



Council Minutes

September 22nd, 2020

ROLL CALL: Mayor Don Ware called the teleconference meeting to order at 7:00 p.m. with Councilors Block, Neddeau, Thompson, Gerber, Hansen, Administrative Assistants Tammi Morrow, Jannea Deaver, Elizabeth Coleman, and City Administrator Scott McDowell present. Councilor Chambers was excused.

PUBLIC: Sergeant Greg Klein (*Linn County Sheriff's Office*), James Furst, Allen Buzzard, Michael Humphreys, and Tia Parrish (*The Times*).

City Administrator McDowell reminded everyone of the ground rules for speaking and interacting during the teleconference. Mr. James Furst had asked to be put on the agenda, so he will have 5-7 minutes. Others speaking at the Citizen's Comments time will have 3 minutes each. Council motions will be done differently in order to efficiently vote on matters before Council. Anyone wishing to speak will need to select the raised hand icon or dial *2 on their telephone or mobile telephone.

The pledge of allegiance was recited by Mayor Ware.

ADDITIONS AND DELETIONS: Mr. McDowell stated that he would like to add under Action Items, D. Advertise for a Surplus Sale.

MINUTES: *Councilor Gerber made a motion to approve the July 28th, 2020 meeting minutes as presented. Councilor Hansen seconded the motion, and it passed unanimously.*

PUBLIC HEARING | PRESENTATIONS:

- 1. Utility Billing Procedures – Mr. James Furst.** Mr. James Furst was present and had asked to be placed on the agenda inquiring about utility billing procedures. Mr. Furst indicated that his concerns have been resolved. He stated that he has had good communication with all he has spoken with at City Hall. He stated that he would like to participate in Council meetings going forward.
- 2. Wildfire Information & Resources.** Mr. McDowell stated that the recent wildfires were the biggest emergency our area has experienced since the flood of 1996, causing lots of fear and anxiety. The City and Staff did an excellent job of providing as much current and accurate information on many different platforms ranging from the City's websites, Facebook postings, and by fielding calls and walk in customer concerns. McDowell expressed his appreciation for the Linn County Sheriff's Office and the Governor's Office for providing great information.

Senator Merkley forwarded a great resources page, and his aid in Oregon, Courtney Flathers, was helpful as well. Councilor Block and Kim Clayton provided a tip for the airnow.gov website that provides air quality levels in real-time. The City got over 62,000 hits on their Facebook page during this wildfire event, the most ever! Councilor Gerber expressed appreciation for McDowell and Staff for the incredible job that they did for the community by providing so much information; you are all very valued by the community. Councilor Hansen echoed Councilor Gerber's comments, you are all much appreciated especially during this time of emergency.



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DEPARTMENT REPORTS:

- 1. Linn County Sheriff's Office (LCSO) Sheriff's Report.** Sergeant Greg Klein that at the beginning of the wildfire event, he was on vacation, elk hunting over in eastern Oregon. (No, he did not get an elk!) He said that he was impressed with the amount of community support and organizations working together for the greater good of all. When he did come back on shift, he was headquartered with Oregon Department of Forestry down in Eugene at Thurston. Deputy Klein's team oversaw the search for human remains. They had cadaver dogs from out of state helping in the search. They did not find any human remains.

In Linn County, on our side of the river, all folks are accounted for. Klein stated that he heard lots of compelling stories. He witnessed lots of homes that had been burned to the ground. For his monthly report, Klein reported that in the month of August there were 20 citations, 14 warnings, and 210 total hours spent for the City. Councilor Hansen reminded Klein that we are still concerned about citation numbers, but we appreciate all the LCSO efforts for the City. He mentioned that the traffic noise in the early morning hours is pretty big deal. Hansen suggested parking the patrol vehicles in front of City Hall instead of around back so that they would have more visibility and greater presence while in the town.

- 2. Public Works.** Mr. McDowell will deliver the Public Works Superintendent Report tonight.
- 3. Administrator's Report.** McDowell shared his screen and recapped several items. Corey Wright, RAIN, has done a great job for us. Mr. Wright has been accepted into a high-level Master's Program in Germany, and so will be moving soon. He will still do work for RAIN on a part-time bases, albeit from a distance. Executive Director Caroline Cumming has stated that they will be hiring a part-time person to fill in. She has assured us we will still be receiving the full measure of her team and resources to continue achieving the goals outlined in the agreement with the eight cities.

Councilor Block and Scott McDowell recently attended the quarterly LCSO meeting. With the fire emergency still raging, there are a lot of issues on the back burner for now.

McDowell reported that Alyrica has not been in town recently due to the wildfire emergency status.

In the Planning Department, McDowell reported that building projects have been on hiatus for a short time during this fire season. Planning is still very busy with several developments currently being built and others working toward fruition.

McDowell stated that the Cascade West Council of Governments (COG) is hoping to resume normal operations soon. They have been cancelling meetings due to Covid-19, but are ready to get back to some normalcy as soon as possible.

McDowell reported that the Linn County Pioneer Association (LCPA) were relatively pleased with their event. They dropped off a nice souvenir booklet for the City. It is downstairs if anyone would like to take a look.

McDowell thanked Staff for all the pre-audit work and compilation of information for Boldt, Carlisle, and Smith. They were only in house for 2 1/2 days! The only concern



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that Cyrus Ward, Lead Auditor, expressed was the cemetery transfer from the year before to the General Fund. McDowell provided the resolution that Council enacted making this transfer at the request of the former Lead Auditor, Tasha Harrell. These funds may need to go back to the Cemetery Fund by journal entry depending on Mr. Ward's review.

Sharing Hands, Chandra Evans, and the CLRA are trying to make pre-school happen at the Rec Center. They will need to be following social distancing rules and guidelines issued by the Oregon Department of Education. McDowell recently had an opportunity to meet with CLRA President Sean Johnson, and they determined that sports will not be happening for the Fall season as there is no way to comply with the strict guidelines set forth by the State for Covid-19.

Municipal Court Judge Jessica Meyer and Court Clerk Carol Humphreys provided information regarding aged files within the court system. Mr. McDowell expects to see many more policy shifts coming after the next legislation session. The collection agency seems to be going very well.

McDowell reported that Mrs. Morrow will be undertaking the video inventory of supplies and items City-wide for insurance purposes.

McDowell reported that the City has received 3 reimbursement payments so far through the CARES Act. Mrs. Morrow has doing a great job managing that project. The City will have another submission on Friday for these grant funds.

McDowell recapped the weed ordinance program and season. Every year this season runs from June 1st to September 30th. The first abatement runs around the first week of June depending on weather conditions. In mid-August Staff assesses the possibility of a second round. Factors include daily temperatures, fire bans, and the severity of threat posed by lots.

Mr. Allen Buzzard recently submitted an email with photos to the City asking that folks be targeted for abatement mowing. All photos show the vegetation to be in compliance with the 12" rule. The City does not cite property owners for green vegetation or the dandelions that sprout up in late July.

McDowell and Fire Chief Rogers assessed the situation and concluded that the area shown falls within the guidelines established at this time. It is also important to note the deadline imposed by the ordinance and the posting requirements. When the City posts notices, folks have 10 days to comply. Perhaps Council would like to consider some legislation that could be based on extended deadlines and perhaps a quicker posting period during an emergency situation.

It is also important to know that the City has not been able to execute the second weed notices due to dry weather conditions that prompted fire bans. The recent fire emergency should underscore the important of the City's program.

McDowell thanked Carol Humphreys for the photo she took of City Hall with the orange sky from the wildfires in the background. He also publicly thanked all the First Responders out there on the fires. It was amazing to see the work that so many folks do for the good of everyone.



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McDowell included an advocacy newspaper article from the *Democrat Herald* that spoke to the City's concerns with mandates coming down from the State and the implications special interest groups have in the process. The process leaves cities with no options for self-governance. After reading the article, it seems time is of the essence to begin very actively working on advocacy, perhaps suggesting the Cascade West Council of Governments hire a lobbyist for the protection of cities would be a good goal to pursue. Cities could also ban together and hire a lobbyist to protect Home Rule and other shared interests.

