

**BROWNSVILLE CITY COUNCIL
MEETING MINUTES**

September 18, 2008

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

ADDITIONS AND DELETIONS: Mr. McDowell added an Action Item for a Mayoral Proclamation and a Legislative Item for a Resolution. Under Discussion Items a new item was added for a request from the Central Linn School District. Councilor Brenner requested the addition of a Discussion Item regarding the upcoming Town Hall meeting to discuss the future use of City Hall space.

MINUTES: The Council reviewed the minutes of the August 26, 2008, City Council meeting. Councilor Ginn noted a mistake on page 5 where it was stated that Councilor Cole had abstained from a vote when she had not been present at the meeting. Councilor Shepherd moved that the minutes be approved with that correction. The motion was seconded by Councilor Ginn and was approved unanimously.

PUBLIC HEARINGS / PRESENTATIONS:

1. **Wastewater Improvement Project.** Mr. McDowell updated the Council on recent activities. He said that on September 9 the interim financing had been closed out. Mr. McDowell said that he had been able to complete the process by mail and had been able to avoid traveling to Portland to do it. Mr. McDowell said that the Phase 1 work had been completed and he is expecting the final pay request. Phase 2 is being kept open so that if more money does become available the work can still be done. Mr. McDowell said that he is working with Scott Wilson to finalize the accounting figures to determine exactly how much grant money is remaining. Mr. McDowell said that he estimates there is approximately \$323,000 left. He said that if the numbers prove to be correct he hopes to be able to do reconstruction work on the southern portion of Oak Street but it needs to be done soon before the weather changes.

CITIZEN COMMENTS:

Mayor Ware said that there have been problems with audience members speaking all throughout the meeting and he asked that citizen comments be given at the start and end of the meeting only. There was no citizen comment at that time. Councilor Brenner asked if there would be another forum for the City Council Candidates as had been done during the last election. Mayor Ware said that had been run by the Chamber of Commerce and he would bring the subject up at their meeting the next day.

DEPARTMENTAL REPORTS:

1. **Administrator Report.** Mr. McDowell told the Council that the State quarterly financial disclosure statements are due soon and that Councilors could drop them off at City Hall or mail them directly to the Oregon Government Ethic Commission (OGEC). Mr. McDowell offered to host tours of the Fire Hall so that the Councilors could see the space if they are not familiar with it. He said that the September newsletter is going out soon and September 19 is the deadline to submit articles. Councilor Ginn suggested putting in information about the Council candidate forum.
2. **Public Works.** Mr. Frink submitted a written report. Mr. Frink said that the Public Works department has been doing maintenance work on the water plant and the new sewer plants. They have been trimming trees to improve visibility and for safety reasons. A drainage project

on Washington Avenue should begin by the end of the month to try to help with the drainage problems in the area near Washington Avenue and French Street. They have been doing a lot of prep work to get ready for the Library landscaping project on September 26. Mayor Ware asked if sprinklers would be part of the project. Mr. Frink said that there has been discussion about that but it is not certain. He said that the project has been increasing rapidly in scope as time goes on. Mr. Frink said that Sherri Lemhouse has been leading the project along with Mike Nehls from Native Grounds Nursery. Mr. Frink said that the City is arranging to provide some food and drink for the volunteers on the project. Mrs. Janet Michaels asked about the sign on the Library being down. Mr. Frink said that it is being repaired and will be put back in place.

3. Planning. Mr. Sattler provided a written report and updated the Council on current projects around town. Mr. Sattler said that he had met with Carl Harrison from McFarland Cascade and the landscaping contractor who would be working on the site. Mr. Sattler told the Council that the Haney property had been partitioned and the estate settled. It appears that the southern 12 acres which is vacant will be going on the market. The construction of the pump station at the Brownsville Dam site is underway. It appears that all of the work should be completed this year so that the pumps can be in operation early next summer. Mr. Sattler said that Kristie Glaser is moving forward with her subdivision project across from the City Shops.
4. Library Report. Mr. Smith provided a written report. A question was asked about books being entered into the computerized catalog system, noting that so far about 8,000 books had been entered and asking what portion of the total collection that represented. Mr. McDowell said that the Library has about 17,000 volumes in total and that the rate of data entry will pick up after the end of summer when there will be more volunteer hours available. Mr. McDowell was asked about the status of the Linn Library League. He said that they have not been active and they are considering revising their proposal as they are concerned that the current proposal may not be able to garner enough support due to the expense.
5. Sheriff's Report. Sgt. Lawler was back from vacation and said that there had been a complaint that the deputies were not spending enough time in Brownsville. Sgt. Lawler said that they are spending time in Brownsville, possibly just not in the neighborhood of the person who complained. Sgt. Lawler said that Deputy Rossiter is moving back to Brownsville. Councilor Ginn asked if there had been a problem with the theft of catalytic converters in the area. Sgt. Lawler said that it had been occurring, particularly in more remote areas such as trailheads where cars are left unattended but sometimes right in town and even in store parking lots. Mrs. Kaye Fox asked Sgt. Lawler if he had heard about the report she had filed of finding "the replica of a knife" in her yard. Sgt. Lawler said he hadn't. Mrs. Fox asked if something was going on in town. Sgt. Lawler said he didn't know anything about it.
6. Council Reports. Mayor Ware asked what this agenda item was for. Mr. McDowell said that it was intended for Councilors to report on any meetings they had attended such as Rec Board meetings, Cascades West Council of Governments or otherwise. Councilor Ginn said that she would be attending the Rec Board meeting the next Monday evening.

LEGISLATIVE ACTION:

1. Ordinance 716 - Memorials. Mr. McDowell explained that there have been a number of requests for memorials, such as trees or plaques, to be placed around town. The Parks Committee was concerned about the proliferation of such markers with no system or coordination and had developed a proposal on how to handle such requests, which Mr. McDowell has prepared in the form of proposed Ordinance 716. Councilor Ginn moved that Ordinance 716 be read by title only. The motion was seconded by Councilor Shepherd and approved unanimously. Mayor Ware read the title of Ordinance 716 and set the second reading for October 16, 2008.

2. Resolution 617 – Budget Figures. Mr. McDowell said that he has been working with Boldt, Carlisle & Smith regarding this year’s audit and that there is a problem in communication in that they have told him that they found some problems with the published budget figures but haven’t told him what those errors are. Mr. McDowell said that he has talked to the Department of Revenue about it and they tell him that there isn’t a problem. Mr. McDowell said that he has drafted this Resolution to try to satisfy the auditors. Mr. McDowell said that the auditors say that he needs to show \$1.2 million in the budget for the possible extension of the grant fund timeline but that the Department of Revenue says that grant funds don’t need to be shown in the budget. Mr. McDowell said that Resolution 610, adopting the budget, is what is controlling, not the numbers shown on various budget reports. Councilor Ginn moved that Resolution 617 be approved. The motion was seconded by Councilor Shepherd and was approved unanimously.

ACTION ITEMS:

1. Park Rules – Facility Rental. Mr. McDowell said that there have been discussions about creating more flexibility for the rental of park facilities as currently the system is that all of the buildings are rented as one unit. The Park Board looked at rental patterns and decided to create three different “packages” of rentals with different buildings in each of the packages. This will allow people to rent just what they need and create the possibility of being able to rent to two separate parties which would help during the summer busy season. The proposed rules simplify the rental structure based on the number of attendees and increase the deposit as there were two instances this year of renters who failed to clean up after themselves. Councilor Ginn moved that the proposed policy be adopted. The motion was seconded by Councilor Brenner and was approved unanimously.
2. Appoint Park Board Member. Mr. McDowell said Mr. Rick Dominguez had applied for the open Board position and was the only applicant. Councilor Shepherd moved that Mr. Dominguez be appointed to the Park Board. The motion was seconded by Councilor Ginn and was approved unanimously. Mayor Ware said that he was impressed with the job the Park Board had been doing in identifying problems and bringing proposed solutions to the Council.
3. Proclamation Thanking Nancy Lane. Mayor Ware said that Nancy Lane has been involved with the Library for nearly 30 years in various capacities, both as Librarian and as a volunteer for many years. He said that she is moving out of town and he wanted to pass a proclamation thanking her for her service to the community. Mayor Ware issued the proclamation.

