



# **CITY OF BROWNSVILLE**

## **Council Meeting**

Tuesday – January 28<sup>th</sup>, 2014

**Regular Session      7:00 p.m.**

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# CITY OF BROWNSVILLE

## Council Meeting

City Hall – Council Chambers  
Tuesday, January 28<sup>th</sup>, 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: December 17<sup>th</sup>, 2013
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
  - A. Roy & Wendy Houtz
- 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 742: Weapons Discharge (*First Reading*)
  - B. R 2014-01: Pro-Tem Judges
  - C. R 2014-02: Commitment to Safety Program
  - D. R 2014-03: TRT Funds
  - E. R 2014-04: Transfers

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

10) ACTION ITEMS:

- A. Main Street Water Line Estimate
- B. Senior Center Phone Services
- C. Goals Review & Organizational Prospectus

11) DISCUSSION ITEMS:

- A. BCS Audit Report & USDA
- B. Advertisements Procedure
- C. Red Barn & Calapooia Food Alliance MOU
- D. Economic Development & the Urban Growth Boundary
- E. Recreational Vehicle & Trailers Process
- F. Historic Registry Update
- G. City Hall Restoration
- H. December Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) EXECUTIVE SESSION

- 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 and, (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

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

December 17<sup>th</sup>, 2013

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

**PUBLIC:** George Frasier, Kaye Fox, Rick Dominguez, John Morrison, and Steve Brenner.

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** Mr. McDowell would like Council to add two Discussion Items to the Agenda: the Main Street Water Line Break, and the Pioneer Picture Gallery Lease Agreement.

**MINUTES:** Council reviewed the minutes of the November 26<sup>th</sup>, 2013 meeting. *Councilor Gerber moved to approve the minutes as presented. The motion was seconded by Councilor Shepherd and was approved unanimously.*

### **PUBLIC HEARINGS OR PRESENTATIONS:**

***Central Linn Recreation Center Agreement Review*** – Mr. George Frasier was present to give Council a report on Rec Center activities. This year they have added the Learning Tree as a full-time tenant. The Parents and Pals group continues to occupy the basement. They have added soccer as a new AYSO sport this year. Soccer will have two seasons, fall and spring. Mr. Frasier reported that football numbers are down, signups will determine whether the program will run next year. Grass has been planted in the Park infields, and injuries are down, and it seems to be working great. The CLRC will probably be raising fees this year, just to cover costs and to be sustainable. They are also looking at the United Way as a way to provide a stable funding source in the future, and the possibility of hiring a part-time person. Mr. Frasier concluded his report stating that the gym floor will be redone in April. *Councilor Shepherd made a motion to authorize Mayor Ware & Mr. McDowell to execute and sign the contract with the Central Linn Recreation Center. Councilor Van Sandt seconded the motion, and it passed unanimously.*

***Chamber of Commerce Agreement Review*** – Mr. McDowell reported that the agreement has a few changes this year. The term has been lengthened to 3 years, with a one year option to renew. Also, the recitals were expanded to include streets. John Morrison was present to answer any questions or concerns. *Councilor Gerber moved to authorize Mr. McDowell to sign the contract with the Chamber of Commerce. Councilor Van Sandt seconded the motion, and it passed unanimously.*

***Community Gardens Agreement & the Calapooia Food Alliance*** – Mr. Steve Brenner was present to give a little history of the CFA. It was started in 2006 and in 2008 became a non-profit entity. Through partnership with the City, water is provided to the gardens at the old Brownsville School site. Last year they provided 878 pounds of food to the Senior Center, Meals on Wheel Program, and Sharing Hands. Mr. Brenner expressed his appreciation for the City's support of this program. Councilor Shepherd



## Council Minutes

commented that he has had negative feedback about the general untidiness of the gardens, in particular the plastic tarps that are sometimes used during the fall and winter months. Mr. Brenner said they would address this situation. *Councilor Van Sandt moved to ask Mr. McDowell to move forward with the negotiation of the MOU with the Community Gardens/Calapooia Food Alliance/Central Linn School District. Councilor Shepherd seconded the motion, and it passed unanimously.*

### DEPARTMENT REPORTS:

1. Sheriff's Report. No report tonight.
2. Public Works. No report tonight.
3. Administrator's Report. Mr. McDowell reported on the ongoing TAG (The Automation Group) telemetry project at the Water Plant. This project has been continuing for a year. Public Works Superintendent Karl Frink finally contacted the owners of the company to get some closure projection date for the project. The owners were embarrassed that the project has continued on this long, and promised that the project would be completed no later than January 31<sup>st</sup>, 2014. On Friday, December 13<sup>th</sup>, 2013, the City experienced a major water line break under the Main Street Bridge. Our best estimation is that the line ruptured about 4:00 or 4:30 a.m. that morning. When the leak was discovered, Mr. McDowell reported it looked like a waterfall. Mr. Frink was out of town due to a family situation, but arrived back in town around noon. Tom from Ferguson Waterworks, Tangent, and Advanced Mechanical supplied parts for the repair. They did an awesome job for us. The reservoirs were checked, and were found to be extremely low. Mr. Frink evaluated the river turbidity and found it to be well within a treatable, acceptable range, and the City switched over to running the infiltration pumps to refill the reservoirs and provide water for the City. Mr. Frink reported that as of earlier today, the reservoirs are back at normal capacity. The water line that broke is estimated to have been constructed between 1952-1956. City Engineer Jon Erwin was in today and met with Mr. McDowell and Mr. Frink to begin looking at the replacement/repair of this main water line. Collectively, they came up with the proposal of capping off that main line and just replacing the line from the north side of the bridge to tie into the line at the top of Kirk Avenue. On the south side of the bridge they will need to run a new 2" line to connect to those users. This proposal should be a long term solution to replacing this main water line and this plan will save considerable expense. Eventually, a new main line will still need to be run from the top of Kirk to Carlson's. Mr. McDowell will forward an estimate of the proposed project when he receives it. *Water Rights* - Schroeder Law Offices indicates that there are possible issues with the Canal. Mr. McDowell will bring more information to Council after Mr. Erwin reviews the requirements. *CUPSS* - Mr. McDowell reported that he had met with the Department of Environmental Quality's Chris Bayhem about a computer program for Asset Management. This program is free, and the federal government maintains the contract. We may be able to get an intern/student from U of O (*Rare*) to input information into the system. More information to follow as it becomes available. *McFarland Cascade* - Mr. McDowell reports that the contract is currently in Montreal for signatures, and we should be receiving it back soon. Jon Erwin will be meeting with them on Thursday to start reviewing plans for their expansion. *Audit* - Mr. McDowell



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reports that he signed and returned the Management Representation Letter to Boldt, Carlisle, Smith, and the City should be receiving the completed audit back soon; he will bring it to the January Council meeting. *Nuisances* – Mr. McDowell reported that he is getting a lot of cooperation with the owners of 1104 Pine. Mr. McDowell and Tammi Morrow, Administrative Assistant, posted 382 Kirk on Friday afternoon due to lack of progress. The property at 613 Kay has been granted an extension until January 8<sup>th</sup>, 2014, and it looks like minimal progress has been made. The property at 305 Kirk has been served a 24 Hour Notice for residential use of an RV located on the property. The situation will continue to be monitored. (Mr. McDowell will be working on the legislation piece of posting RV's, etc. in the next few months.) *City Hall Updates* - Mr. McDowell informed Council of many projects reaching completion such as the new drapes upstairs in the Community Room, the window finishing completed by Michael Worthing of a window on the back of the building, and also the hanging of several framed pictures in the foyer outside Council Chambers. The Staff at City Hall has been instrumental in completing these projects, and it is great to be working with a Staff that goes the extra mile to make sure our City Hall is operating and looking its best. Ms. Deaver is also working on a photography project with the Brownsville Art Association. Folks are encouraged to bring in 8x10's of local pictures to City Hall for display.

4. Library Report. Councilor Van Sandt reported that the book sale is going well.
5. Court Report. No comments.
6. Council Comments. No comments.
7. Citizen Comments. No comments.

### LEGISLATIVE:

1. O 741: Noxious Weeds Revision (Second Reading). *Councilor Gerber made a motion to read O 741 by title only. Councilor Van Sandt seconded the motion and it passed unanimously. Councilor Gerber made a motion to approve O 741. Councilor Shepherd seconded the motion and it passed unanimously.*
2. Jim Mayer Proclamation. Mayor Don Ware made a proclamation thanking Jim Mayer for his service on the Parks and Open Space Advisory Board. The proclamation will be signed and forwarded on to Mr. Mayer by City Staff.

### ACTION ITEMS:

1. Authorize System Development (SDC's). Council will recall that per R 712 the City has reduced SDC fees by 20%. Mr. McDowell is seeking Council authority to obtain request for proposals (RFP's) for SDC's restructuring. *Councilor Van Sandt made a motion to authorize Mr. McDowell to acquire RFP's for SDC's. Councilor Shepherd seconded the motion and it passed unanimously.*

### DISCUSSION ITEMS:



## Council Minutes

1. Erwin Consulting & GR-12. Jon Erwin reports that this well is operating at a high level and is actually surpassing what we hoped for. Basically, there are two options for conveying this water: dumping it back into the water, or piping it straight though, which would be the more expensive option. *Councilor Shepherd made a motion to authorize Mr. McDowell to acquire cost proposals for the new GR-12 water source. Councilor Van Sandt seconded the motion and it passed unanimously.*
  
2. Urban Growth Boundary & Linn County Commissioners. Mr. McDowell reviewed the 12/16/2013 article written by Jennifer Moody of the Albany Democrat Herald regarding the possible UGB changes for Brownsville and Mr. Roger Nyquist's statements in said article. Mr. McDowell copied this article and his rebuttal in a statement that he shared with Council tonight. He touched on some of the statements made by Commissioner Nyquist as follows: Statement #1: *"The statute that allows for the Willamette Country Music Festival allows for a one-time event, and they're doing an annual event, and there are other statutes that actually prohibit them from making infrastructure improvements that you really need if you're going to be hosting 15,000 people on a regular basis."* Mr. McDowell responded by quoting the ORS and Linn County Codes legislation that he assumed Roger Nyquist was referring to. Mr. McDowell went on to remind Council that event organizers are not interested in having permanent structures for this event as they told us last month at the November 26<sup>th</sup>, 2013 Council meeting. Commissioner Nyquist's second statement was *"They're (Brownsville) telling us, 'Hey, approve this event, it's the golden goose of local economic activity, do it no matter what rural residents think and no matter what the traffic is."* McDowell's response to this statement is that first of all, the City has never said do it regardless of what anyone thinks, but going down this line of thinking is not productive. We understand the County receives complaints. Council is a taxing authority also. We receive our share of complaints too. Many times we have events that people get upset about... that is what people do, get upset. Mr. McDowell stated that he felt that Commissioner Nyquist is trying to make the City look trivial and silly. He would like Council to review his rebuttal letter, and when given Council approval, he will put it on the City's website as a public statement. McDowell said that he would continue to monitor the situation and keep Council informed. Councilor Gerber stated that she felt the level of support that this event does to support our local school, community, etc., should send a clear message to the Commissioners. Mr. Morrison from the audience inquired as to whether the City is looking to expand the UGB? Mr. McDowell responded that there are many things to consider, such as the impacts of deeming property special flood hazard area (SFHA) and determining how much is appropriate given all the requirements the State of Oregon has for such an expansion. It may be that the City can swap land to expand the UGB in another area. Mr. McDowell is waiting for the full Council to fully discuss the issue.
  
3. Weapons Discharge. Mr. McDowell proposed some new language for the weapons discharge ordinance. Council was in agreement, and requested that Mr. McDowell put it into Ordinance form and bring it to Council next month for the first reading.





## *Council Minutes*

4. Senior Living Facility. Mayor Ware raised the question again of building a Senior Living Facility. He thinks that a town hall meeting may be in order. Councilor Van Sandt stated that she didn't feel that Council should call for a town hall meeting as it will look like the Council is on board with the idea. Council agrees it would be a nice amenity to have in town, but the City cannot afford to finance it, and does not want to send the wrong message to the public. Mayor Ware, as a private citizen, could certainly call for a town hall type of meeting to generate interest, ideas, etc. Councilor Van Sandt encouraged Mayor Don Ware to do the research regarding cost, financing, and other relevant details.
5. Pioneer Picture Gallery Lease. This lease is another agreement that needs to be renewed. Council encouraged Mr. McDowell to move forward with it. He said it will look similar to what we do for the Central Linn Rec Center.
6. November Financials. Discussion called for, no questions were asked. There was an issue last month that is being resolved with the City's software, and Mr. McDowell will email out a financial page when it is completed.

CITIZEN COMMENT: Kaye Fox requested a blank copy of an MOU to use for the Central Linn Recreation Center in regards to the seniors using the building for walking during the winter months. McDowell said he would forward one to her by email.

COUNCIL COMMENTS: None at this time.

ADJOURNMENT: *Councilor Shepherd moved to adjourn, with Councilor Gerber seconding the motion.* The meeting was adjourned at 7:55 p.m.

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City Administrator S. Scott McDowell      Mayor Don Ware



## City Administrator Report

January 28<sup>th</sup>, 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.

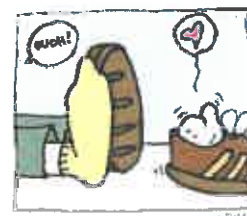


Remove the rock from your shoe rather than learn to limp comfortably."

– Stephen C. Paul

"The years between 50 and 70 are the hardest. You are always being asked to do things, and yet you are not decrepit enough to turn them down."

– T.S. Elliot



"Democracy is a small hard core of common agreement, surrounded by a rich variety of individual differences."

– James Conant

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

**Roy & Wendy Houtz** – Mr. Houtz will be in attendance to discuss his property with Council. I have expressed that I am unable of giving more extensions and have encouraged him to come to Council to determine what the best course of action is for the property and the City.

**Ordinance 742: Weapons Discharge (First Reading)** – At the direction of Council, I have put the approved language from the last meeting in Ordinance form for first reading. Council can make any edits it feels necessary.

*From 10.29.2013 meeting:* Council indicated at last meeting that a review of the bow and arrows ordinance change would be done this month. I have included a report from May 25<sup>th</sup>, 2010 which includes the old language along with City Insurance Agent Mike Hoyt's e-mails. I also included the minutes from the meeting when the ordinance was passed. I thought it would be best to discuss changes, if any, in a general sense before I start crafting any official language.





**Resolution 2014.01: Pro-Tem Judges** – Council passes this legislation annually to provide for a substitute for Judge Lemhouse as may arise during the course of the year such as vacations, personal emergencies, conflicts of interest or the like.

**Resolution 2014.02: Commitment to Safety Program** – Council passes this legislation annually to demonstrate the priority of the employee safety program.

**Resolution 2014.03: Distribution of Transient Room Tax (TRT)** – The Budget Committee and Council appropriated the amount of taxes collected for this purpose and it is time to pass legislation to distribute these funds. Typically, Council has provided these funds to the Chamber of Commerce to provide marketing to promote Brownsville.

**Resolution 2014.04: Transfers** – Council is being asked to move money to cover additional expenses. Please see the Resolution for more information.



**Main Street Water Line Estimate** – Enclosed is the cost estimate from Erwin Engineering for the major water line break the City experienced in December. Council and Staff decided to not complete the loop over or under the bridge due to the major costs associated with such a repair. Public Works Superintendent Karl Frink has pressure tested the water distribution system without the line and the results confirmed that there is a negligible drop in pressure. The enclosed estimate is for the repair of the water line from Kirk Avenue to the hydrant across the street from the Christian Church entrance just north of the bridge on the east side of the street. The major drivers of the cost are design and sidewalk replacement.

**Senior Phone Services** – 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. I will have more information at the meeting as my meeting with Vice-President Kneil Stucky is not until next week.

**Completed: Finance Outcomes** – Boldt, Carlisle & Smith delivered the audit. The audit has been officially filed with the Secretary of State and the United States Department of Agriculture. *From last meeting:* Staff has entered the Adjusting Journal Entries and Boldt, Carlisle & Smith's are finalizing their reports for the Fiscal Year 2012-2013 audit.

**Advertisements Procedure** – The City has had a practice of authorizing advertisements for internal openings on Boards & Committees, capital improvements projects and other required postings such as the Budget Committee notices, State Revenue Sharing and the like.



