



Council Minutes

October 26th, 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, and Councilor Craven present. Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, Administrative Assistant Elizabeth Coleman, and City Administrator Scott McDowell were also present. Public members in the room included John Claasen, Lynda Chambers, Allen Buzzard, Sean Johnson (*Central Linn Recreation Association*), Deputy Scott Mumey (*Linn County Sheriff's Office*), and Tia Parrish (*The Times*).

PUBLIC: Council Chambers provided a listening room with Administrative Assistant Jannea Deaver, Librarian Sherri Lemhouse, and Jack Alsman present.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: Mr. McDowell reported that additional items for the Council packet on the desk tonight include the October 19th, 2021 work session minutes as well as Superintendent Karl Frink's report. Some items may be moved up on the agenda to honor the time of the presenters.

McDowell reminded everyone that the microphones in the room are very sensitive. Please do not engage in side conversations as they will muddle the recording. We also have a listener on the phone tonight, so it may be difficult for them to hear. This will be a hybrid meeting utilizing in-person, a listening room, and online access for the meeting.

MINUTES: Councilor Humphreys would like clarification on his statement regarding R 2021.25 last month. Councilor Thompson stated that she wonders if the public really realizes how little control the Staff has on the public projects. It is Council's job to determine projects, not Staff. Decisions are made by Council, not Staff. Sometimes decisions are mandated by the State, and Councilor Thompson thinks that there is not always a public awareness of this process. Mr. McDowell also stated that he will join with Councilor Thompson in stating that Mr. Buzzard has made disparaging comments, such as calling Mr. McDowell a "dictator" on public record. McDowell stated for the record, that 1) Council sets policy, not Staff, 2) aging City infrastructure requires attention, and 3) McDowell does not make the laws, the State does. There have been many things said by Mr. Buzzard that are not accurate. Staff builds plans under the direction of Council, Park Board, and other boards and committees. All information is funneled to Council to set priorities. Councilor Thompson thanked Mr. McDowell for clarifying the matter. *Councilor Neddeau made a motion to approve the September 28th, 2021 minutes and the October 19th, 2021 work session minutes with corrections. Councilor Hansen seconded the motion and it passed unanimously.*

Councilor Hansen inquired as to process. Mrs. Morrow responded that she prepares the draft minutes, Mr. McDowell reviews them and includes them in the agenda packets, and Council reviews and approves them at the next Council meeting. The minutes can be approved as-is, or with requested changes.

PUBLIC HEARING | PRESENTATIONS:

- 1. Sean Johnson, President – Central Linn Recreation Association (CLRA).** Mr. Johnson would like to request a funding increase in the IGA. As reported, funding has not been increased for about 20 years. Costs have risen substantially, particularly insurance costs. He would like to request an increase of \$2,000, making the total IGA



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for \$4,500. Johnson did report that sports are happening again, but current participant numbers are down a bit more than likely due to the continuing pandemic. He is hoping that within a year or two, these numbers will be closer to normal again.

Mayor Ware commented that he appreciated the programs that CLRA has run over the years. He supports the increase.

Councilor Hansen asked for an overview of the programs offered. Mr. Johnson stated that CLRA offers sports for grades K-6th. Sports include basketball, softball, baseball, soccer, football and flag football. Expenses include insurance costs, utility costs, and also gear for the sports as needed. Councilor Thompson asked approximately what percentage do the participants pay? Johnson estimates it at about 50%, with the CLRA picking up the rest of the expenses. McDowell reminded Council that the CLRA also sponsors a very generous scholarship program as well.

Councilor Craven moved to approve the increase of \$2,000 for CLRA IGA with the total funding amount of \$4,500. Councilor Hansen seconded the motion and it passed unanimously.

- 2. Council Vacancy | Applicants.** Mayor Ware stated that the City has received four (4) applicants to fill the Council vacancy. Don Andrews, Lynda Chambers, Cookie Wells, and Jack Alzman had all applied for consideration. He proposes that Council proceed with the voting process. After legal consultation, McDowell reported that in the event of the tie, voting will continue until a winner is determined. Mrs. Morrow will distribute the secret ballot slips, pick them up, tally the voting and report on the voting result.

