



Council Minutes

February 28th, 2023

ROLL CALL: Mayor Craven called the meeting to order at 7:02 p.m. with Council President Chambers, Councilor Hansen, Councilor Solberg, Councilor Humphreys, Councilor Winklepleck, and Councilor LaCoste present. Public Works Superintendent Karl Frink, Librarian Sherri Lemhouse, Administrative Assistant Elizabeth Coleman, Administrative Assistant Jannea Deaver, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell were also present.

ABSENT: Everyone was present.

PUBLIC: Felipe Eversull, Geneva Sedlar, Dan Murphy, Jeff Brown, Paul Winther, Tricia Thompson, Don Lyon, Matt Shoemaker, Sandy Saltzer, Joshua Bloomfield, Don Ware, Brody McGowan, Chris Kjar & Joshua Stanley (*Sweet Home Sanitation*), Tia Parrish (*The Times*), and Deputy Frambes (*LCSO*) were present.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell requested the addition of 10) F. River's Edge Phase III Sanitary Sewer.

MINUTES: Councilor Solberg made a motion to approve the January 24th, 2023 meeting as presented. Councilor Hansen seconded the motion and it passed unanimously.

Councilor Hansen made a motion to approve the February 9th, 2023 Council minutes as presented. Councilor Humphreys seconded the motion and it passed unanimously.

PUBLIC HEARING | PRESENTATIONS:

Sweet Home Sanitation (SHS) | Annual Report & Rates – Regional Manager Chris Kjar and Operations Manager Joshua Stanley Kjar outlined recent personnel changes while Stanley highlighted corporate values & operational model, safety record, hours spent in town and amount of refuse collected. Sweet Home Sanitation was requesting an 8.15% user rate increase. Factors for the rate increase included a increases for fuel (48%), Personnel (17%), Equipment (18%), and Technology (17%). spoke about Sweet Home Sanitation's operations and presence in Brownsville. Stanley highlighted SHS's impressive safety record and explained the training that goes into ensuring their outstanding record. SHS's Staff is a veteran group who take pride in their jobs.

League of Oregon Cities & OLIS | Demonstration Training – McDowell gave Council a tour of the League of Oregon Cities website and how to use it for reference to assist with the Oregon Legislative Information System (OLIS). McDowell highlighted a few bills. Councilor Hansen highlighted SB 605 briefly. McDowell encouraged any Councilor wanted to know more can simply setup an appointment for a deeper dive.

Council Goals – McDowell did an overview of goals that were identified by Council at their February 9th, 2023 Goal Setting session. McDowell drew Council's attention to the one page Goals sheet that will be formalized for the wall in Council Chambers. Capital projects such as the Rec Center Renovation, the GR12 waterline extension, planning for an additional sewer lagoon head up the priorities Council is working on. Council is also charting a course of active advocacy on issues impacting City operations and looking into the development of a larger social media footprint to name a few other priorities. Goals can be found on the City website and are included in every Council agenda packet.



Council Minutes

DEPARTMENT REPORTS:

1. **Linn County Sheriff's Office (LCSO) Sheriff's Report.** Sergeant Frambes reviewed the numbers from last month. Frambes reported a major marijuana operation bust in Halsey this past week. Frambes sparingly mentioned the details since the case was active. He reported that there was more than marijuana found at the residence. Frambes expressed the challenge presented by conflicting laws and, in many cases, no laws or laws favoring the people committing crimes as hurdles to effective law enforcement. McDowell interjected to say that Jermaine Galloway at tallcopsaysstop.com has many examples of how terrible public policy is destroying communities nationwide. McDowell shared a brief story about Xylazine and its effects on the human body. Frambes said the Office must work within the confines of the laws that have been adopted by the State and will continue to find 'work arounds' to curtail crime.
2. **Public Works (PW).** Public Works Superintendent Karl Frink has been updating the City's Backflow & Cross-connection Program that will be rolling out for customers soon. Frink's plan makes it easier for customers to comply with the State's backflow laws. Frink reported the State delivered the final, approved version of the City's Water Management & Conservation Plan (WMCP). Frink & McDowell will review the requirements and develop a plan of action. The City will be required to implement certain elements within specific time limits. The new River's Edge subdivision added 68 new backflow devices. City Engineering is finishing the details of the GR12 waterline project. The line will add an additional 530 units of capacity for the City. Currently, the City has 857 units. Frink reported that Public Works recently successfully completed wastewater discharge. The City has until May to discharge. Frink said operations will begin next to week to get Pioneer Park ready to open.
3. **Administration.** Administrator Scott McDowell said several Councilors attended Capital Day in Salem, hosted by the League of Oregon Cities. The Disaster Preparedness effort continues with Sweet Home & Lebanon as Staff will be attending a review in two weeks. The Rural Economic Alliance is working on developing a five-year strategy and goals. Cities include Brownsville, Halsey, Harrisburg, Tangent, Lebanon, Sweet Home, Monroe, Philomath & Adair Village. See REAL's website for more information, <https://www.ruraleconomicalliance.com>. McDowell shared some advocacy articles and review potential impacts of certain items being considered by the State Legislature. The City now has the capability of depositing checks remotely. McDowell encouraged everyone to check out the Policy FYI document on the City website for more information on a variety of topics.
4. **Planning.** Administrative Assistant Elizabeth Coleman discussed the differences between outright permitted uses and conditional uses. Coleman briefly reviewed the intergovernmental agreement (IGA) with Linn County governing permitting. All permits can be obtained through the City except for electrical permits. People needing electrical permits still need to go to Albany to pull those permits. Coleman outlined the responsibilities of Staff and the applicant on a couple of different permitting processes. Coleman said that many, if not most, permits are on the City website and fillable. She does the best she can to work with applicants to make the process as easy as possible, though the complexities make that challenging. Councilor Winklepleck shared a story about installing his fence and let Mrs. Coleman know that she is a great City representative; very patient and professional.
5. **Library.** Librarian Sherri Lemhouse reviewed the programming at the library from story time to arts & crafts. Programs attempt to reach all demographics from kids to adults. Don Lyon does a series called World Cultures and Judge Meyer does a course on Trusts to name a few. Lemhouse was excited that the Farmer's Market was going to be in Library Park this summer. Lemhouse mentioned Nadine Sayer, the longest serving librarian in the City's history at 19 years, 6 months. Councilor Winklepleck asked how Lemhouse vets books to be added to the collection. Lemhouse described the factors used to select materials.



Council Minutes

6. **Court.** Report included in the Council Agenda Packet. No comments.
7. **Council Comments.** Councilor Chambers read the quote in the packet from Maya Angelou and shared the story of Robert Smalls. Mayor Craven provided Council with a written report on Capitol Day sponsored by the League of Oregon Cities and the Oregon Mayor's Association. Councilor Solberg said it was a great time were Council had a bonding experience spending time at the Capitol and hearing what is happening first-hand. Councilor Chambers said it was great watching the "guys" walk around the place like they owned it – because we do own it. Councilor Winklepleck shared the visit with Senator Cedric Hayden. Winklepleck said that Council can expect a visit from Hayden in the future. Councilor Hansen asked about Representative Cate's visit. Mayor Craven said that Staff is working on a couple of follow-up items for Cate's Staff. McDowell shared the one page "at-a-glance" document that was created for advocacy purposes. Craven remarked that it was disturbing to see the State respond to every self-manufactured crisis instead of addressing the actual root causes of problems. Craven said that overall it was a great experience and he hopes that more Councilors can attend in the future.
8. **Citizen Comments.** Felipe Eversull introduced himself, grew up in Brownsville and expressed his interest in being appointed to the Budget Committee.

LEGISLATIVE:

1. **Resolution 2023.04: Solid Waste Rates (Annual)** – Councilor Hansen made a motion to approve the resolution as presented. Councilor Chambers seconded the motion and it passed unanimously.
2. **Ordinance 796: Legislative Advocacy & Policy Committee (First Reading)** – Councilor Hansen moved to read the ordinance by title only. Councilor Solberg seconded. The motion carried. Councilor Winklepleck made a motion to approve the ordinance and pass as an emergency. Councilor Solberg seconded the motion and it passed unanimously.

ACTION ITEMS:

1. **Calapooia Food Alliance | Agreement Addendum** – McDowell reviewed the reasons for the addendum which were to approve the use of Park Avenue for the Farmer's Market and to incorporate fencing and a storage shed that does not conform to the City's ordinances. Councilor Winklepleck asked to include a thirty-day time frame to the conditions along with a reference to the penalty section contained in the Brownsville Municipal Code, Chapter 1.05. Clarification discussion ensued. Councilor Solberg to approve the addendum with the amended language added to Exhibit B as suggested by Councilor Winklepleck. Councilor Hansen seconded the motion. The motion passed unanimously.
2. **Appoint Cascade West Council of Governments Representative** – Council was not interested in filling this position at this time.
3. **Appoint Budget & Planning Officials** – The City advertised for vacancies on the Budget Committee and the Planning Commission. Council appointed the following members:

Budget Committee

Felipe Eversull
Matthew Schomaker

Planning Commission

Barbara Andersen



Council Minutes

Councilor Chambers made a motion to appoint Felipe Eversull & Matt Shoemaker to the Budget Committee. Councilor Winklepleck seconded the motion. The motion carried unanimously. Councilor Solberg made a motion to appoint Barbara Andersen to the Planning Commission. Councilor Hansen seconded. The motion passed 6-1 with Councilor Chambers voting no.

Council thanked all the applicants who applied for these positions.

5. **Adopt Council Goals | FY 2023.2024** – Mayor Craven asked members if they had any additions or deletions to the Council Goals. Councilor Hansen made a motion to approve the 2023.2024 Council Goals as presented. Councilor Chambers seconded the motion. The motion carried unanimously.
6. **Adopt Council Values | FY 2023.2024** – Councilor Hansen wanted to make a revision to the Diversity, Equity & Inclusion (DEI) item in the Council Values. Hansen made it clear that his aim was not to eliminate this value but to define it more appropriately. Hansen said the Civil Rights Act of 1964 already addressed discrimination and a host of other equality issues. Hansen finds the DEI language to be too divisive and too politically charged. Councilor Solberg asked to table this item, so Council has adequate time to contemplate these values. Council tabled this item.
7. **River's Edge Sanitary Sewer** – McDowell explained the condition of a sanitary sewer that was extended for Phase III of the River's Edge subdivision. The line was installed incorrectly and needs to be replaced. The cost to replace the sewer line is estimated to be \$35,000. McDowell asked Council generally if they would be interested in loaning money for this replacement? McDowell showed that Council budgeted money for new sanitary sewer lines in this year's budget. McDowell said that a series of extenuating circumstances seem to indicate that if the City could help financially with the replacement of the faulty sewer line, it would leverage a significant investment in finalizing Phase III which will consist of 20 new homes. McDowell asked for Council to authorize Mayor Craven and himself to negotiate as needed. Councilor LaCoste made a motion to authorize Mayor Craven and City Administrator McDowell to negotiate as needed on this sanitary sewer line with the not to exceed amount of \$35,000 and an interest commensurate of the current Oregon State Treasury rate. Councilor Humphreys seconded and the motion passed unanimously.

DISCUSSION ITEMS:

1. **Annual OGEC Reminder.** McDowell reminded Council that soon they would be receiving information from the Oregon Government Ethics Commission that is time sensitive. Once Councilors complete the information, please email Administrative Assistant Tammi Morrow or McDowell so the City can avoid fines. McDowell said the Staff at OGEC is very helpful. Councilor Winklepleck said he already completed this and it is very easy to do.
2. **Officials Handbook | Ad Hoc Review.** – McDowell asked for Mayor Craven and Council President Chambers to review the Officials Handbook. McDowell explained that every few years Council reviews the Handbook for accuracy and intention. Council agreed by consensus. McDowell hopes to have some recommendations for Council approval in March. Councilor Chambers asked if the Handbook applies to all Elected and Appointed Officials. McDowell said that it did.
3. **HB 3115 | Ad Hoc Review.** – McDowell would like volunteers to review this information. Councilor LaCoste, Councilor Solberg, and Councilor Chambers volunteered. Councilor Hansen clarified this was for the homelessness laws passed by the State. Council agreed by consensus. McDowell said this matter was time sensitive.



Council Minutes

4. **February Financials.** No comments.

CITIZEN QUESTIONS & COMMENTS.

No comments were made.

COUNCIL COMMENTS.

Councilor Michael Humphreys pointed out that it was good budgeting to have included funds for sanitary sewers that could arise and thanked the Budget Committee. Humphreys asked if the City had any responsibility for the sanitary sewer line being installed incorrectly at River's Edge. McDowell said the City is not responsible for the proper installation of civil utilities, the developer's are responsible. In this case, the line was installed two years ago, and the City just received the testing results a week ago. The Public Works Standards and the process outlined earlier by Administrative Assistant Elizabeth Coleman work very well.

Councilor Chambers drew attention to the letter sent by Linn County to Governor Kotek about the negative impacts of Measure 110.

ADJOURNMENT: Councilor Solberg moved for adjournment, Councilor Humphreys seconded and the meeting adjourned at 9:35 p.m.

Handwritten signature of S. Scott McDowell in blue ink.

City Administrator S. Scott McDowell

Handwritten signature of Adam Craven in blue ink.

Mayor Adam Craven