**Recommendation:** Since the items are already budgeted and the other general operations of the City are standard operating procedures and/or required by the State, I think Council should consider allowing Staff to proceed with all of these kinds of advertisements without additional authorization. Staff will notify Council of the upcoming advertisements via Council reports or official e-mails. I believe it will save time and duplication of effort.



**Pending: Linn County Planning & Building Department Proposal Update** – I will provide an oral update for Council on this item.

*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 (BWCMF). 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.

**Active: Economic Development Process** – 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.<sup>[1]</sup> 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.

**Recreational Vehicles & Travel/Storage Trailers** – 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** – 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 last meeting:* Mrs. Joni Nelson and I had a conversation about this topic on November 1<sup>st</sup>, 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** – 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.



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

### **Park Board & Jim Mayer** by Elizabeth Coleman

A little info on the February 5<sup>th</sup> Park Board Meeting.

7:00 – 7:30 Jim Mayer Proclamation Presentation – Cookies and Hot Beverages will be served  
7:30 – 8:00 Regular Park Board Meeting

All Council members are welcome. If Mayor Ware or yourself is available to present the gift that would be great.

**Sattler Agreement** – Former City Planner Bill Sattler agreed to consult with the City for the upcoming year.



**Impending Election** – 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.

**Housing Rehabilitation Loans** – Staff has been busy with a few payoffs around town.

## STATUS UPDATES – Projects, proposals and actions taken by Council

**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** – Erwin is preparing the estimates as directed by Council.

**Senior Living Facility** – I have provided Mayor Ware with research I had put together around this topic.

**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 has been hired to take care of the floor maintenance in April of 2014 per the regular maintenance plan as adopted in 2012.



**Active: Unsafe Structures (Pine Street)** – Good progress is being made.

*From last 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  
**Administrator's Report**



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: Picture Contest & New Touches** – From 12.17.2014: Administrative Assistant Jannea Deaver is working with the Brownsville Art Association to get some pictures from town to hang in the hallway in City Hall. Staff recently finished a project in the upstairs foyer in front of Council Room as well as framing several other informational pieces relating to building usage and safety. Curtains were recently added to the back of the building and the exhaust fan was finally properly enclosed with the help of Ms. Morrow, Public Works & Michael Worthing. Fitzpatrick Painting will be visiting the City again in the Spring to paint the chimneys at City Hall and the Rec Center as well as the fire siren at City Hall.



**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.

**Pending: McFarland Cascade Update** – The City is still waiting to receive all of the necessary documents.

**Completed: Distribute R 718** – I received many positive comments about the formalization of this process.

**Completed: Mortuary Board Report & Audit** – Jannea Deaver and I finalized this report before the end of the year.



*From last meeting:* 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.

**Red Barn Initiatives** – 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.

*From last meeting:* On January 15<sup>th</sup>, 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: Sweet Home Sanitation Residential Service Requirement** – *From last meeting:* I have contacted Scott Johnson and they will be working on a proposal for Council's consideration at a future meeting.

**Active: Houtz Report & Update** – Some progress has been made. The City has asked Sweet Home Sanitation to pull the dumpster that was placed on their property August 20<sup>th</sup>, 2013.

**Active: Water Treatment Plant Computer System** – 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.

*From last meeting:* Public Works Superintendent Karl Frink has been dealing with the fact that the computer system completely failed on May 13<sup>th</sup>, 2013. Staff was able to bring the computer system back online May 22<sup>nd</sup>, 2013. Mr. Frink is still working out the all of the details to ensure that our contract with TAG is complete and correct.

**Completed: ODOT Permitting Application** – Welcome signs are properly covered by the City and the State.

**Completed: Central Linn Rec Center Agreement** – The City has executed the agreement and all parties have hard copies and electronic copies of the agreement.

**Completed: Chamber of Commerce Agreement** – The City has executed the agreement and all parties have hard copies and electronic copies of the agreement.

**Completed: Central Linn School District & Calapooia Food Alliance Agreement** - The City has executed the agreement and all parties have hard copies and electronic copies of the agreement.

**Active: Visit Linn Coalition (VLC) Update** – 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** – I will provide an additional report for Council's information and review.

*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 6<sup>th</sup>, 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 5<sup>th</sup>, 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 28<sup>th</sup>, 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 22<sup>nd</sup>, 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 4<sup>th</sup>, 2012 meeting:* Darrin Lane Stopped for a visit on August 7<sup>th</sup> 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.

**Pending: Central Linn School Meetings** – I will have an oral update for Council. *From a past meeting:* 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.

**WNHS Update** – See new information handout. *From last meeting:* 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



## 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



## Public Works Report January 21<sup>st</sup>, 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 January.
- *Distribution System* – 22 water leaks in the 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 computer SCADA system and PLC upgrades are installed and bugs being worked out. New screens are being created and updated alarms are being implemented.
- *Misc.* – Public Works met with the City Engineers for water mainline replacements on Robe Street and the old reservoir line behind Carlson's Hardware. A new mainline project from the reservoirs to School Avenue is in the works and will begin soon.

### Sewer:

- *North Lagoons* – Public Works began discharging from this facility on January 13th and will continue until desired lagoon levels are reached.
- *South Lagoons* – Preventative maintenance has been performed on the effluent discharge equipment at this facility. Discharging will begin upon completion at the North treatment plant.
- *Collection System* – No sewer problems this month!
- *Misc.* – Public Works met with City Engineers to begin the design process of replacing the sewer main on Millhouse Street.

### Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis.
- *Asphalt/ Gravel Road Maintenance* – Gravel street maintenance is scheduled to begin the first week of February.
- *Storm Drainage* – There have been no problems with the storm drainage thus far due to a lack of rainfall.

### Parks:

- *Pioneer Park* – Public Works continues to rake and pick up leaves from the park. Two large maple tree leaning over the playground area have been removed for safety purposes. Both trees cut down were found to be completely rotted out on the inside of both trees.
- *Blakely Park* – Nothing to report this month.
- *Kirk's Ferry Park* – Nothing to report this month.

### Cemetery:

- *Grounds* – Nothing to report this month.



**Library:**

- *Grounds* – Nothing to report this month.
- *Buildings* – Some minor repairs and light bulbs have been replaced.

**Downtown**

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

**City Hall:**

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

**Rec Center:**

- *Grounds* – Nothing to report this month.
- *Buildings* – Nothing to report this month.

**Public Works:**

- *Grounds* – Nothing to report this month.
- *Buildings* – Cleaning and organizing continues as time allows.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.

# LINN COUNTY SHERIFF'S OFFICE



**Tim Mueller, Sheriff**  
1115 SE Jackson Street, Albany, OR 97322  
Phone: (541) 967-3950  
[www.LinnSheriff.org](http://www.LinnSheriff.org)

## 2013

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

**FOR THE MONTH OF:** **December**

<b>TRAFFIC CITATIONS:</b> -----	<b>4</b>
<b>TRAFFIC WARNINGS:</b> -----	<b>9</b>
<b>TRAFFIC CRASHES:</b> -----	<b>3</b>
<b>ADULTS CITED / VIOLATIONS:</b> -----	<b>0</b>
<b>ADULTS ARRESTED:</b> -----	<b>11</b>
<b>JUVENILES CITED / VIOLATIONS:</b> -----	<b>0</b>
<b>JUVENILES ARRESTED:</b> -----	<b>0</b>
<b>COMPLAINTS/INCIDENTS INVESTIGATED:</b> -----	<b>59</b>

