



Council Work Session Minutes

April 6th, 2022

Members of Council met April 6th, 2022 in Council Chambers for a work session at City Hall, Brownsville, Oregon at 4:00 p.m.

Present: Mayor Ware, Council President Hansen, Councilor Chambers, Councilor Neddeau, Councilor Thompson, Councilor Craven, Council Humphreys, Administrative Assistant Tammi Morrow, Administrative Assistant Elizabeth Coleman, Public Works Superintendent Karl Frink & City Administrator Scott McDowell.

Public: No one was present.

Council called this work session at the last regular session of Council on March 22nd, 2022. Council approved this work session for three primary purposes, 1) Canal Company Discussion, 2) Utility Capacity Review, and 3) Municipal Court transition options. McDowell presented the slides attached to these minutes as reference. McDowell expressed thanks to Council for taking time to meet this afternoon. Budget season is coming and Staff needs adequate direction to put the FY 2022-2023 budget together.

Brownsville Canal Company, Inc.

McDowell presented a series of slides shown to Council a few years and shared with Councilor Humphreys and Councilor Craven at their initial training session early 2021. Council Craven and McDowell were appointed by Council to meet with Canal representatives, John Holbrook & Bob Babcock. McDowell has now finished the initial draft of an agreement between the City and the Canal Company. McDowell recounted the history of the Canal and shared challenges should Council move forward.

McDowell explained that there will be significant Staff time spent preparing visual aids for the general public, rigorous discussions and outlined what would be entailed including assistance from Steve Barnett at Linn County GIS. The next step is for Councilor Craven and McDowell to have another meeting with the Canal representatives to review the initial draft of the agreement. Then, the Canal Company would hold a meeting of membership to begin the larger group discussion. Once that is completed, the City would hold a series of meetings to explain the agreement to the affected parties.

Public Works Superintendent Frink briefly discussed the maintenance issues and a specific case that recently happened involving the lack of maintenance being performed by the Canal Company. Gary Shepherd and Doug Block had been doing significant repairs to the canal until about three years ago. Council Chambers asked about City employees performing maintenance and the issues that would be involved for such an arrangement. McDowell reviewed the implications of public employees working on private property and the liability it creates for the City. The Canal Company actually owns a forty-foot (40') strip of land from the Calapooia River off of Northern Drive, all the way to Millhouse Street.

The beauty of this agreement, should it work, is that the Canal Company performed the work and revenue is generated by the City and the Canal Company to properly maintain the ditch, pay for insurance and save for a larger dredging in the future. The problem of the Canal has never been properly or adequately addressed. The City also must be cognizant of TMDL and other potential State agency requirements. Council does not want to expose the taxpayers to more unwanted financial obligations.

Utility Capacity Review



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McDowell reviewed the origination of the discussion about utility capacity back in October 2021. McDowell has reviewed the issue with members of Council since that time when Staff started noticing the amount of developers wanting to develop tracts of land inside and near City limits. State law requires the City to provide utilities to developments within City limits. McDowell hired City Engineering Ryan Quigley to investigate the issues pertaining to water and sewer capacity. McDowell shared the components of the methodology used by Dyer Partnership and underscored the input and importance of Public Works Superintendent Karl Frink's experience with the utility systems.

Overall, after River's Edge subdivision is completely built out, the City will have the capacity for another 200 units for both water and sewer. McDowell explained the American Water Works Association (AWWA) industry standards employed for planning and calculating utility usage. The major surprise ended up being a wastewater capacity issue on the north side of town. McDowell explained the nuances involved with the concern and shared the Mr. Frink will be employing a stop-gap measure to help manage wet weather flows by operating the land application irrigation system the City already owns.

Currently the City has approximately 800 units +/-, so 200 units is a significant increase to the current housing capacity of the City. McDowell indicated that many economic experts are predicting the inflation problem to increase due to climate change initiatives and policies being adopted in Washington D.C. The Fed recently increased interest rates that are slowing down the housing market for the entire country. Many experts are calling for another recession to really come into effect in September or October of 2022. The last recession last for nearly eight years, so should this actually happen it would buy the City more time to address utility capacity.

McDowell shared the steps involved in adopting a moratorium. The major concern with doing that is it starts an "improvements clock" which could result in fines for the City if it were unable to make the capital improvements within the adopted timeframe.

Staff's plan is to move full-speed ahead on the GR12 Waterline project which will add significant capacity for the City. The GR12 project would increase capacity by 500 units or through 2050 or beyond according to the methodology used by Dyer Partnership. McDowell has requested Ryan Quigley investigate adding a fourth slow sand filter at the Water Treatment Plant as well. The fourth filter would allow proper operations for the extra water capacity. McDowell has also asked Quigley to investigate what is needed construct another sewer lagoon at the South Wastewater Treatment Plant (SWWTP). In 2007, the City installed a line connecting the North and South Wastewater Treatment Plants.

McDowell then shared the projects Council is currently attempting to complete.

McDowell shared rate projections for the upcoming fiscal year. Council provided Staff with general direction on these issues.

McDowell highlighted what would be entailed in the transition to move the Municipal Court to Justice Court. McDowell said the IGA with Linn County requires the City to have contracted law enforcement services with Linn County. Municipal Court Administrator Carol Humphreys is planning to retire on June 30th, 2022. McDowell touched on the reasons why the City is already significantly dependent on the Sheriff's Office for law enforcement. The costs associated with having our own police force would be too costly. Mayor Ware asked why would we keep the Court? Councilor Hansen said the major reason would be local control of the Court. Hansen then shared thoughts from the meeting with Linn County District Attorney Doug Marteeny.



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Councilor Thompson raised a couple of questions regarding utility rates. Discussion ensued.

Councilor Thompson indicated that she was having trouble finding out information about the Meals on Wheels issue brought up by Council at the last meeting. McDowell said that he would forward contact information to Councilor Thompson in an effort to have those questions answered so a decision could be made at the next regular session.

There being no further questions or comments, the meeting adjourned at 5:22 p.m.

ATTEST:

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Scott McDowell
City Administrator

APPROVED:

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

Don Ware
Mayor