



Council Meeting

Tuesday – December 18th, 2018
7:00 p.m. in Council Chambers

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CITY OF BROWNSVILLE

Council Meeting

Tuesday, December 18th, 2018

Location: City Hall in Council Chambers

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: November 27th, 2018
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Norman Simms & Marilee Frazier – EPC Report (In CAR Folder)
 - B. Website Tour
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Planning
 - D. Administration
 - E. Library
 - F. Court
 - G. 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.

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.



9) LEGISLATIVE:

- A. **Resolution 2018.23:** Lemhouse Public Service Recognition
- B. **Resolution 2018.24 [A]:** Self-Fund Water System Improvements
- C. **Resolution 2018.24 [B]:** Accept Government Capital Corporation Proposal

10) ACTION ITEMS:

- A. Appoint member to the Parks & Open Space Advisory Board
- B. Appoint member to the Planning Commission
- C. Marijuana Payment Disposition
- D. Extend Linn County Pioneer Picnic Association Lease
- E. Extend Brownsville Art Association MOU

11) DISCUSSION ITEMS:

- A. 2019 Council Calendar
- B. Goals Setting Session – January 19th, 2019
- C. November 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) 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.



November 27th, 2018

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Thompson, Neddeau, Chambers, Shepherd, Block, and Gerber present. Parks & Open Space Advisory Board members present were Betsy Ramshur, Brandie Simon, Pat MacDermott, Rick Dominguez and Pat Cook. Administrative Assistant Tammi Morrow, Public Works Superintendent Karl Frink and City Administrator Scott McDowell were also present.

PUBLIC: Debie Wyne, Blaine Cheney (*CLRA President*), Eric Simon, Kim Clayton, Elizabeth Coleman, Jered McClain, Allen Buzzard, Ed Petermen, David Hansen, Phil & Kaye Fox, Sgt. Greg Klein (*LCSO*), Candi Younger (*Sweet Home Sanitation*), Alex Paul (*Democrat Herald*), and Jordan Parrish (*The Times*).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: No additions or deletions tonight.

MINUTES: Councilor Gerber made a motion to approve the October 23rd, 2018 meeting minutes as presented. Councilor Shepherd seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Candi Younger – Sweet Home Sanitation (SHS)**. Ms. Younger was present representing SHS. She recapped the Clean Up Day event held on October 6th, 2018. She said that it was a great team-building event and she expressed heartfelt thanks to the Public Works crew for working the event. Councilor Shepherd chastised Ms. Younger about SHS neglecting to pick up debris for the elderly that had made previous arrangements for that service. He stated that he had to haul the debris to the dump site himself, and he would appreciate it if SHS would do what they had said they would do. Councilor Chambers stated that she had called SHS to arrange pickup and was argued with quite extensively on the phone. The crew did pick up the debris for her as arranged, however. Ms. Younger stated that they did curbside service for 4 elderly persons in town. They will, however, look into working the system better next year.
2. **Facilities Review Committee (FRC) Recommendation**. Mr. McDowell presented the Big Picture Dashboard, which in effect was an overview of needs vs. wants. The dashboard included State Legislature priorities, information revolving around finance, Capital Improvements Plan, Economic and Community Development, the 2024 Water Treatment Plant Improvements, information in the pipeline (TMDL, water regulations, wastewater compliance issues, WOTUS, FEMA Rules changes, etc., citizen wants, and projects in the works currently). It was a lot of information, and Council and the audience were entranced with the information provided. McDowell stated that the City has an A+ rating with Standard and Poor's, quite a feat for a town our size. In 2016, the USDA allowed cities to refinance their debt and Brownsville saved over \$1.2 million with this debt refunding. This refunding also capped what future debt the City can incur until 2024. There are still a lot of funding priorities that need to be addressed, such as the downtown sewers. When analyzing the current rates, it was determined that Brownsville has the second lowest rates with neighboring cities, and in Linn



County. That would change if we were to try to get a loan through USADA-RD or other State agency, so the City is trying to hold off and self-fund the improvement.

Legacy implications exist that determine future charges. The Water Treatment Plant is in need of improvements that will cost approximately \$4 - \$6 million. Staff is hoping that the system will continue to effectively operate until 2024-2025. Citizens wants, and priorities were discussed. Topping the list continues to be Kirk Avenue. A few years ago, the County was possibly going to partner with the City on this major project; their priorities have changed. Cost to do the complete project is between \$2.4 - \$2.8 million. If the City does a minimal project on the road, costs are still estimated to be about \$600,000 and current issues, such as drainage, etc. will continue.

TMDL is looming; mercury is thought to be one of the next things. Gov. Kate Brown is likely to ignore federal regulations, and proceed with WOTUS, within our State as she stated clearly during her recent campaign for Governor. Implications will be huge, and long lasting. The housing crisis continues to be very newsworthy. If accessory structures are allowed to address the situation, the load put on our streets, utilities, etc., could be substantial.

Land use inventory needs to be considered into the future. There are pockets in town that are dry lots. It is quite expensive to get utilities into these areas at times. It may take the City building them out and then charging the costs back to the users. When, and if, expansion happens, lift stations may be needed. They can cost over \$1 million alone for one lift station depending on the size needed and other factors. McDowell stated that the City currently has roughly \$42 million of assets. \$15-\$17 million are in poor or critical condition. The City receives roughly \$700,000 in tax revenue each year for the general fund. Brownsville taxes on the annual tax statements represents 33% of a citizens annual tax bill. Less than 8% of the bond revenue goes to the City to pay water & wastewater debts. McDowell related this summary to give Council, the POSAB, and the audience awareness of current and future conditions as context for Mr. Cheney's presentation of the Facilities Review Committee recommendation.

Blaine Cheney, *Central Linn Recreation Association President*, directed Council's attention to page 38 & 39 to findings and recommendations from the FRC. He reviewed current building conditions, and talked about the meetings held and the folks involved with the committee. Basically, they would like to put forth 4 recommendations / considerations:

- 1) Consider a broader community group discussion to include community partners such as CLSD, City of Halsey, Pioneer Christian Academy, etc. in an effort to tap into bigger funding options.
- 2) Council should consider budgeting for a structural engineering review to establish a definite, clear, consistent view with safety a primary concern.
- 3) Council should consider reassessing the options of either repair or replacement, and long-term investment protection.
- 4) Funding options were also discussed. The group suggested many different opportunities such as a regional bond, local bond, specific general fund fee, state grant, USDA loan, or perhaps a fundraising campaign.

Mr. Cheney concluded with group consensus indicating that they felt it was important to offer up all options. He thought that a great first step would be to



consider the regional funding options model. The FRC is willing to continue to research based on Council's future desires as well.

Mayor Ware thanked Mr. Cheney and the FRC for their very thorough work on this project. He said that it sounded like lots of groups were fairly represented, and that he would like to proceed with cautious optimism. He personally would like to drive toward actionable items, and thinks that it is prudent to make sure we have the right model going forth. Ware asked who would be the one to reach out to the community partners? CLRA, City of Brownsville, or FRC? McDowell recommended the City reaching out to these agencies and getting some agreement for some conversations to be initiated, then a larger group could be involved.

Councilor Gerber would like to recommend proceeding with the structural review, regardless of the outcome tonight as it will give us a stronger basis for where we stand right now. Councilor Shepherd stated that he felt the conversation needs to be had with the people who are going to try to fund this. He would like to see the debt load spread out to other communities as well to make it more equitable for all the facility and building users. Councilor Chambers remarked that she felt that this situation is actually two different things. She feels the CLRA should be a separate issue from the Park. She stated that the park is used for all, but Brownsville pays for it. The CLRA is used by 60% of outside users, and 40% Brownsville folks. *Councilor Gerber made a motion to send Mr. McDowell forward to reach out to community stakeholders regarding CLRA facilities located in Brownsville. Councilor Block seconded the motion. The motion passed unanimously with POSAB voting in favor as well.*

3. **TMDL (Total Maximum Daily Load) Presentation.** McDowell referenced the TMDL matrix and information provided in the Council's agenda packet this month. He and Mr. Frink have met with Priscilla Woolverton and let it be known that the City does not want to negotiate on TMDL. Basically, this is an unfunded Federal mandate coming down that the City will be unable to fight and will have a very difficult time meeting all requirements with current funding and all other projects that need to be prioritized as previously discussed by Council. McDowell focused on informing Council of the updates made to the matrix documents including bacteria, temperatures, mercury, illegal discharges and all pollutants. McDowell also added items the Council had already completed such as referenced to the Park Master Plan and the NPDES requirements. The Agriculture Lobby is untouchable in Oregon as it is in most States and because the Feds won't take on this lobby, all the cities are paying the price for this program. The City should hear back from DEQ soon. McDowell will bring that to Council and ratify the document as needed. Corvallis has stated on their website that they will spend over \$100 million over the next 10 years on TMDL; there are going to be some tough choices for our City to make.
4. **Water Meters & Water Management.** McDowell & Frink did a presentation on water meters and water management. Water and sewer are the most essential function of our local government. Services have always been expensive, and in our case, we are spreading out the cost over roughly 700 users and also funding through property taxes. Mr. Frink took over the presentation informing Council of the differences in Sensus (current meters) and Kamstrup (proposed new meters). Frink talked at length about the failing parts, technology and associated costs. Kamstrup is a vital update that will deliver up to date technology and features not currently available for the Sensus meters, such as backflow detection, meter



reading cell phone interface (changing meter reading from 4 days to 30 minutes), and more accurate water metering.

McDowell then informed Council of the associated costs of this new system. Basically, this system will pay for itself in 3-4 years due to more accurate usage capabilities. The quote received is good until December 31st, 2018. Staff would like Council to approve looking into financing, using the \$40K we have budgeted this year for this specific project to perhaps leverage a loan. *Councilor Shepherd made a motion to send McDowell forth to obtain more information for Council's consideration. Councilor Neddeau seconded the motion, and it passed unanimously.* It was mentioned that we might need to have some education for folks that their bills may increase slightly due to these new accurate meters. Councilor Neddeau stated that it might be better to detect leakage faster rather the longer detection times it can take right now.

DEPARTMENT REPORTS:

5. **LCSO Sheriff's Report.** Sergeant Klein was present and reported that in October there were 9 traffic citations, 24 hours for traffic enforcement, and 218.5 hours overall. Klein did check on the November cites for the month, and they were up to 15 cites as of today. Councilor Block commented that 9 cites is very low, especially compared to 36 cites the month before. Council would like to see that number on the increase again.
6. **Public Works.** Public Works Superintendent Karl Frink reported that there were 5 leaks this month and that the Sensus meters will often fail during the freezing cold weather. (Another reason to seriously consider the upgrade to Kamstrup.)

The Robe Street project is complete. Frink would highly recommend the contractor, DSL Builders, and hopes to work with them on future projects. They did an outstanding job.

Public Works Staff finished scraping the last filter at the Water Treatment Plant. The WTP chlorine meter and soda ash pump failed. The pumps have both been rebuilt and calibrated back to factory standards and are again in service. Frink continues to work on hydrant flushing but will stop that process soon as we are switching to the wells. A tree company is coming in soon to address several trees that need trimming and removal. The 150' tall tree at the cemetery will have to be hand-cut down due to risk to headstones and folks using the cemetery. With the rains coming, street grading will be happening as well.

Pioneer Park was closed on October 31st, 2018 as per ordinance. The Park has been cleaned, the tables stowed for winter, garbage cans collected, etc. Leaf collection continues.

7. **Planning.** Administrative Assistant Elizabeth Coleman was present to review a few things with Council. Ms. Coleman gave an update on the Smith project at 900 Depot Avenue. It is a Planned Unit Development (PUD). They have been approved through the Planning Commission; Linn County Road Department has some requirements that they need to meet. The major issue remaining are the two ponds on the West side of the property. They have had to work with Linn County and the City of Brownsville for the process approval. They are working on the floodplain, have had surveyors in, and are currently at a standstill until the floodplain analysis is finalized.



The project at 333 Depot Ave. is moving forward. They are in the process of a fence permit and will have six months to accomplish the work.

Ms. Coleman has had at least three phone calls recently regarding storage and cargo containers. Last month this issue was brought to Council for consideration. She feels that there is more information for her to impart to Council surrounding this issue. Uses for these containers include storage, an accessory building, or even as a primary structure. Primary structure units are approximately 8 x 20; and folks are wanting to place them and then live in them. Councilor Shepherd commented that he likes them; they are very secure.

Coleman also stated that with 160 square feet folks also want to use them for air B&Bs; some storage containers are not being used as they have been in the past. As an example, Coleman said that with her average, small lot in town she could place two storage units on her property and use them for various uses. Is this really what Council wants? She hears a lot about preserving historical values in Brownsville and wonders if this issue should be reviewed more thoroughly. She is asking for Council's support to do some additional research to bring back to Council she stated these are just some things to think about for the new year. *Councilor Gerber moved to authorize Staff to go forth and do some research on the various options around storage container regulations. Councilor Chambers seconded the motion.* Discussion was called for.

Councilor Shepherd stated that if it looks nice, he sees no problem with using them for storage. Lots of folks have several buildings and how is this any different? He doesn't like to tell people that they can't have this on their property. He stated that it's BS, and if it looks like crap he would have it hauled out. Ms. Coleman stated that she was not necessarily talking about Councilor Shepherd's storage container, or calling him out. She just wonders if Council wants to set some parameters. Mr. McDowell said he has also heard a lot of folks talking about historic Brownsville lately and storage containers as homes may not be what everyone envisions. This discussion is where Council determines what their City looks like, feels like and decides to allow. *Mayor Ware called for a vote on the motion with everyone in agreement to proceed, with only Councilor Shepherd opposed.*

8. **Administrator's Report.** Mr. McDowell stated that last month he had a group of third-graders come up to City Hall for a tour. He read some thank you cards he received from them, with one letter stating he would like to see the Mayor next time!

The auditors from Boldt, Carlisle, and Smith finalized their fieldwork this year in four days. They were a great team to work with. The City should receive the final report by the end of December.

Discussion around the marijuana tax ensued. Every City received allotment dollars. Council asked for Staff to segregate the funds. Legal counsel has advised Mr. McDowell that we can reveal those numbers. The original deposit numbers are just over \$6,000.

The election results are finalized, and David Hansen is the newly elected Council member. He will be sworn in at the January meeting. The marijuana vote to prohibit large grows in town has officially passed. Mayor Ware and McDowell will now go forward to talk to Linn County Commissioners and the City's UGB request.



Councilor Shepherd made a motion to authorize Mr. McDowell to proceed. Councilor Gerber seconded the motion and it was approved unanimously.