**TOTAL HOURS SPENT IN:                      BROWNSVILLE                      215**

**70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH= 202 HOURS**

**Tim Mueller,  
Sheriff, Linn County**

**By: Sgt. Brad Kelley**

PATRL\_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST #	ADDRESS	CITY	DESCRIPTION
133650210	12/31/13	14:23:06	SUSP-VEHICLE	200	PARK AV	Brownsville	No Additional Report Necessary
133650138	12/31/13	11:18:41	DISTB-OTHER	203	KIRK AV	Brownsville	No Additional Report Necessary
133640022	12/30/13	2:27:38	SECURITY CHECK	400	HUME ST	Brownsville	No Additional Report Necessary
133640015	12/30/13	1:25:46	SECURITY CHECK	331	E BLAKELY AV	Brownsville	No Additional Report Necessary
133640007	12/30/13	0:34:11	OUT - FOOT PATROL	100	PARK AV	Brownsville	No Additional Report Necessary
133640006	12/30/13	0:28:01	SECURITY CHECK	200	PARK AV	Brownsville	No Additional Report Necessary
133640003	12/30/13	0:11:14	Trf Aggressive Driver	100	E WASHINGTON AV	Brownsville	WARNING - AGGRESSIVE DRIVING
133630028	12/29/13	1:34:25	Trf Equipment Viol	220	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
133600317	12/26/13	23:44:42	THEFT-RPT	1104	PINE ST	Brownsville	Incident Report
133580016	12/24/13	1:10:45	SUSP-VEHICLE	420	AVERILL ST	Brownsville	No Additional Report Necessary
133570290	12/23/13	16:57:42	Trf Speed Viol	600	HAUSMAN AV	Brownsville	CITE ISSUED - NO INSURANCE
133560281	12/22/13	22:44:23	Trf Equipment Viol	200	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
133560108	12/22/13	10:43:52	Trf Moving Viol	298	S MAIN ST	Brownsville	WARNING - MOVING VIOLATION
133560108	12/22/13	10:43:52	Trf Moving Viol	298	S MAIN ST	Brownsville	No Additional Report Necessary
133550172	12/21/13	13:15:11	PROP-FOUND	221	E WASHINGTON AV	Brownsville	Incident Report
133540311	12/20/13	19:22:53	CIV DISP RPT	517	AVERILL ST	Brownsville	No Additional Report Necessary
133540222	12/20/13	14:29:55	SUSP-PERSON	200	N MAIN ST	Brownsville	MDT Narrative Update
133540209	12/20/13	13:46:06	BURGLARY *IN PROGRESS*	222	WASHBURN ST	Brownsville	No Additional Report Necessary
133540107	12/20/13	9:41:49	THEFT-RPT	305	KIRK AV	Brownsville	No Additional Report Necessary
133530287	12/19/13	16:12:17	VACATION CHK	827	ASH ST	Brownsville	No Additional Report Necessary
133530258	12/19/13	15:23:13	Trf Equipment Viol	200	N MAIN ST	Brownsville	No Additional Report Necessary
133530254	12/19/13	15:18:19	Trf Equipment Viol	1	E HWY 228	Brownsville	CITE ISSUED - NO INSURANCE
133520349	12/18/13	20:48:21	Trf Equipment Viol	200	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
133520307	12/18/13	18:03:03	ALARM - POLICE	146	SPAULDING AV	Brownsville	WARNING - EQUIPMENT VIOLATION
133520278	12/18/13	16:23:38	PHONE-HARASSMENT	147	S MAIN ST	Brownsville	No Additional Report Necessary
133510218	12/17/13	14:21:57	WELF CHECK	222	WASHBURN ST	Brownsville	No Additional Report Necessary
133500095	12/16/13	9:09:54	SUSP-PERSON	512	SPAULDING AV	Brownsville	No Additional Report Necessary
133500023	12/16/13	1:45:32	PARK PATROL	200	PARK AV	Brownsville	MDT Narrative Update
133490238	12/15/13	17:38:19	ALARM - POLICE	400	HUME ST	Brownsville	No Additional Report Necessary
133490214	12/15/13	16:02:11	WELF CHECK	420	AVERILL ST	Brownsville	No Additional Report Necessary
133470425	12/13/13	23:32:37	SUSP-PERSON	411	N MAIN ST	Brownsville	No Additional Report Necessary
133470184	12/13/13	12:08:58	EMERGENCY MESSAGE	606	ROBE ST	Brownsville	MDT Narrative Update
133470010	12/13/13	0:37:28	WARRANT SERV	255	N MAIN ST	Brownsville	No Additional Report Necessary
133470009	12/13/13	0:36:25	NARCOTICS OFF	255	N MAIN ST	Brownsville	Incident Report
133470004	12/13/13	0:09:19	SUSP-PERSON	255	N MAIN ST	Brownsville	Call completed
133470002	12/13/13	0:06:14	TRESPASS	305	KIRK AV	Brownsville	Incident Report
133460350	12/12/13	23:40:28	BURGLARY REPORT	220	S MAIN ST	Brownsville	Incident Report
133460240	12/12/13	15:38:56	WELF CHECK	222	WASHBURN ST	Brownsville	Incident Report
133450296	12/11/13	18:29:19	OVERDOSE	1188	LINN WY	Brownsville	CAD Report
133450213	12/11/13	15:05:41	MVC-HIT & RUN	417	WASHBURN ST	Brownsville	Incident Report
133450153	12/11/13	11:47:27	CRIM MISCHIEF	130	SPAULDING AV	Brownsville	No Additional Report Necessary

## PATRL\_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST #	ADDRESS	CITY	DESCRIPTION
133440290	12/10/13	17:40:55	THREATS	811	N MAIN ST	Brownsville	No Additional Report Necessary
133440283	12/10/13	17:21:44	Trf Observe Susp Activity	200	ELM ST	Brownsville	WARNING - EQUIPMENT VIOLATION
133440250	12/10/13	15:51:58	Trf Observe Susp Activity	200	SPAULDING AV	Brownsville	CITE ISSUED - DWS/NO ODL
133440159	12/10/13	12:24:01	WELF CHECK	303	PUTMAN ST	Brownsville	No Additional Report Necessary
133440145	12/10/13	12:05:10	TRESPASS	107	W BISHOP WY	Brownsville	Call completed
133440141	12/10/13	11:43:58	WARRANT SERV	305	KIRK AV	Brownsville	No Additional Report Necessary
133430144	12/09/13	11:26:19	WARRANT SERV	900	PINE ST	Brownsville	No Additional Report Necessary
133430044	12/09/13	6:19:40	ALARM - POLICE	1022	ASH ST	Brownsville	No Additional Report Necessary
133410142	12/07/13	12:37:44	UNAUTHORIZED ENTRY TO	415	TEMPLETON ST	Brownsville	No Additional Report Necessary
133400278	12/06/13	15:14:46	WELF CHECK	761	TEMPLETON ST	Brownsville	No Additional Report Necessary
133400240	12/06/13	13:53:59	MVC-HIT & RUN	631	N MAIN ST	Brownsville	No Additional Report Necessary
133400184	12/06/13	11:46:32	PHONE-HARASSMENT	1120	ASH ST	Brownsville	No Additional Report Necessary
133400182	12/06/13	11:39:56	MVC-NON INJURY	299	S MAIN ST	Brownsville	No Additional Report Necessary
133400158	12/06/13	10:28:02	SUICIDAL-SUBJECT	374	KIRK AV	Brownsville	No Additional Report Necessary
133400090	12/06/13	7:34:06	ALARM - POLICE	310	SCHOOL AV	Brownsville	No Additional Report Necessary
133390395	12/05/13	22:10:56	WARRANT SERV	761	TEMPLETON ST	Brownsville	No Additional Report Necessary
133390352	12/05/13	18:31:49	NEGLECT	105	E BISHOP WY	Brownsville	Incident Report
133390204	12/05/13	12:56:27	WARRANT SERV	117	N MAIN ST	Brownsville	No Additional Report Necessary
133380383	12/04/13	21:05:23	Trf Equipment Viol	220	S MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
133380230	12/04/13	13:42:31	WELF CHECK	303	PUTMAN ST	Brownsville	No Additional Report Necessary
133370363	12/03/13	19:54:37	TRAFF-OTHER VIOL	200	SPAULDING AV	Brownsville	No Additional Report Necessary
133370356	12/03/13	19:28:50	SUSP-VEHICLE	200	N MAIN ST	Brownsville	No Additional Report Necessary
133370353	12/03/13	19:20:12	Trf Equipment Viol	200	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
133370260	12/03/13	15:19:08	DOG COMPLAINT	639	N MAIN ST	Brownsville	No Additional Report Necessary
133370145	12/03/13	10:14:45	WELF CHECK	745	TEMPLETON ST	Brownsville	No Additional Report Necessary
133360370	12/02/13	22:06:17	WARRANT SERV	217	KIRK AV	Brownsville	Civil process atrmpted, not served
133360101	12/02/13	9:02:01	THEFT-RPT	730	N MAIN ST	Brownsville	Incident Report
133360096	12/02/13	8:50:11	ALARM - POLICE	202	N MAIN ST	Brownsville	No Additional Report Necessary
133350305	12/01/13	22:28:01	Trf Moving Viol	220	S MAIN ST	Brownsville	CITE ISSUED - DWS/NO ODL
133350276	12/01/13	20:55:02	SECURITY CHECK	431	N MAIN ST	Brownsville	MDT Narrative Update
133350269	12/01/13	20:41:25	Trf Observe Susp Activity	200	N MAIN ST	Brownsville	MDT Narrative Update



## Library Advisory Board

### *Librarian's Report*

December 2013

Volunteers that attended the Cookie Exchange this year were delighted with the results! Together with Library Advisory Board Members Joey Running and Jennifer Ashcraft, Librarian Sherri greeted and thanked 8 volunteers for serving in many different capacities here at the Library. One of the highlights afterward was the photo taken of the volunteers present at the exchange and the volunteers that were 'added' to the photo because they were not present when the photo was taken. Over the past few years, I have learned a few tricks working with this computer.

