

BROWNSVILLE CITY COUNCIL  
MEETING MINUTES

March 25, 2008

ROLL CALL: Mayor Ware called the meeting to order at 7:00 p.m. with Councilors Pinnock, Brenner, Cole and Shepherd present. Councilor Hoffman was excused. Also present were City Administrator Scott McDowell, City Planner Bill Sattler and Public Works Director Karl Frink.

COUNCILOR OATH OF OFFICE: Municipal Judge Jad Lemhouse administered the oath of office to Mrs. Ramona Ginn who then took her place with the Council.

ADDITIONS AND DELETIONS: Mr. McDowell said he had three additions to the agenda under "Action Items". Added were new items (D) Transportation SDC, (E) Calapooia Food Alliance and (F) Budget Advertising.

MINUTES: The Council reviewed the minutes of the February 26, 2008 and March 18, 2008, City Council meetings. Councilor Pinnock moved that the minutes be approved. The motion was seconded by Councilor Shepherd and was approved unanimously.

CITIZEN COMMENT: NONE

PUBLIC HEARINGS / PRESENTATIONS:

1. Wastewater Project. Mr. Chris Brugato from Westech Engineering was unable to attend so Mr. McDowell updated the Council on the progress of the wastewater project. Mr. McDowell said that Phase I is in the "wrap-up phase" with various punch-list items being completed. Emery Construction is having Pacific Excavation complete some of the remaining paving repairs on their behalf. Mr. McDowell said that Pacific Excavation will be doing a temporary patch at the Washburn Street / Hwy. 228 intersection area until the weather improves and they can complete the final repair. Mr. McDowell said that he is trying to close out the interim financing as soon as possible but the Federal agencies won't allow it to be closed until the entire project is fully complete, which will probably be in July. Mr. McDowell said that this can cost up to \$80,000 in additional financing costs but he has not been able to get the agencies to move from that position. He said that the project has to be completed by the start of July when the bonds are due so the project has to be completed in time to allow the paperwork to be completed by the end of July. It appears that waiting for DEQ approval could delay the start of the next phase of work but Mr. McDowell has been told by Westech Engineering that if necessary work could start prior to DEQ approval. Councilor Cole asked about possible impact to the Pioneer Picnic parade. Mr. McDowell said that he will do all he can to minimize disruption and he hopes the work on Averill will be done by Pioneer Picnic. Mr. Frink said that the design of that sewer in that area had been modified to minimize conflict with other utilities to speed up the work.

CITIZEN COMMENTS: None.

DEPARTMENTAL REPORTS:

1. Administrator Report. Mr. McDowell submitted a written report to the Council. Mr. McDowell provided the Councilors with copies of a letter which had been sent out to about 45 homes reminding them of Cleanup Day coming up. Mr. McDowell reminded everyone that volunteers are needed to assist with the cleanup and asked people to sign up in advance if possible. He said that City Newsletters and the Consumer Confidence Report had been sent out the week

before. Budget season begins on Thursday, April 10 and the meetings are all scheduled for Thursdays this year. There are still several vacant positions on the Budget Committee. Mr. McDowell said that he had met with Mr. Len Baer from Home Depot and they will be donating materials and labor for the Library landscaping project. There will be a Cemetery Cleanup event on April 19<sup>th</sup>.

2. Public Works. Mr. Frink submitted a written report. Mr. Frink told the Council that he had successfully completed the report on chlorinated hydrocarbons in the drinking water system which had recently been required. He said that the City was in good shape with low levels. Mr. Frink said that two of the well pumps had failed but they have been repaired and are back in operation. The new North Lagoon system has been working and has been discharging for the past three weeks with no problems. He has been working with Westech Engineering for get ready to start the additional Phase 2 work on the wastewater project. Mr. Frink said that a new Public Works employee has been hired, Mr. Chad Brown. Mr. Frink said Mr. Brown used to work for ODOT and had very good qualifications and experience for the position. He will start work April 1. Mayor Ware and the Councilors suggested that Mr. Brown and Mr. Borntrager could attend a Council meeting some time so that the Council could meet them. Councilor Cole asked if there were plans to landscape the area between the South Lagoon and Hwy. 228. Mr. Frink said that there were no plans at present and that they would need to be coordinated with ODOT. Councilor Cole suggested some type of visual screening be planted there. Councilor Pinnock asked about the sewer problem recently experienced at Carlson's Hardware. Mr. Frink said the problem had been in their lines and that the problem was not due to the City's mains. Councilor Shepherd asked about a problem with a flow meter at the South Lagoon. Mr. Frink said that one of the temporary meters had not been working but that they had been able to calculate the flow in the line by other means. Ms. Kaye Fox spoke from the audience requesting the City clean out the Tailrace. Mr. McDowell said that he is working on getting a report to Council about various drainage issues, including the Tailrace, but that preparing for budget season has delayed him. Mr. McDowell said it would probably be May before he can finish the report. Ms. Fox asked if the Watershed Council could help. Mr. McDowell said their main focus was on the Calapooia River and doubted that they would be able to help. Councilor Shepherd said the handrail on the small bridge along Kirk Avenue needs to be repaired, Mr. Frink said he was aware of the problem. Councilor Cole asked if there were any arrests in the Rec Center vandalism. Mr. Frink said that he was not aware of any but he would discuss it with Sgt. Lawler when he returned.
3. Planning. Mr. Sattler provided a written report and updated the Council on current projects around town. Mr. Sattler said that he has been working on a project to expand the Urban Growth Boundary on the southwest corner of the City to add some additional Industrial land in the area identified by the Planning Commission and the Council for future growth. He said he had met with Ed Moore, the City's DLCD representative, and had received a positive response. In addition, he said that there is a possibility of the work being funded by the owner of the property in that area as well as a possibility of receiving some grant funds from DLCD for the work. He will continue to work on this project. Mr. Sattler discussed the merits of developing a transportation SDC particularly in view of the large number of approved lots currently under development. Mr. Sattler said that he had sent about 45 letters to property owners reminding them of cleanup day with the hope that most of them would take advantage of the opportunity to clean up their properties. Mr. Sattler said that he had received initial responses from the three property owners who had placed fill in the floodplain and forwarded that information to Jon Erwin, City Engineer. Mr. Erwin had responded, saying that he needed additional information from the property owners, and Mr. Sattler said that he had forwarded that letter to them.
4. Library Report. Mr. McDowell told the Council that the Library is in the process of entering the library's collection into the Follett software with a goal of having 9,000 volumes entered by November. He said that there had been some discussion about starting to use the computerized