In September, Staff requested LCSO to cite into Municipal Court a marijuana nuisance odor Code violation. Linn County Counsel determined that in their opinion, our nuisance ordinance was not enforceable, and they would not proceed with the citation. Lieutenant Duncan stated at a Council meeting that they could cite on public view, and she proceeded to go out and inspect the nuisance and then cite the property owner the next day. McDowell has received language to modify the ordinance per hour attorney's advice, and is wondering if Council is interested in pursuing that. McDowell is concerned from a policy standpoint that if we don't have an ordinance on the books, it could proliferate and get very bad indeed. Neighbors would have no recourse. *Councilor Shepherd moved to modify the ordinance per the attorney's advice. Councilor Gerber seconded the motion and it passed unanimously.*

McDowell stated that the City has taken a lot of heat from Facebook lately. It is a bunch of rumors and lies for the most part; Councilors have been called corrupt, among other things. Some of the rumors surround the marijuana citation. The defendant pled guilty in November and the judge levied a fine of \$500 and a \$10 Court fee. The judge waived \$250 of the fine. The issue was cited by the LCSO.

The System Development Charges (SDC) at 1170 Linn Way has been paid in full.

The Robe Street project came in nearly \$4,000 under budget. The contractor did a fantastic job on this project.

WNHS is currently undergoing some restructuring. Information regarding some of the details was included in the agenda packet. McDowell will keep Council apprised.

McDowell offered a cemetery bridge update. Staff has been looking at the project for the last few years. Tomorrow, McDowell should receive a cost estimate; he believes it will be over hundred and \$180,000 for the bridge repair/replacement. Jered McLain and John Holbrook have been working on the issue. Mr. McClain is attempting to install a culvert so that he can cross the ditch. The issue is a private matter between Mr. McClain and the Canal Company which at this point is John Holbrook. Councilor Shepherd stated that the County should come out and inspect the bridge. County officials did come out and review the bridge. Linn County Engineer Chuck Knoll and Linn County Bridge Inspector Kevin Groom were excited that the bridge is built out far better than expected. Bridger Johnson from McGee Engineering will be coming down to do an inspection and a weight rating soon. If the inspection is favorable, we are hoping to wait on repairing/replacing the cemetery bridge for another 15+ years.

The League of Oregon Cities has trainings coming up for elected officials. If anyone is interested in being part of that group, please contact Mr. McDowell.

9. **Library Report.** No comments.
10. **Court Report.** No comments.
11. **Council Comments.** No comments.



- 12. Citizen Comments.** Ed Petermen stated that the City needs safer crosswalks. He believes the only viable solution is pushbutton crosswalks. These crosswalks will make it safer for everyone, not just for wheelchairs, visitors and residents alike. He stated that he would like both sides of Spaulding and Main and at Carlson's Hardware to have these crosswalks. He stated the cost is maybe \$25,000.

Alan Buzzard spoke next, he said ditto what Ed Petermen said. If Council feels that it would mar the vision of downtown, there are other options. He feels doing something is better than doing nothing; the worst decision would be to just do nothing.

LEGISLATIVE ITEMS:

- 1. Resolution 2018.22 – Certify 2018 General Election Results.** *Councilor Block moved to approve election results as presented. Councilor Shepherd seconded the motion, and it passed unanimously.*

ACTION ITEMS:

- 1. Budget Committee Appointment.** *Councilor Gerber moved to appoint Gary Shepherd to the Budget Committee. Councilor Block seconded the motion and it was approved unanimously, with Councilor Shepherd abstaining.*
- 2. Parks and Open Space Advisory Board Appointment.** *Councilor Block moved to appoint JoAnn Neddeau to the POSAB. Councilor Gerber seconded the motion and it was approved unanimously.*
- 3. Oregon Film Trail Project Support.** Mr. McDowell stated that the Oregon Film Trail Project is focusing on iconic movies produced in the State. They are going to be doing an advertising campaign with Travel Oregon that will include PDX and many rest areas throughout the State. The City is being asked to consider purchasing a sign, approximately \$350, and the sign would be located inside City Hall. It will be interactive eventually. *Gerber moved to approve the funding of the purchase of the sign up to \$500. Counselor Neddeau seconded the motion. Discussion was called for and Councilor Thompson suggested asking the Brownsville Chamber of Commerce to pay for all of its, or at least partner with the City for the cost of the sign since this is a tourism related issue. Councilor Shepherd agreed with Councilor Thompson. Councilor Gerber modified the motion to offer to pay for half the sign and approach the Brownsville Chamber to pay for the other half. Councilor Shepherd seconded the motion and it passed unanimously.*
- 4. Legislative Session Advocacy Letters.** McDowell asked Council to begin to write advocacy letters representing Brownsville. He suggested appointing Mayor Ware and Councilor Gerber to an ad hoc committee around this issue. *Councilor Shepherd moved to appoint Ware and Gerber to this committee. Councilor Thompson seconded the motion and it was approved unanimously.*
- 5. Crosswalks on Main Street.** McDowell reminded Council that there was a proposal around this issue last month that Council asked for review. He included



these reports in the Council packet for discussion. Councilor Gerber stated that she would like to see this added to our planning and goal setting session training work session. Councilor need to light Mr. Buzzard's suggestion of perhaps moving some things around, to address some of the parking issues. Councilor Shepherd stated that part of the problem is that the police are not patrolling, and he is not sure that fixing these are the highest priority. He stated it does need to be looked at but who is going to determine which spot is the worst for crossing the street.

Councilor Thompson thinks that we have been challenged to look at the issue. Councilor Chambers would like to suggest that Ed Petermen have some reflectors may be a flashing light or something on his wheelchair that would make him more visible. Councilor Shepherd stated that Mr. Volk used to have a flag on his chair and it helped with visibility. Personal responsibility is important to consider as well. Councilor Gerber stated that street safety is an important issue to look at; it is multi-faceted. Council agreed to table the issue for now and discuss it at the January goal setting session.

6. **Goal Setting Session.** Possible dates for the goal setting session were discussed. He would like to have session in January and have the goals ready for the February Council meeting. The session will be four hours or so and will include teambuilding exercises etc. Councilor Neddeau indicated that he may be gone the entire month of January. The date tentatively decided on was January 19th, 2019.
7. **Counselor Training and Review.** Councilors Neddeau and Thompson will participate in training with David Hansen regarding understanding City Hall and the budget presentation. Councilors Neddeau and Thompson will help impart some knowledge for Council-Elect David Hansen as well as participate in reviewing the information. Mr. Hansen will receive a Council Manual in January.
8. **October Financials.** No comments.

CITIZENS COMMENTS – Ed Petermen stated that the fact he is in a wheelchair should not mean that he has to have special flags or reflectors; he wants to be able to do things like everyone else. This crosswalk is not just for him it's for safety.

COUNCIL COMMENTS – Councilor Chambers stated that she was not being cavalier about the situation; these are just suggestions for Ed's own safety. Councilor Block stated that he has driven the local school bus for several years. Cars go right through his red flashing lights all the time. You can't expect people to do what they should be doing or to do the right thing.

ADJOURNMENT: Councilor Shepherd moved to adjourn the Council meeting at 9:04 p.m. Councilor Block seconded the motion, and it passed unanimously.

City Administrator S. Scott McDowell Mayor Don Ware



December 18th, 2018

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

One liner of the month

On Retirement: Eating is better than not eating, but not working is better than working. Eating and not working is best.

Note: The first section of this report is important because it provides an overview of topics to be discussed the night of Council. If an item title is highlighted in green, that indicates the item is part of Council Goals which are on the Council room wall or in the budget. When you see this symbol, ☒, it means I will provide more information at the meeting.

It is my character and not by intellect the world is won. ~ Evelyn Beatrice Hall, Writer

It's one of the scars in our culture that we have too high an opinion of ourselves. ~ Angela Carter, Writer

Manners is what holds a society together. Propriety is concern for other people and without it the gates of hell open up and ignorance is King. ~ Jane Austen, Writer



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

6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. Emergency Preparedness Annual Report – EPC President Norman Simms & Marilee Frazier will be on hand to discuss 2018 in review. I have included their report in the agenda packet.
B. Website Tour – I will give a brief tour of the City's new website.



9) LEGISLATIVE:

- A. Resolution 2018.23: Lemhouse Public Service Recognition – Enclosed is a resolution recognizing Judge Lemhouse's service to the City. Judge Lemhouse is retiring in December. Please also let me know if you are interested in attending the Judge's retirement party. The details in the agenda packet.
B. Resolution 2018.24 [A]: Self-Fund Water System Improvements – This resolution articulates funds to be possibly used for the purchase of the water meters as discussed at the last Council meeting. Please refer to the City Administrator's Report for the details.



- C. **Resolution 2018.24 [B]: Accept Government Capital Corporation Proposal** – This resolution articulates funding to be provided by Government Capital Corporation for the money needed to possibly purchase the water meters as discussed at the last Council meeting. Please refer to the City Administrator's Report for the details.

10) ACTION ITEMS:

- A. **Appoint a member to the Planning Commission** – The City has received letters of interest from Mr. Allen Buzzard, Mr. Steve Schilling and Mr. Steve Brenner. Council is attempting to fill the position being vacated by Councilor-Elect Dave Hansen.
- B. **Appoint a member to the Parks & Open Space Advisory Board** – The City has received one letter of interest from Lynlee Bischoff.
- C. **Marijuana Payment Disposition** – Council instructed staff to quarantine any marijuana payments made to the City into a separate account at Oregon State Treasury (OST). The initial State apportionment is all the City has received so far. The City will eventually receive money depending on when Green Cross Dispensary began selling recreational marijuana. The total of the initial apportionment is \$6,149.26.



Councilor Shepherd had a recommendation for the funds. Shepherd suggested keeping the money and transferring it to the General Fund to help with the expenses associated with attorney fees and public safety money spent due to this imposing State-driven marijuana issue.

What is Council being asked to do?

Council is being asked to determine what the City should do with the funds.

- D. **Extend Linn County Pioneer Picnic Association Lease** – The City holds a lease agreement with the Linn County Pioneer Picnic Association for the use of the Picture Gallery. Included in the agenda packet is the agreement for your review. The Linn County Assessor's Office needs this document for taxing purposes. Association President Debie Wyne has reviewed the agreement and requests that it be approved. The City is aware of the current condition of the structure and will engage in further conversations with the Association in the future.



What is Council being asked to do?

Approve the lease agreement and authorize necessary signatures.

- E. **Extend Brownsville Art Association MOU** - The City has an agreement with the Brownsville Art Association to operate the Art Center. Overall, the partnership has been wonderful. The group is maximized the use of the space very nicely. This agreement will extend the relationship through the year 2021; included in the agenda packet is the agreement for your review. Art Association leadership will be attending the January 2019 Council meeting to provide their year-end report.

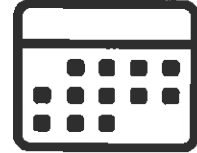
What is Council being asked to do?

Approve the agreement and authorize necessary signatures.



11) DISCUSSION ITEMS:

- A. **2019 Council Calendar** – Included in the agenda packet is a copy of the 2019 calendar of Council meetings for your convenience.
- B. **Goal Setting Session** – Scheduled for Saturday, January 19th, 2019 from 8:00 a.m. to noon in the Community Room at City Hall.
- C. **November Financials**



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

- ▶ *Finish CIS Open Enrollment with BCS.*
- ▶ *Chamber Executive Board approved partnership with City for the Oregon Film Office Project.*
- ▶ *Canal Company held a meeting in Council Chambers that Administrative Assistant Elizabeth Coleman, Administrative Assistant Jannea Deaver and I attended along with Councilor Block, Councilor Shepherd and Mayor Ware.*
- ▶ *Worked on assembling financing options for the water meters.*
- ▶ *Signed an agreement with McGee Engineering for the bridge inspection.*
- ▶ *Worked on several park usage agreements for this upcoming summer.*
- ▶ *Made many changes to the City website adding content etc.*
- ▶ *Attended a six-month check-in meeting for the RAIN project.*
- ▶ *Central Linn School District named representatives for future meeting about the Rec Center.*
- ▶ *Cemetery bridge was inspected by McGee Engineering.*
- ▶ *Guest speaker at the Women's Study Club meeting.*



Block at Sunset

Policy

(fyi)

(fyi) (fyi)

Twenty-four (24) Hour Shut Off Door Hanger – The City processes water & sewer bills monthly. Once a customer is past due forty-five (45) days, a late letter is sent requesting payment of the amount owed within ten (10) days. If the customer doesn't pay, the Brownsville Municipal Code requires the City to physically post a door hanger on the property. The door hanger notice requires payment due within twenty-four (24) hours or water service is shutoff for non-payment.

Monthly, on average, Administrative Assistant Jannea Deaver reports the following:

- ▶ 40-50 Late Letters are generated
- ▶ 15-20 24 Hour Door Hangers are generated
- ▶ 2-5 Shutoffs actually occur



Staff has been hearing from upset customers who do not want this hanger on their residence or their business. I wanted to make Council aware of the process Staff follows as required by the Brownsville Municipal Code. All concerns about the door hanger can be avoided if the customer keeps their account current.

HAPPENINGS

Water Meters & Water Management – Council has two options for consideration among these provided below. Please refer to the resolutions included in the packet for more information.

Financing Options

<i>Project Cost Recap</i>	\$113,715.75	Includes the meters, necessary components and the billing software interface etc. Quote is good through December 31 st , 2018.
	\$56,200.00	Installation of the meters including public notifications.

Total \$169,915.75

- The City has \$40,000 budgeted this fiscal year for this project.

USDA-RD: Any amount of borrowing would generate a rate study which would result in raising water rates. The City is not eligible for grant money based on Federal requirements.

Biz Oregon: The Special Public Works Fund (SPWF) would be the only option available. The program is designed to loan money for 20 – 25 year terms. The City could go down this path, but it would limit possible funding options in the future such as the downtown sewer project. I would recommend leaving this option open for emergency funding. Using this funding could also result in raising rates.

KeyBank: Requested a line of credit. They can do a one-year loan for \$150,000 between 4% - 5%. No penalty for paying off early. All-in costs would be \$12,841; six months would be \$6,506.50.

Government Capital Corp.: Received a very good short-term funding option. Basically, the associated fees etc. will be \$2,500. The interest rate is 4.507% which can be prorated based on payoff date. There is no penalty associated with paying off the money in one lump sum. Two-year interest payout would be \$5,857.25; six-month would be \$1,464.31. Therefore, the total expense to the City would be \$3,964.31 for the use of the money for six months.

Vendor: I asked the vendor to consider deferred payment indicating that the City could appropriate the budget and pay in full first of July 2019. They were unable to make this concession.



Self-Funding: Administrative Assistant Tammi Morrow and I came up with a plan that would utilize monies from this budget year within Water Operations. The City could move money via resolution which would pay for the meters. The City would then budget for the installation amount in the upcoming fiscal year to pay for the installation costs.