Children and moms continue to flock to our Story Time. We had a total of 10 Story Times this month with 64! Learning Tree Preschool came to decorate the Library Tree for Festival of Trees and stayed for a Story Time. Afterward, Head Start from Crawfordsville also visited. It was a busy morning.

Here are a few facts about our library the month of December 2013. We have received 22 new books for the library. Volunteers donated 142 hours to our library. There were 1,309 materials checked out. 474 adult fiction books; 191 adult non-fiction books; 77 audio books; 232 children's books; 202 junior books; 48 junior reference books and 85 large print books.

Respectfully submitted,  
Sherri Lemhouse,  
Librarian

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT  
STATISTICAL REPORT FOR THE MONTH OF DECEMBER 2013**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	32	0	0	32	
Violations	19	12	11	20	
Contempt/Other	29	2	0	31	
<b>TOTALS</b>	<b>80</b>	<b>14</b>	<b>11</b>	<b>83</b>	

**BALANCE SHEET FOR THE MONTH OF DECEMBER 2013**

**Court Revenue**

Total Deposits +	\$ 1,932.00
Total Bail Forfeits +	\$ -
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ -
Total NSF's -	\$ -

**TOTAL COURT REVENUE**

**\$ 1,932.00**

**Court Payments**

City	\$ 1,454.10
Restitution	\$ 140.00
Unitary Assessment	\$ 262.36
Linn County	\$ 75.54
State Misc.	\$ -
DUII Surcharge	\$ -

**TOTAL COURT PAYMENTS**

**\$1,932.00**

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

**TOTAL NON-REVENUE CREDIT ALLOWED** \$ -

**TOTAL CASH PAYMENTS TO:**

CITY	\$ 1,454.10
STATE	\$ 262.36
COUNTY	\$ 75.54

\*REFUND/RESTITUTION \$ 140.00

**ACCOUNTS RECEIVABLE:**

BEGINNING	\$ 2,872.59
ENDING	\$ 2,309.59



## **Ordinance Revision (First Reading)**

### **ORDINANCE NO. 742**

#### **AN ORDINANCE AMENDING TITLE 9 OF THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 9, SECTION 9.20.010; DISCHARGE OF WEAPONS**

##### **Current Language:**

#### **Chapter 9.20 Weapons Offenses**

##### **9.20.010 Discharge of weapons.**

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

##### **Proposed Language:**

##### **9.20.010 Discharge of weapons.**

- A. No person other than an authorized peace officer shall fire or discharge within the City any weapon which acts by force of gunpowder or other explosive, or by the use of jet or rocket propulsion or spring gun.
- B. No person other than an authorized peace officer shall discharge any air gun or crossbow or bow and arrow except with the permission of the affected property owner or other person lawfully in control of the property. Any discharge permitted under this section shall only be at inanimate targets and no projectile so discharged may leave the property upon which permission to discharge was granted. Failure to abide by these provisions shall constitute a violation of this section.
- C. The provisions of this section shall not be construed to prohibit the firing or discharging of any weapon:



## ***Ordinance Revision (First Reading)***

1. By any person in the defense or protection of his/her property or family;
2. At any shooting or target range maintained or provided by the City of Brownsville or any public or private school.
3. At any other private location, the property owner shall apply for a special permit for weapons discharge. Local law enforcement and the City Administrator shall approve such permits based upon determining factors such as property location, is the property of suitable size, noise levels, design and configuration and any other relevant factors to safely allow such use.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator



**RESOLUTION 2014.01**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT** Richard E. Triska and Jessica K. Meyer are hereby appointed to serve as Municipal Judges Pro Tempore of the Brownsville Municipal Court for a term ending on the last day of December 2014.

Introduced and adopted this 28<sup>th</sup> day of January 2014.

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Don Ware, Mayor

---

S. Scott McDowell, City Administrator

**RESOLUTION 2014.02****A RESOLUTION REAFFIRMING THE SAFETY POLICY AND LOSS PREVENTION PROGRAM FOR THE CITY OF BROWNSVILLE**

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

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

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

**Introduction:**

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

**Goal/Purpose:**

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

**Objectives:**

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

**RESOLUTION 2014.02****Responsibilities:**

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

**Employee Participation:**

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

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

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

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

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

**Closing Statement:**

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

**PASSED** by the Council and Approved by the Mayor on this 28<sup>th</sup> day of January 2014.

**ATTEST:****APPROVED:**


---

S. Scott McDowell  
City Administrator

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Don Ware  
Mayor

**RESOLUTION 2014.03**

**A RESOLUTION DISBURSING THE AMOUNT OF \$ 1,600  
FROM THE TRANSIENT ROOM TAX FUND TO THE  
CHAMBER OF COMMERCE FOR MARKETING PURPOSES**

**WHEREAS**, Council discussed conveying collected funds based on the Transient Room Tax to the Chamber of Commerce on January 28<sup>th</sup>, 2014; and,

**WHEREAS**, the exact amount to be disbursed is \$1,600.00; and,

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROWNSVILLE**, a Municipal Corporation of the State of Oregon, hereby disburses the amount of \$1,600 pursuant to Chapter 3.25 of the Brownsville Municipal Code to the Chamber of Commerce for the purpose of marketing.

**PASSED AND ADOPTED** by the Council of the City of Brownsville this 28<sup>th</sup> day of January, 2014.

---

S. Scott McDowell  
City Administrator

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Don Ware  
Mayor

**A RESOLUTION AUTHORIZING TRANSFERS WITHIN CERTAIN FUNDS FOR THE FISCAL YEAR 2013-2014 BUDGET**

**WHEREAS**, Council would like to maintain accurate expenditures for each and every fiscal year; and

**WHEREAS**, several line items are over spent annually depending on factors outside the control of Council and Staff; and

**WHEREAS**, moving funds from the contingency line items to the over spent line items will give a more accurate reflection of expenditures for each fiscal year; and

**WHEREAS**, funds were moved in accordance with Oregon Local Budget Law; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE**, a Municipal Corporation of the State of Oregon, that that the following funds be transferred in the following accounts:

<u>Transfer From:</u>		<u>Transfer To:</u>		
<u>General Administration</u>				<u>Amount:</u>
100.040.950.000.00.00	Contingency	100.040.861.000.00.00	Furniture (Library)	910
			<b>Total</b>	<b>\$910</b>
100.060.950.000.00.00	Contingency	100.060.645.000.00.00	Service/Maintenance Contracts	\$4,500
			<b>Total</b>	<b>\$4,500</b>

**Total Amount Transferred \$5,410**

**PASSED AND ADOPTED** by the City Council of the City of Brownsville this 28<sup>th</sup> day of January 2014.

\_\_\_\_\_  
Don Ware, Mayor

**ATTEST:**

\_\_\_\_\_  
S. Scott McDowell, City Administrator

## ERWIN CONSULTING ENGINEERING, LLC

33923 BOND ROAD

• LEBANON

• OREGON

• 97355

December 20, 2013

McFarland Cascade Holdings Inc.  
Attn: Mr. Jon Younce  
PO Box 1496  
Tacoma, WA 98401-1496

RE: Brownsville City Improvement Project Engineering Services Agreement

Dear Jon,

Please find enclosed two (2) originals of the Standard Services Agreement for Erwin Consulting to perform the City's services on your new project. This agreement is for both drawing review and construction inspection. Please sign both originals and return one executed copy for our files along with any billing information for your company (i.e., different address, project number, etc.).

We will begin work with Udell Engineering to "streamline" the drawing review process so you can obtain approved plans to begin your project as soon as possible.

Should you have any questions, please feel free to call.

Sincerely,

ERWIN CONSULTING ENGINEERING, LLC



Jon E. Erwin, P. E.

Enclosures

cc: ~~City of Brownsville~~

Page 1

City of Brownsville, Oregon  
Main Street Waterline Replacement Est. (Kirk St. to Bridge)  
December 19, 2013

Description	Quantity	Unit	Unit Price	Cost
6" C900 PVC Pipe & Trench	562	L.F.	\$ 55.00	\$ 30,910.00
8" GV w/Reducer Connection	1	L.S.	\$ 2,500.00	\$ 2,500.00
Asphalt Surface (Trench Patch)	1	L.S.	\$ 1,500.00	\$ 1,500.00
Sidewalk	525	L.F.	\$ 29.00	\$ 15,225.00
PRV Station Removal	1	L.S.	\$ 1,000.00	\$ 1,000.00
Existing Pipe Removal	1	L.S.	\$ 2,500.00	\$ 2,500.00
Fire Hydrant Reconnect	1	Each	\$ 2,500.00	\$ 2,500.00
Water Service (Short Side)	2	Each	\$ 900.00	\$ 1,800.00
Water Service (Long Side)	1	Each	\$ 1,800.00	\$ 1,800.00
Saw Cutting Asphalt	1	L.S.	\$ 500.00	\$ 500.00
Mobilization & Bond	All	L.S.	Lump Sum	\$ 4,634.80
Construction Contingency				\$ 6,486.98
Engineering Plans and Specs.				\$ 13,500.00
Estimated Construction Budget				\$ 84,856.78

P.O. Box 4300  
 Carol Stream, IL 60197-4300

 Page: 5 of 6  
 Bill Date: Jan. 02, 2014


### Charge Detail

Local Service from JAN 02 to FEB 01

Product-ID: 541-466-5000

**Monthly Charges**

Total Optional Features/Services	2.99	
<b>Total Monthly Charges</b>		<b>30.60</b>

**Usage Charges**

MatchMaker

Total Usage Charges	0.59	0.59
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**Charge Detail For 541-466-5000**
**31.39**

Product-ID: CTL101860015

**Monthly Charges**

** Broadband Cost Recovery Fee	0.99	
** Four Port Router Fee	7.49	
** High Speed Internet 10.0M/758K	59.95	
Total Optional Features/Services	68.43	
<b>Total Monthly Charges</b>		<b>68.43</b>

**Charge Detail For CTL101860015**
**68.43**
**Total Charge Detail**
**97.82**
**Tax, Fees and Surcharges**
**5.97**
**Total Current Charges**
**103.79**

\*\* Nonregulated Charge(s) - nonpayment for NONREGULATED SERVICES OR PRODUCTS may result in the disconnection or restriction of such services, and such delinquencies may be subject to collection. Local services will not be disconnected for nonpayment of nonregulated charges. Nonpayment of toll charges may result in the disconnection of toll service, and such delinquencies may be subject to collection.

*The City is currently paying \$178<sup>04</sup>; up nearly \$30 from 2 years ago.*

*City # is 541. 466. 5935*

*w/internet it would be \$120 -*

*Seniors bill they installed*

13179 3817865 039538 079075 0003/0003





December 20, 2013

American Bankers Insurance Company Of Florida

Po Box 4337

Scottsdale, AZ 85261-4337

T: 800.423.4403

F: 714.712.3842

flood.service.center@assurant.com

**IMPORTANT — PREMIUM INCREASES FOR CERTAIN PRE-FIRM  
NON-RESIDENTIAL/BUSINESS PROPERTIES**

CITY OF BROWNSVILLE  
ATTN: SCOTT MCDOWELL  
P O BOX 188  
BROWNSVILLE, OR 97327-0000

**Agent Information:**

BARKER-UERLINGS INSURANCE INC  
PO BOX 1378  
CORVALLIS, OR 97339-0000  
T: 541.757.1321 F: 541.750.9442

**Insured Name:** CITY OF BROWNSVILLE  
**Property Address:** 400 HUME ST, BROWNSVILLE, OR 97327-2327  
**Re: Flood Policy Number:** AB00158053

**Policy Exp Date:** 02/28/2014

Dear Insured,

Subsidized flood insurance rates traditionally have been available for structures built before the effective date of a community's initial FEMA Flood Insurance Rate Map. The subsidized rates do not reflect the full risk of flood loss. Recent legislation, the Biggert-Waters Flood Insurance Reform Act of 2012, phases out subsidized rates for certain properties, including business/non-residential building properties.<sup>1</sup>

Our records indicate you have been paying a subsidized rate for your business/non-residential building. Starting October 1, 2013, the subsidy will be phased out as required by the law, and therefore, your premium must increase 25 percent annually until it reaches the full-risk rate. The renewal bill you receive reflects the statutorily-required 25 percent increase.

**To calculate your building's full-risk rate, your agent will need an Elevation Certificate.** If the full-risk rate is less than the 25 percent, your premium will only increase to the full-risk rate.

Obtaining an Elevation Certificate will help you understand the extent of your flood risk; aid in making effective decisions to prevent or minimize your flood risk, such as elevating your home; and allow your agent to advise you about the most cost-effective approach to your flood insurance. **If you don't have an Elevation Certificate for your building, you may need to hire a surveyor to come to your property to complete the certificate.** Go to [www.fema.gov/library/viewRecord.do?id=7408](http://www.fema.gov/library/viewRecord.do?id=7408) for more information about obtaining an Elevation Certificate.

Now, more than ever, it is important that you know your true flood risk as flood insurance premiums shift to reflect that risk.

Visit [www.elevationcert.com](http://www.elevationcert.com) for a free quote on obtaining an Elevation Certificate coordinated through First American.

If you should have any questions, please contact your agent, BARKER-UERLINGS INSURANCE INC at (541)757-1321.

Thank you,

Flood Service Center

CC: Agent - BARKER-UERLINGS INSURANCE INC

<sup>1</sup> Business properties are part of a larger category of non-residential occupancy structures as defined by the NFIP.

S. Scott McDowell

**From:** S. Scott McDowell [admin@ci.brownsville.or.us]  
**Sent:** Sunday, December 29, 2013 12:26 PM  
**To:** 'Alex Paul'  
**Subject:** RE: Outlook for 2014

Good Morning Alex:

Brownsville is experiencing some interesting growth which we will see continue through 2014. Council continues to run the City in a very financially conservative manner due to stagnation in taxes and the fact that with the utility bonds, taxes are toward the top for communities in Linn County. The City will be continue key partnerships with the Chamber of Commerce, the Linn County Pioneer Picnic Association, the Central Linn Recreation Center and the Brownsville Art Association to name a few. Brownsville area businesses, non-profits, the Brownsville Rural Fire District and the Central Linn School District continue to benefit from the Bi-Mart Willamette Country Music Festival which Council hopes will continue into the foreseeable future.

Below are a few items for you:

1. Council is working on water rights issues and are attempting to re-develop a well in town to provide a robust water supply for the next three decades. The City Engineer is currently working on estimates for the re-development.
2. Council is actively working on issues around Economic Development which includes:
  - a. Reviewing System Development Charges
  - b. Considering an Urban Growth Boundary Expansion
  - c. Monitoring Developments with the Bi-Mart Willamette Country Music Festival
  - d. Experiencing the expansion of several businesses across OR 228 like Dr. Glenn, Kirk's Ferry Restaurant, Sharing Hands & Bramble House
  - e. Developing Zoning Code Enforcement with noxious weeds, nuisances and junk vehicles
3. Council continues to assess and implement many capital improvement projects for key infrastructure.
4. Council is also working diligently on organizational development issues for Council and Staff.
5. Council is focused on treasury health and the well being of the many assets that they are responsible for providing.

Thanks for your coverage! Happy New Year!