Clean-up Day is Saturday, October 3rd, 2020 from 7:30 a.m. to 3:00 p.m. at the Rec Center, depot style as normal. As folks have been home from the pandemic, the City may receive a record amount of stuff.

The vineyard wind machines may be kicking on soon with lower temperatures.

The Volunteer Appreciation Party is cancelled for this year. McDowell thanked Councilor Neddeau for doing the cooking for many of the past events. McDowell and Mayor Ware will be sending out thank you cards to acknowledge volunteers for their tremendous effort.

McDowell reported that there is a link on the website for the census. Folks can simply click on that link, and it will take you right to the website. He has heard reports that the census is going well in Brownsville.

McDowell reported on the Holbrook/Millrace issue. Mr. Holbrook granted the City an easement years ago for us to have access to the pumps. Holbrook has been experiencing a lot of trash and unruly behavior on the property recently. He would like to have a friend come out and stay for a while to caretake and protect the property. McDowell informed him that he would have to check with Pacific Power to have a separate meter put in for their use. The City has not heard back on the status of the situation.

McDowell stated that there are currently three vacancies on Council for the November election and three candidates.

Councilor Block stated that his statement on the top of page 12 in the agenda packet was not disputed. Lieutenant Duncan made no comment.

4. **Planning.** No comments.
5. **Library.** No comments.
6. **Court.** No comments.
7. **Council Comments.** Councilor Block proposed for Council consideration that we rename the Community Room in honor of Don Ware, perhaps the "Ware Room." Block stated that he felt it was a fitting honor for Mayor Ware as he has been Mayor of Brownsville for many years, owned and operated the local newspaper for more than 20 years, and volunteers for several local Boards and organizations. Councilor Hansen stated that he supports the idea; everyone appreciates Don's service in many areas to support our local community. Councilor Thompson stated that she certainly echoed these statements, but feels that we should sit on it and think about it. She stated that there are lots of other people that could and should be recognized, Joni Nelson and



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Chenowith Robertson being two examples. She would like to compile a list of candidates and then narrow down the list. Councilor Hansen thinks that there are other ways to honor folks too, such as a plaque that could recognize volunteers and multiple folks. Hansen thinks this is something to pursue.

- 8. Citizen Comments.** Mr. Allen Buzzard, School Avenue, stated that he thought Councilor Block's suggestion was wonderful. Mr. Buzzard suggested that LCSO could make a better presence known by parking on Main Street when in town. He issued a thank you to Mr. McDowell for the roof cleaning done at the Central Linn Recreation Center and City Hall. Buzzard has some concern about spending \$33,120.00 for visual/audio equipment at City Hall. He thinks the price is too much money. Buzzard stated that that funding would be better spent on the chip seal program he has discussed with Mr. McDowell and Public Works Superintendent Frink. Mr. Buzzard stated that he wished to comment later on the proposed RV ordinance. Mr. McDowell indicated that the price for the equipment was for reference only. Council would like to begin meeting again in person, but with the restrictions it is not possible to meet all the requirements being imposed. McDowell said the price is high to supply and demand. Many schools and churches are trying to make arrangements to serve their people.

LEGISLATIVE ITEMS:

- 1. Resolution 2020.18 – Update Machinery, Materials, & Human Resources Fee Schedule.** McDowell reported that every year Staff reviews fees schedules. The current fee schedule was last updated in 2017. This update adjusts wages only. *Councilor Gerber made a motion to approve R 2020.18 as presented. Councilor Hansen seconded the motion, and it passed unanimously.*

ACTION ITEMS:

- 1. Advertisements – Parks & Open Space Advisory Board Member, Planning Commission Member, & Surplus Sale.** *Councilor Gerber made a motion to approve the advertisements for Parks & Open Space Advisory Board Member, Planning Commission Member, and Surplus Sale. Councilor Hansen seconded the motion, and it passed unanimously.*
- 2. Arbor Day Proclamation.** Mayor Ware proclaimed October 2020 as Arbor Month in the City of Brownsville urging citizens to celebrate Arbor Month and to support the efforts to protect our trees and woodlands to plant and care for trees for future generations.

DISCUSSION ITEMS:

- 1. Linn County Pioneer Association (LCPA).** McDowell gave a quick review on the proposed Pioneer Picture Gallery Lease Agreement included in the packet. Councilor Block, Councilor Thompson and McDowell have met with LCPA representatives and changed the agreement to include parts from other agreements such as the Chamber, Brownsville Art Association, to bring the agreement more into keeping with other City agreements. LCPA reviewed and approved the draft agreement, and would like to move forward year by year at present. The City cannot do a direct sale of the building



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to Linn County Pioneer Association according to City Attorney Ross Williamson. The City would have to put the building for sale, and anyone could purchase the property.

A foundation assessment ten years ago determined the structure was incapable of being renovated. Councilor Hansen stated that he would really like to see the Picture Gallery open more, especially during events when folks are in town. Hansen realizes that volunteers can be hard to come by but would like to define some expectations.

Mayor Ware feels comfortable with the current proposal. Councilor Block is concerned that if the City makes stipulations and LCPA is unable to comply, what will the outcome then be? Councilor Gerber supports Councilor Block and Mayor Ware with moving forward with the agreement as proposed and thought that maybe we could verbally ask them to increase their open hours.

Councilor Gerber did ask about the City's liability with the building in poor condition. McDowell stated that the building is covered. McDowell stated that the City could get an structural engineering report, but thinks Council should have a plan going forward if the City should receive an unfavorable report. Councilor Thompson stated that she didn't feel that we could forgo an inspection just because we are afraid of the results, the City would be setting a precedent going forward. McDowell replied that the City is not setting a precedent, the City does not require structural reviews of other City buildings. Councilor Neddeau stated that he felt there are other buildings in the park that are going to need some major repair soon that benefit far more people than the picture gallery. *Councilor Hansen made a motion to move forward with the agreement as presented. Councilor Block seconded the motion and it passed unanimously.*

- 2. RV Ordinance Proposal.** McDowell stated that he recently met with Councilors Hansen, Thompson and Chambers along with Mrs. Morrow to discuss the proposed ordinance from City Attorney Ross Williamson. McDowell stated that three years ago Councilor Block and Councilor Chambers reviewed this issue. They discovered that Council was very limited on what the City could do. Due to an economic downturn in 2008, three dozen RV's were being rented out, which then turned into domestic violence and increased drug activity.

Council recognized the problem, and decided to go the legislation way, with no-cost permits being issued to address the problem. Initially, the ordinance worked, however, it soon became clear that it is hard to prove if people are living in RV's. The Sheriff's Office indicated that they are not interested in getting involved due mainly to time constraints.

McDowell shared a presentation showing several examples of RV's around town, some stored responsibly, others infringing on the Right of Way (ROW), and still others that are legally stored on private property yet the City has gotten complaints about them. The committee recommends addressing all recreational vehicles/items such as boats parked long-term on the ROW. McDowell further commented that folks are allowed to live in RV's in town during construction. McDowell stated that this is the update



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Council requested and the recommendations from the committee appointed. Councilor Block stated that if this ordinance is enforceable, the City should move forward with it. Council agreed by consensus to send McDowell forth to prepare the ordinance with the recommendations from the committee and the City Attorney for further Council review.

3. **Council Retreat | Team Building.** McDowell thanked councilor-elect Michael Humphreys for joining the call tonight. McDowell would like to host a soiree in the Community Room and spend 1 – 2 hours together just getting to know each other, if Council is amenable. Councilor Block said order the cupcakes! McDowell will send out a doodle poll to determine time availability for all.
4. **July & August Financials.** No comments.

CITIZEN COMMENTS: No comments.

COUNCIL COMMENTS: No comments.

ADJOURNMENT: Councilor Block moved to adjourn the Council meeting at 8:22 p.m. Councilor Hansen seconded the motion, and it passed unanimously.

A handwritten signature in blue ink, appearing to be "SM", written above a horizontal line.

City Administrator S. Scott McDowell

A handwritten signature in blue ink, appearing to be "DW", written above a horizontal line.

Mayor Don Ware