From 11.27.2018: Public Works Superintendent Karl Frink and I will give a brief presentation on a new water meter option for the City’s distribution system that is somewhat time sensitive. The Budget Committee and Council set aside funding for an upgrade for the City’s water meter system this fiscal year.

Facilities Review Committee Recommendation Outcomes – The Central Linn School District appointed George Frasier and Jenn Durringer to meet with the City discuss the Central Linn Recreation Center and the Committee’s recommendation from last meeting.



From 11.27.2019: The Parks & Open Space Advisory Board will be on hand to hear the recommendation from the Facilities Review Committee. I have included their recommendation in the agenda packet for your review. Members from the Facilities Review Committee will be presenting the recommendation to Council.

There are a few new documents in the packet that I will be reviewing as a preface to the recommendation. The new documents include, 1) The Big Picture Dashboard, 2) Brownsville Taxes, 3) Capital Improvements Summary, and 4) Residential Water & Sewer Rates Comparison. These new documents are important to understand the financial & policy impacts that are at play every day for the City.

TMDL Review – Waiting for DEQ to finalize their review of the City’s submission. Once both sides have agreed upon changes, the proposal will be brought to Council for comment and approval.

From 11.27.2018: From Public Works Superintendent Karl Frink and I will be discussing all things TMDL. The agenda packet will include the City’s TMDL Plan for review and passage consideration of the changes depending on outcomes with the Department of Environmental Quality. Passage of the plan may not take place until the December meeting.

Crosswalks on Main Street – Mr. Allen Buzzard and I met to discuss parking plan changes for downtown. Mr. Buzzard will provide a map by the end of the year for the Council goal setting session.

From 11.27.2018: I’ve spoken with Mr. Darrin Lane, Linn County Road Department, about the crosswalk proposal presented by Mr. Allen Buzzard & Mr. Ed Petermen. Lane said Linn County would review any traffic control device as part of the right-of-way permitting process. He made it clear that Linn County would not be paying for any traffic control device, but that the County could assist with a review of a project. Lane shared a personal experience from an installation completed recently in Millersburg. He indicated that the cost was \$25,000 for one intersection to do a similar installation as the one proposed. *[Refer to the 11.27.2018 Council Agenda Packet for more information.]*

Linn County Sheriff’s Office Contract – **From 10.23.2018:** Since January, the average number of citations is 16.5 per month. Linn County Counsel is still reviewing the marijuana nuisance ordinance. Lieutenant Duncan is monitoring the situation for the City. Duncan also cited the property for a sight issue that went to court last Wednesday. The property owner pled not guilty and a trial has been set for November.



LCSO Month-to-Month Comparison

Year	Month	Traffic Citations	Traffic Warnings	Total Hours
2018	November	15	38	204
2018	October	9	25	218.5
2018	September	36	43	203.5
2018	August	24	30	201.5
2018	July	14	18	214
2018	June	8	9	213.75
2018	May	6	19	207
2018	April	14	21	203
2018	March	19	36	208.5
2018	February	5	14	201
2018	January	23	29	220

Cemetery Bridge Update ☒ – McGee Engineering is working on a bridge inspection and loading report.

From 11.27.2018: City Engineer Ryan Quigley has been researching options for the replacement of the Cemetery Bridge for the last several months. Quigley recently determined that the costs to install a culvert and a bridge are nearly identical due to the associated State regulatory costs and bureaucracy. The all-in cost for the replacement bridge will be between \$180,000 and \$200,000. Presently, Quigley is putting the finishing touches on the cost estimate. Council will have to address this during the upcoming budget cycle.

Related Aside

Neighboring property owner Jered McClain is attempting to work with the Canal Company to install a temporary culvert across the Mill Race for him to make improvements to his property. The Brownsville Rural Fire District and Sweet Home Sanitation will not drive over the bridge to provide service to the McClain residence. Recently, there was a discussion between a few neighbors... Public Works Superintendent Karl Frink reminded McClain to not drive heavy loads over the bridge because there could be a liability concern and the bridge could be damaged. Council Shepherd, concerned about the bridge integrity, requested Linn County be contacted for inspection. I have reached out to Linn County with that request.

Linn County Planning & Building Department Update – The regional meeting with the Department will be held in January in Millersburg.

From 11.27.2018: Administrative Assistant Elizabeth Coleman and I will be meeting with six other cities to discuss permitting improvements with Linn County the Monday after Thanksgiving. The City helped spearhead this regional effort that will attempt to standardize processes and improve communication between the County, the cities and the citizen(s)/permittee(s). The cities will be asking for the County to implement the State e-permitting system as soon as practical. Cities are also offering ways to help the County. All the cities have an intergovernmental agreement (IGA) with the County which will be redone as part of this regional effort.

Marijuana Tax Explanation – From 11.27.2018: Included in the agenda packet is a slide showing how the State Legislature setup tax requirements and structure for marijuana. The City entered into an intergovernmental agreement (IGA) with the Department of Revenue for the collection of all marijuana taxes. Council was concerned about collecting taxes that were derived from a federally illegal source. The Department of Revenues requires a Secrecy Clause to be signed by all employees who receive



payments through this IGA. I was told by the State of Oregon recently that I could disclose the amount the City received as the initial apportionment from the State. The City has not received any revenue from the existing marijuana retailer because the local marijuana retailer did not start selling recreational marijuana until August. Medical marijuana is not taxed by the State. The City would not receive any tax revenue until December per the IGA; tax amounts are distributed quarterly.

STATUS UPDATES – Projects, proposals and actions taken by Council

Active: Oregon Film Trail Project – The Brownsville Chamber of Commerce agreed to cost share in the sign as requested by Council. Staff will tend to the details and continue to work with the community partners involved to complete the project.

From 11.27.2018: The Oregon Film Office is rolling out a new program to promote tourism in Oregon. The idea is to install movie signs in cities and areas that are easy for the public to access. *Stand by Me*, of course, is one of the most iconic films in the State’s history. The Film Office ranks Brownsville high on the list of movie locales for visitors. The State is making the movie signs available at a low cost. The signs will be ‘hi-tech’ with capabilities for a tie-in app in the future. The signs are also as vandal proof as possible and have a ten year warranty. The Oregon Film Office will be placing information at PDX and will soon be adding information to rest stops throughout the State. I have placed additional information about this project in the agenda packet.



Recently, the Museum met with Jane Ridley from the Oregon Film Office and the Museum is excited to initially place up to four signs around town highlighting different filming locations. Everyone likes the location just behind City Hall’s front door; to the left of the door. The great thing about the location at City Hall are the multiple shots that took place near City Hall.

What is Council being asked to do?

Council is being asked for permission to locate a movie sign on City Hall just behind the front door. The City is being asked to pay for the sign and install it. The cost for the sign and installation will be about \$500. The City will enter into a maintenance agreement with the State for the sign.

Active: Alyrica Franchise Agreement – I requested an upgrade from Alyrica for City Hall internet.

From 11.27.2018: The cloud computing solutions we use for the website, general ledger and utility billing are just not working adequately. Alyrica will be in town to assess City Hall and determine what other options may be available.

From 09.18.2018: I have been working with City Attorney Mark Wolf and Alyrica president Kevin Sullivan to complete this agreement. Including your agenda packet is the final draft for your consideration. The City did make some concessions to get the internet service upgraded to a fiber-optic system. The City will receive Internet service at four locations in lieu of starting franchise fees immediately. The agreement will allow Alyrica to begin paying franchise fees three years after the system is completed. Mr. Sullivan indicated Alyrica would like to have the system built out by June 2019. Alyrica will be able to add about 100 customers a month so it may take several months before everyone is on the new system.



Alyrica is targeting the following pricing structure:

\$69.99 100 Mbps \$99.99 1 Gbps

Pending: Linn County Commissioners & Buffer Zone – **From 11.27.2018:** Once the election has been certified by Council, Mayor Ware and I should visit with Linn County Commissioners Chair Roger Nyquist to determine the next steps forward to prohibit marijuana uses in the Urban Growth Boundary (UGB) as allowed by the Linn County Code. As you may know, the results of the City's ballot measure currently stands as follows as of November 15th, 2018:

Unofficial Results

22-173 Brownsville - Prohibiting Marijuana Facilities (Vote for 1)
889 ballots (1 over voted ballots, 1 overvotes, 18 blank voted), 1261 registered voters, turnout 70.50%

Yes	524	60.23%
No	346	39.77%
Total	870	100.00%

From 09.18.2018: Awaiting ballot measure outcome.

From 09.18.2018: Mayor Ware has followed up with Commissioner Nyquist regarding the City's current position on this matter.

From 07.24.2018: I successfully delivered the information to Commissioner Nyquist. Enclosed in the packet is a letter from Commissioner Nyquist accompanied by Mayor Ware's request.

From April 26, 2018: Council decided at the last meeting to move forward preparing the necessary legislation to have marijuana zoning issues on the ballot in November. City Attorney Ross Williamson indicated Council has until the end of August to pass the necessary legislation. Due to the computer incident this month, I will be preparing the legislation for June or July. Mr. Dave Kinney and Staff are still working on the pieces needed for the Linn County Commissioners.

From 03.27.2018: Mayor Ware and I visited with Linn County Commissioner, Board Chair, Roger Nyquist at the direction of Council to determine what the City's options are regarding the buffer zone request. Linn County Building & Planning Director Robert Wheeldon also attended the meeting. Basically, Linn County took the opportunity to review and consider the buzzer zone concept as proposed by Council Resolution 2017.18. Commissioner Nyquist indicated that the buffer zone concept is not a viable option according to legal advice received by the Commissioners. The State Legislature allowed and required marijuana uses in EFU (Exclusive Farm Use) land which legally binds the County. They both indicated the State of Oregon has pre-empted efforts to properly regulate marijuana primarily due to this EFU requirement.



Commissioner Nyquist said that the County would consider pursuing an exemption if the City could show that the Urban Growth Boundary (UGB) was expanding. Mayor Ware shared that the City is in the process of looking at the UGB and land inventory right now. Administrative Assistant Elizabeth Coleman and I have talked with Planning Consultant Dave Kinney about providing the City with a proposed UGB expansion to the south for future housing. As explained at the last Council meeting, south Brownsville is the most logical, compatible and available land for future residential growth. Placing a light industrial application in the middle of a residential area is in direct conflict with the State's Land Use Compatibility Statement (LUCS) as required by State Law.



Pending: Linn County Counsel Ruling – From 11.27.2018: Linn County’s Attorney decided to not allow the Sheriff’s Office to enforce the marijuana nuisance ordinance the City had passed in the nuisance case impacting Mr. Bryan Bradburn. The ruling was a heated point of discussion at the September Council meeting. I have included City Attorney Ross Williamson’s thoughts on the County’s ruling and suggestions he has for Council moving forward. I had asked Williamson to review the IGA with the Sheriff’s Office so that he had a complete picture of the City’s possible options.

Active: Land Inventory – Staff and Mr. Kinney continue working on background details.

From 01.23.2018: Administrative Assistant Elizabeth Coleman and I met with Dave Kinney to begin the process of preparing a land use inventory study as approved in this year’s budget. Mr. Kinney will begin talks with Linn County GIS as they will play a key role in analyzing and compiling data. Council must be ready to make some future decisions that could cause community controversy. Once some of the initial data is compiled, we will have Mr. Kinney present the information to Council to determine course of action. I have included the current zoning map. The City is practically out of volume commercial and light industrial land. Staff feels that the State will allow the City to add these areas. Staff will also analyze the housing needs. The concern with housing, as previously discussed with Council, the City has many areas that are designated, but providing necessary utilities will be challenging and, in some areas, not financially feasible. The other issue with housing is the amount of open farm land around residential zones. Basically, the City seems to have ample land for housing developments on paper.

Mr. Kinney indicated that this entire process from start to finish will take about a year and half. Council will have several decisions to make along the way.

Discussing this issue with Staff, it became very clear that the south side of Brownsville is the most likely area for future housing development which highlights the concern over the proposed marijuana operation along Gap Road.



Active: Website Update – Alyrica installed a faster Internet connection which is making efficient work on the website possible.

From 11.27.2018: I have been working on building back content and fixing problems on the website. It is taking forever due to the City’s slow internet speeds. Connecting with the cloud service for the website while we are operational on the Harris cloud for general ledger & utility billing bottoms outs the “speed” of the connection.

Office hours are jammed with citizens concerns and complaints that have taken a lot of time. I have not been working weekends which is about the only time that I can really make substantial progress on this project. I did sign an agreement with Jim Mullholand for specific pictures for the new website. It will be great when it’s done!

Cascade West Council of Governments Regional Policy Efforts ☒ – I plan on attending the upcoming meeting. I should have a brief update the night of Council.

From 10.23.2018: The City is participating in changes to the wetland permitting process. I signed a letter on behalf of the City for Federal consideration.



Active: Go Team Next Steps – Enclosed in the packet are meeting notices for upcoming RAIN events. The full regional effort has stalled due primarily to the elections. It appears that many key elected officials retained their positions including Mayor Biff Traber from Corvallis and Mayor Sharon Konopa from Albany who are instrumental to this effort.

From 09.18.2018: The City hosted it’s first RAIN event at the Art Center. Mr. Attig talked about turning ideas into strategies that build future business for artists.

See past reports for historical information.



Active: Development Properties – **From 11.27.2018:** Staff continues to work on a variety of projects around town. Fortunately, the economy is doing very well evidenced by the amount of projects being considered. Staff worked with Dave Kinney recently on a review for 368 Spaulding Avenue. Surveyors were around town working on the Stephan Smith development in north Brownsville.

From 09.18.2018: Staff continues to work on the Rivers Edge Development. Public Works Superintendent Karl Frink and Staff have been monitoring events on the extension of Depot Avenue closely. Many other projects are being pursued and are currently in process as well.

Active: Water Rights – **From 02.27.2018:** The Oregon Water Resources Department (OWRD) has issued a few letters to the City recently that City Engineer Jon Erwin, Public Works Superintendent Karl Frink and I have reviewed. The City recently removed the hold we placed on one permit concerned the water curtailment issue. It appears that the State will continue that particular water right at the current rate which is vital for the City’s water needs.

Completed: Robe Street Water Line Project – **From 11.27.2018:** The team did a tremendous job on this project. It was very hard to tell the construction crew has even been in the area. Public Works Superintendent Karl Frink provided the on-site inspection for the project and did a tremendous job. Mr. Frink's ability to perform this service for the City saves the taxpayers considerable expense. Inspection services would've ranged between \$7,500 to \$11,000 for a project of this size & scope.