**S. Scott McDowell**  
255 N. Main Street

P.O. Box 188  
Brownsville, OR 97327  
541.466.5880  
Fax 541.466.5118

**From:** Alex Paul [<mailto:Alex.Paul@lee.net>]  
**Sent:** Thursday, December 26, 2013 2:33 PM  
**To:** [admin@ci.brownsville.or.us](mailto:admin@ci.brownsville.or.us)  
**Subject:** Outlook for 2014

Scott,  
Happy almost New Year!  
I am working on a story looking forward to 2014.  
Would take a few minutes and jot down your outlook for the county in the coming year?  
What are the highlights in terms of community projects, city goals, and opportunities?  
Boundary expansions?  
Doesn't have to be anything elaborate.  
If you could get this back to me early next week I would appreciate it.  
Thank you.

Alex Paul  
Linn County Reporter  
Office: 541-812-6114  
Fax: 541-926-4799  
600 Lyon Street SW  
Albany, Oregon 97321



[www.ci.brownsville.or.us](http://www.ci.brownsville.or.us)

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

December 30<sup>th</sup>, 2013

**State of Oregon**

**Mortuary & Cemetery Board**

**Attn:** Ms. Brenda Biggs, Compliance Specialist  
800 NE Oregon Street, Suite 430  
Portland, OR 97323-2195

**Re:** Inspection – Brownsville Pioneer Cemetery CE-0456

Dear Ms. Briggs:

Staff has compiled the information that the City has on file per your request. The City does not provide a map to the public, but we do have one for internal use which you are welcome to review. The City does have plans to make Pioneer Cemetery a bit more user friendly. A few years ago, Eagle Scout John Laurence completed a report that included pictures verifying the plots and who was interred in each plot. Mr. Laurence was able to finish half of the Cemetery. Unfortunately, records have not been kept very well throughout the decades which has led to a host of concerns. We certainly would like to finish the report of the cemetery started by Mr. Laurence and develop a new, more accurate map. We would like to determine, to the best of our ability, the disposition of all the lots to better understand what availability is truly out there for potential customers.

We are also interested in using the Cemetery to enhance local history. We need to maximize this great resource for visitors to the Linn County Museum. Two years ago the City completed a four year project that was responsible for cleaning all the headstones using volunteer help. The City would like to add section markers and eventually install a columbarium. Please let Administrative Assistant Jannea Deaver or myself know if you have any questions or need additional information. We appreciate your review!

Sincerely,

A handwritten signature in black ink, appearing to be "SM", written over a light blue horizontal line.

S. Scott McDowell  
Administrator

c: Council  
Jannea Deaver  
File

**TABLE D - 2014 Low and Moderate Income Limits**  
Effective December 18, 2013

County	Median Family Income estimate for 2014	Income Level Note 1	Income Limits by Family Size							
			1-Person Family	2-Person Family	3-Person Family	4-Person Family	5-Person Family	6-Person Family	7-Person Family	8-Person Family
Baker	\$53,700	Low Moderate	\$18,800 \$30,100	\$21,500 \$34,400	\$24,200 \$38,700	\$26,850 \$42,950	\$29,000 \$46,400	\$31,150 \$49,850	\$33,300 \$53,300	\$35,450 \$56,700
Benton Note 2	\$69,400	Low Moderate	\$25,950 \$41,550	\$29,650 \$47,450	\$33,350 \$53,400	\$37,050 \$59,300	\$40,050 \$64,050	\$43,000 \$68,800	\$45,950 \$73,550	\$48,950 \$78,300
Clatsop	\$55,500	Low Moderate	\$19,450 \$31,100	\$22,200 \$35,550	\$25,000 \$40,000	\$27,750 \$44,400	\$30,000 \$48,000	\$32,200 \$51,550	\$34,450 \$55,100	\$36,650 \$58,650
Columbia Note 3	\$69,400	Low Moderate	\$24,300 \$38,850	\$27,800 \$44,400	\$31,250 \$49,950	\$34,700 \$55,500	\$37,500 \$59,950	\$40,300 \$64,400	\$43,050 \$68,850	\$45,850 \$73,300
Coos	\$49,500	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Crook	\$52,800	Low Moderate	\$18,600 \$29,750	\$21,250 \$34,000	\$23,900 \$38,250	\$26,550 \$42,500	\$28,700 \$45,900	\$30,800 \$49,300	\$32,950 \$52,700	\$35,050 \$56,100
Curry	\$56,700	Low Moderate	\$19,850 \$31,750	\$22,700 \$36,300	\$25,550 \$40,850	\$28,350 \$45,350	\$30,650 \$49,000	\$32,900 \$52,650	\$35,200 \$56,250	\$37,450 \$59,900
Deschutes Note 2	\$62,400	Low Moderate	\$21,850 \$34,950	\$25,000 \$39,950	\$28,100 \$44,950	\$31,200 \$49,900	\$33,700 \$53,900	\$36,200 \$57,900	\$38,700 \$61,900	\$41,200 \$65,900
Douglas	\$46,600	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Gilliam	\$57,600	Low Moderate	\$20,200 \$32,300	\$23,050 \$36,900	\$25,950 \$41,500	\$28,800 \$46,100	\$31,150 \$49,800	\$33,450 \$53,500	\$35,750 \$57,200	\$38,050 \$60,900
Grant	\$45,500	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Hamey	\$50,500	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Hood River	\$64,000	Low Moderate	\$22,300 \$35,700	\$25,500 \$40,800	\$28,700 \$45,900	\$31,850 \$50,950	\$34,400 \$55,050	\$36,950 \$59,150	\$39,500 \$63,200	\$42,050 \$67,300
Jackson Note 2	\$50,500	Low Moderate	\$18,550 \$29,650	\$21,200 \$33,850	\$23,850 \$38,100	\$26,450 \$42,300	\$28,600 \$45,700	\$30,700 \$49,100	\$32,800 \$52,500	\$34,950 \$55,850
Jefferson	\$49,400	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Josephine	\$45,200	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Klamath	\$47,500	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Lake	\$52,300	Low Moderate	\$18,350 \$29,300	\$20,950 \$33,500	\$23,550 \$37,700	\$26,150 \$41,850	\$28,250 \$45,200	\$30,350 \$48,550	\$32,450 \$51,900	\$34,550 \$55,250
Lane Note 2	\$55,200	Low Moderate	\$19,350 \$30,950	\$22,100 \$35,350	\$24,850 \$39,750	\$27,600 \$44,150	\$29,850 \$47,700	\$32,050 \$51,250	\$34,250 \$54,750	\$36,450 \$58,300
Lincoln	\$55,700	Low Moderate	\$19,500 \$31,200	\$22,300 \$35,650	\$25,100 \$40,100	\$27,850 \$44,550	\$30,100 \$48,150	\$32,350 \$51,700	\$34,550 \$55,250	\$36,800 \$58,850

**2014 Low and Moderate Income Limits**  
Effective December 18, 2013

County	Median Family Income estimate for 2014	Income Level Note 1	Income Limits by Family Size							
			1-Person Family	2-Person Family	3-Person Family	4-Person Family	5-Person Family	6-Person Family	7-Person Family	8-Person Family
Linn	\$51,600	Low Moderate	\$18,600 \$29,750	\$21,250 \$34,000	\$23,900 \$38,250	\$26,550 \$42,500	\$28,700 \$45,900	\$30,800 \$49,300	\$32,950 \$52,700	\$35,050 \$56,100
Malheur	\$49,000	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Marion Note 3	\$55,800	Low Moderate	\$19,550 \$31,300	\$22,350 \$35,750	\$25,150 \$40,200	\$27,900 \$44,650	\$30,150 \$48,250	\$32,400 \$51,800	\$34,600 \$55,400	\$36,850 \$58,950
Morrow	\$52,400	Low Moderate	\$18,350 \$29,350	\$21,000 \$33,550	\$23,600 \$37,750	\$26,200 \$41,900	\$28,300 \$45,300	\$30,400 \$48,650	\$32,500 \$52,000	\$34,600 \$55,350
Polk Note 3	\$55,800	Low Moderate	\$19,550 \$31,300	\$22,350 \$35,750	\$25,150 \$40,200	\$27,900 \$44,650	\$30,150 \$48,250	\$32,400 \$51,800	\$34,600 \$55,400	\$36,850 \$58,950
Sherman	\$60,500	Low Moderate	\$20,450 \$32,700	\$23,400 \$37,400	\$26,300 \$42,050	\$29,200 \$46,700	\$31,550 \$50,450	\$33,900 \$54,200	\$36,250 \$57,950	\$38,550 \$61,650
Tillamook	\$53,500	Low Moderate	\$18,750 \$30,000	\$21,400 \$34,250	\$24,100 \$38,550	\$26,750 \$42,800	\$28,900 \$46,250	\$31,050 \$49,650	\$33,200 \$53,100	\$35,350 \$56,500
Umatilla	\$59,700	Low Moderate	\$20,900 \$33,450	\$23,900 \$38,200	\$26,900 \$43,000	\$29,850 \$47,750	\$32,250 \$51,600	\$34,650 \$55,400	\$37,050 \$59,250	\$39,450 \$63,050
Union	\$53,100	Low Moderate	\$18,650 \$29,800	\$21,300 \$34,050	\$23,950 \$38,300	\$26,600 \$42,550	\$28,750 \$46,000	\$30,900 \$49,400	\$33,000 \$52,800	\$35,150 \$56,200
Wallowa	\$53,200	Low Moderate	\$18,650 \$29,800	\$21,300 \$34,050	\$23,950 \$38,300	\$26,600 \$42,550	\$28,750 \$46,000	\$30,900 \$49,400	\$33,000 \$52,800	\$35,150 \$56,200
Wasco	\$55,300	Low Moderate	\$19,400 \$31,000	\$22,150 \$35,400	\$24,900 \$39,850	\$27,650 \$44,250	\$29,900 \$47,800	\$32,100 \$51,350	\$34,300 \$54,900	\$36,500 \$58,450
Wheeler	\$46,400	Low Moderate	\$17,700 \$28,300	\$20,200 \$32,350	\$22,750 \$36,400	\$25,250 \$40,400	\$27,300 \$43,650	\$29,300 \$46,900	\$31,350 \$50,100	\$33,350 \$53,350
Yamhill Note 3	\$69,400	Low Moderate	\$24,300 \$38,850	\$27,800 \$44,400	\$31,250 \$49,950	\$34,700 \$55,500	\$37,500 \$59,950	\$40,300 \$64,400	\$43,050 \$68,850	\$45,850 \$73,300

Note 1: "Low Income" and "Moderate Income" are defined in the federal Housing and Community Development Act of 1974, as amended. A Low-Income person is a member of a family with a gross income of no more than 50 percent of the area median income. A Moderate-Income person is a member of a family with a gross income of no more than 80 percent of the area median income. The "area" is either the county or the non-metropolitan portion of the state, whichever has the higher median income. The 2014 estimated median family income for non-metropolitan counties in Oregon is \$60,700.

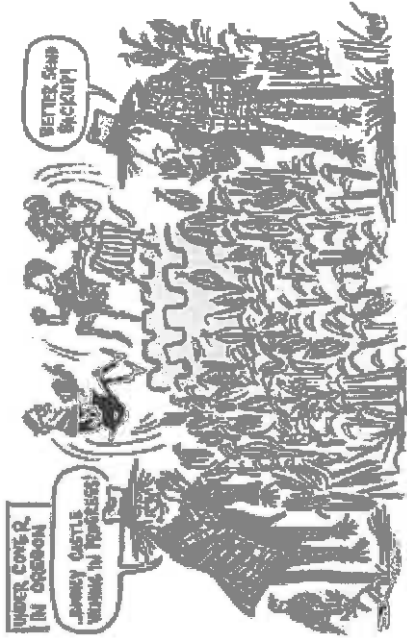
Note 2: Benton County, Deschutes County, Lane County and Jackson County are part of a Metropolitan Statistical Area (MSA). The income limits for an entire county are based upon the median family income for the MSA, even though the specific MSA area is ineligible to apply to the state-administered Community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

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

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

URL: <http://www.capitalpress.com/article/20131211/ARTICLE/131219973>

## Agritourism law leads to confusion



### Our View

The Oregon Court of Appeals has issued a ruling that puts limits on what types of events farmers and ranchers can host on their property and what kind of promotions they can offer at agritourism events.

Weddings and bouncy castles are out, birthday celebrations and farm-to-plate dinners are allowed, and the jury is still out on food carts.

The ruling springs from a disagreement among neighbors on Sauvie Island, a popular agritourism destination near Portland. Mark Greenfield, a land use attorney who lives on the island, objected to several activities conducted at Bella Organic, a farm that's down the road from his home.

The dispute wound its way through the county administrative process to the state's Land Use Board of Appeals and eventually to the state appeals court.

Greenfield said the main reason he brought the case before the Court of Appeals was to clarify ambiguities in the law.

We're not sure that's what's happened.

The court has ruled some events are OK because of their size. Wedding parties are typically large, and have no legitimate promotion value to agriculture, so aren't allowed. But small-scale events such as birthday celebrations can be hosted at a farm as long as there's some ag education component.

Bouncy castles and other similar amusements are forbidden because land use laws only allow farmstand structures intended for the sale of crops and livestock. What of other structures erected specifically for agritourism events? How about a corral used as part of a petting zoo for the kids at the birthday party, or picnic tables?

The court said that while "incidental retail items" can be sold from these structures, that cannot be their predominant purpose. We think the ruling opens the door to more disgruntled neighbors to press their case.

Oregonians are rightfully proud of land use laws that were intended to save productive farmland from development. In our view, few things are so important. But for too many urbanites farmland exists only as a backdrop for their idealized view of what rural Oregon should be.

Farms are businesses, and must be profitable to be viable and survive. That often takes creative marketing, particularly for a lot of the small farms many urban Oregonians see as the ideal.

The paradox of this ruling is that many of the agritourism events so popular with Oregonians who want to preserve the ideal could easily fail to meet the standard. And without those events, some of those small farms will become unprofitable, only to be absorbed by larger operations.

We agree with Ty Wyman, the attorney who defended Bella Organic, and his interpretation of the spirit of the land use laws. Bouncy castles, weddings and picnic tables don't threaten the viability of productive farmland.

We hope the Legislature can revisit the statute and carve out a compromise that serves the economic interests of farmers and keeps small-scale farming viable.



**MONTH END RECAP**

		December 2013		YTD	%	Unexpended
	REVENUE	EXPENDITURES				
1	GENERAL	\$ 8,176.65	\$ 34,604.12	\$ 328,082.05	29.95%	\$ 771,092.95
2	WATER	\$ 23,446.95	\$ 40,195.02	\$ 564,838.05	48.03%	\$ 611,161.95
3	SEWER	\$ 26,109.14	\$ 13,051.45	\$ 101,809.43	12.81%	\$ 692,790.57
4	STREETS	\$ 12,646.75	\$ 8,961.42	\$ 67,082.15	12.73%	\$ 459,967.85
5	WATER BOND	\$ -	\$ -	\$ -	0.00%	\$ 75,078.00
6	SEWER BOND	\$ -	\$ -	\$ 354,174.20	81.29%	\$ 81,525.80
7	SEWER DEBT FEE	\$ 11,030.19	\$ -	\$ 63,907.60	51.53%	\$ -
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	\$ 88.24	\$ -	\$ -		
15	LIBRARY TRUST	\$ -	\$ -	\$ -		
16	CEMETERY	\$ -	\$ -	\$ -		
17	TRANSIENT ROOM TX	\$ -	\$ -	\$ -		
18	SEWER CONSTRUCTION	\$ -	\$ -	\$ -		
19	LAND ACQUISITION	\$ -	\$ -	\$ -		
20	COMMUNITY PROJECTS	\$ -	\$ 1,200.00	\$ 5,643.32	4.65%	\$ 115,826.68
		\$ 81,497.92	\$ 98,012.01			

**KeyBank Accounts**

General	\$ 99,691.72	2013-2014	YTD	% of Total
Utility	\$ 18,350.00	Appropriated	\$ 341,963.01	31.11%
Park	\$ 200.00	<b>DEBT Payments</b>		
Court	\$ 2,309.59	Water	\$ 54,927.00	<b>Totals</b>
		Wastewater	\$ 396,307.00	
<b>Oregon State Treasury</b>	\$ 4,264,288.15	<b>Total Debt</b>	\$ 1,349,225.00	
<b>Community Improvements</b>	\$ 5.12	Water	\$ 12,371,610.00	
		Wastewater	\$ 13,720,835.00	<b>Total</b>