system but that the decision had been to wait until most of the books had been entered into the software.

5. Sheriff's Report. The Sheriff's Department provided a written report for the Council.

#### LEGISLATIVE ACTION:

1. Ordinance 714 – Second Reading - Glaser Annexation. Councilor Cole moved that Ordinance 714 be read by title only. Councilor Shepherd seconded the motion and it was approved unanimously. Mayor Ware read the title of Ordinance 714. Councilor Cole moved that Ordinance 714 be approved. The motion was seconded by Councilor Shepherd and was approved unanimously.
2. Ordinance 715 – Second Reading - Glaser Zoning. Councilor Cole moved that Ordinance 715 be read by title only. The motion was seconded by Councilor Shepherd and was approved unanimously. Mayor Ware read the title of Ordinance 715. Councilor Shepherd moved that Ordinance 715 be approved. The motion was seconded by Councilor Pinnock and was approved unanimously.

#### ACTION ITEMS:

1. Stand By Me Request. Mr. McDowell said that the Stand By Me committee would like to close Park Avenue between Main and Averill on August 16 for a Cruise-In event. Councilor Cole asked about possible impact to the Museum, particularly for disabled people. Mr. McDowell said that the Museum was aware of the request and did not object. Councilor Cole said that she would like more information, Mayor Ware said he would like to vote on the matter. Councilor Shepherd moved that the request be approved. The motion was seconded by Councilor Pinnock. Ms. Kaye Fox suggested the use of the downtown parking lot instead of Park Avenue. Councilor Shepherd thought that might be a good idea so he withdrew his motion and the Council decided to table the matter until the next meeting.
2. Contract With Central Linn School District / Community Gardens. Mr. McDowell said that at the last meeting the Council had expressed concern about the termination provisions in the agreement and had asked him and Mayor Ware to negotiate that aspect of the contract. Mr. McDowell said that the Calapooia Food Alliance had agreed to assume responsibility for half of the \$1500 termination cost and he wanted to bring the matter back to Council for approval before executing the agreement. The consensus of the Council was to approve the agreement as negotiated.
3. Library Park – Rick Dominguez and Robert Dominguez. Mr. McDowell said that Rick Dominguez and Robert Dominguez had approached him with the idea of placing a veteran's memorial in the Library Park. He said that the Council had considered the idea and had been concerned about the extent of the changes to the park but had approved the placement of two benches. The matter was then reviewed by the Parks Committee and the Historic Review Board. They also did not wish to see paths placed in the park or the current memorial relocated. Mr. McDowell said that Robert Dominguez wants to put six benches in the park and have it done by Memorial Day. Since the next Park Board meeting is April 8, Mr. McDowell asked the Council if they could approve the revised plan pending approval by the Parks Committee. Councilor Cole asked if the benches would have concrete pads under them and how big they would be. Mr. McDowell said that there were pads planned but he didn't know how big they would be. Councilor Cole said she liked the idea of seating in the park but that six benches seemed like a lot for such a small park. Councilor Brenner moved that the request be approved subject to the Park Board's approval. The motion was seconded by Councilor Ginn and was approved 5 to 1 with Councilor Cole voting no.
4. Transportation SDC. Mr. McDowell discussed a draft RFP for the development of an SDC methodology for a Transportation SDC. Mr. McDowell asked for Council approval to publish the

RFP and start the process. Councilor Brenner moved that the RFP be advertised. The motion was seconded by Councilor Cole and was approved unanimously.

