

BROWNSVILLE CITY COUNCIL
MEETING MINUTES

May 26th, 2009

ROLL CALL: Mayor Ware called the meeting to order at 7:00 p.m. with Councilors Shepherd, Van Sandt, Gerber, Chambers and Ginn present. Councilor Cole arrived about 7:15 p.m. Also present were City Administrator Scott McDowell, City Planner Bill Sattler and Public Works Director Karl Frink.

ADDITIONS AND DELETIONS: None

MINUTES: The Council reviewed the minutes of the April 23rd, April 28th and May 5th, 2009, City Council meetings. Councilor Van Sandt moved that the three sets of minutes be approved. The motion was seconded by Councilor Gerber and was approved unanimously.

PUBLIC HEARINGS / PRESENTATIONS:

1. Budget Hearing – Fiscal Year 2009-2010. Mayor Ware opened a public hearing to take comment on the proposed 2009-2010 budget. There was no public comment and Mayor Ware closed the public hearing.
2. Lauren Sommers – City Attorney. Mr. McDowell introduced Ms. Lauren Sommers of Harrang, Long. Ms. Sommers told the Council that she would be the City's primary contact attorney and was looking forward to working with the City.

CITIZEN COMMENTS: NONE

DEPARTMENTAL REPORTS:

1. Sheriff's Report. Sgt. Brad Kelly introduced himself, saying that he would be replacing Sgt. Lawler. He told the Council some of his background, saying that he has been with the Sheriff's Department since 1996 and has served as a detective and a training officer.
2. Planning. Mr. Sattler told the Council that he had issued several permits last month in response to Linn County's incentive program. He said that McFarland-Cascade was donating a large quantity of compost to the Community Gardens. Mr. Sattler said that he has been contacted by a real estate agent who is looking for about three acres of industrial property for an Albany business that is interested in relocating to the Brownsville area. He said that he has put them in touch with McFarland-Cascade as they may be interested in selling some of their property to offset the expenses of bringing their utilities under Hwy. 228.
3. Public Works. Mr. Frink said that there is the possibility that the City will be required to start testing for cryptosporidium in the water system in response to some new regulations. Mr. Frink said that if cryptosporidium is present it can be quite dangerous but that there is no evidence of it being present in the City's water. He said that testing would cost more than \$2,500 per month which would cause increased water rates so he is working on negotiating with the state agencies to see if the testing could be avoided. He said that he met with Mr. Nate England, the engineer for Rural Development, regarding the clean water feeds at the South Treatment Plant and said that Mr. England will be recommending the installation of clean water well at that site. Mr. Frink said that the water plant is now fully in compliance according to the latest correspondence from the Department of Human Services and that the Park Caretakers had returned for their third summer in Pioneer Park. Mr. Frink said that sewage has appeared again in the Seven Mile Lane ditch and he will be having the storm drain line inspected again to try to find the source. Councilor Shepherd asked who would pay for the well at the South Treatment

Plant. Mr. McDowell responded saying that has not yet been determined; the details are still be worked out.

4. Administrator Report. Mr. McDowell told the Council that the sewer project on Seven Mile Lane is going well, with the contractor installing over 200' of line per day so far. He said that they hope to be able to make it all the way to Hausman Avenue but that he needs to obtain a final date for work from Roseanne at Rural Development. He said that June 30th is the final date for paperwork and the construction needs to be done before then. Mr. McDowell said that the contractor may go to 12 hours shifts to get the work done before the deadline. Mr. McDowell said that the High School had three groups of students do community service projects at the Cemetery, Pioneer Park Stage and the Community Center. He said that all the students had done a great job and he had contacted the school to thank them for their fine work.
5. Library Report. Ms. Lemhouse submitted a written report.
6. Court Report. Councilor Cole said that there had been an increase in vandalism in the last month. Rick Dominguez said that one of the benches in the Library Park had been broken but he wasn't sure what had happened.
7. Council Reports. Councilor Cole said that she had attended the CWCOG meeting last month and that various departments of the COG had provided reports on what they did. She said that they will be sending her a copy of the presentation and she would forward it to any Councilors who were interested. Councilor Chambers invited the Councilors to a pot luck prior to Pioneer Picnic. Mr. McDowell said that Theresa Connelly will make a presentation at the next Council meeting regarding "the Siletz Project."

LEGISLATIVE ACTION:

1. Resolution 628 – Verifying Services to the DAS (State Revenue Sharing). Councilor Ginn moved that Resolution 628 be approved. The motion was seconded by Councilor Cole and was approved unanimously.
2. Resolution 629 –Requesting State Revenues from the DAS (State Revenue Sharing). Councilor Ginn moved that Resolution 629 be approved. The motion was seconded by Councilor Shepherd and was approved unanimously.
3. Ordinance 719– Defining the Parks and Open Spaces Advisory Board Responsibilities (First Reading). Councilor Gerber moved that Ordinance 719 be read by title only. The motion was seconded by Councilor Shepherd and was approved unanimously. Mayor Ware read the title of Ordinance 719. Councilor Cole moved that Ordinance 719 be approved. The motion was seconded by Councilor Ginn and was approved unanimously.

ACTION ITEMS:

1. RFP for Auditing Service. Mr. McDowell said he had not been satisfied with the services provided by the City's auditors. He said that they had been late in getting the audit done and had tried to charge the City for costs related to their delay. Councilor Ginn said that Linn County had been using the same firm and found a very qualified replacement. Mr. McDowell recommended going through the RFP process to solicit proposals. Councilor Gerber authorized Mr. McDowell to begin the RFP process for auditing services. The motion was seconded by Councilor Van Sandt and was approved unanimously.

2. Street Closures for Pioneer Picnic Parade. Mr. McDowell said that the Pioneer Picnic parade required a couple of streets to be closed temporarily. Councilor Shepherd moved that the closures be authorized. The motion was seconded by Councilor Van Sandt and was approved unanimously.

DISCUSSION ITEMS:

1. City Hall Usage. Mr. McDowell said that the Council had asked him for ideas on the use of the space and had listed possible tenants in his report. He said that the Linn County Sheriff's Office had asked to relocate to Chief Rogers' old office and that the space is now ready for them to move. Mr. McDowell said that it had been decided that City staff will manage reservations for the use of the room. Councilor Cole suggested that "for profit" groups be charged to use the space and that a deposit of \$50 be charged to any group that wants to use the kitchen area. Mr. McDowell said that regular users could post a deposit which would be retained, rather than posting one each time they used the kitchen. Councilor Gerber asked how far in advance groups would be allowed to schedule the space. Mr. McDowell suggested allowing them to schedule for the remainder for the calendar year for now and see how that goes. Councilor Shepherd suggested giving Mr. McDowell the flexibility to run the program for a while to see how it works and flows. Mr. McDowell said that he will develop a written policy for the use of the space.
2. Pioneer Park Riverbank and the Corps of Engineers. Mr. McDowell said that staff had met with the Corps of Engineers representatives along with Tim Otis. He said that they had indicated they would be willing to work with the City and provided information but had not committed themselves to anything. He said that they had indicated the City could do an "emergency" repair, but that it would then need to go through their regular process and ultimately would need to be removed all of the material from the "temporary" or "emergency" repair. He said that he didn't want to start on an "emergency" repair that could end up costing the City a large sum of money to mitigate in the end. The Army Corps could impose requirements since the repairs were "emergency" repairs and require the City to submit a more elaborate, long-term solution for the river bank. Mr. McDowell said that the Corps' standards require a minimum four to one slope on the restored river bank and that the bank is too close to the restrooms to make that possible. Mr. McDowell said that current standards do not allow for any recovery of the bank that has been eroded, so the only option would be to build a large retaining wall near the restrooms which would cost considerably more than the restrooms are worth. Mr. McDowell said that it looked like the only realistic option would be to move or remove the restrooms and use the space to stabilize the bank with a proper slope through the Calapooia Watershed Council. Councilor Van Sandt asked where the new restrooms would go. McDowell stated that the Master Park Plan suggested an area near the new basketball court. He said that something should be done by the end of the summer.
3. Pets in Pioneer Park. Mr. McDowell said that there had been some discussion regarding off-leash dogs in Pioneer Park. He said that the regulations stated that dogs should be on leash or "under voice control" which has been vague. He said that particularly during the winter there are many people who use the park to run their dogs and it hasn't been a problem. Councilor Shepherd suggested an area, such as the area south of the ball fields along the river, be designated as "off-leash areas." Councilor Shepherd and McDowell will meet with Park Board representatives to review alternatives.
4. Landlord/Tenant Billing Concept. Mr. McDowell explained a possible plan of holding renters to a shorter payment period before they are considered past due and disconnecting their water. Councilor Cole asked how many complaints there had been about the current billing system. Mr. McDowell said perhaps four or five. He said that with water/sewer bills averaging about \$70 per month our current system allows tenants to get bills up to \$150 or so before they are shut off. Councilor Cole said that she thought the City is doing what it can to collect bills. Councilor Chambers said she didn't like the idea of treating renters differently from owners. The consensus of the Council was not to pursue the idea. Mr. McDowell said that there are a couple of minor policy

changes. He said that all 24-hour notices will be hung on Fridays with disconnects on Mondays and that anyone who has three checks returned for insufficient funds will be required to pay with cash or money order. He said that he will put that in ordinance form and bring it back to Council.

5. April Financials. Mayor Ware discussed the City's reserve funds invested with the State Investment Pool.

COUNCIL COMMENTS:

CITIZEN COMMENT:

ADJOURNMENT: The Council meeting was adjourned at 8:25 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware