



Council Minutes

June 28th, 2022

ROLL CALL: Mayor Ware called the meeting to order at 7:00 p.m. with Councilor Thompson, Council President Hansen, Councilor Humphreys, Councilor Chambers, Councilor Neddeau, and Councilor Craven were all present. Public Works Superintendent Karl Frink, Administrative Assistant Elizabeth Coleman (7:20-8:15 p.m.), and City Administrator Scott McDowell were also present.

PUBLIC: Dan Murphy, Don Lyon, Jeff Brown, Lynlee Bischoff, Yolonda Tauzer, Irma Hodge, Barbara Anderson, Nate Conroy, Sandy Saltzer, Richard & Michelle Mickelwright, Penny Rosenberg (*Albany Democrat-Herald*), Tia Parrish (*The Times*), Sergeant Steve Frambes were present.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: None were made.

MINUTES: Councilor Neddeau made a motion to approve the May 24th, 2022 Council minutes as presented. Councilor Humphreys seconded the motion and it passed unanimously.

PUBLIC HEARING | PRESENTATIONS:

- RAIN & Nate Conroy.** Nate Conroy from RAIN (Regional Accelerator Incubator Network) provided his quarterly report to Council. Rayna Waltz was planning to attend but fell ill. Waltz runs a successful business which would not have been possible without the assistance of RAIN. Conroy reviewed the purpose of the agreement between the eight cities and noted significant achievements over the last few months. Mayor Ware asked about how many people in Brownsville were being helped. Conroy said three folks are actively involved. Conroy thanks the Chamber of Commerce for their assistance in helping contact local entrepreneurs who are interested in assistance and spoke about the kinds of available assistance.
- Budget Public Hearing | FY 2022-2023.** Mayor Ware opened the public hearing for budget consideration. No one from the public chose to speak. Ware closed the floor. Budget highlights are as follows:
 - ▶ Approve the Full Permanent Tax Rate - \$6.9597 per \$1,000.
 - ▶ Approve the levy amount needed for the Wastewater Bond Debt - \$217,984.
 - ▶ Recommend a 7% Utility Rate Increase for the upcoming fiscal year.
 - ▶ Approve Historic Use of State Revenue Sharing funds for Public Safety (Street Lighting).
 - ▶ Approve and recommend the continued use of all designated funds and line items contained in the FY 2022.2023 budget document.
 - ▶ Approve the FY 2022.2023 Budget and recommend the same to Council.
- Cybersecurity Review.** McDowell reviewed a cyber security presentation as required by CIS twice a year. McDowell indicated that during the Pandemic there was a huge surge in cyber crime. McDowell shared some of the internal policies the City employs to make sure we do not become victims of cyber crime. The City has already experienced two incidents. End users are the most important people in keeping the system safe. Due to the rush to put everything on the Internet, a significant liability has been created for all. McDowell expects the Federal government to work together with the state governments to build more secure systems. Cities and critical businesses have been dramatically impacted by cyber crime through the United States. McDowell explained changes in CIS coverage.



Council Minutes

DEPARTMENT REPORTS:

1. **Linn County Sheriff's Office (LCSO) Sheriff's Report.** Sergeant Steve Frambes reviewed the numbers from May that included 15 citations, 7 warnings. Frambes said that he intended to bring a guest this evening, but it didn't work out this time. Frambes was excited to report that there were no crimes reported last month. Councilor Thompson shared a personal experience she had with the Sheriff's Office in Pioneer Park. She was impressed by the speedy service and consideration of her concern. She felt very reassured about the importance of this service.
2. **Public Works (PW).** Superintendent Karl Frink reported that the Water Treatment Plant was switched from the wells over to the infiltration gallery last week. Frink said the river to support this switch even though the river level is higher than normal. Frink reported that a tree had fallen in the 'kiddie park' along Park Avenue into the Old Water Treatment Plant. Public Works is in the process of removing the tree and restoring the fence. Frink said the crew was working on two water leaks, 1) behind City Hall and, 2) on Willson Avenue.

Frink reminded Council about the discharge extension the City received from the Department of Environmental Quality (DEQ). Frink completed the discharge of 8 million gallons at the South Wastewater Treatment Plant on May 27th, and 18 million gallons from the North Wastewater Treatment Plant on June 3rd.

Frink wanted to clarify why the City sprays for weeds. Frink receives complaints about the City spraying in Pioneer Park. The City sprays for weeds in accordance with the Oregon Department of Agriculture requirements. The City has two licensed operators and uses this method to save time. Public Works is already stretched thin and maintaining all of the grass and weeds is a significant chore. Frink shared that the cemetery took over nearly a week to prepare for Memorial Day yielding 7 dump truck loads of material.

Frink indicated that the City Engineer was reviewing a possible grade concern with a sanitary sewer line in the River's Edge Subdivision. Frink stated that the line may have been put in with the incorrect slope which would mean reconstruction of all affected lines. He explained the importance of slope, standards and the concerns caused by installation mistakes.

3. **Administration.** McDowell was happy to report that events are returning to Pioneer Park. In July, Pioneer Park will host the 4th of July celebration, the Stand by Me Day on July 23rd and the return of the Rally on the River, the vintage trailer show, the third week of July.

McDowell said the last municipal court date was May 18th, 2022. The transition to the Linn County Justice Court is complete. McDowell said his important to remember the City will still have obligations under this agreement with the Linn County Justice Court including a contract with judge, software companies and the Linn County Sheriff's Office to name a few. McDowell shared a card from Carol Humphries with Council, and he thanked Mayor Ware & Brett Deaver for watching the office during Carol's retirement party.

McDowell reported that the Linx Bus Service was operational in town as of June 21st, 2022. McDowell thanked Mayor Ware and Councilor Thompson for helping with this project. Linx is the City of Lebanon's transportation service that is offering bus service on Tuesdays and Fridays in Brownsville. Stops include the American Legion Senior Center at 339 N. Main Street and the Assembly of God Church at 313 Washburn Street. Mayor Ware reported that the service is exciting and easy to use. Ware shared his personal experience riding the bus service and feels it is a good alternative with gas prices so high.

The communities involved with disaster preparedness have decided to move forward with a contract that will begin in October of 2022.



Council Minutes

McDowell said that the next steps for the budget will be to input the data into the General Ledger system, update the website and prepare official documents for the County Clerk's Office and the County Assessor's Office. Administrative Assistant Tammi Morrow and McDowell will be closing the fiscal year, preparing the new fiscal year and getting ready for the audit which will be held the first week of August.

McDowell reported that the City has started the weeds and nuisances program as reported last month. The weather has not cooperated as rain has made it difficult for folks to mow. The City will finish up the weeds abatements over the next two weeks. Several properties have been sent letters for nuisances and most have already taken care of those issues.

McDowell reminded Council that River's Edge Subdivision has a homeowners association. McDowell also said that it is important to remember that the open space is a private park, not a public park, and the drainage is also private not public drainage which is the purpose and responsibility of the homeowners association.

McDowell said items such as the Pacific Power Franchise Agreement, the Canal Company, and the Water Management & Conservation Plan were pending and still in the works.

4. **Planning.** Report included in the Council Agenda Packet. No comments.
5. **Library.** Report included in the Council Agenda Packet. No comments.
6. **Court.** Report included in the Council Agenda Packet. No comments.
7. **Council Comments.** No comments.
8. **Citizen Comments.** Lynlee Bischoff, Coshow Avenue, declared that she was a member of the Parks & Open Space Advisory Board. She often walks in Pioneer Park. Recently, she noticed graffiti that she volunteered to remove. Mr. Frink responded by saying he would make paint available for her use tomorrow morning.

Yolonda Tauzer, Kirk Avenue, reviewed her marital status and what she prefers to be referred to and then read a prepared statement which is attached to these minutes.

LEGISLATIVE:

1. **Resolution 2022.14: Water Rates Annual Adjustments.** *Councilor Chambers made a motion to approve R 2022.14, the 7% increase version, as presented. Councilor Humphreys seconded the motion and it passed unanimously.*
2. **Resolution 2022.15: Sewer Rates Annual Adjustments.** *Councilor Chambers made a motion to approve R 2022.14, the 7% increase version, as presented. Councilor Neddeau seconded the motion and it passed unanimously.*
3. **Resolution 2022.16: Adopting FY 2022-2023 Budget & Making Appropriations.** *Councilor Humphreys made a motion to approve R 2022.16 as presented. Councilor Neddeau seconded the motion and it passed 5-2. Councilor Chambers & Councilor Craven voted in opposition.*

Councilor Chambers expressed concern over the \$10,000 E-book platform explaining that this will be a yearly expense and the City is only receiving a donation for the first year. By adopting this program, the catalogue system will have to change causing more work for the Librarian. She would



Council Minutes

like to review this item annually and wants the numbers of users. Councilor Thompson had thoughts about creating a committee. McDowell said that a committee already exists by State law, the Library Advisory Board. He encouraged any questions to be directed toward the Board for clarification, more information or just to discuss the program. Councilor Humphreys felt that it would be a good program addition due to the demographics of Brownsville. McDowell said that he would make a note for next year's budget preparations to review this particular item.

4. **Resolution 2022.17: Year End Transfers FY 2021-2022.** Councilor Humphreys made a motion to approve R 2022.17 as presented. Councilor Chambers seconded the motion and it passed unanimously.

Mayor Ware briefly described the purpose of the resolution.

5. **Ordinance 789: Repeal Transient Room Tax.** Councilor Chambers made a motion to read by title only. Councilor Humphreys seconded the motion, and it was approved unanimously.

Mayor Ware read the proposed ordinance title.

Councilor Humphreys made a motion to adopt O 789 as an emergency ordinance. Councilor Chambers seconded the motion and it passed unanimously.

ACTION ITEMS:

1. **Approve Delinquent Assessments.** Councilor Neddeau made a motion to adopt the assessments as necessary. Councilor Thompson seconded the motion and the motion passed unanimously.

McDowell briefly explained the purpose of this Council action.

2. **Authorize 2022 General Election Advertisements.** Councilor Hansen made a motion to authorize the election advertisement. Councilor Thompson seconded the motion and the motion passed unanimously.

Mayor Ware read the resolution.

3. **Adopt Public Works Standards.** McDowell recounted the importance of Public Works Standards. Originally adopted by Council in 2014, the Standards have been an invaluable tool to ensure that City infrastructure is properly installed and the integrity of the City systems is properly maintained. The taxpayers rely on the City to these items being constructed correctly. City Engineer Ryan Quigley, Public Works Superintendent Karl Frink and Administrative Assistant Elizabeth Coleman did a fantastic job revising putting these Standards.

Councilor Neddeau made a motion to adopt the Public Works Standards as presented. Councilor Thompson seconded the motion and the motion passed unanimously.

4. **Central Linn Recreation Center Renovation Project.** McDowell gave a brief overview of this project. The report is part of the Council Agenda Packet. The recommendations include the following:

Staff Recommendations | corresponds to the first page of Walen Construction's estimate as follows:

Add Alternates

#2

New Windows throughout the entire building - \$38,195



Council Minutes

#8, 9, & 10 Seismic Life Safety items - \$34,000
#12 Exterior Painting [Windows & Time] - \$46,000

Notes

- ▶ No commercial kitchen – adds over \$250,000 to the project.
- ▶ Composite flooring versus wooden flooring – nearly \$100,000 cheaper and the dead spots that currently exist will be eliminated with the new system.

- ▶ Recommendations scope would total at **\$ 1,542,821.**

Funding | Community Outreach Options
 Loan Options
 Financing Options

Scheduling | Bid November 2022
 Begin Construction June 2023
 Finish Construction October 15, 2023

McDowell said Council will need to move quickly to meet the construction schedule. McDowell recommends putting the project out for bid in early November so the project can be under construction by the first of December 2022. The City wants to ensure the least amount of disruption to the Central Linn Recreation Association programming as possible. Current inflation and transportation issues may cause substantial delays if the project were to be handled according to normal procedures.

Councilor Chambers made a motion to move forward with the Central Linn Recreation Renovation project as presented by Staff. Councilor Craven seconded the motion and it passed unanimously.

5. **League of Oregon Cities Legislative Policy Ballot.** McDowell explained the process employed by the League of Oregon Cities for developing policy choices. Historically, the Council has reviewed the policy and agreed through consensus on Staff recommendations. Discussion ensued.

McDowell shared these five policies, 1) Economic Development Incentives, 2) Address Measure 110 Shortcomings, 3) Cybersecurity & Privacy, 4) Attorney Client Privilege, and 5) Funding for recovery of abandoned Recreational Vehicles.

McDowell shared some of the failed policies employed by the State of Oregon and how those will impact Brownsville unfavorably. Mayor Ware concurred and wondered if it was worth even sending in the City's vote as the League does what the bigger cities dictate.

Councilor Craven made a motion to submit the policy choices as presented by Mr. McDowell. Councilor Humphreys seconded the motion and the motion passed unanimously.

Councilor Hansen shared the Councilor Thompson and Administrative Assistant Tammi Morrow recently attended a quarterly meeting of the League of Oregon Cities. He shared his frustration about the direction the League is heading with policy and wishes that something could be done to properly protect rural voices and issues.



Council Minutes

DISCUSSION ITEMS:

1. **Annual Project Outlook Checklist Review.** McDowell discussed the purpose of the checklist and how it was tied to the annual budget. McDowell requested this item be brought back to the July meeting when Council had more time to review these items. Council agreed by consensus.
2. **ROI Grant Disbursements.** Mr. McDowell reported that Council will find on page 50 of the agenda packet, a listing of the disbursements to date for the ROI grant as required by R 2022.07.
3. **May Financials.** No comments or questions.

CITIZEN QUESTIONS & COMMENTS.

No one chose to speak.

COUNCIL COMMENTS.

Councilor Hansen reviewed this ongoing articles in The Times & the Albany Democrat-Herald. Hansen, again, reiterated the City position. Mr. Parrish can print whatever he chooses in his newspaper as can the Herald. The City made a few recommendations for members and how the City may handle future messaging to provide factual information to the citizens of Brownsville. Hansen said all members of Council understand the difference between editorial comments and reporting. Council would never infringe on the freedom of the press and all the civil liberties afforded by the Constitution.

Hansen asked McDowell to discuss the outcome of the Ad Hoc Committee.

McDowell said the motion made by Council at the last meeting was to basically review guidelines for City information that would be either sent to news sources or placed on the website. McDowell explained how the City handled this over the last fifteen years. McDowell would send an audio recording to all area media sources. The City created a very productive relationship with all of those media sources. McDowell proposed that he would complete a summary of Council meeting and create press releases from time to time to spread the news of Council. Councilor Thompson and Humphreys made similar suggestions during recent meetings with Mr. McDowell. McDowell showed where the information would be placed on the City website. Council agreed by consensus.

ADJOURNMENT: *Mayor Ware adjourned at 8:39 p.m. All voted in favor of adjournment.*

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

To: Members of the Brownsville
City Council

June 28, 2022
Yolonda Tauzer Statement (1)

It has been a couple of months since I've attended a Council meeting. However, I've been following the recent newspaper coverage (both The Times and the Albany Democrat-Herald) regarding Council business and affairs, as well as reading Council Minutes posted on the city's website. Needless to say, both newspaper coverage and Council minutes have made for some interesting reading lately.

However, my concern tonight is in regards to certain statements made by Councilor Craven during last month's Council meeting (May 24, 2022) when expressing his concern over The Times editor Vance Parrish's May 11, 2022 editorial. In Councilor Craven's opinion, ~~the~~ Parrish's May 11 editorial "distorted" and "disinformed" "the citizens of Brownsville". Councilor Craven goes on to accuse Parrish of relying on "hearsay" and of "pushing to rumors" when writing his editorial. As a result, Councilor Craven felt that the editor needed a little talking to, so to speak, via the formation of an ad hoc committee composed of Council members.

In his remarks to Council Councilor Craven went on to say that his concerns were "crystallized" after Parrish's editorial, believing that it was "based purely on rumor, speculation, and gossip which was cultivated by a few members of our community all of whom were absent from the last two Council meetings which were free of attacks directed and aimed at certain Councilors and staff. Council was able to conduct the city's business uninterrupted, for the good of the order."

Because Councilor Craven's statements do not provide any specific evidence of such, I would like to request examples of community members' so-called "attacks" on Council members (Crit)

June 28, 2022

(2)

and staff, keeping in mind that a question, comment, or opinion to which Councilor Craven, or any Councilor for that matter, does not agree does NOT constitute an "attack". Also, in what way was the city's business interrupted during the time "certain community" members were in attendance? Examples, please?

As a 17 year resident of Brownsville, I am concerned and offended by Councilor Craven's divisive insinuations and hyperbolic calling-out of members of this community as gossip, rumor-mongering malcontents out to attack Council and staff and interfere with the carrying out of city business. I am equally appalled that our local editor was maligned in a similar fashion as to undermine his integrity, honesty, credibility, and professionalism (as was ~~the editor~~, I might add, a former Council member). Such unnecessary finger-pointing rhetoric by a member of this Council does not help heal an already fractured community.

Ms. Yolonda Tauzer
Brownsville

Rik Tauzer
Brownsville