5. Agreement Between City and Calapooia Food Alliance. Mr. McDowell said that with the move of the Farmer's Market to the lot across Park Avenue from City Hall there had been concern about accessing the lot as there is no curb cut in the sidewalk. Mr. McDowell was concerned about damage to the sidewalk from vehicles driving across it to load and unload. He said that there is a curb cut just north of the lot but they have not been allowed to use it. Mr. McDowell had told the CFA that they needed to put in a curb cut if they wanted to drive onto the lot. The CFA had drafted an agreement saying that they would be responsible for any damage to the sidewalk. Councilor Brenner said that the CFA had now decided that no vehicle access would be allowed to the lot so it should not be an issue. Councilor Cole moved that the proposed agreement by the CFA assuming responsibility for any damage they caused be accepted. The motion was seconded by Councilor Pinnock and was approved unanimously. Councilor Ginn reminded the CFA that there are various state and County regulations which needed to be complied with.
6. Advertise Budget. Mr. McDowell said that there are three required notices related to the budget process that need to be advertised in the Brownsville Times. Councilor Shepherd moved that the City Administrator place the ads as required. The motion was seconded by Councilor Ginn. Mayor Ware and Councilor Cole recused themselves due to a conflict of interest. The motion was approved unanimously by the remaining Councilors.

#### DISCUSSION ITEMS:

1. Application of Resolution 593 – Economic & Community Development. Mr. McDowell said that he was hoping the Council would discuss Resolution 593 and how they would work to implement it. Mayor Ware said that he saw a difference between community development and economic development, that community development was focused on quality of life versus the economic focus of economic development. Mr. McDowell said the he believed that Resolution 593 mainly focuses on community development in areas such as beautification, attracting visitors and the agreement with the Brownsville Coop. Mr. McDowell asked if the Council would like to set priorities and direct him to move forward with implementing them or if the Council would like to form a committee to set the goals. Mr. McDowell said that economic development is focused on retaining existing businesses and attracting businesses interested in locating here. He said that he has done an inventory of long-term capital improvement projects which are now on the State's inventory and doing what things we can do to set the City up to succeed. Councilor Cole said that she was interested in forming a group to find a community vision to guide the development goals and that there are many individuals and groups who should be involved. Councilor Cole said that she would like to form a committee to create a development plan. The committee would have a definite, limited number of meetings and would involve as wide of cross section of the community as possible. The job of the committee would be to develop a community vision along with an action plan and budget for Council review and approval. Councilor Cole suggested that the committee have a facilitator so that Mr. McDowell could participate in the group rather than having to act as facilitator. Ms. Kaye Fox asked if the facilitator would be a volunteer or would be paid. Councilor Cole said that they would normally be paid, the cost would probably be in the \$2,000 to \$4,000 which she considered worthwhile. Ms. Rikki Gutierrez suggested a survey of residents rather than a committee. Mr. McDowell said that experience has shown a very poor result with surveys. Mayor Ware said that this is the natural next step in the process and the Council can continue doing other work while this process is going on. Mayor Ware noted that he had reviewed the two studies done in recent years and had discovered that a large percentage of the goals set out in those studies had already been accomplished. Councilor Cole moved that the Council form a committee along the lines set out in her memo and as described in the discussion. The motion was seconded by Councilor Pinnock. Councilor Brenner said that he would like a definite cost for the facilitator. Mr. McDowell said the motion being considered did not authorize any

expenditure at this time. He said that he would like all of the Councilors to participate on the committee. Councilor Shepherd said it was important that the committee represent the views of *Brownsville residents, not those who live elsewhere*. The motion was approved unanimously.

2. City Hall Building Use Process. Mr. McDowell said that he wanted to discuss the process the Council would use to determine how to use the space being vacated by the Fire District, not to discuss the actual uses at this time. Mr. McDowell said that staff had contacted the County and there did not appear to be any issue with the City using the building rather than the Fire District. Mr. McDowell asked if any of the Councilors had considered what type of process they would like to use. Councilor Brenner asked if the City wanted to use some of the space. Mr. McDowell said that the City would like some space as there is a real shortage of storage space. Mr. McDowell said a small area, perhaps 16' by 24' would be all that would be needed. Mayor Ware suggested that the discussion focus on the process, not on specifics. Councilor Cole suggested a public hearing to take ideas and suggestions from the public. Councilor Brenner suggested a special town hall meeting with no other agenda which would be advertised and some targeted invitations sent. Mrs. Gutierrez asked if the Council knew what they wanted to do with the space. Mayor Ware said that there have been many suggestions but no definite plans. Councilor Shepherd suggested that the City could use some of the equipment bays to store equipment to keep it out of the weather. Mrs. Fox suggested that Mrs. Gutierrez's home, which is on the market, would make an excellent Senior Center, but Mrs. Gutierrez declined to donate it at this time.

COUNCIL COMMENTS: NONE

HANDOUTS:

1. Westech Monthly Report.
2. February Financials.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m. with no further action being taken.



City Administrator S. Scott McDowell



Mayor Don Ware