

BROWNSVILLE CITY COUNCIL  
MEETING MINUTES

June 23<sup>rd</sup>, 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 was excused. Also present were City Administrator Scott McDowell, City Planner Bill Sattler and Public Works Superintendent Karl Frink.

ADDITIONS AND DELETIONS: Resolution 634 – Authorizing Funds Transfer was added to the agenda under Legislative Items.

MINUTES: The Council reviewed the minutes of the May 19<sup>th</sup>, May 26<sup>th</sup> and June 5<sup>th</sup>, 2009, City Council meetings. Councilor Shepherd moved that all three sets of minutes be approved as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously.

PUBLIC HEARINGS / PRESENTATIONS:

1. Linda McCormick – Stand By Me Proposal. Ms. McCormick discussed the planned Cruise-In scheduled for August 15. She said that the organizers would like to close off Park Avenue between Main and Averill as well as Spaulding Avenue between Main and Averill, beginning the morning of August 15. She said that the starting time of the event had been moved earlier this year. Ms. McCormick said last year the Cruise-In had used half of the streets and this year they would like to use the whole width of the streets. Councilor Ginn asked if she had discussed the proposal with the business owners on Spaulding Avenue. Ms. McCormick said that she had not yet done so. Councilor Ginn suggested that she speak with the business owners about the proposal and put up signage to give notice of the planned closure. She said that she would like the input of the business owners before making a decision on the closure. The rest of the Council agreed by consensus. Ms. McCormick was asked to come back at the July Council meeting with the responses of the business owners and the Council would make a decision at that time.
2. Pam Silbernagel. Ms. Silbernagel said that at the Council work session earlier in the year there had been discussion concerning economic development and the possibility of reviewing and revising the Comprehensive Plan. She introduced Theresa Connelly who is a Planner with the Council of Governments and who has been working with the City of Siletz on revising their Comprehensive Plan. Ms. Connelly passed out some material regarding her work with the City of Siletz and explained the process of revising a city's Comprehensive Plan.
3. Willie Gilmore – Senior Center. Jean Peterman was present and said that Mr. Gilmore had passed away the previous Saturday.

CITIZEN COMMENTS:

1. Jay Marsh. Mr. Marsh said that he wanted to discuss his attempts to work with the Rec Center to try to open the facility for local kids to use. He said that the Rec Board has been putting him off, that he was originally told he could start his program after Pioneer Picnic but now they are not working with him. Mr. McDowell provided some background information for the Council, saying that the Rec Center is currently being used mainly by sports teams with few opportunities for the general public to use it. Mr. Marsh has volunteered to supervise the facility for a few hours so it could be open to the public. Mr. Marsh went to the Rec Board and they had wanted to run a criminal background check on Mr. Marsh. Mr. Marsh wondered if that was the Board's standard practice or if they were placing obstacles in his way. Mr. Marsh said that the lease for the Rec Center is up for renewal in January 2010 and he would like the Council to consider this situation when renegotiating the lease. Councilor Ginn said that the next Rec Board meeting would be next Monday and that she would be there to discuss the matter with the Rec Board. She requested that Mr. Marsh and Mr. McDowell also attend the meeting.

## DEPARTMENTAL REPORTS:

1. Sheriff's Report. Sgt. Brad Kelley provided a brief report to the Council.
2. Planning. Mr. Sattler told the Council that permit activity has been picking up. Mr. Sattler responded to the discussion concerning Comp Plan updates, saying that in his experience the process has been long, difficult and expensive. Mr. Sattler said that he had met with the DLCD representative for this area, Ed Moore, and Mr. Moore had advised against a general Comp Plan update. They had discussed the idea of adding additional industrial land on the southwest corner of the City to provide sites for businesses to move to town which has been discussed for some time and Mr. Moore had been very encouraging of that idea. Mr. Sattler said that the first step in the process is called an Economic Opportunity Analysis and that Mr. Moore was looking into funding sources that might be available to assist. He said that the City should not rush into the process without a great deal of further investigation. Mr. Sattler said that abatement notices had been sent to numerous properties around town, primarily for tall grass but also for junk and attractive nuisance issues.
3. Public Works. Mr. Frink said that Pioneer Picnic had gone smoothly and that the Public Works Department has been staying busy trying to keep up with all the mowing required around town during the last month along with their regular work.
4. Administrator Report. Mr. McDowell provided the Council with copies of the goals and operating guidelines developed at the Council's goal setting session. Mr. McDowell said that he has been working with the Linn Tourism group and they are currently working on incorporating the rest of Linn County into their material and working on a branding concept for the County. Mr. McDowell said that he met with Andrew Wenger regarding the possibility of relocating the Pioneer Park restrooms before the riverbank collapses underneath them. Mr. Wenger said that given the slab style of construction of the restrooms there is no reasonable method of moving them. He said that the best option would be to remove them and build a new facility. Mr. McDowell said that a portable toilet could be installed as a temporary solution until the new building was in place.
5. Library Report. Ms. Lemhouse submitted a written report.
6. Court Report. Kathy Nida provided a summary of court activity.
7. Council Reports. Councilor Shepherd said that he had met with the Park Committee regarding dogs in Pioneer Park and hadn't found any area they thought would be suitable for an off-leash area. Mr. McDowell suggested that the Council should have a public hearing on the issue before making any decision. The Council agreed by consensus. Councilor Ginn said that she has been attending the Rec Board meetings and that there are some members of the Board who do not want to let Mr. Marsh use the facility. She said that she had told them that they needed to treat him the same as they treat other users of the facility and not to pick and choose who they liked to use the facility. Councilor Shepherd said that when the facility was given to the City it was to be used as a community center and that's how it was used for years.