Mrs. Morrow tallied the votes, and reported that Lynda Chambers was duly elected with 3 votes, Don Andrews received 2 votes, and there was one abstention. Mr. McDowell administered the Oath of Office to Mrs. Chambers.

Council recessed for 5 minutes in order to prepare a table for newly appointed Councilor Lynda Chambers.

- 3. Kirk Avenue Request | Jane Rackley (not present).** McDowell indicated that Council would find a letter received from Ms. Jane Rackley in the agenda packet on page 52. One of Ms. Rackley's suggestions was the use of traffic control cameras that could take pictures, and then send offenders a ticket in the mail. Former Councilor Doug Block was the liaison with LCSO, and the cameras were discussed about 2 years ago. LCSO were not supportive of the idea. The cameras are relatively expensive. Mr. McDowell stated that Council has heard the Kirk Avenue issue many times before now. Rackley also suggested the installation of stop signs along Kirk Avenue.

Mayor Ware expressed his appreciation for bringing the concern to Council, but there is nothing to be done at this time. Council agreed by consensus.

Councilor Hansen wanted to address the "City administration lack of concern." He stated that Council is painfully aware of the issues with Kirk Avenue, and have looked at the issue a number of times. It is not a lack of concern for Council, we live here and drive the road as well. And for the record, the City has a great Staff and Public Works group.

- 4. Fence Request(s) | Stephanie Koontz (not present).** McDowell indicated that Council would find a letter and drawing received from Stephanie Koontz in the agenda packet on page 53 and 54. Ms. Koontz is requesting permission to locate a fence and



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to leave an existing water spigot on the City's right-of-way on Robe Street. Staff, including Administrative Assistant Elizabeth Coleman, Public Works Superintendent Karl Frink, and Mr. McDowell have been involved and trying to resolve the issue since April 2021. LCSO has also been involved trying to resolve this neighborhood feud, but the situation continues. Brownsville Municipal Code (BMC) was ratified by Council and established in January 2015. Mrs. Coleman does about 99.7% of the work, making sure that fences are located correctly. Mayor Ware stated that he would like to stick with the consistency that the City has been following. Councilor Hansen stated that he thinks it is unreasonable to have a private fence located in the public right-of-way, it is just not the appropriate step to take. Councilor Thompson stated that setting these precedents can be a 'sticky wicket' later, and would vote to deny the request.

Councilor Neddeau moved to deny the request locate a private fence or water spigot in the City right-of-way. Councilor Hansen seconded the motion and it passed unanimously.

DEPARTMENT REPORTS:

1. **Linn County Sheriff's Office (LCSO) Sheriff's Report.** Deputy Scott Mumey was present to report for the month, including 9 citations, 3 warnings, and 230 patrol hours for the City. Citations are down due to Deputy Vanderhoof has acquired a K-9, so has been doing a lot of additional training in that area. The local drug scene was discussed. Deputy Mumey stated that drug overdoses have increased locally as well as nationally, mainly due to accessibility and drugs seem more readily available. Unfortunately, new drug laws have tied LCSO's hands in relation how they can do their job. Curfew was discussed. McDowell showed the Brownsville Municipal Code relating to local curfew.

Public Works (PW). Superintendent Karl Frink recapped activities and projects for the month. Frink stated that there is a new line going in on Calapooia. Staff is also preparing for the annual river discharge. Public Works Staff have been trimming trees in Pioneer Park. The Park will be closing on November 1st for the season.

The City must start sampling for PFA's (basically contaminants contained in plastic products used in packaging.) PFA's have been detected in areas around landfills. The City also tests for lead & copper in the drinking water. These chemicals can commonly be found in household plumbing fixtures due to soldering and aging pipes. Test results showed zero contamination in our water system for both PFA's and Lead & Copper.

The downtown sanitary sewer (DTSS) is underway. Pacific Excavation got all of 10 feet before discovering an underground heating fuel tank. All rules and regulations have been followed by the contractor. The City is currently waiting on test results before proceeding in the area.

Mr. Frink stated that the Remington Park project is nearing completion. The park now features a dry riverbed, replaced and updated sidewalk, a bench and table concrete pad, and new low flow sprinkler heads. There will be boulders and logs for climbing. The hydro seed is down, and the grass should be in by next spring. Overall, the project turned out well.

Lights at the Central Linn Recreation Center have been updated, inside and outside. A new mini-split unit is scheduled to be installed downstairs in the preschool room. Valley Telephone is also working on installation of a keyless entry system.



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Mr. Frink stated that he will be attending to pesticide webinars on November 2nd and 4th to maintain his licensure.

2. **Administration.** Mr. McDowell spoke about the current legislative bill summaries. He said that there are a few that will pertain to the City. He asked if there was any Councilor that might be interested in this area.

McDowell reminded Council that Mayor Ware, Councilor Thompson, and he are involved on the Linx – the Lebanon Inter-Neighborhood Express concept. Kindra Oliver, head of Lebanon Transportation, will be sharing more details soon.

Councilor Thompson and Mayor Ware have volunteered to work on cemetery logistics. Weather permitting, they will try to get out there soon.

McDowell asked Councilor Chambers if she would be interested in joining the groups interacting with the CLRA as she has past experience in this area. Councilor Chambers agreed to serve in this capacity.

McDowell reported that Disaster Preparedness (D-prep) is moving forward. The group (six organizers consisting of nearby cities and fire districts) worked together to put a proposal together to hire a consultant. The group received three proposals back. None of the proposals were exactly what the group was looking for, so they will revise the scope, and send a proposal back out for consideration. Staff involved in this project will be Mr. Frink, Mrs. Morrow, and Mr. McDowell once the consultant is hired.

McDowell has been very busy over the last several weeks attending meetings for the Mid-Valley Prosperity (MVP) group. Basically, the group moved forward with a formal proposal to hire a third-party vendor to perform some of the work that was listed in the IGA the communities collectively signed in January 2020. The cities of Scio and Tangent have expressed interest in joining this group. The group has hired JayRay for website design and marketing.

McDowell reported that he has been working with Caroline Cummings and the RAIN group. They continue to meet, and things are moving along quickly.

McDowell reminded Council that it is time to update the City laptops. If you are able, please download the updates, if unable, please drop off the device at City Hall and Staff will do the update.

McDowell stated that Councilor Thompson had asked for the 10 Traits Article to be put in the agenda packet. He reminded Council that there are some great articles in the Council binders as well.

Mr. McDowell reminded Council that agenda packets are ready on the Friday before Council meeting at 10:00 a.m. If the packets are done earlier, Staff will send out a notification to that effect.

McDowell reviewed Council Goals & Values. These documents are included in the agenda packet each month. It is important to remember the 5 steps of the process of progress. Steps include 1) Recognize and Identify, 2) Accept & Agree, 3) Strategize & Develop Action Steps, 4) Implement & Execute, and 5) Review Outcomes. The fence ordinance discussion held earlier tonight is a great example of how this process works.



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McDowell also reviewed for Council the Lexipol's 10 Families of Risk Model. When Council is making decisions, these 10 points are very important in making sound decisions for the City.

3. **Planning.** Mrs. Coleman reported that the Planning Department has been very busy. She thanked Council for their work on setting standards for Staff to utilize; so very necessary.

Mrs. Coleman stated that over the last 7 years, the City has developed a great relationship with the Linn County Planning & Building Department (LCPBD). Linn County recently launched an e-permitting process. There will be some things that the City and our builders can use from this website. She will begin meeting quarterly with the LCPBD to foster and build our mutual relationship.

Coleman talked briefly about the Public Works Standards that Council enacted a few years ago. She expressed great appreciation for Council's work on adopting these standards. It creates a cushion for us to develop and build out our infrastructure in a clear, concise way. Developers aren't always happy with the standards, but her responsibility is to make sure that the building is in accordance with our codes and standards. Mrs. Coleman works closely with David Kinney, the City's Planning Consultant.

Mayor Ware commented that he knows that Mrs. Coleman takes some punishment for the City, and she is very much appreciated!

4. **Library.** Mrs. Sherri Lemhouse was present to report to Council. She recently attended the Association of Small and Rural Libraries (ASRL) conference in Reno, Nevada. She attended several different classes, learned a lot of great information. Her conference was paid for with a grant. Storytime is her passion, and every other week she has 5 story times! Mrs. Lemhouse may start a seed library for the community when she has time to facilitate the program.
5. **Court.** No comments.
6. **Council Comments.** No comments.
7. **Citizen Comments.**

Allen Buzzard, School Avenue, praised the recent renovations at Remington Park. He also invited everyone to come to the Haunted House at the American legion this weekend. He also stated that the American Legion will be serving a free breakfast for veterans (and others for a small fee) at the Legion Hall on November 11th. Mr. Buzzard also asked when the traffic devices are going to be installed. He worries about speed on Main Street, Kirk Avenue, and other local roads.

LEGISLATIVE: None tonight.

ACTION ITEMS:

1. **2022 Council Meeting Schedule.** *Councilor Hansen made a motion to approve the proposed 2022 Council Meeting Schedule with the March date adjusted to be March 22nd, 2022, not March 29th, 2022. Councilor Craven seconded the motion and it passed unanimously.*



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2. **Appointed Officials.** Councilor Neddeau moved to reappoint Rick Dominguez to the Budget Committee, Gary Compton to the Planning Commission, and Pat MacDermott, Lynlee Bischoff, and Rick Dominguez to the Parks and Open Space Advisory Board. Councilor Craven seconded the motion, and it passed unanimously. McDowell remarked that Council will need to fill the vacancy created by Councilor Chambers appointment to Council.
3. **Central Linn Recreation Association Agreement.** Councilor Thompson made a motion to approve the CLRA IGA. Councilor Chambers seconded the motion and it passed unanimously.
4. **Appoint Cascade West Council of Governments Transportation Representative.** Mr. McDowell asked if there was any interest for a volunteer to serve on this committee. As no interest was expressed, Council will let it go for now.

DISCUSSION ITEMS:

1. **Projects.** McDowell outlined just a few of the ongoing projects. He stated that he and Mr. Frink have been trying to get the traffic stat units deployed. Both he and Mr. Frink have had some vacation time, and then Mr. Frink's computer died, and another week was lost. Frankly, there are too many projects for too few staff people. More and more projects are getting added, and there are only a certain number of hours in a day, and we have a very small staff with which to accomplish the large amount of projects. McDowell stated that if the LCSO bond measure does not pass, we won't have the deputy staff to enforce the traffic laws anyway. Locations for the Traffic Stat units to be positioned include Brownsville Road, Linn Way, Washburn, Gap, Kirk Avenue, etc. The units will collect the data over a month, then the data will be shared with LCSO, Council and the general public.

The ballot box has been dropped off in the lobby of City Hall.

2. **Canal Company | Next Steps.** Councilor Craven and Mr. McDowell will be meeting with the Canal Company leadership as time allows to move this project forward. It will be necessary to hold 2-4 town hall style meetings to effectively engage public discussion. McDowell encouraged Council to think of where the City would be able to hold a public hearing with current conditions.

McDowell again reminded Council of just a few of the major projects happening right now, such as the DTSS project. Council needs to know that Staff is working very hard, but are stretched thin. Councilors are a huge part of this team, never asking for reimbursements for City travel and business. Council and Staff are really a team (refer to Goal 6), and are trying to find our 'sea legs' as a group. McDowell reminded Council not to forget all of his regional efforts that he spearheads for the City. McDowell is not complaining, just letting Council know that Staff is doing our absolute best to meet all obligations and commitments.

Mayor Ware stated that Council very much appreciates all the work that Mr. McDowell and Staff put in on behalf of the City.

3. **September Financials.** No comments or questions.

CITIZEN QUESTIONS & COMMENTS.

No comments were made.



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COUNCIL COMMENTS.

Councilor Hansen asked Mr. McDowell to notify Cookie Wells, Don Andrews and Jack Alsman that we have confidence in them, and this vote in no way reflects a vote of no confidence in their abilities or willingness to serve the City. Councilor Hansen also stated that when folks are interacting, it is human nature to complain, and to not always express appreciation. It is critical to support Staff; we are extremely fortunate to have the Staff that we do and need to support them.

ADJOURNMENT: Council adjourned by consensus at 8:30 p.m.

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

City Administrator S. Scott McDowell

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

Mayor Don Ware