DISCUSSION ITEMS:

1. City Hall Usage Meeting. Mr. McDowell said that the Council had discussed having a meeting in October to discuss the use of the space which will be vacated by the Fire District. Councilor Shepherd asked if the Council had determined what types of uses would be permitted and how much rent would be charged. Mr. McDowell said that would be part of the discussion. He said he wanted to pick a date in October for the meeting. After reviewing everyone’s schedule the date of Thursday, October 23, was agreed upon. The meeting will be held at City Hall.
2. Weed Abatement Language. McDowell was instructed to bring back suggestions that would change the Weed Abatement Ordinance in the Brownsville Municipal Code. Councilor Shepherd led the discussion regarding the particulars of the ordinance. Council agreed that weeds and grass should not exceed eight inches in height. Council considered the length of the enforcement season and possibility changing that from June 1st to September 30th to perhaps May 15th through October 31st. The “one-half acre” rule was discussed at length. Council felt that the ordinance is for fire protection and therefore should have a much broader scope. Council also discussed the possibility of changing the language in regards to Blackberry bushes will discuss restrictions and possible exemptions at the October 16th, 2008 Council meeting.

3. BCS Audit. Mr. McDowell said that the material he wanted to discuss had already been covered in the discussion of Resolution 617. Councilor Ginn had a question regarding the financial reports and noted that it indicated that 42.25 percent of the budgeted funds for salaries had already been expended on account 100-020-500-0... Mr. McDowell said that he suspected a payment forward like the contract for the Linn County Sheriff's Office or maybe an error in the report and he will look into it and report back.
2. Central Linn School District. Mr. McDowell told the Council that Theresa Wilhelm is trying to get grant money to help repair the track at the High School. The project cost is estimated at \$180,000 and she is trying to obtain a \$90,000 grant. She is looking for letters of support from the community and is trying to raise the \$90,000 in matching funds. At this time she is just seeking letters of support.

COUNCIL COMMENTS:

CITIZEN COMMENT:

Mrs. Kaye Fox asked why she didn't get all the material provided to the Councilors. Mr. McDowell said that he had finished preparing some of the documents after 5 p.m. before the meeting so some information was not in the packets that people picked up earlier in the week. Mr. McDowell said that anyone is welcome to copies of any of the material provided for the Council, however, at times there are last-minute additions to Council agenda after the packet has been sent. Mr. McDowell said he would try to remember to bring extra copies for audience members in the future. Mrs. Fox said that she didn't like the fact that Mayor Ware had not allowed any citizen input during the meeting. Mayor Ware said that despite his request at the start of the meeting Mrs. Fox had made comments during the meeting anyway. Mrs. Fox said that more opportunities for public input need to be provided. Mayor Ware said that there is an opportunity at the start of the meeting and an opportunity at the end of the meeting. Mr. McDowell said that the meetings have been run in a very unprofessional manner and that other bodies do not allow arguments back and forth between board members and the audience during the public meetings. He said that they provide opportunities for public comment. Mr. McDowell said that the situation has allowed the Council to get bogged down in small issues and not have time to deal with more important policy matters. Mr. McDowell provided examples of citizens who had resolved issues in a more professional manner. Councilor Ginn said that the County Commission allows citizens two minutes to comment at the start of the meeting and no other public input is allowed. Ms. Susan Rose spoke and said she would like to see time limits on each person's comments so that everyone got a chance to speak. Mrs. Tricia Thompson spoke and said that she would like an opportunity to see the Fire Hall space prior to the public meeting. Mr. McDowell said that he would arrange with Kevin Rogers to have a time when the building would be open to the public. Mr. Rick Dominguez said that he appreciated being appointed to the Park Board and that he is trying to give back to the community. Mr. Dominguez said that the Library Park looks a bit rough now but it will look good after the landscaping project is completed.

EXECUTIVE SESSION: Mayor Ware announced that the Council would be adjourning to an Executive Session pursuant to ORS 192.660(i) to discuss a personnel matter. The meeting adjourned to Executive Session at 8:30 p.m.

ADJOURNMENT: The meeting returned from Executive Session to Regular Session at 8:55. Councilor Shepherd moved that the meeting be adjourned. The motion was seconded by Councilor Pinnock and was approved unanimously. The meeting was adjourned at 8:55 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware