

City of Brookings

City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, July 13, 2015

The City Council met in Executive Session at 6:00 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 7:00 PM.

Roll Call

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

Staff present: City Manager Gary Milliman, Public Works & Development Director LauraLee Snook, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Report Jane Stebbins and approximately 12 others.

Ceremonies/Appointments/Announcements

Mayor Hedenskog proclaimed the week of July 13th as Southern Oregon Kite Festival Week.

Mayor Hedenskog moved, a second followed and Council voted unanimously to reappoint [Tim Patterson and George Watwood] to the Tourism Promotion Advisory Committee.

Mayor Hedenskog announced July Yard of the Month awards as follows:

- Best Residential – Shirley York, 314 Birch Street
- Best Commercial – Dollar General, 1300 Easy Street

Resolutions

Resolution 15-R-1067 establishing City policy for responding to drought emergency.

City Manager Milliman provided the staff report and reported that today's river flow was 64 cfs and the City's withdrawal was 2.2 csf compared to a flow of 183 cfs and withdrawal of 1.8 csf on this date last year.

Mayor Hedenskog said he was impressed by how well the City had done in reducing its water usage.

Councilor McClain said the City would never meet the criteria for triggering water curtailment with the current formula. He said the flow would have to be as low as 40 cfs before it would be triggered and in doing a number of calculations, it seemed to him that it should be calculated on a percentage basis. He said the goal was to protect the flow needed for fish and wildlife and the creek and reservoir were important and the City should pursue funding for this purpose.

Councilor Hodges said the City needed the 40 day supply of reserved water.

Councilor McClain asked if the City would ever experience salt water intrusion at the collection point and Milliman said he didn't know.

Councilor Hamilton said people had expressed concerns about the reservoir but he didn't see it as a problem. He suggested that the City ask restaurants to provide water only upon request.

Mayor Hedenskog said the triggers were developed by the Oregon Department of Fish and Wildlife and that traditionally, salt water intrusion had never occurred above Harbor's intake. Harbor residents, he said, were concerned that the City would take so much water out of the river that they would experience an intrusion of salt water.

Councilor Hodges moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1067 adopting a drought response policy.

Public Comments on Non-Agenda Items

Carolyn Milliman commented on the Relay for Life event. She said it was a great event, and thanked Council for showing at the event. She also thanked the Pilot for their article and everyone for their cards and prayers and later on in the meeting, she thanked the Volunteer Fire Department for their participation.

Staff Reports

Funding request for Lighted Arch at Azalea Park.

City Manager Milliman gave the staff report.

Councilor Hamilton said if the funding comes from the Tourism Occupancy Tax funds and the Tourism Promotion Advisory Committee (TPAC) didn't have an issue with it, he didn't either. He said he was concerned about vandalism and recommended adding an extra camera.

Klaus Geilisch, representing Natures Coastal Holiday, said a camera had been added at the Capella and they'd had no additional issues with vandalism.

Councilor Hodges said \$7,000 would be twenty percent of TPAC's budget and suggested funding half of the requested amount. He said NCH could then look for sponsors. He said the event was good for the community but it was a lot of money.

Councilor McClain said he wanted to support TPAC's recommendation.

Mayor Hedenskog said this was in keeping with off-season events.

Mayor Hedenskog moved to fund the light tunnel with \$3,603 in Transient Occupancy Tax revenues, a second followed and the motion was tied and failed, with Mayor Hedenskog and Councilor Hamilton voting "Yes" and Councilors McClain and Hodges voting "No."

Mayor Hedenskog suggested that it go to TPAC and Milliman reminded Council that TPAC had already voted not to fund the project.

Carolyn Milliman commented on the fire department's participation in the Relay 4 Life event.

Discussion and direction regarding House Bill 3400.

City Manager Milliman gave the staff report adding that the bill had since been signed into law by the Governor.

Mayor Hedenskog said he would like to put it on the ballot with a specific spending plan and proposed using the funding for parks and recreation.

Councilor McClain said he agreed with the mayor that it should be put to a vote with a defined spending allocation.

Councilor Hodges said he thought it was a slippery slope with the potential to put it right back on the black market by overtaxing it. He said he didn't think it should be taxed to death.

Councilor Hamilton said he agreed on going for three percent.

Councilor Hodges asked if the County could add three percent as well and Milliman, after a quick review of the bill, said it appeared that they could.

Mayor Hedenskog said the County's tax would not apply in the City.

Mayor Hedenskog moved, a second followed and Council voted unanimously to direct staff to put on the May, 2016 ballot a measure for a three percent tax on recreational marijuana.

City Manager Milliman pointed out that there were a number of actions to be taken before a measure would be ready to be placed on the ballot.

Discussion and direction regarding House Joint Resolution 21.

City Manager Milliman presented the staff report, pointing out that the resolution did not go forward at the close of the session and that the matter had been placed on the agenda at Councilor Pieper's request.

Public Comment: Steve Adams, Pacific Heights, said he would like to ask Commissioner Smith and Tax Assessor Jim Kolen to resign.

Mayor Hedenskog said he didn't know how Councilor Pieper, who was not in attendance, wanted to proceed with this matter.

Councilor McClain said he had lost faith in the County's ability to find the right number to fund the Sheriff's Department. He said he understood why the bill was being proposed as other Counties would not want to foot part of Curry County's bill. He said he did like the idea in HB 3453 of requiring the County to define minimum services which is something they've never done.

Mayor Hedenskog said if the bill passed it would be a disservice to the citizens.

Councilor Hodges said he found this action on the part of County to be offensive. He said what was needed was legislation to allow the County to harvest logs.

Councilor Hamilton said it was clear that no one up north was paying attention and it would never pass. He added, "Shame on the County for acting like this."

Mayor Hedenskog said Commissioner Smith had also advocated for HB 3453.

Lacking direction regarding Councilor Pieper's purpose for adding this item to the agenda, no action was taken.

Accept Davis Wright Tremaine, LLP voucher in the amount of \$5,159.00 for June, 2015.

City Manager Milliman said this voucher was being listed separately on the agenda so that Councilor Hodges, who has been contracted by the Curry Health Network (CHN) to do remodeling on the Brookings Clinic in preparation for the Emergency Department, may declare a potential conflict. The City, he said, had participated financially in getting legislation passed to allow for an Emergency Department to operate in Brookings.

Martha Rice advised Councilor Hodges to remove himself from the dais and the discussion on this matter.

Mayor Hedenskog said the City had paid to get the Emergency Department designation and Milliman said that CHN reimbursed the City for 50% of the bill. The City, Milliman added, will pull out of the funding once it becomes a matter of annexing the City into the health district.

Councilor McClain said it was money well spent.

Mayor Hedenskog moved, a second followed, and Council voted unanimously to accept [payment of] this bill for \$5,159 from Davis Wright Tremaine and pass on 50% of the payment to CHN.

Consent Calendar

1. Approve Council minutes for June 22, 2015.
2. Authorize the City Manager to execute Contract Amendment #3 to the Intergovernmental Agreement for Implementation of Coos and Curry Counties Household Hazardous Waste Management Plan adding the City of Powers as a member.
3. Accept Public Art Committee minutes for May 4, 2015.
4. Accept Tourism Promotion Advisory Committee minutes for May 21, 2015.
5. Accept June 2015 Vouchers in the amount of \$157,235.00.

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

Remarks from Mayor and Councilors

Mayor Hedenskog remarked that we may not get the bears back this year.

Councilor Bill Hamilton remarked that the Relay 4 Life event was very well done and that he was working to get a team from the Elks Lodge to participate. He added that it gave him great pride to live in a City filled with such generous people.

Adjournment

Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:29 PM.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED:
this 29th day of July 2015:



Joyce Heffington, City Recorder