## LEGISLATIVE ACTION:

1. Resolution 631 – Appropriations 2009-2010. Councilor Ginn moved that Resolution 631 be approved. The motion was seconded by Councilor Shepherd and was approved unanimously.
2. Resolution 632 – Sewer Rates. Mr. McDowell said that Resolution 631 increased sewer rates by five percent. Councilor Shepherd asked the reason for the increase. Mr. McDowell said that the City had had a rate study done several years ago which had recommended several years of five percent increase to adequately fund the sewer system. This is the final year of those recommendations. Mr. McDowell said that he is working on arranging for a new rate study

which will take the new sewer facilities into account. Mr. McDowell said that Resolution 631 only increases the usage rates, all other charges are kept the same. Councilor Chambers asked if there had been an increase last year. Mr. McDowell said that there had been the same increase last year. He said that the proposed increase would result in an average of \$3 per month increase in bills and said that much of the system is still quite old and money is needed for repairs and upgrades. Councilor Gerber moved that Resolution 631 be approved. The motion was seconded by Councilor Ginn and was approved unanimously. McDowell also indicated that the Budget for Fiscal Year 2009-2010 are based on these increases.

3. Resolution 633 – Water Rates. Mr. McDowell said that Resolution 633 would increase water rates by three percent. Councilor Gerber moved that Resolution 633 be approved. The motion was seconded by Councilor Ginn and was approved unanimously.
4. Ordinance 720 – Shutoff Amendment (Emergency). Councilor Shepherd moved that Ordinance 720 be read by title only. The motion was seconded by Councilor Ginn and was approved unanimously. Mayor Ware read the title of Ordinance 720. Councilor Ginn moved that Ordinance 720 be approved. The motion was seconded by Councilor Shepherd and was approved unanimously. Councilor Ginn moved that Ordinance 720 be approved with an emergency clause so as to become effective immediately. The motion was seconded by Councilor Gerber and was approved unanimously.
5. Resolution 634 – Sewer Fund Transfer. Mr. McDowell explained that this Resolution transfers \$37,001.10 from the Sewer Construction Fund to the Sewer Miscellaneous Fund to clean up the accounting of those funds. Councilor Gerber moved that Resolution 634 be approved. The motion was seconded by Councilor Ginn and was approved unanimously. Mr. McDowell said that the money came from contingency funds and was not project money.

#### ACTION ITEMS:

1. LB-50 and Sewer Assessments. Councilor Ginn moved to approve the LB-50 form indicating a total of \$59,046 on line 6a. and \$272,285 on line 6b., for a total of \$331,431 on 6c. and a permanent tax rate of \$6.9597 per thousand. The motion was seconded by Councilor Gerber and was approved unanimously.
2. Published LB Forms. Mr. McDowell said that the Budget Committee passed the water and sewer bond debt service appropriations and put them on the appropriate LB-3 form but that the numbers didn't get carried forward to the first page of the LB-1 form. He said that he contacted the State Department of Revenue and they indicated that it just needed to be referenced in the Council minutes that it was approved and the mistake was a clerical error that it didn't get on the LB-1 form and did not require being republished. The water and sewer bond and the permit tax rate were mentioned at the public hearing held on May 29<sup>th</sup>, 2009 as well.

#### DISCUSSION ITEMS:

1. May Financials

#### COUNCIL COMMENTS:

#### CITIZEN COMMENT:

ADJOURNMENT: The Council meeting was adjourned at 8:45 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware