



Council Minutes

April 27th, 2021

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. in the Community Room with Councilor Thompson, Councilor Hansen, Councilor Neddeau, Councilor Humphreys, Councilor Craven, Councilor Gerber, Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell present. Deputy Zack Vanderhoof & Captain Michelle Duncan (*Linn County Sheriff's Office*), and Tia Parrish (*The Times*) were also in attendance.

PUBLIC: In the listening room, Council Chambers, were Administrative Assistant Elizabeth Coleman serving as room monitor, Roger and Alice Tetamore, Pam Wright, Adam Tull, Karly Scheafer, Susan Cote-Eagle, and Allen Buzzard.

City Administrator McDowell reviewed the in-person meeting parameters employed tonight. He reported that average attendance at Council meetings is about 20-25 people. For the City to comply with Governor Brown's current guidelines, McDowell has arranged for Council, Staff, and meeting presenters to be seated in the Community Room with proper distancing. Listening room guests are seated in the Council Room with real-time audio of the meeting. Guests will be invited to come over to the Community Room during the Citizen's Comments section if they desire to speak to Council. Also, as social distancing in the room allows, the guests may be invited to join Council in the Community Room, if possible. This will be determined as the meeting progresses, presenters leave the building, and more space is available. Everyone attending must wear their mask, but as we are all grown adults each of you are capable of self-regulation. Masks can be removed while speaking and observing social distancing. All the chairs have been placed more than six feet apart.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell would like to add Budget Committee appointment, Leave Donation policy, and Harper's Wine House to the agenda tonight.

MINUTES: *Councilor Hansen made a motion to approve the March 23rd, 2021 minutes as presented. Councilor Humphreys seconded the motion and it passed unanimously.*

PUBLIC HEARING | PRESENTATIONS:

1. Total Maximum Daily Load (TMDL) – Semi-Annual Report.

Mr. McDowell presented an overview of TMDL as required by the Department of Environmental Quality (DEQ), to be discussed semi-annually at a Council meeting. McDowell reiterated that this program is no longer voluntary and has not been for some time now. The City has been deemed a Designated Management Agency (DMA) by the (DEQ), and will now be subject to all applicable ORS, OAC, and Federal Codes. TMDLs calculate how much pollution can be in a stream while maintaining all beneficial uses. The amounts are divided up among DMAs. Some 'partners' such as forestry, agriculture, and non-profit groups are not charged or have any way of garnering money to support TMDL implementation or even held accountable due to large political affiliations, in some of those cases, and have no elected bodies. McDowell showed slides demonstrating how rainfall and pollutants wash into the



Council Minutes

streams. Forever requirements will include categories of temperature, bacteria, mercury, IDDE (Public Reporting & Staff Tracking), and pollutants. The City will get some credit for public education, Tree City participant, our Park Master Plan, and riparian vegetation, etc.

McDowell talked about the report issued that reported no definable mercury pollutants in the Calapooia. He also talked about the general concept of the fee calculator and how that will play out over time. He once again encouraged Council to advocate against TMDL; the potential costs and requirements could cause serious financial hardship for the City. He and Mr. Frink are scheduled to attend a webinar on TMDL next week to learn about the responsibility of a DMA.

- 2. Linn County News and the City Website.** McDowell reported that Alex Paul is the new Public Information Officer (PIO) for Linn County. As a matter of good will, Mr. McDowell has added this information to the City's website under State and County news so folks can see the most up to the minute things happening around the Linn County. In the future McDowell intends to create a hot link that will lead folks directly to their page.

DEPARTMENT REPORTS:

- 1. Linn County Sheriff's Office (LCSO) Sheriff's Report.** Deputy Vanderhoof spoke to Council, stating that he was assigned to Brownsville last year. He did mention that the County has just assigned a handheld radar gun for Brownsville, and that should help with traffic complaints that are difficult to pick up with just vehicle radar. This should be a bonus for the City. Captain Duncan gave the report for the month including 18 citations, 14 warnings, 91 complaints and 213.25 patrol hours for the City. The hours spent include one property crime, and one report of fraud, overall a boring month – which is good news! Patrols also monitor the park and perform welfare checks as required. Duncan presented Council with a Resource Guide pamphlet that covers health services, outreach programs, 24-hour crisis lines, and other resource names and contact information. There is a wealth of information in this pamphlet. We will keep a few downstairs in the foyer at City Hall for the community.

Citizen Comments. (Moved up the agenda tonight.)

Pam Wright, 518 Kirk Avenue, was present to address the speeding on Kirk Avenue. She stated that people are incessantly speeding by her house, multiple times a day. She would like to see the road repaved with curbs too. Ms. Wright had several ideas such as speed bumps, speed cameras, and more police patrols to address the issue.

Mr. McDowell responded to the issue with several slides and a general history of Kirk Avenue (all this information can be found on the City's website in depth). This is a huge project that would cost about \$2.2 million. This project would likely have to be funded through a Local Improvements District (LID), which basically assesses the cost of the improvement to the abutting property owners by tax assessment. An LID can be initiated by Council or by a petition signed by 2/3 of the folks impacted. Other projects currently undertaken by the City include replacement of the downtown sewer lines as well as the GR 12 waterline, the Central Linn Recreation Center, and the pavilion in the park. In 3-5 years, a new Water Treatment Plant and distribution system will be needed, at a cost of \$5-7 million. McDowell did state that the City is in the process of acquiring cameras to help LCSO monitor and target certain areas for speed enforcement.

Ms. Wright asked if they could limit commercial vehicles on the road. Captain Duncan replied that it is not possible to limit commercial vehicles. Also, to lower speed limits,



Council Minutes

you need to have a traffic study done, and reach certain parameters. She said frankly, lowering the speed by 5 miles a hour, if possible, likely would have little overall effect. Captain Duncan stated that the speed trailers can help, and there will be some of those coming to town soon. Deputies do patrol the area, and several citations have recently been issued. They will continue to monitor the area.

Allen Buzzard, School Avenue, spoke next complimenting Staff on expediting general maintenance items, and keeping the town looking great. Buzzard asked that his compliment regarding emptying trash cans in the Park he gave to Administrative Assistant Jannea Deaver be passed along.

- 2. Public Works.** Superintendent Karl Frink reported that Public Works has been busy this spring. They had a major water leak on Templeton. The customer snapped off the valve, which turned the leak into a 9-hour repair in the middle of the night.

Twenty new water meters have been installed, predominantly in the River's Edge subdivision.

With the sudden spike of good weather, Public Works switched over the City water supply to the river. They will flush hydrants soon as well.

The influent control valve failed; it is being operated manually while Frink is trying to locate parts.

Superintendent Frink has been working with Linn County and their GIS system to fully map and update the City's water and sewer systems. It is going to be a lengthy process, but will eventually all be available online. He has also been working on the DMR (State and Federal government reporting) system. It is all done electronically now. After working the bugs out of the system, we are 100% compliant.

Frink reported that all the road grading in town is complete. The City had to contract this work out this year. He is looking to procure the proper grader equipment as we maintain enough gravel roads to justify owning this equipment. Frink is still working with the contractor to fix a few areas that did not turn as expected.

Frink stated that the street sign work is continuing. He evaluates every sign in town each year, and determines where new signs need to be installed and replacement signs need to be addressed. When asked, Council indicated they would like to see a copy of the inventory of street signs. Councilor Hansen asked Mr. Frink how many signs get replaced each year. Frink responded that the average is about 25. Some of the older signs no longer have the proper reflection on them. If a sign degrades to a certain point, then they must be replaced with a high grade prismatic reflective sign. We do experience some theft of the signs as well.

Pioneer Park opened April 1st. All facilities have been cleaned, repairs made where needed, and it is ready for use. Fences in the park have been repaired where needed, and the river trails have been maintained. Staff continues to mow and clean the Park and downtown restrooms, sometimes several times a day.

New park hosts should arrive this month, and officially begin their duties on May 24th, 2021.

