hosted camping on their farm east of the festival.

Brian Gardner, Central Linn School District superintendent, said the \$77,000 generated by the festival is the lion's share of the school district's annual activities budget of \$117,000.

"Many things would not happen without the music festival funding," he said.

He encouraged the commissioners to "figure out a long term plan and provide these people with a multi-year permitting process."

Opposition to the permit was voiced by the Jack and Scott Sayer families, who farm near the festival.

They said vendors start arriving in July and final clean-up isn't until September. They fear potential field fires and have had numerous trespassing incidents, even though they have put up metal cables across driveways.

Scott Sayer said that moving farm equipment on roads is difficult enough during harvest season without having to contend with lines of traffic caused by the festival.

His mother, Sandra Sayer, said she does not like to leave the farm during the event, because she worries about the loss of field crops to fire.

"We want to farm," Sayer said. "We're happy they are making money, but I'm sad we're losing money. When it was smaller, it was much more manageable."

Cascades West Area Commission on Transportation

Staffed by Oregon Cascades West Council of Governments

Notes from March 27, 2014 CWACT Meeting

1. Connect Oregon 5 Program

The Connect Oregon 5 program, approved during the 2013 session of the Legislative Assembly, provides \$42 million of state lottery-backed bonds for multi-modal projects. The first three Connect Oregon programs were each funded at \$100 million and the Connect Oregon 4 program was funded at \$40 million.

Similar to the first four programs, air, marine, rail and transit projects are eligible. For the first time, some bicycle/pedestrian projects are eligible for Connect Oregon 5 funding. Generally, bicycle/pedestrian projects that are outside the road right of way are eligible.

ODOT received 108 applications requesting a total of \$129 million:

By Region:

Region 1	24 applications	\$45 million requested
Region 2	33 applications	\$49 million requested
Region 3	15 applications	\$12 million requested
Region 4	19 applications	\$10 million requested
Region 5	17 applications	\$13 million requested

By Mode:

Aviation	29 applications	\$16 million requested
Marine	10 applications	\$17 million requested
Rail	20 applications	\$38 million requested
Transit	14 applications	\$11 million requested
Bike/Ped	35 applications	\$47 million requested

Eight applications in the CWACT area were received requesting a total of \$15.8 million.

After the initial review by ODOT staff for feasibility and completeness the applications were forwarded to state advisory modal committees for review and prioritization. For example, all transit proposals in the state were forwarded to ODOT's Public Transit Advisory Committee and all air proposals were forwarded to the State Aviation Board. As with prior Connect Oregon programs, the applications will thereafter be reviewed on a geographic basis by Area Commissions on Transportation.

As the first step, at the March 27 meeting each applicant in the CWACT area provided a brief presentation of their projects and answered questions from members. The proposed projects in the CWACT area are:

8 applications in the CWACT area were received:

Applicant	CO Request	Proposed project
Benton County	\$4,800,000	Corvallis-Albany Trail: Manchester to Scenic Drive
Corvallis	\$ 658,000	Corvallis Air Freight Facility (Aircraft apron and access road)
Corvallis	\$ 474,600	Tunison Ave-Allen Ave Multiuse Path
Corvallis	\$3,227,390	Transit Maintenance Facility
Lebanon	\$ 457,405	Canal Trail (Multi-use corridor trail and bridge)
Port of Newport	\$ 478,414	Hoist Dock Replacement
Port of Toledo	\$4,673,000	Yaquina Boatyard Haul-Out Expansion
Sweet Home	\$1,061,782	Foster Lake South Shore Multi-Use Path

Additionally, since the Oregon Parks and Recreation Department submitted an application requesting \$348,000 to construct 12 “bike pods” and 7 “bike hubs” in state parks and on public land throughout the state, all ACTs will review/prioritize this application.

The CWACT Technical Advisory Committee will review the 9 applications on April 9 and make recommendations to CWACT. On April 24 CWACT members will prioritize the projects.

On May 7 the Chairs and Vice Chairs of the four ACTs in Region 2 will meet and develop a prioritized list of all the Connect Oregon applications in the Region. The Statewide Final Review Committee (with Chairs of all ACTs, Chairs of all statewide advisory committees and other stakeholders) will meet on June 11-12 to make a recommendation to the Oregon Transportation Commission. After holding a public hearing in July the Oregon Transportation Commission will make a final project selection decision in August.

2. Winter Operations and Partnerships

ODOT Region 2 Maintenance and Operations Manager Vivian Payne and CWACT members shared lessons learned, successes, partnerships that are in place as well as opportunities for additional partnering during storms.

ODOT staff, while prepared for typical winter storms that occur in the valley, indicates the department needs a more thorough approach to manage the unusually cold, prolonged storms with heavy snow that occurred in December and February. ODOT is reviewing its response plans, discussing levels of service for different highways and its deployment of equipment on a regional basis, and identifying resources within and outside of the department. ODOT is also reviewing ways to better communicate with the public during major storms. ODOT will reach out to local partners in this review process, building on current, long-standing partnerships and agreements.

CWACT members expressed support of ODOT's review effort and indicated they look forward to the outreach/regional discussion. A suggestion was made that this effort should consider, in addition to snow storms, a review of other significant events including major flooding and landslides. Additionally it was suggested that the effort should build upon, and support, the efforts of local/regional emergency response plans.

3. ODOT Area Manager's Report

Area Manager Amy Ramsdell reported the contract for the US 101 highway project in Lincoln City was awarded to the Salem firm K & E Excavating, with construction starting this summer.

Bids will be opened on April 3 for the US 20 Pioneer Mountain-Eddyville project. This contract includes the movement of 2-3 million cubic yards of soil and rock and landslide mitigation (including the placement of more than 300 ground anchors) in the 2014 and 2015 construction seasons.

Ramsdell and Mark Volmert provided an update on federal highway/transit funding.

Ramsdell explained that state gas tax funds are used to pay debt service (OTIA 1, 2 and 3 and the state Jobs and Transportation Act of 2011), highway maintenance operations (not to be confused with the STIP Fix-It program which falls under STIP capital improvement projects) and match for federal funds used for capital improvement projects. The majority of the money ODOT receives from JTA revenue pays for the debt service and other purposes specified in the legislation. ODOT's 2013-2015 biennium budget includes \$472 million in debt service, primarily paid from state highway funds. This forces ODOT to use federal funds (with limited state funds used for the required local match) as the exclusive funding source for STIP capital improvement projects.

As discussed at several CWACT meetings, including the January 23 meeting, the federal transportation budget faces a very serious challenge. In simple terms, the federal government is currently spending about \$50 billion a year for transportation (about \$40 billion for highways and about \$10 billion for public transit), with a current annual revenue of about \$35 billion.

For many years this gap has been filled through a variety of repayments to the federal highway/transit trust fund and from other sources but the carry forward funds will soon be zeroed out. A few months ago this was expected in the Fall of 2014 but the zeroing out is now expected in July for the highway fund and in the Fall for the transit fund. If Congress does not fill the gap Oregon will lose about \$150 million a year. CWACT

members were reminded that federal highway funds, in addition to being the primary funding source for STIP Enhance and Fix-It projects, are also shared directly with cities and counties. Although the reduction to specific programs is not yet know, ODOT estimates a general reduction of 30%, with federal transit funding perhaps reduced by about 40%.

CWACT members, by consensus, authorized the Chair to send letters to the CWACT-area Congressional delegation requesting timely action by Congress to avoid the very serious impact of the pending budget shortfall.

For additional information or to provide comments and suggestions please contact:

Mark Volmert (541) 924-8430 mvolmert@ocwcog.org

CWACT website: ocwcog.org/cbindex.asp?cbid=101

MONTH END RECAP

	March 2014		YTD	%	Unexpended
	REVENUE	EXPENDITURES			
1 GENERAL	\$ 15,514.30	\$ 34,220.36	\$ 468,230.97	42.60%	\$ 630,944.03
2 WATER	\$ 19,086.46	\$ 27,879.78	\$ 634,641.16	53.97%	\$ 541,358.84
3 SEWER	\$ 21,076.54	\$ 21,081.91	\$ 158,283.41	19.92%	\$ 636,316.59
4 STREETS	\$ 12,059.84	\$ 12,318.15	\$ 100,430.99	19.06%	\$ 426,619.01
5 WATER BOND	\$ -	\$ -	\$ -	0.00%	\$ 75,078.00
6 SEWER BOND	\$ 8,986.86	\$ -	\$ 354,174.20	81.29%	\$ 81,525.80
7 SEWER DEBT FEE	\$ -	\$ -	\$ 85,437.51	68.90%	\$ -
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	\$ 68.37	\$ -	\$ -		
15 LIBRARY TRUST	\$ -	\$ -	\$ -		
16 CEMETERY	\$ -	\$ -	\$ -		
17 TRANSIENT ROOM TX	\$ -	\$ -	\$ -		
18 SEWER CONSTRUCTION	\$ -	\$ -	\$ -		
19 LAND ACQUISITION	\$ -	\$ -	\$ -		
20 COMMUNITY PROJECTS	\$ -	\$ -	\$ 6,773.32	5.58%	\$ 114,696.68
	\$76,792.37	\$95,500.20	\$		\$

KeyBank Accounts	2013-2014	YTD	% of Total
General	Appropriated \$	341,963.01	31.11%
Utility			
Park			
Court			
Oregon State Treasury			
Community Improvements			
	DEBT Payments	Totals	
	Water	\$ 54,927.00	
	Wastewater	\$ 396,307.00	
	Total Debt		
	Water	\$ 1,349,225.00	
	Wastewater	\$ 12,371,610.00	
	Total	\$ 13,720,835.00	