

City of Brookings
CITY COUNCIL MEETING MINUTES
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, September 14, 2015

Council will 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 ORS 192.660(2)(h), "to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed."

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, and Bill Hamilton; a quorum present. Councilor Brent Hodges was absent.

Staff present: City Manager Gary Milliman, Public Works & Development Director LauraLee Snook, Parks & Technical Services Supervisor Tony Baron, Planning Manager Donna Colby-Hanks, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Editor, Scott Graves, and approximately 18 others.

Ceremonies/Appointments/Announcements

Mayor Hedenskog proclaimed the week of September 13th as National Emblem Club Week.

Director Snook introduced new employee, Chrissy Bevens, Management Analyst for the Public Works and Development Department.

Mayor Hedenskog announced the September Yard of the Month Award as follows:

- Best Residential – Owner: Fernando Lira, 921 7th Street

Public Hearings

Continuation of the legislative public hearing in the matter of file LDC-2-15, approval to add provisions for amateur communication facilities in the Land Development Code.

Mayor Hedenskog opened the legislative public hearing at 7:15 PM.

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

Councilor Pieper said the one-to-one ratio doesn't fit with other set-backs and seemed excessive.

Mayor Hedenskog said at the last meeting they'd discussed keeping the height such that it would fall within the property and Pieper pointed out that he'd said he had trees taller than this on his property that could fall. Hedenskog said he felt it was important that the antenna be contained within the property if it were to fall.

Councilor McClain said he agreed with the Mayor and added that people move to Brookings for the beauty of the area and the antennas were an eyesore.

Councilor Hamilton said he agreed with the Mayor as well.

Mayor Hedenskog moved, a second followed and Council voted unanimously to approve amendments to the Brookings Municipal Code as presented in File LDC-2-15 [approving provisions for amateur communication facilities in the Land Development Code].

Staff Reports

Report on Hospital Feasibility.

City Manager Milliman provided the staff report.

Mayor Hedenskog said the only way to get an emergency room here was to have one affiliated with Curry General Hospital and congratulated Council for getting this done.

Authorization to execute a Lease Agreement for property located at 632 Chetco Avenue.

Supervisor Baron gave the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute a Lease Agreement with David and Robert Lovell, for personal use of the public open space enclosed by a fence along the northeast edge of the public parking lot located at 632 Chetco Avenue.

Authorization to execute a contract for municipal pool resurfacing.

Supervisor Baron gave the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute a public improvement contract with Rogue Valley Pools, LLC, for resurfacing work at the municipal pool with a bid of \$73,769.

Discussion and direction regarding System Development Charge (SDC) exemptions for existing buildings.

Director Snook presented the staff report.

Councilor Pieper asked if, before the latest changes were made, credits could have been used for the expansion and Snook said not for the new portion. They could have been for the existing part of the building, she said, but when the addition had to be calculated at the highest proposed use. In the past, she said, when you had a building operating as a small restaurant that someone wanted to use for a lesser use, it would have been beneficial.

Councilor McClain asked if the SDC's would only be applied to the addition and Snook said it was. Snook said Council may want to consider allowing either a credit or an exemption, whichever affords the most benefit, to be applied to any part of a building to help reduce SDC's.

McClain asked what would happen if a restaurant operating on one floor were expanded to include both floors and Snook said it could get complicated, but once the addition was completed and the SDC's paid, it would fall into the existing building category and become exempt.

Councilor Pieper said the problem with exempting buildings is that, while it would make sense to develop a property first as an office building and then later convert it into a restaurant, it could devalue other properties. That, he said, was why he hated SDCs.

Hamilton asked if there could be an agreement or condition to the SDC exemption that the restaurant couldn't be expanded to include both floors and City Manager Milliman said this would take some review.

Councilor Pieper said he would like to see language that would provide the most SDC relief and Mayor Hedenskog said he would like to see either a credit or exemption applied, whichever is more favorable.

Councilor McClain said he was pro-business but didn't want to create a loophole and Councilor Hamilton said he thought a credit or exemption should be given.

Councilor Pieper said the question of SDCs had been argued for at least 8 years and there was a lot of logic to exempting downtown businesses; encouraging downtown business growth was an added benefit. Mayor Hedenskog added that one of the reasons for the exemption was that the City wasn't sure its records were accurate in terms of past uses.