The traffic calming devices on Highway 228 have been removed by North Santiam paving. They did a great job!



Council Minutes

The downstairs wooden windows in City Hall are being restored. This project will take several weeks.

The irrigation for the Mill Race will be turned on soon.

Frink gave an update on the River's Edge project. Basically, there are 3 phases for construction. In Phase 1 all the water, sewer, storm water lines and streets are approved. They have not been accepted by the City yet as there are still several items to be finished from the punch list. Phase 2 has not started construction yet, and Phase 3 is in review right now. They have about 19 foundations done, and 3 houses in the active construction process. It will be interesting to see this development turns into a neighborhood. Paving on Henshaw Drive (a Linn County road) has been completed.

- 3. Administrator's Report.** McDowell reminded everyone of the first budget meeting scheduled for this Thursday night, April 29th, 2021, at 7:00 p.m., in the Community Room. For the past several years, the Committee has been able to get through the entire budget in the first night. We will then reconvene on May 6th, 2021, likely by teleconference, to conclude the process.

McDowell reported that the City has just renewed the SAM (Systems Award Management) process that enables the City to apply for federal grants and other programs.

McDowell reported that engineering fees are going up. The agreement with Dyer Partnership is non-exclusive meaning the City can use other engineers.

Remington Park will be getting some improvements soon. McDowell will share plans at the next meeting.

Rally on the River is trying to hold their event this year, but basically an outdoor event is limited to 150 folks or less with current State guidance. Tomorrow Governor Brown will be changing Linn County to Extreme Risk which will begin Friday, and expected to stay there for 3 weeks under the Governor's current orders. Baseball and some cycling events are scheduled because they are able to meet State guidance.

Mr. McDowell reminded Council of the partnership agreement with the Canal Company. Annually, Council sends Staff forth to make sure that all proper insurances are held before the pumps are started on the Mill Race. The water right is open from May 15th through October 15th, but usually is shut down mid-August by the State Water Master.

Mr. McDowell and Mrs. Morrow recently attended a meeting with Central Linn School District Interim Superintendent Candace Pelt. It was a very positive experience, and we look forward to working with Ms. Pelt during this transition time and into the future.

McDowell reported that Court Clerk Carol Humphreys conveyed that Western Collections Service is doing a fantastic job, and the City is getting great value from this company. Mrs. Humphreys' report was included in the agenda packet.

McDowell reported that the Mid-Valley Partnership (8 cities over 2 counties) is getting ready to move forward again with asset mapping and website development which is



Council Minutes

part of the original agreement passed in December 2019. The Pandemic delayed the implementation of the agreement for obvious reasons.

McDowell reminded Council that property line disputes are not the City's business. Ordinances were developed and clarified to improve property setbacks. Administrative Assistant Elizabeth Coleman checks all setbacks for fences, accessory structures and primary residences before they are constructed to ensure compliance. If a property line dispute comes up, it is for property owners to hire a surveyor to determine actual property lines.

Mr. McDowell continues to work on the D-Prep – Joint Emergency Management IGA with 7 other entities. The group is getting closer to working out the details.

4. **Planning.** No comments.
5. **Library.** No comments.
6. **Court.** No comments.
7. **Council Comments.** No comments.
8. **Citizen Comments.** Taken up above.

LEGISLATIVE:

1. **Resolution 2021.16 – State Shared Revenues & Services Verification.** *Councilor Gerber made a motion to approve R 2021.16. Councilor Hansen seconded the motion and it passed unanimously.*
2. **Ordinance 786 – Kreutzer Alley Vacation Request (Frist Reading).** *Councilor Gerber made a motion to read O 786 by title only. Councilor Neddeau seconded the motion and it passed unanimously.*
3. **Proclamation – Linn County Pioneer Picnic Association | 134th Pioneer Picnic Event.** Mayor Ware proclaimed June 18-20, 2021 as the dates to honor the 134th annual Pioneer Picnic event. He stated that folks are doing a great job with keeping this event going.
4. **Proclamation – Mental Health Month 2021.** Mayor Ware proclaimed May 2021 as Mental Health Month for Brownsville. The Mayor also calls upon the citizens, governmental agencies, public and private institutions, businesses and schools in Brownsville to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.
5. **Proclamation – Older Americans Month.** Mayor Ware proclaimed May 2021 as the Older Americans Month in Brownsville. The City would like to urge every resident to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.



Council Minutes

ACTION ITEMS:

1. **Canal Company Insurance Request.** *Councilor Gerber made a motion to send Staff forward to ensure proper insurances are held by the Canal Company this year. Councilor Hansen seconded the motion and it passed unanimously.*
2. **OLCC License Renewal.** *Councilor Gerber made a motion to approve the OLCC License Renewals as presented. Councilor Thompson seconded the motion and it passed unanimously.*
3. **Meals on Wheels | Cascade West Council of Governments.** *Councilor Gerber made a motion to approve the \$1,300 partnership for Meals on Wheels Program support. Councilor Thompson seconded the motion and it passed unanimously.*
4. **Calapooia Food Alliance Requests | Kirk's Ferry Park.** *Mr. McDowell stated that he had received a request from the Calapooia Food Alliance (CFA) for additional items for Kirk's Ferry Park. McDowell stated that these agreements are in place to support these agencies and their events, and each agreement spells out everyone's responsibilities. Councilor Thompson stated that we need to be careful when making special accommodations as it nullifies our agreements to an extent. Councilor Craven agreed, also citing that these special arrangements took time out of our lives to develop and can easily overburden Staff. Councilor Thompson made a motion to honor the original agreement already outlined. Councilor Craven seconded the motion and it passed unanimously.*
5. **Linn County Pioneer Association | Road Closure Requests.** *Councilor Gerber made a motion to approve road closures for LCPA as needed for the annual event. Councilor Humphreys seconded the motion and it passed unanimously.*
6. **Appoint Budget Committee Member.** *Councilor Hansen made a motion to appoint Lynda Chambers to the Budget Committee. Councilor Humphreys seconded the motion and it passed unanimously.*
7. **Leave Donation Policy.** *McDowell talked briefly about this policy. The policy falls into CIS guidelines, and also meets the IRS tax requirements. Councilor Gerber stated that they have a similar policy at her workplace, and it is great for the employees. Councilor Gerber made a motion to adopt this policy. Councilor Hansen seconded the motion and it passed unanimously.*
8. **Harper Wine House Request.** *McDowell stated that this business owner is basically requesting some outside seating and availability due to ongoing Covid restrictions. The business must maintain an open, clear sidewalk path and all OLCC rules and regulations must be followed. Councilor Hansen would like to revisit this issue later so that it can apply to all businesses in town in a more permanent format. Council would like to support businesses in all ways possible. Councilor Craven made a motion to approve this request. Councilor Hansen seconded the motion and it passed unanimously.*

DISCUSSION ITEMS:

1. **Rally on the River | Logistics and Guidelines.** *Mr. McDowell stated that event organizer, Wade Long, would really like to hold this event this year. The upcoming*



Council Minutes

Extreme Risk category would not allow the City to host the event in Pioneer Park. The event is tentatively scheduled for the second week of July. Councilor Gerber feels that at Extreme Risk we could not honor the event, but at High Risk perhaps we could.

2. **Budget Meeting | Thursday, April 29th, 2021.** McDowell reminded Council of the upcoming Budget Committee Meeting here in the Community Room at 7:00 p.m.
3. **Cemetery Policy Committee.** McDowell would like volunteers to develop a recommendation for Council regarding cemetery policy. Mayor Ware and Councilor Thompson volunteered to serve on this committee.
4. **March Financials.** No comments.

Council adjourned into executive session @ 8:13 p.m.

ADJOURNMENT: Council adjourned by consensus at 8:46 p.m.

Handwritten signature of S. Scott McDowell in blue ink.

City Administrator S. Scott McDowell

Handwritten signature of Mayor Don Ware in blue ink.

Mayor Don Ware