

# City of Brookings

## City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415  
Monday, April 27, 2015

The City Council met in Executive Session at 6:30 PM in the City Manager's office, under authority of ORS 192.660(2)(f), "to consider information or records that are exempt by law," and under the authority of ORS 192.660 (2)(e), "to conduct deliberations with persons designated by the governing body to negotiate real property transactions."

### **Call to Order**

Mayor Hedenskog called the meeting to order at 7:01 PM.

### **Roll Call**

Council present: Mayor Ron Hedenskog, Councilors Jake Pieper, Brent Hodges and Bill Hamilton; a quorum present. Councilor McClain was absent.

Staff present: City Manager Gary Milliman, Public Works & Development Director Loree Pryce, Building Official LauraLee Snook, Lieutenant Donny Dotson, Planning Manager Donna Colby-Hanks and City Recorder Joyce Heffington.

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

### **Public Hearings**

*Continuation of the hearing on File ANX-1-14, consideration of the applicant's response to the Land Use Board of Appeals remand to the City Council regarding the annexation of tax lots 1500 and 2000, located on Assessor's Map 40-13-32D, into the City of Brookings.*

Mayor Hedenskog opened the continuation of the quasi-judicial public hearing at 7:03 PM.

Hearing no ex parte, declarations of conflict or personal interest, or objections as to jurisdiction, Mayor Hedenskog reopened the public testimony portion of the hearing to rebuttal of the staff report addendum and reviewed the guidelines.

Planning Manager Colby-Hanks gave the staff report.

Dan O'Connor, speaking on behalf of the applicant, said he accepted the staff's findings in the addendum to the staff report.

### *Public Comment:*

Catherine Wiley, 96370 Duley Creek Road, said she was disappointed that staff's response to the 300 pages [introduced as exhibits in the previous meeting] had been reduced to 1-1/2 pages and staff's comments were "incorrect, incomplete and/or in contradiction to the City's original presentation of justification for approval of the Mahar/Tribble development plan." Wiley also objected to repeated references that rebuttal would be restricted to capacity of the City's water supply and went on to cite a number of issues contained in her written comments, entered into the record by Colby-Hanks as Exhibit F.

Mayor Hedenskog asked the applicant if he had any rebuttal and O'Connor said he did not.

The public hearing was closed at 7:22 PM.

Mayor Hedenskog said he disagreed with Wiley that Council had not adequately responded to the issues. The adequacy of water capacity had been shown and responded to by staff, he said.

**Councilor Pieper moved, a second followed and Council voted unanimously to approve the applicant's responses to the issues raised by Oregon Land Use Board of Appeal's Remand; Third Assignment of Error, the availability of the city water supply to serve the annexed territory relative to capacity and Fourth Assignment of Error, Statewide Planning Goal 16, Estuarine Resources, for ANX-1-14 based on the findings and conclusions, staff report analysis, and oral and written evidence presented at the hearing, and approve the final order.**

**Public Comments** (non-agenda items)

### **Staff Reports**

*Approval to execute contract for an alternative water supply study.*

Director Pryce provided the staff report.

Councilor Hodges asked about the cost increase and Garrett Pallo, President of Civil West Engineering, said there were additional tasks that the City requested that were focused on providing information for the grant application that were not part of the original scope, much of which had already been completed. He said his firm really focused on providing studies that were useful. Pallo added that he had met with the City Manager who had given him a timeline for pursuing the grant for which the City hoped to receive an invitation.

Councilor Hodges asked if, when the study was done, there would be a clear path laid out about what was needed and Pallo said the study would provide viable choices for water should the river become compromised as well as what would be required to make them a reality.

Director Pryce said this study would look at everything so Council could make a decision on what option they wanted to pursue.

City Manager Milliman said this study had been included in the current budget before the grant program had even existed. He said the Council, during budget deliberations, had felt it was prudent to take a look at alternate water sources.

Mayor Hedenskog said that the City had come under recent criticism for possibly looking at annexation of other lands into the City. He said he agreed with Hodges that it seemed sometimes that we were spending a lot of money for studies, but Council relied on accurate information and this study was one he thought was needed.

Councilor Hodges said he wanted to make sure that when the study was done they knew what direction they needed to go.

**Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute a professional services contract with Civil West Engineering Services, Inc., to complete an alternative water supply study, in an amount not to exceed \$40,738.**

*Approval to execute a contract for North Bank Slope Repairs.*

Official Snook gave the staff report.

**Councilor Pieper moved, a second followed and Council voted unanimously to approve the City Manager to award Contract 15-005, North Bank Slope Repair, in the amount of \$48,960.**

*Approval of Curry Transfer and Recycling (CTR) Rate Schedule increase of 1.13 percent, effective July 1, 2015.*

City Manager Milliman presented the staff report.

**Councilor Hodges moved, a second followed and Council voted unanimously to approve a new rate schedule to be effective July 1, 2015 for refuse collection and recycling services provided by Curry Transfer and Recycling, such schedule reflecting a 1.13 percent increase in rates.**

*Authorization to expend Transient Occupancy Tax (TOT) revenues to fund Christmas decoration proposals and execute agreements with Nature's Coastal Holiday (NCH) and Coastal Christmas in Brookings (CCB) as recommended by the Tourism Promotion Advisory Committee.*

City Manager Milliman delivered the staff report.

Councilor Pieper, looking at the next item on the agenda, asked Milliman if there was an over-allocation of funding in this fiscal year and asked if TPAC realized that. Milliman said it was an over-allocation and TPAC was aware of that. Pieper then said that Oktoberfest was important as it was new and should be first in-line to receive funding. He said NCH had been operating for some time and asked if NCH could wait until after July 1<sup>st</sup>. Klaus Gielisch, NCH President, said they wanted to get to work on them as soon as possible but they could wait.

Councilor Hamilton thought NCH and CCB could wait until July to start their work.

Milliman said Council could approve the requests contingent on releasing funds July 1<sup>st</sup>.

Councilor Hodges said \$8,000 seemed a lot for Christmas decorations but it was a lot of work as well and he thought they might need to get going on them now.

Moir Fossom wanted to make it clear that the NCH light arch was separate from the bells, which were going in downtown, and Milliman pointed out that TPAC had recommended funding for the bells but not for the arch requested for NCH.

**Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute an agreement with Nature's Coastal Holiday providing \$3,510 in Transient Occupancy Tax funds payable on or after July 1, 2015, to rehabilitate 15 large lighted bells for display in the business district during the Christmas holiday season.**

**Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute an agreement with Coastal Christmas in Brookings providing \$5,000 in Transient Occupancy Tax funds for lights to be installed and operated on trees and light poles in the business district during the Christmas holiday season.**

*Authorization to expend TOT revenues to fund Oktoberfest proposal and execute agreement with Chetco Brewing Company.*

City Manager Milliman provided the staff report.

Councilor Hodges asked Alex Carr-Frederick how she'd come up with the attendance number and she said she'd asked other members of the brewer's guild and this represents an average.

**Councilor Hodges moved, a second followed and Council voted unanimously to authorize the City Manager to execute an agreement with the Chetco Brewing Company to provide \$3,500 in Transient Occupancy Tax funds to assist in funding an Oktoberfest event on October 4, 2015.**

*Authorization to proceed with proposed street paving strategy for 2016-17 and 2017-18 contingent upon approval of the fuel tax measure in May.*

City Manager Milliman supplied the staff report.

Councilor Hamilton asked if there were any infrastructure needs on the proposed streets that might require tearing up the street later on and Pryce said they hadn't seen anything major on the master plans.

**Councilor Pieper moved, a second followed and Council voted unanimously to proceed with the proposed street paving strategy for years two and three contingent on Gas Tax initiative approval.**

*Authorization to post 15 mph speed limit sign on Lundeen Lane.*

Lieutenant Dotson gave the staff report.

Councilor Pieper asked what had prompted this and if there were any other streets in Brookings posted at 15 mph and Dotson said they'd heard from three residents about the potential danger to kids running back and forth between Azalea Reach apartments and the Kidtown Playground from drivers going too fast in that area. The lowered speed limit, he said, would be more to inform drivers who are not aware of the potential danger, particularly those coming from out-of-town to attend softball games at Azalea Park.

Councilor Pieper said he liked that the residential streets all had the same speed limit, but could see the reason for lowering it at that location and Councilor Hodges said there were also kids darting out between vehicles.

**Councilor Pieper moved, a second followed and Council voted unanimously to authorize staff to post a 15 mile per hour speed limit on Lundeen Lane.**

### **Consent Calendar**

1. Approve Liquor License Application for Chetco Brewing Company, 927 Chetco Avenue.

2. Authorize the City Manager to sign a permanent Public Utility Easement with David R. and Janet E. Snazuk, for Tax lots 1600, 1601, 1602 and 1603, Assessor's Map #41-13-05B; located on Chetco Avenue.
3. Accept Public Art Committee minutes for February 2, 2015.
4. Receive monthly financial report for March, 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 commented that it was sad that the City was going to lose Loree Pryce to her new job in Ventura, California. He said she'd shown the City what a Public Works Department and Director should be.

Pryce said she had a great respect for Council's professionalism and great sense of community.

**Adjournment**

Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:27 PM.

Respectfully submitted:

  
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Ron Hedenskog, Mayor

ATTESTED:  
this 13<sup>th</sup> day of May 2015:

  
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Joyce Heffington, City Recorder