

City of Brookings

City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, January 26, 2015

Call to Order

Mayor Hedenskog called the meeting to order at 7:00 PM.

Roll Call

Council present: Mayor Ron Hedenskog, Councilors Jake Pieper, Kelly McClain, Brent Hodges and Bill Hamilton; a quorum present. Planning Commission Chair Bryan Tillung joined Council at the dais.

Staff present: City Manager Gary Milliman, Public Safety Director Chris Wallace, Finance/Human Resources Director Janell Howard, Public Works/Development Director Loree Pryce, Lieutenant Donny Dotson, Planning Manager Donna Colby-Hanks, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Reporter Jane Stebbins and approximately 8 others.

Ceremonies/Appointments/Announcements

Public Safety Director Chris Wallace was recognized for his 20 years of service.

Councilor McClain said while he's received complaints about a lot of other things, no one has ever said anything to him bad about the Police Department.

Councilor Pieper said the confidence placed in the Police Department by the public starts with Wallace, he said, and trickles down through Lt. Dotson to the rest of the department.

Councilor Hodges said he had always looked up to Wallace and still does and Councilor Hamilton said there was no more professional Police Department than the City's.

Councilor Pieper added that the Police Department is the shining star of the City.

Mayor Hedenskog moved, a second followed and Council voted unanimously to reappoint Trace Kather to the Parks and Recreation Commission.

Public Hearings

Legislative public hearing on File LDC-1-15, revising the street improvement deferral process in Brookings Municipal Code Chapters 17.170, 17.128 and 17.136.

Mayor Hedenskog opened the legislative public hearing in the matter of file LDC-1-15 at 7:09 PM.

Hearing no ex parte, declarations of conflict or personal interest, nor objections as to jurisdiction, Mayor Hedenskog reviewed the guidelines and Planning Manager Colby-Hanks reviewed the staff report.

Mayor Hedenskog provided some additional clarification on DIA requirements and said if developers who disagree with the DIA can have it reviewed by Council; the City should determine if the improvements are needed.

Councilor McClain said his goal was to get rid of DIA's.

Councilor Hodges said he was not sure the City could ever get rid of DIA's and asked if this would change existing DIA's and Colby-Hanks said it would not. Hodges then asked if people could make a deposit.

Director Pryce said the City could allow that, but couldn't change the terms of the existing recorded easement and City Attorney Rice said DIA's are contracts and can be changed with the consent of both parties.

Councilor Hodges then asked who would calculate the DIA amount and Pryce said the Public Works and Development Director would do that by looking at current construction bids. Pryce added that the City didn't want to be in the position to call in a DIA 10 years from now and not have enough money to do the project.

City Manager Milliman said public projects cost more to contract than private projects because of regulations, such as paying prevailing wage rates.

Councilor Pieper asked if the developer would be able to choose between doing the work and entering into a DIA and Mayor Hedenskog said the City would make that determination.

Councilor McClain said if the cost of the DIA was too high, the developer would choose to do the improvement and Pieper asked why a contractor would pay more than 100% if the idea was to have the improvement done per the Comprehensive Plan (CP).

Councilor Hodges said he could see why developers might want to do a DIA and Pieper said, given the option, a developer would not do a DIA. He said the only problem was that it would encourage them to do the improvement before the CP was done.

The hearing was closed at 7:48 PM.

Mayor Hedenskog said it's probably important that a developer be given the option to put in the improvements rather than paying a higher cost of a DIA. There are DIA's, Hedenskog said, that have been out there a long time and when it's time to do an improvement it's difficult to collect on the DIA because so much time has passed.

City Manager Milliman said he wondered if the intent of the language was to give the property owners the option to put in the improvements themselves when the improvements were ready to be made, or to allow the property owner to do the improvements now.

Councilor McClain said the City would deal with existing DIA's as it must, but going forward he wanted to get rid of the old program and take a deposit or allow the developer to put in the improvements themselves. This, he said, is what he thought was the intent.

Councilor Pieper said he didn't believe the developer would pay a 150% deposit and if the idea was to encourage a CP, then the City should give them a discount. He also wondered how other cities collect DIA's.

Councilor Hodges said a 100% or 110% deposit would be fine, but 150% was too much and Pieper said if costs are going to be deferred the developer is going to do the work.

Councilor McClain said they have the option and if the City didn't charge enough, the City's tax payers would have to pay the difference. He said he thought something between 100 - 125% would be the right amount.

Councilor Hamilton asked if this shouldn't go back to a workshop.

Mayor Hedenskog said if the goal was to eliminate DIA's the City could opt to do the CP, and Pieper asked if that was reasonable; might the City over-engineer the project?

Pryce said staff would have a better approach ready to bring back to a workshop.

Councilor Pieper said he would like to know if the consensus among the Council was to encourage DIA's or to encourage the developer to make the improvements. He also said there were options as to how the funds could be collected.

Councilor Hamilton said his only concern about eliminating DIA's was that the City had already allowed them and those with existing DIA's might think it was unfair that others weren't required to enter into a DIA. He said more information was needed about how other cities were handling this issue.

Mayor Hedenskog moved, a second followed and Council voted unanimously to defer the DIA issue to a future workshop.

Council agreed to move the Welcome to Brookings Sign item ahead of the scheduled Planning Commission Report to accommodate the public in attendance for that item.

Staff Reports

Acceptance of the Welcome to Brookings Sign located at the City's northern limits.

Planning Manager Colby-Hanks gave the staff report.

Pete Chasar, Welcome to Brookings Sign Committee member, said he was glad to have completed the four year process. He said the committee would still do some landscaping and added that they were also turning the model over to the City . He said the project was completed with a lot of in-kind help and donations from the community.

Councilor McClain said it was a tough job, and they did it well.

Councilor Pieper moved, a second followed and Council voted unanimously to accept the Welcome to Brookings Sign located at the northern City limits.

Oral Requests and Communications from the audience

Planning Commission Chair Bryan Tillung provided the annual Planning Commission report.

Councilor Pieper moved, a second followed and Council voted unanimously to accept the annual [Planning Commission] report.

Staff Reports

Committee for Citizen Involvement report.

Colby-Hanks provided the staff report.

Mayor Hedenskog asked if there were plans to form a Citizen Advisory Committee (CAC) and Colby-Hanks said it was in the beginning stages and the issue would be taken to the Planning Commission. Hedenskog said it was time to form this committee.

Councilor Pieper moved, a second followed and Council voted unanimously to accept the [Committee for Citizen Involvement] annual report and direct staff to forward the report to the County Planning coordinator.

Councilor Pieper made a motion to "create the State's Citizen Involvement Advisory Committee as required by Resolution #399," a second followed and the motion and second were withdrawn when it was explained that this was part of the previous motion and did not pertain to the creation of the Citizen Advisory Committee addressed in the staff report.

Support for location and installation of new crosswalk just south of Lucky Lane by the Oregon Department of Transportation (ODOT).

Director Wallace presented the staff report.

Councilor Pieper asked Wallace if this was his recommendation and Wallace said it was. Lt. Dotson added that ODOT would pay some of the cost of a pedestrian activated light if it were determined that one was needed later on.

Councilor Hamilton said he liked the location but wasn't crazy about the island. However, he said, the island was a requirement in that location according to ODOT.

Councilor Hodges said he didn't like the island at all and felt it hindered traffic, but wasn't sure Council could support the location without the island.

Wallace said the pedestrian is ODOT's focus when it looks at crosswalks not the vehicles traveling on the highway.

Councilor Pieper moved, a second followed and Council voted unanimously to support [crosswalk installation on US Highway 101 at milepost 356.81, just south of Lucky Lane] the location and installation of a new crosswalk by the Oregon Department of Transportation.

Community Coastal Christmas evaluation.

City Manager Milliman provided the staff report.

Council made several positive comments about the program.

No action was needed and none was taken.

Approval to reallocate Transient Occupancy Tax revenues for the Event Tent to general tourism promotional activity purposes.

City Manager Milliman gave the staff report.

Mayor Hedenskog moved, a second followed and Council voted unanimously to reallocate the \$10,000 in TOT revenues allocated for the Event Tent for general tourism promotional activity purposes.

Authorization to mail a series of three fuel tax measure informational brochures to registered Brookings voters.

City Manager Milliman presented the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to proceed with mailing a series of three fuel tax measure informational brochures to Brookings registered voters.

Resolutions

Adoption of Resolution 15-R-1051, authorizing signatories for all City financial activities.

Director Howard gave the staff report.

Councilor Hodges moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1051, authorizing signatories for all City financial activities.

Adoption of Resolution 15-R-1049, amending the City's Public Procurement and Contracting Policy.

City Manager Milliman presented the staff report.

Councilor Hodges moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1049, amending the City's Public Procurement and Contracting Policy to include a list of methods to be used for the disposal of surplus property under Section XI.E.1.

Adoption of Resolution 15-R-1050, authorizing submission of a grant application for water metering upgrade and monitoring.

City Manager Milliman provided the staff report.

Councilor Hodges said the project met Council's goals and Mayor Hedenskog said it was the green thing to do.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1050, authorizing submission of a Water and Energy Efficiency Grant Application to the US Department of the Interior Bureau of Reclamation for the Brookings Water Metering Upgrade and Monitoring Project.

Consent Calendar

1. Approve Council minutes for January 12, 2015.
2. Approve Liquor License Application for Railroad Street Market & Deli.
3. Receive monthly financial report for December, 2014.

Mayor Hedenskog moved, a second followed and Council voted unanimously to approve the Consent Calendar as written.

Remarks from Mayor and Councilors

City Manager Milliman provided information about the National Disaster Resilience Competition (NDRC), a new federal program which is considering the Brookings area for grant funding. The City and the Port, he said, are working with the State to respond to an invitation to submit a proposal. The program will competitively award close to \$1 billion in funds to eligible communities.

Adjournment

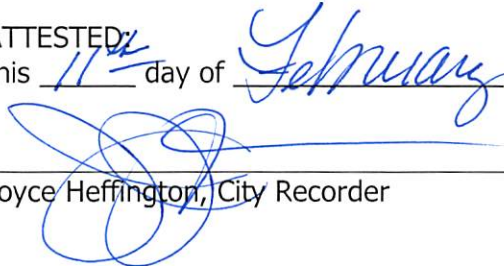
Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 9:48 PM.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED:
this 11th day of February 2015:



Joyce Heffington, City Recorder