

City of Brookings

City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Tuesday, May 26, 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 Jake Pieper, Brent Hodges and Bill Hamilton; a quorum present. Councilor Kelly McClain was absent.

Staff present: City Manager Gary Milliman, Finance & Human Resources Director Janell Howard, Public Works & Development Director LauraLee Snook, Planning Manager Donna Colby-Hanks, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: No media and approximately 6 others.

Ceremonies/Appointments/Announcements

Appointment of Timothy Hartzell to the Planning Commission.

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

Staff Reports

Review Brookings Municipal Code Chapter 17.88, Sign Regulations.

Planning Manager Colby-Hanks provided the staff report.

Councilor Hamilton said he would definitely like the City to get a permit from ODOT for displaying U.S. flags.

Councilor Pieper asked about temporary signs on vehicles and Colby-Hanks said anything permanent was acceptable. Pieper said he was surprised the City could legally regulate signage on a vehicle and Milliman said the ordinance typically would relate to temporary signs that would not be placed on a vehicle when it was being driven. Pieper then asked how it was decided what signs could be affixed to vehicles and Colby-Hanks said this fell under Section 17.88.050(B) of the Brookings Municipal Code.

Councilor Hodges asked if it would become illegal for someone who is driving around with a sign in their truck when they parked to, say, have lunch, and Colby-Hanks said when parked it would be prohibited.

City Attorney Rice said there are free speech issues and ultimately, the City would need to be able to justify regulating this type of signage if a safety issue were involved which could be the case if the sign was not permanently attached.

Councilor Pieper said this part of the ordinance needed to be cleaned up. He said he was not concerned about the rest of it.

Councilor Hodges said it seemed that it would be difficult to regulate temporary vehicle signs and Pieper asked about political signs. Colby-Hanks said they were exempt, as were event signs, and Hodges asked if ODOT prohibited them as well. Colby-Hanks said ODOT prohibited all signs within their right-of-way, as did the City, with the exception of sandwich board signs.

Councilor Hamilton asked if ODOT prohibited all flags, whether they had symbols or words, and if a permit would be needed for a flag. Colby-Hanks said ODOT considered flags in the right-of-way to be signs, by Oregon Revised Statute and no City permit was required for sandwich board signs, U.S. flags and flags without words.

Councilor Hodges, responding to the list of questions in the agenda report, said he would not be in favor of a public review process which could go on for years and never get done. He said he would support a common sense regulation that provided a maximum sign size with approval for non-standard sizes going to Council. He also said he saw no reason not to allow flags on private property, if ODOT doesn't have a problem with it.

Mayor Hedenskog said staff should proceed to get a permit from ODOT for U.S. flags and placement of the Evergreen bears and Director Snook said that was in process. Hedenskog said the decision between a flag or sandwich board sign should be up to the business owner. He then asked about merchandise displays in front of buildings, such as the display of plants, and Colby-Hanks said the code allows for outdoor displays of outdoor merchandise. Hedenskog asked about signs on awnings, and Snook said that was allowed. Hedenskog also said he did not want a public review process of the regulations.

Councilor Hamilton said business owners were using the flag holders meant for American flags and Snook said this issue would be addressed as part of the ODOT permit process.

Mayor Hedenskog said maybe the wording could be that business owners would need to provide a substantial flag holder.

Councilor Pieper asked if the City had anything to say about flags in the sidewalk and Colby-Hanks said the only sign allowed in the right-of-way, was a sandwich board sign and ODOT did not enforce that type of signage as long as there is 36" of open space for ADA access. The City's sign ordinance, she said, was the regulating authority.

Milliman asked if Council wanted only to prevent the placement of business flags in the holes when U.S. flags were being displayed and Councilors Hamilton and Pieper said, yes, and Mayor Hedenskog said he wanted the U.S. flag to take precedence. Hamilton added that people should be aware that the flags were placed by the Boy Scouts who sold them, and their placement, as a fundraiser.

Direction regarding strategy for implementing future sidewalk improvements .

Director Snook presented the staff report.

Mayor Hedenskog said his priorities for going ahead with the infill plan were to determine pedestrian corridors favorable to schools and pedestrian safety, and to connect orphan sidewalks as much as possible.

Councilor Hodges said he agreed and asked how long it would be before the sidewalk infill plan would be implemented and Colby-Hanks said it would follow the Transportation System Plan (TSP) update, which should be done this fall. Snook said some of the effort could occur in conjunction with the TSP, such as public review.

Councilor Hamilton said it would be good to get sidewalk infill done on Easy Street.

Councilor Pieper moved, a second followed and Council voted unanimously to direct staff to pursue a strategy for implementing future sidewalk improvements as discussed at the May 4, 2015 workshop.

Authorization to purchase a utility TV inspection camera.

Director Snook gave the staff report.

Mayor Hedenskog asked if the City would spend \$73,000 in five years if it hired contractors, and Snook said the City had spent \$80,000 to have a contractor do a TV inspection a couple of years ago.

Councilor Hodges said he would hate to take work away from someone who did this for a living and Snook said there was no one doing this locally. The last time the City had gone out for bid, she said, they'd contacted three companies with only one response; that contractor was out of Portland and there'd been a wait as they tended to package small jurisdictions together. Hodges then asked about staff training and if the City could rent out the equipment and Snook said two people were needed to operate the system, and she could check with Gold Beach and Harbor Sanitary District about their interest. The amount of training, she said, would be minimal as staff had been "hands-on" during past demonstrations. Milliman added that it takes more people to dig up the pipe-line than it does to operate the camera to discern the problem.

Councilor Hamilton said the City should look into renting it out and asked how long the equipment would last. He also wondered if the City could get a better rate using a contractor with a long-term contract.

Councilor Hodges said it would be a huge benefit to have it available when it was needed and thought it would be good to see if it could be rented it out.

Councilor Pieper said at the end of the day the question was, if the City can't rent it out, will that change anything?

Mayor Hedenskog said the big selling point for him was as a tool to reduce inflow and infiltration and if it were to be rented out, the City should provide staff to operate it.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute an agreement with Owen Equipment for the purchase of a utility TV inspection camera.

Public Hearings/Resolutions

Public hearing and approval of appropriations for the fiscal year 2015-16 Budget.

Director Howard provided the staff report.

Mayor Hedenskog opened the public hearing on state revenue sharing and the budget at 7:51 PM. Hearing no comments, the hearing was closed at 7:52 PM.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1055, declaring the City's election to receive state revenues for the 2016-16 fiscal year.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1055, adopting the City of Brookings' budget, declaring tax levied, making appropriations for the 2015-16 fiscal year and to categorize the levy.

Approval of Water and Sewer Rates and System Replacement Fees for FY 2015-16.

Director Howard gave the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1057, adopting water rates for 2015-16.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1058, adopting sewer rates for 2015-16.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 15-R-1059, adopting System Replacement Fees for 2015-16.

Councilor Pieper said he was proud of the City and of staff for working to keep the rates low and still get the work done.

Consent Calendar

1. Approve Council minutes for May 11, 2015.
2. Receive monthly financial report for April, 2015.

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

Adjournment

Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:00 PM.

A meeting of the Urban Renewal Agency immediately followed.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED:
this 10th day of June 2015:



Joyce Heffington, City Recorder