Councilor Pieper said the City would still need to apply credits in some situations since a brand new building built as a restaurant that gets turned into an office building could later turn back into a restaurant. He added that the City still needed some way to inventory these buildings and track their uses.

Snook said staff had developed a pretty good list of high use buildings and added that part of the reason they'd moved away from credits and toward exemptions was because, at the time the change was made, there were a number of vacant downtown buildings and Council had wanted encourage their utilization.

Mayor Hedenskog said they'd discussed tagging the properties in the GIS system and Snook said that had not been done because of the exemption, but staff could get the available information into GIS.

Authorization to execute National Disaster Resilience Competition Partnership Agreement with Oregon Business Development Department.

City Manager Milliman provided the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to execute the National Disaster Resilience Competition Partnership Agreement with the Oregon Business Development Department.

Authorization to execute an agreement to allocate \$1,000 in transient occupancy tax revenue for the Southern Oregon Coast Home School Conference.

City Manager Milliman gave the staff report.

Mayor Hedenskog asked if this would be the first such conference held in Brookings and Linda Schreiber, the conference coordinator, said it would be. Council McClain then asked how many participants were anticipated and Schreiber said around 200, and added that they were trying to reach as many people as possible.

Councilor Hamilton said he felt anything that forwarded education was worth it, and the conference could grow.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute an agreement with Wild Rivers Home School Group to allocate \$1,000 in transient occupancy tax revenue for the Southern Oregon Coast Home School Conference.

Authorization to allocate \$862 in transient occupancy tax revenues to purchase advertising in American Road Magazine.

City Manager Milliman delivered the staff report.

Councilor McClain said this didn't fit his criteria and he was not a big believer in print advertising.

Councilor Hamilton said he would rather see radio or TV and Milliman said TPAC had not chosen to fund radio or TV advertising.

Councilor McClain said he did not want to take on projects that created more work for staff and Councilor Pieper said he agreed. Pieper then said he would rather dole out the money; he did not want to become a tourism advertising agency. He said he would want staff to handle details with the magazine and he didn't think the small amount of funding was worth shooting down the committee's recommendation. Mayor Hedenskog said he agreed.

Councilor Hamilton said he liked the magazine and felt snow birds and RV owners would probably pick it up.

Councilor Pieper said he would like to communicate to the committee that they are not a tourism advertising agency and recommendations like this would start getting handed back to them if they kept showing up for Council approval. Hamilton said he agreed.

Councilor Pieper moved, a second followed and Council voted, 3 – 1, with Mayor Hedenskog and Councilor Hamilton and Pieper voting "Yes" and Councilor McClain voting "No" to allocate \$862 in transient occupancy tax revenues to purchase advertising in American Road Magazine and direct the City Manager to work with magazine staff in the design and placement of the advertisement.

Authorization to execute Cable Television Franchise Agreement between the City and Falcon Telecable dba Charter Communications.

City Manager Milliman presented the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the City Manager to execute [the] Cable Television Franchise Agreement between the City of Brookings and Falcon Telecable dba Charter Communications.

Consent Calendar

1. Approve Council minutes for August 24, 2015.
2. Accept August 2015 Vouchers in the amount of \$437,882.93.

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

Remarks from Mayor and Councilors

Councilor Hedenskog said, vote "Yes" on 8-84.

Hamilton remarked that Friday was the 14th anniversary of 9/11 and wanted to send out a personal message to those who had lost someone that, "We haven't forgotten you."

Councilor McClain asked if the hospital feasibility report could be made available on the website and City Manager Milliman said it was available as part of the Council Agenda and McClain said he thought it the report was worth putting out separately. Milliman said staff could do that.

Adjournment

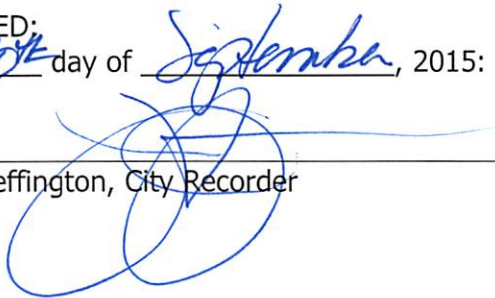
Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:38 PM.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED:
this 30th day of September, 2015:



Joyce Heffington, City Recorder