ITEMS PENDING – Tabled, On Hold, Stalled or Waiting

Legislative Session Advocacy Letters – Council appointed Mayor Ware & counselor Gerber to serve in this capacity with the City Administrator.

From 11.27.2018: The League of Oregon Cities requests elected officials reach out to legislators for authorization of the Special Public Works Funding. Senator Lee Beyer sits on the Ways & Means Committee and is a key, influential member in determining the amount needed for public works projects. The League is recommending \$85M. The last budget cycle the number was reduced to \$25M; the State of Oregon operates on a biennial budget cycle. Many around the State are urgently concerned about adequate funding for needed infrastructure projects be available for this upcoming biennium.

As the session starts, the City will receive many requests for support on certain bills. Does Council want to select a few members to help draft and sign letters on behalf of Brownsville? How would you like to proceed?

What is Council being asked to do?

Administrator’s Report



Write letters around specific issues identified by the League of Oregon Cities or the Cascade West Council of Governments and determine who may want to be involved in this process.

Active/Pending: Canal Company Solvency – From 09.18.2018: Public Works Superintendent Karl Frink turned off water as directed by the State Water Master on August 13th, 2018.

From 06.26.2018: President John Holbrook phoned and indicated that the Canal Company is still in existence. Holbrook has filed the appropriate paperwork with the State of Oregon. The Company does not have any other officers and is attempting to setup a meeting. Holbrook provided a valid insurance certificate for the operation of the pumps. Public Works Superintendent Karl Frink turned on the pumps several weeks ago.

Pending: Coleman & Kinney – From 2016: FEMA Implications regarding insurance and flood impact technical reviews.

PAST MEETINGS – Memory Information

WNHS Update ☒ – See the information about the merger with NEDCO. Sweet Home will be applying for CDBG funding this funding cycle.

Please refer citizens to the following websites for more information:

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

WNHS provides many home rehabilitation services and counseling for those meeting certain program requirements.

Completed: Linn County Transportation System Plan – From 11.27.2018: Kirk Avenue Rumors – I wanted to provide a quick review of where the City is with Kirk Avenue. Absolutely nothing has changed for years regarding Kirk Avenue. The facts are relatively simple to understand, but apparently easy to misconstrue.

It Started with a Question

Linn County does not own Kirk Avenue, the City does. Many years ago, the City approached the County to see if the County would be interested in making Kirk Avenue a part of their roadway system. The County was somewhat interested because Kirk Avenue would make a loop from Northern Drive to Main Street for the County’s transportation system. The County Road Department was doing well financially at that time. It’s

The Gateway Project

I began actively pursuing the project with Linn County in late 2007 at the request of Council. The County at that time indicated that they were still somewhat interested. The County knew that the City had applied for STIP (Statewide Transportation Improvement Program) for the Gateway project which improved drainage, added sidewalk & curbing, street lighting and street trees to the intersection of Main Street & Bishop Way. The project was in the design phase at that point in time. The County told Council that they wouldn’t talk about the possible Kirk Avenue project until after the completion of the Gateway project which was constructed in 2010.



Financial Choices



The Linn County Commissioners had several difficult budgeting choices to make from 2008-2012. The United States Congress cut timber money to eligible counties with Linn County being dramatically affected by this policy shift. The Commissioners decided to use public funds for the Veterans Home in Lebanon along with shoring up the Sheriff's Office financial operating concerns. The Linn County Road Department reserves were used for these purposes taking Kirk Avenue along with many other road projects off the table for the County.

Project Details

Linn County projected an estimate of \$2.2 million to reconstruct Kirk Avenue from Main Street to Hunter Street in 2010. The scope of the project included the acquisition of additional right-of-way, the installation of drainage and lowering of the pavement. Public Works Superintendent and I provided an estimate of approximately \$250,000, several years ago, for Budget Committee that included the lowering of sanitary sewer manholes, sanitary collection line service connections, water distribution service connections and other appurtenances associated with this potential project scope.

Transportation Matrix

Linn County completed their transportation plan nearly two (2) years ago. Based on the criteria used in that plan, Kirk Avenue will never be funded by Linn County. The County has too many critical infrastructure needs including dangerous intersections and failing bridges to manage. Communities all over the County are asking for financial assistance for road projects and related improvements. The County had to have a standardized way to deal with these requests, the transportation matrix.

What are the Options?

Council will consider options during its upcoming goal setting sessions. Basically, the City would have to do a Local Improvement & Special Assessments found in the Brownsville Municipal Code to make the improvements. Ultimately, the associated costs for this project would prove to be burdensome for citizens owning property along Kirk Avenue. The City could also do a simple pavement overlay, however, given the length of Kirk Avenue it would take five or six years to complete. Drainage, sidewalk conditions and other existing conditions would remain as concerns for the City.

From 07.25.2017: Councilor Gerber and I attended a public meeting regarding the Linn County Transportation System Plan (TSP).

Basically, the County has categorized projects into seven general categories: 1) Walking & Biking, 2) Bridges, 3) Corridor Improvements, 4) Rural Modernization, 5) Spot Improvements, 6) Future Sites, & 7) Systemic Safety Improvements. The County has criteria for improvements to assist in ranking priorities. Factors include use, safety, traffic fatalities, and overall impact to name a few.

In short, Kirk Avenue will only have a chance to be funded if the City and the residents decide to improve the street through the LID process or other funding mechanism **perhaps** in partnership with Linn County. Kirk Avenue is not a priority for Linn County transportation based on the developed criteria.

➤ **For the history of the Kirk Avenue project, please refer to the *City Administrator Report* found in Council records from April 2016 and prior.**

Ripped from the Headlines





Cities and counties sign agreements to debut autonomous shuttles

The next wave in autonomous vehicles is arriving at the municipal and county level: self-driving shuttles.

Effort to legalize psychedelic mushrooms in Oregon takes step forward

by The Associated Press | Monday, December 3rd 2016

Portland, Ore. — Oregon's attorney general has approved language for a ballot measure to make psychedelic mushrooms legal.

[Oregon Public Broadcasting reports](#) that the measure would reduce criminal penalties for the manufacture, delivery and possession of psilocybin — the hallucinogen contained in psychedelic mushrooms.

The Oregon Psilocybin Society plans this month to start gathering the 140,000 signatures necessary to get the measure onto the ballot in 2020.

The number of signatures required is nearly equal to the population of Salem.

The federal government controlled use of mushrooms in the 1970s.

A spokeswoman for Oregon's top prosecutor, Attorney General Ellen Rosenblum, tells OPB the agency doesn't typically comment on ballot measures.

A similar effort to legalize in California failed recently.

ICMA – Future of Recycling Presentation - I will discuss some of the new trends being discussed nationally.



Pete Keller

Vice President, Recycling and Sustainability Republic Services

Pete is responsible for defining and implementing the strategic direction of the sustainability platform for Republic Services, to meet both business objectives and customer needs. His dedication to our Blue Planet is best noted by Republic Services' recognition as the only Recycling and Waste company in the world to be named to the Dow Jones Sustainability Index. Pete is a thought leader in the industry, with contributions to recycling infrastructure development, standards and optimization, development of renewable energy projects, and customer solutions that support the organization's commitment to sustainability.

Pete has a Bachelor's Degree in Civil Engineering from Worcester Polytechnic Institute and has served on numerous industry boards and committees during his career.



Richard Coupland III

Vice President, Municipal Sales Republic Services

Mr. Coupland joined Republic Services in 2015 as vice president of Municipal Sales. He currently leads the Municipal market vertical, consisting of partnerships with more than 2400 municipal cities in 40 states. His team provides consultative support to their Municipal partners, to understand and navigate changes in the industry, as well as emerging technology and methods.

Richard received his Bachelor of Science degree in Mechanical Engineering from the Virginia Military Institute, and his Masters degree in Business Administration from the W.P. Carey School of Business at Arizona State University.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "SM".

S. Scott McDowell



PLANNING AT A GLANCE

Permits Building, Plumbing, Mechanical, Fence, Etc.

- | | |
|----------------------------------------|---------------------|
| • Structural (Install new bathroom) | 401 Moyer St. |
| • Structural (14X24 house addition) | 1118 Oak St. |
| • Structural (Single Family Residence) | 871 Northpoint Loop |
| • Accessory Structure (12X10) | 204 Bishop Way |
| • Construction | 1118 Oak St. |

Updates

River's Edge: Depot Avenue/Henshaw Drive

The developer for this project is still working with Linn County on floodplain & Henshaw Drive improvements.

Buildable Lands Inventory

Consultant Dave Kinney has submitted the 1st and 2nd set of maps and data tables for the Linn County GIS Department to review and compile. Maps included are Comprehensive Plan, Brownsville Zoning Map, Linn County Zoning Map (UGB Area), Current Land Uses (2018) & Vacant Land & Undeveloped Areas on Improved Land. More to come.

Elizabeth E. Coppen

*"There is some good in the worst of us and some evil in the best of us.
When we discover this, we are less prone to hate our enemies." - Martin Luther King, Jr.*

The biggest communication problem is we do not listen to understand, we listen to reply...



LINN COUNTY SHERIFF'S OFFICE

Jim Yon, Sheriff
1115 S.E. Jackson Street, Albany, OR 97322
Albany, OR. 97322
Phone: 541-967-3950
www.linnsheriff.org

2018

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

FOR THE MONTH OF: **November**

TRAFFIC CITATIONS: -----	15
TRAFFIC WARNINGS: -----	38
TRAFFIC CRASHES: -----	1
ADULTS CITED/VIOLATIONS: -----	0
ADULTS ARRESTED : -----	2
JUVENILES CITED/VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	88
TRAFFIC HOURS -----	21
ADMINISTRATION HOURS -----	4.5

TOTAL HOURS SPENT: BROWNSVILLE 204

CONTRACT HOURS= 200 HOURS

**Jim Yon,
Sheriff, Linn County**

By: Sergeant Greg Klein

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR NOVEMBER 2018**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	24	3	2	25	
Violations	73	12	13	72	
Contempt/Other	48	0	4	44	
TOTALS	145	15	19	141	

BALANCE SHEET FOR THE MONTH

Court Revenue

Total Deposits +	\$ 2,928.23
Total Bail Released +	\$ 960.00
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ 795.00
* Total Refund/Rest -	\$ 410.00
Total NSF's -	\$ -
Cash Shortage -	\$ -

Court Payments

City	\$ 2,112.23
Restitution	\$ -
Oregon Dept Revenue	
Linn County	\$ 160.00
State Misc.	\$ 411.00
DUII Surcharge	\$ -

TOTAL COURT REVENUE

\$ 2,683.23

TOTAL COURT PAYMENTS

\$ 2,683.23

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 2,112.23
STATE	\$ 411.00
COUNTY	\$ 160.00
*REFUND/RESTITUTION	\$ -
TOTAL:	<u>\$ 2,683.23</u>



Library Advisory Board

Librarian's Report

November 2018

Here are a few facts about our library the month of November 2018. We have received 54 new books for the library. It was difficult for me to purchase so many books at one time. However, over half of these books had been requested by patrons and multiple holds before they even came into the Library. Volunteers donated 176.25 hours to our library. There were 1,513 materials checked out. 481 adult fiction books; 160 adult non-fiction books; 121 audio books; 465 children's books; 201 junior books; 26 junior reference books and 59 large print books.

In November we held 9 children's programs with 156 participants. There were 6 programs for adults with 47 participants. I started advertising for Library events: Get Crafty @ Your Library: Clothespin Nutcracker Ornament; Clayfest for Kids #2 and the Book Sale! Advertising continues for the World Cultures & Travel Series: November: India; December: China. It was fun to help the Library Advisory Board step out of their comfort zone and make personal handmade gifts for each volunteer. These will be given out at the Library Volunteer Cookie Exchange. This special event is one that volunteers look forward to year after year.

I completed the Ready to Read Report to the State of Oregon Library. We received a \$1,000 grant for the Summer Reading program. Along with these funds the City supported these programs through purchasing books for the collection, advertising and incentives in the amount of \$717. Volunteer time, performers and other programming was donated by our community in the amount of \$526. There were 5 Summer Reading Programs with 166 participants total. Staff are already planning for next year's successful programs.

Respectfully submitted,

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

Sherri Lemhouse
Librarian



EMERGENCY PREPAREDNESS COMMITTEE REPORT

Goal: Increase Public Awareness and Participation

The EPC is not interested in promoting fear and unrealistic eventualities. Education is our plan to eliminate fear, unrealistic eventualities, and unrealistic expectations.

The EPC plans to hold a community involved emergency preparedness presentation in July-August, to make the citizens of Brownsville aware and become involved.

- ▶ EPC held a cookout with Community Partners on August 5th, 2017; about sixty people attended.
- ▶ EPC held an evening focusing on all-things EPC related; the American Legion hosted the event on October 2nd, 2018. The event was very sparsely attended.

We plan to have electronic information material on the Brownsville City web site by Oct. of 2017.

- ▶ EPC updated the City website:
<http://ci.brownsville.or.us/epclive.html>
- ▶ The City is in the process of updating the information on the new City website; hoping to complete prior to the December 18th, 2018 Council meeting.



We have FEMA handout material available and will obtain more as it is needed.

- ▶ 2018: EPC continues to monitor materials for distribution.

A quarterly newsletter providing information on what is happening with the EPC committee to be mailed in the water bills.

- ▶ EPC decided to include an article in each of the City Newsletters. The City forwards the newsletter to everyone in the postal code.
- ▶ 2018: Continue to place articles in the semi-annual newsletter.

Individual and family readiness is a top priority with the EPC. We plan to do 2 presentations at the school, next year, for students. An information booth, at local events, as they happen, and we are able to attend. Plans are to hold one open house next year (possible with Fire Dept., etc.)

- ▶ EPC presented information at the annual Fire Department Open House, at Central Linn Elementary School and shared the information at the Legion and the Senior Center. Members also shared information at major community events.

Develop a City Emergency Kit poster board, listing locations for emergency supplies, shelter, points of contact for information/



help.

- ▶ EPC created and refined this information.

The EPC will work to develop partnerships with retired skilled Labor and other skilled labor. We will develop a form for labor skills by year end.

The EPC will help to define how the City is to develop material / supply inventory. EPC will help to develop a Memorandum of Understanding (MOU) for future needs.

Accomplished 2017: The EPC will develop a MOU for shelter and gathering locations by the end of year.

- ▶ EPC has contacted all of the parties and is recommending the passage of Resolution 2017.19 to accomplish the three paragraphs above. Council will be asked to approve the resolution at their November 28th, 2017 meeting.

Meeting to be held quarterly:

- ▶ EPC held regular quarterly meetings to accomplish these goals. Fire Chief Kevin Rogers also attended the meetings.
- ▶ The proposed schedule for 2019 is as follows:
- ▶ Meeting to be held quarterly:



- February 21st, 2019
- May 16th, 2019
- August 15th, 2019
- November 14th, 2019

Meetings are held at City Hall on Thursday at 10:30 a.m.

The EPC will work with the Linn County Emergency Preparedness when they have meetings and events.

- ▶ EPC attended Linn County Emergency meetings, held a meeting to encourage other members and attended several trainings throughout 2018.



RESOLUTION 2018.23

**A RESOLUTION THANKING
JAD LEMHOUSE
FOR HIS SERVICE TO THE
CITY OF BROWNSVILLE**

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

WHEREAS, the Brownsville Municipal Court performs an essential function for the local government by keeping the peace and provided law & order to the citizens; and,

WHEREAS, serving as Judge for the City of Brownsville is both an important post and challenging; and,

WHEREAS, Mr. Lemhouse has served the City of Brownsville as Judge since October 1995; and,

WHEREAS, Mr. Lemhouse has been a dedicated public servant to his office;

WHEREAS, Mr. Lemhouse has contributed significantly to ensuring small courts are protected through his work with the State Legislature; and,

WHEREAS, Mr. Mr. Lemhouse has exhibited fairness, strength & caring while executing his duties as Judge attaining significant, positive results for many who have entered the Brownsville Municipal Court; and,

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

**Thank you for your exceptional service, undying commitment
and significant contribution to our community!**

PASSED by Council and approved by the Mayor on this 18th day of December 2018.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor

Justice Court's Jad Lemhouse to retire

ALEX PAUL Albany Democrat-Herald Dec 10, 2018 Updated 21 hrs ago



Retiring Judge Jad Lemhouse talks with Linn County District Attorney Doug Marteeny after an elected off meeting last week. Lemhouse will retire at the end of December.

Alex Paul, Democrat-Herald

Oregon's Justice Court system dates back to before there was an Oregon Territory, retiring Justice Court Judge Jad Lemhouse will tell you.

And, although he is a bona fide attorney — a 1989 graduate of the University of Oregon Law School — Lemhouse adds that a law degree is not required to hold the position.

"In many counties in eastern Oregon, they do not have law degrees, although most on the western side of the state do," Lemhouse said.

Lemhouse, 75, will retire at the end of December, not because he's tired of the job, but because Oregon law requires that judges can't be older than 75.

"I'd finish out my term, another two years, if I could," the Brownsville-area flower grower said.

Born in California, Lemhouse said he was clated when his family moved to a 320-acre farm near Cheshire when he was 12 years old.

"I loved it," Lemhouse said. "My dad always wanted to be a rancher. My grandfather logged with horses and my uncle was an Allis Chalmers tractor mechanic in Oregon City."

Lemhouse's path to becoming a judge was not a straight line.

After graduating from Junction City High School in 1961, he enrolled at Oregon State University with plans of studying chemistry.

“But I really wasn’t ready for college,” Lemhouse said.

He spent two terms in school and then enlisted in the Army and was assigned to a tank battalion.

“I spent two and a half years in Germany,” Lemhouse said. “We were near the city of Bamberg, which looks much like the Willamette Valley.”

In 1965, Lemhouse was discharged from service and returned to Oregon, again enrolling at OSU, this time studying English.

“In the summers, I worked at Hult Lumber and Plywood,” Lemhouse said.

After a year in school, to fulfill an Army Reserve commitment, Lemhouse again enlisted in the military and spent a year with an armored cavalry unit near Pleiku in South Vietnam.

“I was a scout tank commander and tank gunner,” Lemhouse said.

He also spent six months as a liaison at headquarters, before being discharged in August 1968.

He returned to Oregon State, this time with an eye on a horticulture degree, which he obtained in June 1971.

“I went back to work at Hult Lumber and Plywood until 1973, when I took a job as the nursery manager for the Conifer Seed Company, which was based at Atta Vista Farm,” Lemhouse said. “I really enjoyed that work. I was there 12 years and became a manager and part-owner.”

But the collapse of the timber industry in 1985, resulted in closing the

"I had always thought about going to law school and had applied right after college," Lemhouse said. "I was admitted at Oregon in 1986 and earned my degree in 1989."

Lemhouse said that by then, he was "much more prepared to go to college. It was a lot more intense because at the law school, everything came down to the final exam each semester. If you didn't pass that test, you were out."

During his last semester, Lemhouse was a clerk at the law firm of Luvass, Cobb Attorneys in Eugene.

"I'd work there, which did a lot of general civil practice and in the afternoons, I worked at Legal Aid of Oregon," Lemhouse said. "I saw a great diversity of cases between the two. They were two totally different types of practices."

Lemhouse passed the Oregon bar exam in September 1989 and put out his shingle in Corvallis in private practice.

"I had a daughter living there and this gave me time to be with her," Lemhouse said. "It was a general practice and I did a lot of appellate work."

Lemhouse commuted daily, having purchased property near Brownsville in 1973.

Lemhouse became a judge in 1994.

"I enjoyed being a lawyer, but you don't always get closure," Lemhouse said. "As a judge, you have closure. You make a decision and move on. You also can have a positive impact on the communities you serve."

Lemhouse said the Justice Court system handles "quality of life" cases such as offensive littering, vandalism, landlord/tenant issues, bad checks and boundary fences.

"Justices of the Peace can actually walk boundary fences in disputes and in the past, handled mining claims," Lemhouse said.

Lemhouse said he deals with about 4,500 cases per year.

That number will likely decrease since the Harrisburg court has closed and Sweet Home's court will close at the end of the month.

Jessica Meyer, a partner at the Morley Thomas Law Firm in Lebanon, has been appointed by Gov. Kate Brown to succeed Lemhouse. She will preside over courts in Lebanon and Brownsville.

In addition to appearing in courts as a private attorney, Meyer serves as a judge pro tempore in the Linn County Justice Court and Albany Municipal Court. She also formerly served on the Lebanon Peer Youth Court.

Meyer earned her bachelor's degree from Brigham Young University, and her law degree from the Willamette University College of Law.

She currently serves as a trustee for the Samaritan Lebanon Community Hospital Foundation, and as assistant district commissioner for the Boy Scouts of America, Calapooia District.

Meyer has been an attorney since 2005, became an associate at Morley Thomas Law Firm in 2006 and became a partner in 2011.

She and her husband Jared live in North Albany and have four children.

"I'm excited to serve Linn County," Meyer said. "I've served pro tem for six years and have learned a lot from Judge Lemhouse. He is a great example and a great mentor. The Justice Court has an amazing staff and I am looking forward to working with them."

Lemhouse and his wife Sherri — Brownsville's singing librarian — have three children. They live on a 16-acre farm near Brownsville and raise flowers on about one acre.

Lemhouse said he will spend more time working the farm and he and his wife enjoy dancing.

He is also active at the Scandinavian Festival in Junction City.

During his time on the bench, Lemhouse has battled the state of Oregon over the state's propensity to take a greater and greater share of Justice Court fines.

"You are no doubt familiar with the parable of the greedy farmer and the Goose that Laid the Golden Eggs," Lemhouse said of his work. "That is a very apt analogy of what the Legislature is doing to local courts. The difference between the Goose and local courts is that where the Goose is eviscerated, local courts and the counties and cities that operate them are being slowly strangled fiscally."

Lemhouse said that when he started Justice Court work, the state took about 10 percent of fines and 90 percent was kept locally to help fund court operations. Now, the local share had dropped to 65 percent.

"Judge Lemhouse has been a pleasure to work with," Linn County District Attorney Doug Marteeny said. "His dedication to public safety is apparent in the way he holds criminals accountable. He is a hard working judge and deserves a long and happy retirement."

Linn County Commissioner Roger Nyquist said he has enjoyed working with Judge Lemhouse over the years.

"He has provided access to courts in our smaller communities," Nyquist said.

"He contributed greatly to combining our Justice Court into one district in a way that provided service to our residents. Without combining, it is likely that having a Justice Court system in the county might not have been economically feasible."

Please join the family and staff at a
Retirement Lunch in honor of

Judge Jad Lemhouse

Saturday, January 12, 2019, at 1:00 PM

Linn County Fair & Expo Center
3700 Knox Butte Road NE
Albany OR 97322

Menu will consist of:

Soup

Sandwiches

Tossed Salad

Dessert

Cost is \$20 per person

RSVP and payment/reservations required by December 21, 2018
No meals will be available at the door

Please make checks payable to **Linn County** and endorse the form below:

Mail to: Linn County Justice Court
Attn: Angie Debban
PO Box 283
Lebanon OR 97355

If you have a presentation you would like to make
Contact Donna Poirier (541)258-5777
No later than December 21, 2018
There will also be a time to share/tell stories

Name: _____ Amount Enclosed: \$ _____

Total in Party _____



RESOLUTION NO. 2018.24

**A RESOLUTION AUTHORIZING THE USE OF THE WATER FUND
FOR THE PURCHASE OF A WATER METER SYSTEM
FOR FISCAL YEAR 2018-2019**

WHEREAS, Council ensures accurate expenditures are recorded for each and every fiscal year; and

WHEREAS, Council is taking advantage of an opportunity that is in line with Council Goals and budgeting directives in the FY 2018-2019 Budget; and

WHEREAS, Council directs Staff to enter into an agreement for the purchase of water meters; and

WHEREAS, funds are being used 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 Staff is directed to use the following funds for the purchase of water meters from the following accounts:

<u>General Administration</u>		Amount:
200.060.805.000.00.00 Water Line Installations	200.060.802.000.00.00 Water Systems	\$52,500
200.060.872.000.00.00 Equipment New & Replacement	200.060.802.000.00.00 Water Systems	\$18,000
200.060.950.000.00.00 Contingency	200.060.802.000.00.00 Water Systems	\$5,000
	<i>Total Transfer within Water Fund</i>	\$75,500
	<i>Total Amount Transferred</i>	\$75,500

PASSED AND ADOPTED by the City Council of the City of Brownsville this 18th day of December 2018.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator



RESOLUTION NO. 2018.24

**A RESOLUTION AUTHORIZING BORROWING FUNDS
FOR THE PURCHASE OF A WATER METER SYSTEM
FOR FISCAL YEAR 2018-2019**

WHEREAS, Council is taking advantage of an opportunity that is in line with Council Goals and budgeting directives in the FY 2018-2019 Budget; and

WHEREAS, Council directs Staff to enter into an agreement for the purchase of water meters; 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 Staff is directed to enter into an agreement with Government Capital Corporation to secure funding for the purchase of water meters. Please refer to Exhibit A for the details of the financing. Council will budget for the remaining amount of installation and to pay off this loan in FY 2019-2020.

PASSED AND ADOPTED by the City Council of the City of Brownsville this 18th day of December 2018.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator



GOVERNMENT CAPITAL CORPORATION

December 6, 2018

City of Brownsville
255 N. Main Street
Brownsville, OR 97327

RE: Water Meter Project

Thank you for the opportunity to present proposed financing. I am submitting for your review the following proposed structure:

Table with 2 columns: Issuer/Financing Structure and City of Brownsville Tax Exempt Financing. Rows include Project, Down Payment, Remaining, Term, Interest Rate, Payment Amount, and Payments Beginning.

*Callable at any payment date.

The above proposal is subject to audit analysis, assumes bank qualification and mutually acceptable documentation. The terms outlined herein are subject to change and rates are valid for fourteen (14) days from the date of this proposal.

Our finance programs are flexible and my goal is customer delight. If you have any questions regarding other payment terms, frequencies or conditions, please do not hesitate to call.

With Best Regards,

Tara Clawson

Tara Clawson
Vice President Public Finance
817-722-0242
817-988-9880
tara.clawson@govcap.com

The transaction described herein is an arm's length, commercial transaction between you and Government Capital Corporation ("GCC"), in which GCC: (i) is acting solely for its own financial and other interests that may differ from yours; (ii) is not acting as your municipal advisor or financial advisor, and has no fiduciary duty to you with respect to this transaction; and (iii) is not recommending that you take an action with respect to this transaction.



PICTURE GALLERY OPERATION AGREEMENT

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

AND: The Linn County Pioneer Picnic Association (ASSOCIATION)

RECITALS

- A. The City owns the building commonly known as the Picture Gallery located at 258 N. Main Street, Brownsville, Oregon.
- B. The Association desires to operate the building upon the terms and conditions set forth herein.

AGREEMENT

1. **Picture Gallery Operation.** City hereby designates, for the term of this agreement, Association to be the exclusive manager and Association of the Picture Gallery for the purposes detailed herein. Association hereby agrees to manage and operate the Picture Gallery based on the terms and conditions of this agreement.
2. **Term.** The term of this agreement shall be for a period of three years, commencing on January 1st, 2019 and ending on January 31st, 2022. This agreement may be extended for an additional year under the same terms and conditions using an extension signed by both parties at least thirty (30) days prior to the end of the term.
3. **Purpose.** Association shall use and occupy the Picture Gallery for the purpose of exhibiting the Linn County Pioneer Association's picture collection, or for other purposes agreed to by the parties. The deed can be found at the Linn County Courthouse at the Recorder's Office in Volume (MF) 606, Page 272. The deed is attached to this Operation Agreement as Exhibit A.
4. **Consideration.** The Association is providing services for the benefit of the public and no monetary sum is to be paid to or by the Association from the City. The Association is also granted permission to sublet certain areas of the Picture Gallery at their discretion as articulated in Paragraph 14.
5. **Maintenance of Building.** Association shall maintain the Picture Gallery in as good a condition as it exists at the beginning of this Agreement and shall be responsible for repairs necessitated by Association's negligence or normal wear and tear. City shall hold Association, its officers, agents and employees, harmless from any and all claims, actions liabilities, costs, including costs of defense, arising out of or in any way related to property damage to the Picture Gallery in excess of or different from the damage for which Association has agreed to assume responsibility, except where such damage was caused by intentional acts or failures to act on the part of Association, its officers, agents or employees. The City shall be responsible for the following items: 1) Building exterior, 2) parking areas, 3) heating & air conditioning, 4) smoke detectors & alarms, 5) fire extinguishers, 6) electrical, and 7) plumbing.



6. **Key.** The Association has provided the City with a key enabling the City to obtain access to the Picture Gallery. City shall give Association notice before entering the Picture Gallery whenever possible.
7. **Improvements and Extraordinary Repairs.** Association shall not make any major structural changes, additions or improvement to or upon Picture Gallery without the prior written consent of City, and that any such improvements so made or provided shall inure or revert to the benefit of City and become the sole property of City at the termination of this agreement as it may be extended or renewed.
8. **Assignment and Transfer.** This Agreement shall not be assigned or transferred without written consent of City.
9. **Liability Insurance.** Association shall maintain in force for the duration of this contract an insurance policy providing comprehensive protection for all accidents or injuries which may occur during Association's use of the Picture Gallery, written as a primary policy, not contributing with or in excess of any coverage which City may carry. Such policy shall have coverage of not less than \$300,000 per occurrence for bodily injury or personal injury, and \$50,000 per occurrence for property damage, with an aggregate of \$300,000 for bodily injury, personal injury or property damage. The policy shall also contain an endorsement naming City as an individual insured and expressly providing that the interest of City shall not be affected by Association's breach of policy provisions. A copy of each policy or a certificate satisfactory to City shall be delivered to City prior to commencement of this Agreement. Such policy shall be written on an "occurrence" form with an admitted insurance carrier licensed to do business in the State of Oregon and shall contain an endorsement entitling City to not less than thirty (30) days prior written notice of any material change, non-renewal or cancellation. Failure to maintain any insurance coverage required by this Agreement shall be cause for immediate termination of this Agreement by City.
10. **Public Use.** Association agrees to manage the Picture Gallery without regard to race, color, sex, religion, age, national origin, or physical or mental handicap, and to charge for use of the Picture Gallery only on the basis of a written rate schedule available to the public.
11. **Inspection of Records.** Association shall provide City with an annual report of the operations of the Picture Gallery.
12. **Compliance with Laws.** Association agrees to conform with all applicable laws and regulations of a public authority affecting the Picture Gallery and its use, and to correct, at Association's expense, any failure of compliance created through Association's fault or by reason of Association's use.
13. **Utilities.** Association shall pay all utilities excluding electricity and water.
14. **Subletting.** The Association shall have the right to sublet or sub-lease portions of the Picture Gallery that are beyond the scope of the normal rental procedure as defined by the Association subject to the review and approval of Council. The Association shall be solely responsible for the subletting/rental agreement, insurance and compensation for the space provided to any third party. The Association shall require the third party to provide appropriate documentation including but not limited to insurance coverage for property and liability.



15. **Independent Contractor.** In the management and operation of the Picture Gallery, Association is acting as an independent contractor. The manner in which the services are performed shall be controlled by Association; however, the nature of the services shall be consistent with Section 3 hereof. Association is not to be deemed an employee or agent of City and has no authority to make any binding commitments or obligations on behalf of City except to the extent expressly provided herein.
16. **Termination by City.** City may terminate this Agreement at any time during its term by giving reasons deemed sufficient by City and complying with the following procedure:
- a. City shall give Association notice that termination is being considered;
 - b. City shall confer with Association;
 - c. If City determines that termination is appropriate, it shall state the reasons therefore and give Association thirty (30) days written notice to vacate the building.
 - d. If Association fails to vacate the Picture Gallery, City may re-enter and take possession or pursue any other remedy available by law.
 - e. Termination of this Agreement shall also terminate any contract for services provided by Association or other arrangements as provided herein. In the event of termination of this Agreement by City because of a breach by Association, City may complete the work either by itself or by contract with other persons. Association shall be liable to City for any costs or losses incurred by City arising out of or related to the breach.
17. **Termination by Association.** Association may terminate this agreement at any time during its term without giving reasons for the termination by complying with the following procedure:
- a. Association shall give City notice that termination is being considered;
 - b. Association shall confer with City;
 - c. If Association determines the termination is appropriate, it shall give City thirty (30) days written notice of its termination.
 - d. Termination of this Agreement shall also terminate any contract for services provided by Association. Association's remedies upon such termination shall be limited to payment for work performed to the date of the termination.
18. **Waiver.** Any waiver of any condition of this agreement shall be in writing signed by both parties to the Agreement. Waiver by City of a strict performance of any provision of this Agreement shall not be a waiver of or prejudice to City's rights to require strict performance of the same provision or of any other provision in the future.
19. **Notices.** Any notices required or permitted under this Agreement shall be deemed given when actually delivered or three (3) business days following deposit in the United States mail as certified mail, return receipt requested, whichever shall first occur, addressed as follows:



OWNER: City of Brownsville
PO Box 188, Brownsville, OR 97327

ASSOCIATION: Linn County Pioneer Association
PO Box 57, Brownsville, OR 97327

20. **Attorney Fees.** In the event action is brought to enforce any term of this Agreement, the prevailing party shall recover from the losing party reasonable attorney fees set by the trial and appellate courts.

21. **Amendment and Renewal.** The parties, having negotiated regarding the expiration of the existing Agreement within one year and related matters, agree to the amendment of the terms of that Agreement according to the terms and conditions set forth herein. The parties further agree that this amendment shall be effective immediately and that the amended Agreement shall have, subject to the terms and conditions set forth herein, a term of which shall be in conjunction with the original effective date of this Agreement.

CITY

ASSOCIATION

By:

By:

Title: Don Ware
Mayor

Title:
President

Date:

Date:

By:

Title: S. Scott McDowell
City Administrator

Date:



Memorandum of Understanding

BETWEEN: City of Brownsville (City)
AND: Brownsville Art Association (BAA)
DATE: January 2019

RECITALS

- A. BAA is interested in continuing the Memorandum of Understanding with the City to utilize the converted fire bays at 255 N. Main Street for BAA purposes.
- B. City believes that BAA provides a valuable public service and desires to provide the space mentioned above to support their mission & work in the community.

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

USE OF SPACE. BAA will be allowed to use the portion of City Hall commonly known as the Art Center for the purpose of providing a hub for community and area artists by not only providing a place for arts education and group meetings, but a public demonstration space for local artists to come together and create art and share their art with the community.

Due to the fundamental occupancy change from the initial Memorandum, the BAA will be responsible for providing insurance as defined under **LIABILITY INSURANCE**.

PUBLIC USE. BAA agrees to manage the Art Center without regard to race, color, sex, religion, age, national origin, or physical or mental handicap, and to charge for use of the Art Center only on the basis of a written rate schedule available to the public.

LIABILITY INSURANCE. Operator shall maintain in force for the duration of this contract an insurance policy providing comprehensive protection for all accidents or injuries which may occur during BAA's use of the Art Center, written as a primary policy, not contributing with or in excess of any coverage which City may carry. Such policy shall have coverage of not less than \$300,000 per occurrence for bodily injury or personal injury, and \$50,000 per occurrence for property damage, with an aggregate of \$300,000 for bodily injury, personal injury or property damage. The policy shall also contain an endorsement naming City as an individual insured and expressly providing that the interest of City shall not be affected by BAA's breach of policy provisions. A copy of each policy or a certificate satisfactory to City shall be delivered to City prior to commencement of this Agreement. Such



Memorandum of Understanding

policy shall be written on an "occurrence" form with an admitted insurance carrier licensed to do business in the State of Oregon and shall contain an endorsement entitling City to not less than thirty (30) days prior written notice of any material change, non-renewal or cancellation. Failure to maintain any insurance coverage required by this Agreement shall be cause for immediate termination of this Agreement by City.

SCHEDULING. BAA will coordinate activities in the space. BAA will communicate activities and uses with City Hall for administrative purposes.

FEES. BAA will contribute \$50 per month for the term of this agreement and continue to make contributions to help cover operational costs such as heat and electricity.

SUBLETTING. BAA shall have the right to sublet or sub-lease portions of the Art Center. BAA shall be solely responsible for the subletting/rental agreement, insurance and compensation for the space provided to any third party. BAA shall require the third party to provide appropriate documentation including but not limited to insurance coverage for property and liability. Any agreements with third parties are done at the sole risk of the BAA. BAA further agrees to hold the City harmless from any claims made by any third-party contract or agreement as it pertains to the use of the facility.

IMPROVEMENTS. The following is a list:

- ♦ **2019-2020 Signage** – *BAA is proposing an identification sign to be placed near the sidewalk in front of the Art Center. BAA is willing to cost share for this installation of this sign. The main wall sign may also be redesigned in 2020.*
- ♦ **Yard Improvements** – *The City has made improvements to the front of the Art Center by installing grass and replacing sections of concrete. The City requests the grass area be left free and clear of heavy or sharp objects as the irrigation system is very shallow.*
- ♦ **2012 Flooring Project** – *BAA completed the flooring project as specified, gifted the flooring to the City and continues to provide the care and maintenance of the floor during their use of the Art Center.*

PROPERTY. Any theft or damages incurred to the furniture, any personal items or supplies shall be the sole responsibility of the BAA. Cleaning of the space shall be provided by the groups using the space and ultimately the responsibility of the BAA.

SIGNAGE. Any directional signage or identification signage shall be the responsibility of the BAA. The City reserves the right of approval before any modifications are made.



Memorandum of Understanding

TERM. The term of this Memorandum shall commence upon execution hereof and shall continue for a period of three years to be revisited and renegotiated in January 2022. The BAA shall provide a written or oral progress report annually.

ENTIRE AGREEMENT. This document embodies the entire agreement between the parties. There are no promises, terms, conditions or obligations other than those contained herein. This agreement shall supersede all prior communications, representations or agreements, either verbal or written, between the parties. The original proposal as submitted by BAA, as attached, is included for documentation purposes only.

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

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

ASSIGNMENT AND TRANSFER. This Agreement shall not be assigned or transferred without written consent of City.

EARLY TERMINATION. The Agreement may be dissolved by either party upon providing ninety (90) days written notice.

City:

BAA:

Don Ware, Mayor

Cris Kostel
Art Association President

Date:

Date:

SENT VIA EMAIL, USPS FIRST CLASS MAIL, & HAND-DELIVERED

FROM THE DESK OF

ALLEN L. BUZZARD

November 26, 2018

City of Brownsville
% Administrative Assistant Elizabeth Coleman
PO BOX 188
BROWNSVILLE OR 97327-0188

RE: **Member Needed for Brownsville Planning Commission**
as advertised in "THE TIMES" Wednesday, November 21, 2018, page 3

Dear City of Brownsville Staff & City of Brownsville Councilors:

Please consider this letter expressing a sincere interest in serving Brownsvilleans in the capacity as a Planning Commissioner for the seat which will be vacated soon by Councilor-elect David K. Hansen.

I have regularly attended Brownsville Planning Commission ad hoc meetings. I have offered support to other fellow citizens seeking approval for Conditional Use Permits whether applying for an "Airbnb", "Coffee Roasting Home Occupation," "Taxidermy Home Occupation," and provided welcome input to the Planning Commissioners regarding minimum standards for the proposed "Rivers Edge PUD" four-phase residential development. Moreover, I'm very good at research and always try to examine a land use issue from multiple viewpoints in order to balance the pros and cons to achieve consensus in rendering the best decision possible.

Thank you,

Allen

allenlbuzzard@gmail.com

cc: file

S. Scott McDowell

From: Steve Schilling <steve@advancedmechanicalinc.com>
Sent: Monday, December 10, 2018 2:21 PM
To: S. Scott McDowell
Subject: Planning Commission

I am interested in sitting on the Brownsville planning commission. Thank you for your consideration.

--

Steve Schilling, President
Advanced Mechanical Inc./August Construction Company
541-979-3327 Cell
541-466-3939 PH
541-466-3949 FX



S. Scott McDowell

From: Stephen Brenner <sbrenner@archetype.org>
Sent: Tuesday, December 11, 2018 2:39 PM
To: Scott McDowell
Subject: Planning Commission

Hi Scott,

I'm interested in being considered for a spot on the Planning Commission.

Thanks,

Steve=

1/26/2018

To Whom It May Concern,

I would like to be considered for the open seat on the Parks & Open Space Advisory Board.

Brownsville is a special place. But for me it is the park and open space around the town that make it so. When I was looking to move and had found a home I really liked, the park was the deciding factor. Because in my mind it is our park and open space that make Brownsville different from other places I could have settled.

I have been here a little over 2 years now. In that time I have established a thriving business downtown and settled in. I walk the park almost every day. I see the seasons change, I see the animals that call our beautiful park home, and I see how the river can, and does shift and change with time. Because of the time I spend there I also notice issues that could be addressed that perhaps have gone unnoticed.

The park is very special to me and as such I feel I would be an asset to the Parks & Open Space Advisory Board.

If you have any questions, please feel free to contact me.

Sincerely

Lynlee Bischoff

(541) 650-1932

Dates for 2019

Thursday, December 13, 2018 7:53 AM

Subject **Dates for 2019**
 From brownsvillechamber@gmail.com
 To admin@ci.brownsville.or.us; 'Sue Frasier'; dfurtwangler@cascadetimber.com
 Sent Wednesday, December 12, 2018 4:03 PM

Scott,

Here are the dates for annual events for 2019: (If it said weekend I included Friday)

- Easter egg hunt Saturday April 20th
- Carriage me back Saturday & Sunday May 4th & 5th
- Linn County Pioneer Picnic June 14th 15th & 16th
- Breakfast and Fireworks in the Park Thursday July 4th
- Citywide Garage sale 19th 20th & 21st ⇒ *SAT. ONLY*
- Stand By Me Day Tuesday July 23rd
- Antique Faire Saturday August 3rd
- Hands on History Saturday August 24th
- Downtown Trick or Treat Thursday October 31st
- Home for the Holidays Saturday December 7th
- Moyer House Holiday Open Thursday December 26th – 31st

Lorie Mooso

Recap: Trends Strain Existing Model

Trends	Implications
	Some material changing faster than capital investment cycles 18M tons in 2000 → ~2M in 2016
	Some material has limited end markets HDPE (Good) → off-spec PET (Limited)
	Material light-weighting skews current success metrics Water Bottles → Almost 2x transactions
	Commodity markets have steadily declined OCC down 40% → Mixed Paper down 95%

Recap: China Sword Explained

For decades, China has been the largest importer of the world's recycled commodity, and the U.S. was 40% of the inbound stream

In 2017, China announced efforts to clean up the country, which included dramatic changes for acceptance criteria of imported recyclables

- A significant reduction in acceptable contamination levels (From ~3% to 0.5%) in any recovered paper and plastic grades
- Additionally, China banned all mixed paper from import, regardless of contamination levels. (20% of historical stream)

Reductions took effect in March 2018, which drove costs and changes in plant recycling facilities at the municipalities (not shown)

Post-China: Shift in Commodity Markets

- China consumed a majority of commodities globally
- Alternate markets are saturated; some countries unprepared for influx

Supplies and demand decreased back to commodity level, but alternate markets not ready

Recommended Business Model

Durable Recycling Model

COLLECTION	PROCESSING	RESIDUAL	COMMODITY SALES
+	+	-	=
THE COST OF RECYCLING			

The cost of a recycling program is the sum of fees for two services: the Collection Fee and the Net Processing Fee

