

City of Brookings

City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, March 23, 2015

The City Council met in Executive Session at 6:30 PM, in the City Manager's office, under the authority of ORS 192.660(2)(i) to review and evaluate the employment-related performance of the City Manager who does not request an open hearing.

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.

Staff present: City Manager Gary Milliman, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Report Jane Stebbins and approximately 11 others.

Ceremonies/Appointments/Announcements

Mayor Hedenskog moved, a second followed and Council voted unanimously to appoint Joseph Vogl to the Planning Commission.

Resolutions

Resolution 15-R-1053 supporting formation of a Law Enforcement District and supporting a property tax levy for Sheriff's services on the May 2015 Ballot.

Mayor Hedenskog introduced the resolution and City Manager Milliman provided a brief staff report.

Sheriff Ward discussed the Advisory Committee's process that led to the current proposed tax levy and provided budget information. He said his goal was to find a permanent funding source through formation of a law enforcement district, but the 9-member Citizen Advisory Committee quickly discovered that the process could take at least two years, and there wasn't enough time to do that considering current funding situation. He said he had told the committee what he could get by with, but the committee felt it needed to be more to avoid just be "kicking the can down the road" again. The levy the committee came up with, he said, was designed to fill the gap while a law enforcement district was being formed. Ward said the committee had determined that the proposed tax rates were fair and equitable. He said the extra patrol positions included in the budget would also help the cities as his deputies provide back up and support when needed. He added that his job was to provide law enforcement for everyone in the County and he was hoping to get Council's support.

Councilor McClain asked what the jail capacity would be if the levy passed and Ward said it was currently 25 and with stable funding, he was hoping to get it up to 35 beds. He said the jail had originally been designated a 50 bed facility but it was never

designed to support that many beds. Regulations, he said, continued to reduce the number of beds they could support; to have more beds, a new jail would be needed.

Councilor Pieper asked if the Sheriff's department received general fund monies, and Ward said the general fund pulled in \$1.4 million, and he thought that 60% of that was going toward the Sheriff's department. Pieper then asked, should the levy pass, if the funding would only be used for the Sheriff's department and if the general funds currently allocated for the Sheriff's department would stay in the general fund. Ward said that was his understanding.

Cam Lynn, Advisory Committee member, spoke in support of the levy and the formation of a law enforcement district. He said there seemed to be a strong public perception that all taxes are created equal and we are all forced to pay more and more, for less and less of a return. However, he said, this tax is both distinctive and different and should serve the citizens as a tax should. Lynn said the levy was crafted by five citizens, the three mayors and Sheriff's department staff, in public meetings. He said the proposal separates the Sheriff's department from the County and if people trust the Sheriff, then they should support the levy. Lynn said the funding from the levy would stay in the County and that he was more concerned that Curry County voters make an informed decision, as opposed to an emotional one, and take the time to consider the merits of the levy and the consequences if it doesn't pass. The services provided by the Sheriff's levy, he said, are fundamental.

Mayor Hedenskog asked Lynn to explain his sense of the committee's thinking behind not making the levy "bare bones," and Lynn said one of his concerns was that if it were bare bones, it would have to come back to the voters again. This levy, he said, is adequate to provide necessary services to do the job.

Jan Barbas, Advisory Committee member, speaking in support of the levy, said a solution was needed to replace funding that is going away. Unstable funding, he said, discourages hiring to fill openings and this levy will provide a bare bones, minimal, sustainable budget.

Susan Brown, County Commissioner, said people say they value the Sheriff's department and jail services, but 9 failed levies indicate something different is needed. She said the recent survey showed strong support for a public safety district, but she would rather wait to have that conversation until after the May election.

Barbas said, given dwindling funding, there wasn't enough time to explore other taxing options, such as a sales tax, and the committee chose a property tax because it was the only legal way to provide funding while the district formation process moves forward.

Mayor Hedenskog said the committee voted for this level of funding because they didn't have the stomach for a bare bones budget and they didn't want to do a bait and switch later on. The goal, he said, is to work towards a law enforcement district to provide a permanent source of funding. Hedenskog said if the levy doesn't pass, it would just be kicking the can down the road again and the Sheriff would have to begin laying-off employees. He said the available funds from last year's budget exist because of unfilled positions and the split rate provides that residents in the unincorporated area would provide funding for patrol deputies, which is as it should be.