Recycling Costs: Then and Now

THEN	Household cost artificially low in earlier decades	Costs lower due to inbound material being cheaper and heavier	Commodity values strong, due to supply & demand and cleaner material	Low contamination averages, attributed to better collection and the diversion mandates					
Industry Avg	\$2.00/Mo	\$80/Ton	\$200/Ton	\$25/Ton					
Net Position	(\$3.00/Mo)	+	(\$1.50/Mo)	+	\$4.60/Mo	+	(\$0.10/Mo)	=	\$0.00
	COLLECTION	PROCESSING	COMMODITY	RESIDUAL					
NOW	Still artificially low despite higher costs to run collection service	Dramatically higher costs than labor, technology and equipment, along with lighter material	Average values down significantly, further impacted by China demand	Contamination average up to 30%, requiring extra handling and disposal					
Industry Avg	\$3.00/Mo	\$100/Ton	\$100/Ton	\$50/Ton					
Net Position	(\$1.00/Mo)	+	(\$0.50/Mo)	+	\$1.50/Mo	+	(\$0.50/Mo)	=	(\$0.50/Mo)

Informing the Public

- Public needs to understand the issue
- Economic reset is needed for long-term viability
- Public awareness on what and how to recycle

Public Education: Clean Up the Stream

New simplified educational collateral that can be distributed to residents and businesses



Most collateral is available on www.RecyclingSimplified.com or from your Municipal Sales Manager

Measurements of Success

Recycling Success Versus Weight

Weight Category	Success Rate
Lighter	18%
Medium	37%
Peak	67%
Heavy	9%
Very Heavy	26%

- Current metrics focus on weight
- Incentivizes "any" rather than "the right" diversion
- Some of the more beneficial CO₂e materials are lighter

Waste & Resource Council (WRC) completed by URB Systems
 Reconsider "Any Diversion" Weight vs. Target Diversion" and CO₂e

Reassessment of Accepted Materials

- Programs have drifted to focus on total diversion rates, rather than what materials are truly beneficial to recycle
- Some collected materials are recyclable, but lack local end markets, or have a negative recycling value. These realities render the processed materials unmarketable
- Municipalities need to shift program focus to Sustainable Materials Management-based views, which looks at the overall benefits of each accepted material in the stream



Recycling program must focus on sustainable Materials Management, not simply diverting material

Key Topics Going Forward

- Evaluate program recyclables that offer best benefit to planet
- Consider better metrics to track success
- Increase public education, leading to lower contamination and better commodity values
- Update the business model – Two services provided in a recycling program (without reliance on commodity value)

The path to creating a durable recycling program requires multi-faceted approach

Notable Comments:

- Even if China did not do what they did, there would have been a discussion anyway due to market demands and shifts...
- Also known as Blue Sky is China Sword...
- Used to get \$100 per ton now are paying \$10 or receiving \$10... For Paper...
- Negative value flip on the commodity... Were getting 65% return now paying %65... slower processing, admin, O & M +++
- Stream and market discussion... Storage and logistics choke points...
- Cost of running MRF has doubled... more labor and equipment due to stream contaminants...
- Aspirational recycling... public education is key moving forward...
- There are only five markets that are worth generating a commodity...
- Cleaning stream is important, but market conditions have shifted so much that it will not make a difference...
- Commodity market has failed... have to ask for the actual costs instead of hopeful economics...
- Value has bottomed out of the business model... Too costly to do this...
- They could build confidence intervals when buying equipment and acquiring companies, but this structural change in the commodities market has changed everything... they are unable to get a return that works to operate and maintain services...
- Bidding process will have to change or no one will be able to provide services...
- All uses to recycle create CO2 problems... GHG savings explanation...
- All tons are not the same. EPA Data not Company data...
- 66% are Paper
- 1% are Aluminum; only 18% of cans are recycled.
- Recycling mandates will have to change... it is impossible.
- Plateau issues... water bottles that won't standup etc. changes...
- Weight based goals are antiquated...
- Measuring success must change away from weight.



November 2018

This mailing has been sent to you as part of the ATI public education program, as required by State of Oregon and the United States Department of Transportation pipeline safety regulations.

ATI owns and operates two natural gas pipeline in Linn County, Oregon. The first pipeline begins at the Williams Pipeline Facility located near the intersection of Midway Drive and Goltra road and ends at the ATI facility located on 34th Street, Albany Oregon. The second pipeline crosses Old Salem Road in Millersburg. A map of both pipeline routes is enclosed with this letter.

Your property is located adjacent to or near the ATI Pipeline or you are a contractor performing work in the Albany Oregon area. The location of the ATI Pipeline, and that of other pipelines in the United States, can be identified by various means. The ATI Pipeline location is generally identified by yellow fiberglass stakes containing the words "Warning" or "Caution" followed by "Natural Gas Pipeline" and a telephone number to call for more information.

The primary cause of damage to pipelines in the United States is due to excavation damage. Accordingly, the State of Oregon requires **ANYONE PERFORMING EXCAVATION**, which could mean performing work as complicated as installing new utilities or as simple as tilling for a new garden, **MUST CONTACT THE LOCAL ONE-CALL SERVICE FOR TO LOCATE UNDERGROUND UTILITIES.**

48 HOURS BEFORE YOU EXCAVATE, AUGUR, GRADE, TRENCH, OR BLAST, Contact the Oregon State One Call Center at (800) 332-2344 or simply dial 811 and request that any pipelines or other utilities on your property be located before you begin work. THERE IS NO COST TO YOU for this service.

How do I recognize a pipeline leak?

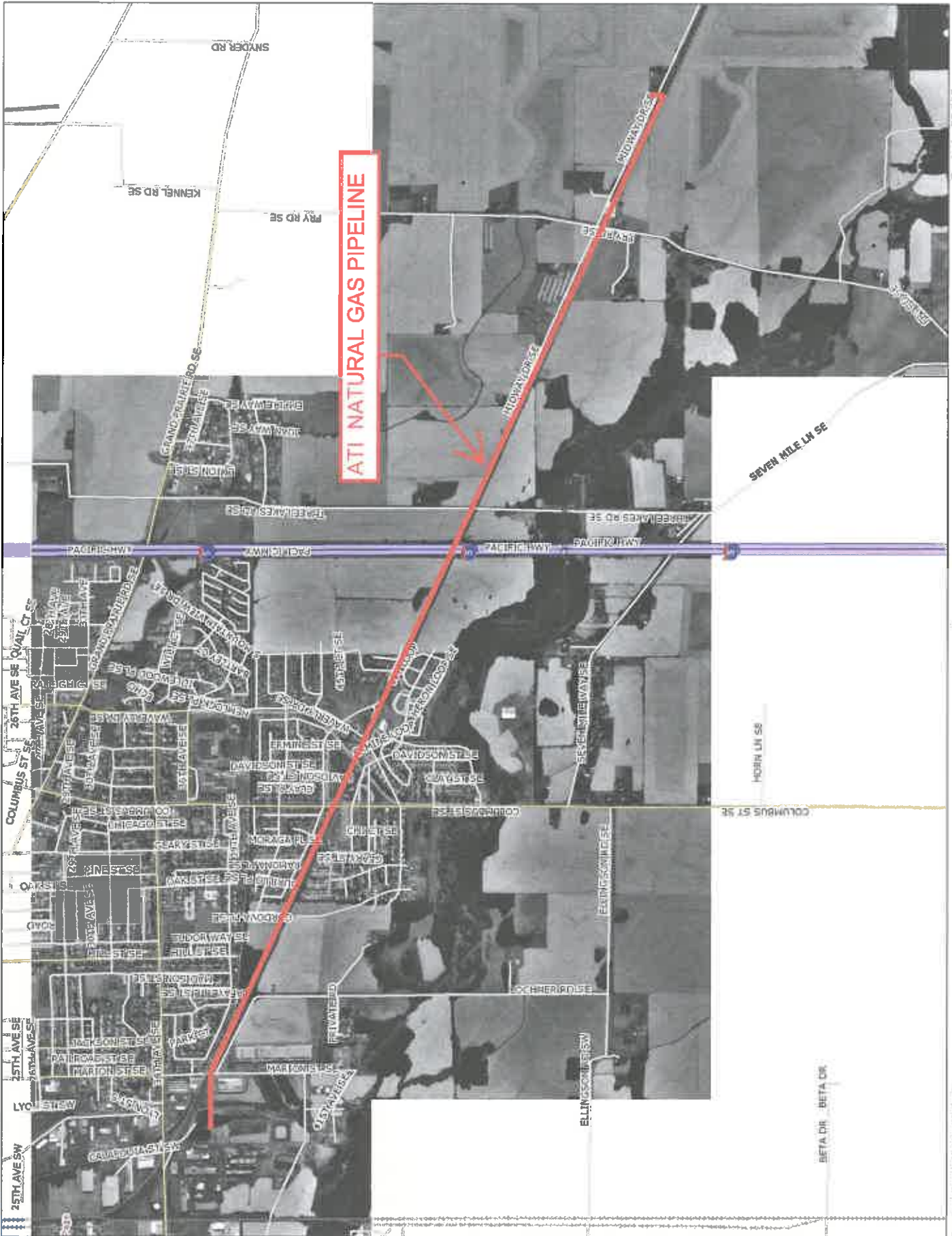
1. **By Sight:** Any of the following could indicate a pipeline leak - dirt being blown into the air, water bubbling or being blown in the air, fire coming from the ground or appearing to burn above the ground, dead or dying vegetation in an otherwise green area, a dry spot in an otherwise moist field.
2. **By Sound:** A roaring, blowing, or hissing sound could indicate a pipeline leak.
3. **By Smell:** Natural Gas has a rotten egg smell.

What do I do if I think that I have detected a pipeline leak?

CAUTION Natural Gas Is Flammable

1. Turn off and abandon any motorized equipment you may be operating.
2. Leave the area quickly on foot.
3. Do not light a match, start an engine, use a telephone, switch on/off light switches or do anything that may create a spark.
4. From a safe location, **call 911** with information about the suspected leak.
5. Warn others.
6. Do not drive or walk back into the suspected leak area until emergency response personnel have determined that the area is safe.

If you have any questions concerning the ATI Pipeline, please contact the ATI Pipeline Manager at (541) 926-4211



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S. Scott McDowell

From: Baca, Audra <abaca@co.linn.or.us>
Sent: Wednesday, November 28, 2018 11:04 AM
To: undisclosed-recipients:
Subject: National E-cigarette Epidemic and Linn County

Valued Community Member,

As you may have seen in the news, the FDA has begun to take bold measures to curb the recent epidemic of tobacco use and nicotine addiction in youth caused by popular e-cigarette industry ([click here for the FDA News Release](#)). What you may not know is that this issue is showing up in Linn County too.

Here is some current information on the issue...

- Nationally, there are more than 3.6 million middle school and high school students that are current e-cigarette users, a dramatic increase of more than 1.5 million students since last year.
- In Linn County, more than 1 out of 5 eleventh graders report using e-cigarettes, slightly higher than the state average.
- Nicotine has negative health effects on the body as well as the brain, for all ages. Studies show that use during adolescence increases the risk of developing psychiatric disorders and cognitive impairment in later life.
- Youth who use e-cigarettes are more likely to start smoking traditional cigarettes, contributing to a national rise in smoking among youth (an unfortunate result from a product that claims, but has yet to prove, that it can help adults quit smoking- Most reports show that adults are using both traditional cigarettes and e-cigarettes together instead of quitting traditional cigarettes).

There is a lot of information and misinformation about these new and popular products. As the Coordinator for Linn County's Tobacco Education and Prevention program I am both concerned and passionate about this current epidemic and wish to inform communities of the issues as well as the resources and possible local solutions that will help our youth, families, and communities to enjoy healthy, productive lives.

I am available to provide information, share data and resources, provide technical assistance on evidence based interventions, and present to groups about e-cigarette products and the epidemic. Please contact me if you and your colleagues, community, local organizations, committees, staff, etc. would like to know more about e-cigarettes, the targeting and impact on certain populations (specifically youth), and local resources and solutions. I can be reached by phone at (541) 967-388 ext. 2736 or by email at abaca@co.linn.or.us.

Thank you,

Audra Baca

Community Health &
Tobacco Prevention Specialist
Linn County Public Health
P.O. Box 100
Albany, OR 97231
541-967-3888 ext. 2736

S. Scott McDowell

From: Petersen, Rachel <rpetersen@co.linn.or.us>
Sent: Friday, November 30, 2018 10:06 AM
To: undisclosed-recipients:
Subject: Linn County Community Health Improvement Plan Workgroups

Good morning,

This summer Linn County Public Health, in partnership with community organizations, held listening sessions across the county to discuss the Community Health Improvement Plan. Public Health would like to thank everyone who contributed to those conversations- the staff and volunteers who assisted in the coordination and promotion of meetings and the community members who shared their thoughts and feedback with us, both in person and online.

As a next step, Public Health will bring together community members across sectors to form workgroups and we hope you will join us. Workgroups are an important part of the health improvement planning process:

- They define the mission and focus of the priority area.
- They work collectively to identify opportunities to improve health.
- They select goals, strategies, and action items to improve health within this area over the next few years.

Following the listening sessions, Public Health reviewed the feedback from all those conversations and shaped the Community Health Improvement Plan priority areas from the themes that emerged. Our final priority areas in which workgroups will be formed are:

- **Community Resiliency:** This workgroup will focus on mental health, substance use, and community well-being
- **Healthy Neighborhoods:** This workgroup will focus on housing, food access and how to support community connection through equitable access to community goods
- **Reproductive and Sexual Health:** This workgroup will focus on decreasing barriers and increasing access to effective and culturally appropriate reproductive and sexual health information, services, and community resources.

Anyone who lives, works, or learns in Linn County is welcome to participate in the workgroups.

- You can anticipate a short term commitment of once a month meetings (likely to occur over 4 months but no more than 6) for 1-2 hours.
- We encourage you to share this opportunity within your network and for interested service providers, organizations, and coalitions to share it with community members.
- If you are interested in contributing to a workgroup but are not able to attend meetings, you will have the opportunity to participate via the Public Health website. Meeting materials and minutes will be provided and you can provide feedback online.

If you are interested in participating in a workgroup, please follow the included link to a [SurveyMonkey](#) to let us know the group you would like to work with, how we can best contact you, and the times that would work best for you to meet. You are welcome to forward the survey within your network. Please complete the survey by **Friday, December 14th**.

Public Health will follow up with respondents the following week to share the selected recurring meeting time and next steps. Workgroups will begin to meet in January of 2019.

If you have any questions or would like additional information, we are available and look forward to hearing from you.

Thank you!