Barbas said the department has enough in carryover funds to get through until November and provided a number of examples of why contingencies are necessary.

Ward pointed out that it takes approximately \$70,000 to put a deputy on the road, once you provide training, a fully equipped vehicle and other necessary equipment. Right now, he said, they get someone trained and certified and then lose them to another agency that has stable funding.

Councilor Hodges asked Ward how many road deputies he had and Ward said four road deputies and one sergeant, with two in training, one who is still in dispatch. He has 7 dispatchers, but will lose the one who will be moving to road patrol when they can hire a replacement. Hodges then asked if Ward thought three years was enough time to form a law enforcement district and Ward said he thought it would be.

Councilor Hamilton asked if the funding received for the district, if formed, would stay with the district. Barbas said the district might choose to contract with the County for payroll or HR or accounting or other services, as it does now, however the funding would belong to the district, not the County, and there would be a citizen advisory group that would help with recommendations.

Hamilton then asked why the budget showed a different level of revenue each year and Barbas said the figures reflect an estimated annual increase in assessed property values and added that costs also go up each year.

Mayor Hedenskog asked what would happen if more money was assessed than needed and Barbas said the committee would recommend a reduction of the levy to the Commissioners and added that the level of service was important to him.

Councilor Hodges said a split rate is more acceptable to him, but the citizens want to know if a tax district would have an even higher tax than what is being proposed. He also asked if the Commissioners could raise or lower the rates.

Barbas said the proposed rates could not be increased except by the voters, but they can be lowered. As to the formation of a district, he said, that will come to a vote at the end of the process. Barbas said the levy would provide a trail period for the citizens and the Sheriff and added that the levy is less than Sheriff Bishop's original request.

Connie Hunter, Brookings, spoke in support of the proposal and said she was proud of Council and staff for providing the community with a stable environment. She said the Advisory Committee's vision and open process had helped bring her along with the proposal.

Councilor Hodges asked about combining the two 9-1-1 Centers and Ward said he was not against consolidation, but it needed to be fair and equitable. Consolidation, he said, would not fix the current situation as it would only represent \$300,000 to 500,000 in a budget of \$12-\$13 million and dispatch staff currently handled a number of tasks for the jail.

Milliman said consolidation can work but it was difficult to really look at a complex situation like this when you're trying to find funding. Ward added that it would also take buy-in from multiple agencies and Milliman concurred.

Councilor Hodges said it was hard to explain when \$700,000 was talked about as "slush" funds.

Ward said he would never refer to it as "slush" and the department would be held accountable for every penny.

Councilor Hodges asked why the deputies weren't working at night when violent crimes occur and Ward said they received a lot of calls during the day and the department is unable to get through what they have. He said they had limited staff during the day as it is.

Mayor Hedenskog said the Advisory Committee was committed to reducing the levy if it produced more funding than was needed.

Ward provided a number of 2014 department statistics and said he gets discouraged when he can't do what needs doing; he should be working on how to protect the citizens, not how to get funds. He said in the middle of the night when he gets a call, he doesn't hesitate to send someone out, because that's the job and he wants to be able to provide the best services to the community.

Councilor Hamilton said if the Sheriff needs \$5 million to do the job, then that should be the message that is delivered to the public.

Councilor McClain thanked Sheriff Ward for hitting the ground running and said he appreciated his not using scare tactics. He said road funds are for roads and he didn't want to use them to fund the Sheriff's department. There isn't enough funding to run the County and the Sheriff's department, McClain said, and it was not his job to tell the County how to manage their funds. As a Councilor, he said, it was his job to look out for the citizens. The current split, he said, is what he had calculated it would need to be initially. McClain said he liked the way it was done, he thought it was fair and he supported putting the question to the voters.

Councilor Pieper said running the Sheriff's department should not be about money, but the most important thing right now is to put something before the voters that was bare bones, which this was not. He said people are asking for bare bones and that has yet to be proposed. He said he wondered if the reason that a bare bones hasn't been proposed is that if a bare bones budget passed, and the sky didn't fall, then it would be hard to get more money later on. He said the really serious issue that will probably mean it doesn't pass, is that there's nothing in it to reduce the amount if more is collected than is needed.

Councilor Hodges said he fully supported the Sheriff and his department but was disappointed that there wasn't more out of the box thinking. He said it comes down to money and he hoped it would go through but there was a lot of work to be done with the public. He said he appreciated that it wasn't bare bones; he didn't want it to have to come back later.

Councilor Hamilton said this was more in line with what the levy should be and he supported the Sheriff, the levy and the law enforcement district concept, but there were a lot of people who wouldn't vote for any tax. He said he was thankful for what we do have.

Mayor Hedenskog said this was a problem that had to be solved before the Sheriff had to start laying off, and this was an opportunity to do it now without having to come back even higher later on. He commended Ward for taking on the job given the current situation.

Cam Lynn said the reason for asking for an adequate level of funding and not bare bones funding was because adequate can be defined, but everyone defines bare bones differently.

Councilor Pieper said he disagreed; adequate is easier to define and the amount changes each time a levy comes up. Some funding, he said, is better than none. The question, he said, is, "What will the voters support?"

Barbas said each time the question had been put to the voters it was less, yet even at 69 cents it didn't pass. What's different this time, he said, is the amount of funding would be adequate and minimum. The Sheriff being able to go home and sleep at night is adequate, he said. The committee did this right; this is an honest, minimal, adequate and sustainable budget, he added.

Councilor McClain said Council needed to look at what was in the best interest of Brookings citizens; they were not there to put forward their personal opinion.

Councilor Pieper said if they are looking at total annihilation of the department, then it's in the citizen's best interest to have a passable levy.

Councilor Hodges said he would vote to get it on the ballot and quit kicking the can down the road.

Mayor Hedenskog moved, Councilor McClain seconded the motion and Council voted, 4 – 1, to adopt Resolution 15-R-1053 [supporting a property tax levy for Sheriff's services on the May 2015 Ballot and formation of a Law Enforcement District], with Mayor Hedenskog and Councilors McClain, Hamilton and Hodges voting "Yes," and Councilor Pieper voting "No."

Resolution 15-R-1052, authorizing submission of a grant for park improvement projects at Azalea Park.

City Manager Milliman provided the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1052, authorizing submission of a Local Government Grant application for park improvement projects [ball field rehabilitation] at Azalea Park.

Staff Reports

Authorization to execute all easements in connection to the Airport Infrastructure Project.

City Manager Milliman presented the staff report.

Councilor McClain asked if it was normal for County's to charge for easements like this and Milliman said it was not, particularly since the County in this case was a co-applicant on the grant.

McClain said he was reluctantly going to vote for this, but he wanted people to know how badly the County was "sticking it to the City, and purely out of spite."

Councilor McClain moved, a second followed and Council voted unanimously to authorize the City Manager to execute all necessary easements between

the City, Curry County, South Coast Lumber Company and Chetco Resources in connection with the Airport Infrastructure Project.

Authorization to waive park use fees for the Elks Lodge Annual Easter Egg Hunt.

City Manager Milliman gave the staff report.

Mayor Hedenskog moved, a second followed and Council voted unanimously to waive park use fees for the Elks [Lodge Annual Easter Egg Hunt].

Consent Calendar

1. Approve Council minutes for March 23, 2015.
2. Receive monthly financial report for February, 2015.

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

Remarks from Mayor and Councilors

Mayor Hedenskog commended the Curry Coastal Pilot on the annexation editorial and said his rain gauge posted over 9 inches for the month and he didn't think Brookings was having a drought.

Councilor Hamilton commended the community on the great effort made to rescue the youth who stranded over the weekend.

Adjournment

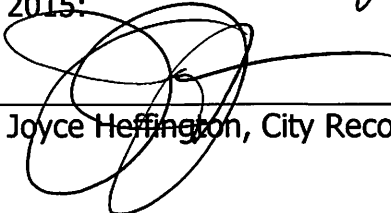
Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 9:08 PM.

Respectfully submitted:



 Ron Hedenskog, Mayor

ATTESTED:
 this 15th day of April
 2015:



 Joyce Heffington, City Recorder