Rachel

Rachel Petersen

Healthy Communities Coordinator

Linn County Public Health

541-967-3888 Ex. 2173 | rpetersen@co.linn.or.us



Residential Water & Sewer Rates Comparison

November 2018

Summary: Below you will see the water & sewer rates from several communities in the Willamette Valley. The cities range in size and have different characteristics, amenities and circumstances. This comparison is based on an average use of 800 cubic feet (c.f.) or nearly 6,000 gallons of water per month. There are many nuances that make this comparison difficult, but all things being equal, the comparison generally bears out. Some communities charge the amount of water used to compute the sewer charge for the month while other communities use a flat rate tiered system to compute the charge. The comparison is based on a standard, residential 3/4" or 5/8" water meter.

Philomath

Water Monthly Base Charge	\$14.00	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 4.40	\$35.20
Sewer Monthly Base Charge	\$25.00	
Volume Charge per Unit Consumed	\$ 5.25	\$42.00
Total Average Bill	\$116.20	

Average Use being 800 c.f. (= 8 Units)

Harrisburg

Water Monthly Base Charge	\$20.88	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 1.70	\$13.60
Sewer Monthly Base Charge	\$20.36	
Volume Charge per Unit Consumed	\$ 7.38	\$59.04
Total Average Bill	\$113.88	

Average Use being 800 c.f. (= 8 Units)

Halsey

Water Monthly Base Charge	\$42.00	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 1.25	\$ 7.50
Sewer Monthly Base Charge	\$40.00	
Volume Charge per Unit Consumed	\$ -	
Total Average Bill	\$89.50	

Base Rate Includes the equivalent of 400 c.f.
 City charges a base rate for sewer consumption
 Average Use being 800 c.f. (= 6 Units)



Sweet Home

Water Monthly Base Charge	\$26.58	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 6.50	\$26.00
Sewer Monthly Base Charge	\$40.87	
Volume Charge per Unit Consumed	\$ 9.78	\$48.90

Sewer flat tiered rate May to October
Sewer Base Rate Includes 300 c.f.

Total Average Bill \$142.35

Base Rate Includes 400 c.f.
Average Use being 800 c.f. (= 5 Units)

Lebanon

Water Monthly Base Charge	\$20.62	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 4.79	\$38.32
Sewer Monthly Base Charge	\$23.69	
Volume Charge per Unit Consumed	\$ 6.77	\$54.16

Total Average Bill \$136.79

Average Use being 800 c.f. (= 8 Units)

Brownsville

Water Monthly Base Charge	\$25.43	<i>Actual Billing</i>
Volume Charge per Unit Consumed	\$ 1.84	\$ 9.20
Sewer Monthly Base Charge	\$44.05	
Volume Charge per Unit Consumed	\$ -	

Water C.I. Fee	\$ 2.50
Sewer Debt Fee	\$15.00

Total Average Bill \$ 96.18

Base Rate Includes 300 c.f.
City charges a base rate for sewer consumption
Average Use being 800 c.f. (= 8 Units)



"In this world nothing can be said to be certain, except death and taxes." ~ Benjamin Franklin

Brownsville Taxes

Tax Invoice Review		Tax Invoice Review	
ESD LINN-3TN-LINC	1.47%	\$35.01	\$48.23
L3CC	2.42%	\$57.63	\$79.39
CENTRAL LINN #552	22.24%	\$530.27	\$730.46
EDUCATION TOTAL:	26.12%	\$622.91	\$858.08
LINN COUNTY	6.19%	\$146.45	\$201.46
LINN COUNTY LOC OP	13.63%	\$324.97	\$447.65
LINN COUNTY LOC OP II	0.92%	\$21.82	\$29.62
BROWNSVILLE CITY	33.51%	\$799.18	\$1,100.89
BROWNSVILLE 3RD	5.77%	\$137.62	\$189.58
4E EXTENSION DISTRICT	0.34%	\$8.04	\$11.07
GENERAL GOVT TOTAL:	60.35%	\$1,497.68	\$1,958.70
L3CC 3ND	0.82%	\$19.62	\$27.03
BROWNSVILLE CT BND 2	5.60%	\$133.62	\$184.06
BROWNSVILLE CT BND	2.20%	\$52.55	\$72.38
BROWNSVILLE 3RD BOND	4.95%	\$116.00	\$162.53
BONDS - OTHER TOTAL:	13.58%	\$322.79	\$446.02
100.00%	\$2,354.56	\$3,254.56	

Home circa 1900

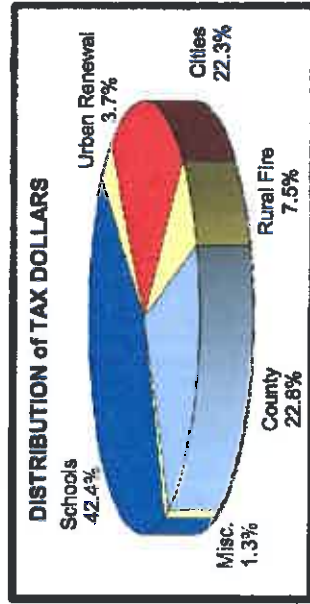
City Total: 41.32%

Linn County Tax Summary 2017-2018

CITY	Real Market Value	Taxable Value	Less Urban Renewal	Total Value to Compute	Tax Rate	Maximum Tax Rate	Taxes Imposed
COUNTY	14,582,083,579	9,800,176,308	416,129,596	9,384,046,710	4.2836		37,745,811.40
CITIES							
Abery	4,035,117,742	3,223,553,081	215,174,751	3,018,378,290	7.4855		23,517,369.87
Brownsville	145,887,565	103,756,352		103,756,352	3.1522		908,142.36
Garza	5,712,754	3,976,781		3,906,781	0.2824		1,075.04
Halsey	71,733,871	55,711,692		55,711,692	6.4979		362,008.57
Hernsburg	285,418,849	213,244,215	25,545,411	190,698,808	3.1149		673,578.03
Idanha	6,253,371	4,063,905		4,063,905	2.9022		10,171.82
Lebanon	1,487,463,851	1,152,056,205	174,600,828	979,355,237	5.8803		5,821,118.74
Lyzra	115,844,358	84,523,284		84,523,284	1.9523		159,978.84
Mill City	53,180,342	73,556,957		73,556,957	4.1573		305,958.38
Milfersburg	859,483,273	469,057,755		469,057,755	1.7000		797,398.86
Scob	35,260,375	50,736,265		50,736,265	4.5357		248,870.90
Sodenille	22,582,370	18,857,843		18,857,843	0.4552		7,567.23
Sweet Home	877,333,953	464,011,865		464,011,865	10.4357		3,459,730.89
Tangent	198,433,059	5,771,360		5,771,360	0.1000		0.00
Waldwin	14,751,032	10,884,349		10,884,349	0.1600		0.00
TOTAL							38,953,016.65

Home circa 2000

City Total: 41.32%



Marijuana Taxation



All cities allowed to tax up to three percent (3%)



The State Legislature created a formula separate from the State Revenue Sharing model for redistributing marijuana revenues.



To be eligible to receive revenue, a city must allow all four types of marijuana businesses:

- 1) Retailer, 2) Distributor, 3) Wholesaler & 4) Processor

State Redistribution formula is 17% of total revenue sent back to communities based on population, not the amount of shops & facilities in the community.

All cities in Oregon received a portion of the initial tax revenue received from the creation of marijuana establishments. The City of Brownsville received \$6,029.93.

The Big Picture Dashboard

Finance

1. A+ Rating from Standard & Poor's
2. Debt Limitation (\$2.4M)
3. Current Obligations (2049)
4. Loan Futures (Rate Audits)
5. Legacy Decisions
 - a. Not Assessing Sewer Collection Lines
 - b. Street Assessing Water Distribution Lines
 - c. Street Construction Implications
6. Franchise Fee Authority
 - a. Currently in jeopardy...
7. State Revenue Sharing
 - a. Continues to Dwindle...

Capital Improvements Plan

1. At-a-glance Summary
2. Huge Liability
 - a. Total Assets = \$42M
 - b. Assets in Need = \$17M

Economic & Community Development

1. McFarland Cascade
2. Azalea Rojo Vineyard
3. Dollar General
4. Housing Developments
5. Storage Units Facility
 - ▶ Understanding Private Development
 - ▶ RAIN & the Entrepreneurial Role
 - ▶ Civic Organizations & Agreements
 - ▶ Code Development
 - ▶ Public Works Standards

State Legislature Priorities

1. Housing Crisis Impacts
2. Homelessness
3. Healthcare
4. Mental Health Investment
5. Environmental Regulations
 - a. TMDL
 - b. Wetlands
 - c. Mercury Standards
 - d. NPDES Implications
 - e. WOTUS
 - f. FEMA & Flood Requirements
6. Land-Use Regulations
 - a. Accessory Dwelling Units
 - b. Camping & Ninth Circuit Court Ruling
 - c. Third-Party Building Inspections
7. Recycling Crisis
8. Presumption of Local Control

2024

1. Water Treatment Plant Improvements (\$4M - \$6M)
 - a. Distribution System Improvements
 - b. New Water Reservoir
 - c. New Water Treatment Plant
 - i. Two (2) Filters
 - ii. UV Disinfection System
 - iii. All New Controls

Pipeline

1. TMDL
2. Water Regulations
3. Wastewater Compliance Issues
4. Wellhead Protection
5. WOTUS Implications
6. FEMA Rule Changes
7. Infill Impacts
 - a. Parking
 - b. Utilities
8. Comprehensive Plan Update Implications
9. Utility Infill & Extension Implications

Citizen Wants

(\$600K-\$2.4M)

1. Kirk Avenue Improvements (\$380K+) MORE
2. Skate Park (\$20K+)
3. Dog Park (\$35K+)
4. Community Kitchen (\$15K+)
5. Crime Deterrent Cameras (\$125K+)
6. Water Feature (\$125K+)
7. Free Wi-Fi Downtown
8. Community Theater
9. Senior Housing
10. Transport Vehicle



In the Works

1. Downtown Sewers (\$600K)
2. Cemetery Bridge (\$180K+)
3. Rec Center (\$800K)
4. Pavilion (\$600K)
5. Other Facilities (\$80K+)
6. Water Meters (\$180K+)
7. Cyber Security (\$15K)
8. Land Inventory (\$30K+)



City of Brownsville

SUMMARY

November 5, 2018

Infrastructure Component	Replacement Cost	Total Units	Units/Physical Condition					
			Excellent	Good	Fair	Poor	Critical	Unknown
Roads	\$7,652,699	Center Line Linear Feet 49,090	2,760	17,240	11,310	16,920		
Bridges	\$74,828	Number of Bridges 1				X		
Water Supply Systems	\$2,993,111	Number of Facilities 1		X				
Water Distribution	\$6,485,074	Linear Feet (Thousands) 60,442		X				
Wastewater Systems	\$5,237,945	Number of Facilities 2	X					
Wastewater Collection	\$9,808,924	Linear Feet (Thousands) 56,180	23,764			32,416		
Stormwater Collection	\$3,529,377	Linear Feet (Thousands) 17,010			X			X
Facilities	\$6,307,608				X			
Totals	\$42,089,566							

Socio-Economic Characteristics

Current	2010 Census Information				
	Population	1,762	Population	1,668	% LMI
Total Households	720	Total Households	685	% Poverty	8.8%
% Unemployment	2.9%	MHI	\$35,486	% Unemploy	7.1%

* Inflation Calculator:
www.bls.gov

Population in 2014: 1,693 (0% urban, 100% rural). Population change since 2000: +16.8%

Median resident age: 33.4 years
Oregon median age: 33.2 years

Zip codes: 97327

Estimated median household income in 2016: \$32,562 (it was \$33,458 in 2000)
Brownsville: \$52,555
OR: \$57,552

Estimated per capita income in 2016: \$28,152 (it was \$15,272 in 2000)

Brownsville city income, earnings, and wages data

Estimated median house or condo value in 2016: \$175,387 (it was \$117,800 in 2000)
Brownsville: \$175,387
OR: \$237,100

Mean prices in 2016: All housing units: \$196,656; Detached houses: \$217,435; Mobile homes: \$75,573

Median gross rent in 2016: \$555

MONTH END RECAP

		NOVEMBER 2018	
	REVENUE	EXPENDITURES	
1	\$ 636,251.07	\$ 48,899.88	
2	\$ 32,937.20	\$ 66,051.60	
3	\$ 30,328.21	\$ 24,090.64	
4	\$ 15,430.84	\$ 13,491.51	
5	\$ 167.63	\$ -	
6	\$ 1,257.35	\$ 22,102.20	
7	\$ 10,926.44	\$ -	
8	\$ 778.72	\$ -	
9	\$ 1,852.34	\$ -	
10	\$ 475.20	\$ -	
11	\$ 2,186.28	\$ -	
12	\$ 5,846.62	\$ -	
13	\$ 2,107.60	\$ -	
14	\$ 205.43	\$ -	
15	\$ 14.15	\$ -	
16	\$ 171.17	\$ -	
17	\$ 28.03	\$ -	
18	\$ -	\$ -	
19	\$ -	\$ -	
20	\$ 514.56	\$ 3,125.00	
	\$ 741,478.84	\$ 177,760.83	

	YTD	%	Unexpended
1	\$ 303,663.20	22.26%	\$ 1,060,626.80
2	\$ 301,366.99	33.21%	\$ 605,982.01
3	\$ 107,224.33	16.77%	\$ 532,120.67
4	\$ 103,520.40	21.56%	\$ 376,679.60
5	\$ 32,509.79	45.05%	\$ 39,657.21
6	\$ 219,190.69	67.39%	\$ 106,069.31
7	\$ 60,827.20	15.83%	\$ -
8	\$ -	0.00%	\$ 355,000.00
9	\$ -	0.00%	\$ 264,601.00
10	\$ -	0.00%	\$ 204,519.00
11	\$ -	0.00%	\$ 81,040.00
12	\$ -	0.00%	\$ 367,753.00
13	\$ -	0.00%	\$ 87,027.00
14	\$ -	0.00%	\$ 44,646.00
15	\$ -	0.00%	\$ 6,057.00
16	\$ -	0.00%	\$ 81,578.00
17	\$ -	87.61%	\$ 5,402.00
18	\$ -	0.00%	\$ -
19	\$ -	0.00%	\$ 9,972.00
20	\$ 24,953.00	10.12%	\$ 221,547.00
	\$ 1,092,428.40		

Key Bank Account

	2018-2019	YTD	% of Total
General Checking	\$ 78,852.37	\$ 5,542,706.00	19.71%

Oregon State Treasury
 Community Improvements
 Project Escrow Holding
TOTAL OST / LGIP

\$ 4,928,339.52			
\$ 6,161.90			
\$ 7.78			
\$ 4,934,509.20			



DEBT Payments

Water	\$ 45,327.00
Wastewater	\$ 486,663.00

Total Debt

Water	\$ 745,639.00
Wastewater	\$ 5,975,539.00
Total	\$ 6,721,178.00