

City of Brookings

City Council Meeting MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, October 26, 2015

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 (arrived at 7:03 PM) and Bill Hamilton; a quorum present.

Staff present: City Manager Gary Milliman, Public Works & Development Director LauraLee Snook, Planning Manager Donna Colby-Hanks, Treatment Plants Supervisor Ray Page, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: No media and approximately three others.

Ordinances

Ordinance 15-O-748 adding Amateur Radio Facilities as conditional uses in Brookings Municipal Code.

City Attorney Rice advised Council to wait to consider the ordinance until she could thoroughly review the letter received from the general counsel of the National Amateur Radio Association citing potential conflicts with federal regulations. She said it would be a better use of the City's time and money to get the language worked out before the ordinance was adopted than to pay to argue it afterwards.

Mayor Hedenskog moved, a second followed and Council voted unanimously to remove Item D-1 [Ordinance 15-O-748] from the agenda.

Ordinance 15-O-749 amending Exhibit A of Ordinance 15-O-744 to correct the metes and bounds description.

Planning Manager Colby-Hanks provided the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to do a first reading of Ordinance 15-O-749.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to do a second reading of Ordinance 15-O-749.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Ordinance 15-O-749.

Ordinance 15-O-750, amending System Development Charge exemptions in the Brookings Municipal Code.

Director Snook presented the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to do a first reading of Ordinance 15-O-750.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to do a second reading of Ordinance 15-O-750.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Ordinance 15-O-750.

Staff Reports

Authorization to submit the ConnectOregon VI grant application for the Del Norte County Airport Terminal.

City Manager Milliman presented the staff report.

Councilor McClain asked what kind of projects the City might apply for under this program and Milliman said the bike path could be eligible but it was not far enough along in the design phase. He said the County could also apply for funding for the Brookings Airport but they were looking at doing a new Master Plan and didn't expect that to be ready until 2017. The Del Norte airport's 95% funding match, Milliman added, made it very competitive.

Councilor McClain moved, a second followed and Council voted unanimously to authorize staff to submit a *Connect Oregon VI* grant application for \$900,000 for a project to construct a new terminal at the Del Norte County Airport.

Authorization to execute a contract for a new entry gate at the Wastewater Treatment Plant.

Supervisor Page provided the staff report.

Mayor Hedenskog said he had recently noted the lack of security at the plant and was not surprised to see the matter come to Council.

Councilor Hamilton asked if this was the low bid and Page said it was the only bid.

Councilor Pieper said he was surprised at the cost but agreed that security was needed.

Councilor Pieper moved, a second followed and Council voted unanimously to authorization the City Manager to execute a contract with Willamette Fence in the amount of \$61,585 for installation of a new entry gate at the Wastewater Treatment Plant.

Authorization to execute an Intergovernmental Agreement with Oregon Department of Transportation for art in the Highway 101 right of way.

Director Snook gave the staff report.

Councilor Hamilton said this was good news. The next battle, he said, was to get the bears back.

Councilor McClain moved, a second followed and Council voted unanimously to authorize the City Manager to execute an Intergovernmental Agreement

between the City and Oregon Department of Transportation to allow artwork to be placed in the right of way for art on Highway 101.

Authorization to execute a Memorandum of Understanding with McDonalds Corporation regarding acceptance by the City of a private storm drain.

Director Snook provided the staff report.

Mayor Hedenskog asked if the City would be liable if it accepted the storm drain and Milliman said it would depend on the event that caused the damage.

City Attorney Rice said the City could be liable if the repair were insufficient, for example, but it would really depend on the circumstances. She said it might be possible to narrow the terms of the hold harmless clause.

Mayor Hedenskog asked if the City could automatically be held liable and Rice said if it was the City's pipe so there could be a presumption of liability on the City's part, again, depending on the circumstances.

Councilor Pieper said the City had dealt with this type of issue before and had worked through it, and Councilor McClain said his concern was that the project was done right. If it was done right, McClain added, then he didn't see it as a big liability issue.

Councilor Hodges said he didn't see it as an issue if the City was using the same method, and asked if the City would do the inspection of the drain. Snook said the City had the video equipment to inspect the work, although, normally, inspection would be the contractor's responsibility. The City's concern, she said, was not about the repair method but rather the reduction in pipe size. However, she noted, based on Dyer Engineering's calculations it appeared not to be an issue.

Councilor Hamilton asked if the City was satisfied with the method and Snook said it was and Councilor McClain noted that it appeared there would actually be a 5% increase in the flow rate.

Mayor Hedenskog said McDonald's was not responsible for installing the culvert and that had changed his mind about accepting it into the system.

Councilor Hodges moved, a second followed and Council voted unanimously to authorize the City Manager to execute a Memorandum of Understanding with McDonalds Corporation stipulating the City's acceptance of the private storm drain conveyance into the City storm drain system after repairs are completed.

Status of National Disaster Resiliency Competition Grant Application.

City Manager Milliman presented the staff report and said the health care resiliency project had the highest cost/benefit rating the grant team had ever seen. He said a final set of rules issued by HUD earlier in the day allowed the City to include ongoing operations and maintenance over the project's life as part of the match and a motion was needed to approve a revised commitment letter to reflect that change. He said this was the first grant application he'd seen where a monetary value was assigned to lives saved, representing a \$2 billion-plus benefit to the Brookings Harbor community.

Mayor Hedenskog asked if the cost/benefit figures were guesses and Milliman said the analysis was based on actual data provided by Cal Ore, Brookings Police and the Curry Health District.

Mayor Hedenskog moved, a second followed and Council voted unanimously to revise the October 26 commitment letter and send it [in the] morning.

Consent Calendar

1. Approve Council minutes for October 12, 2015.
2. Approve Liquor License Application for Pacific Sushi, 613 A and 611 Chetco Avenue.
3. Cancel November 23rd and December 28th City Council meetings.

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

Remarks from Mayor and Councilors

City Manager Milliman remarked on the contents of an ad in the Pilot that said the City had spent thousands of dollars on lawyers, lobbyists and ads. Milliman said the City had spent no money on ads or on a lobbyist in connection with measure 8-84. The City had, he said, spent funds on getting the regulation changed to allow the ED and Mayor Hedenskog said this was an example of half-truths are used to mislead.

Councilor McClain said the Emergency Department (ED) expansion and connectivity to the airport would have a big impact on people staying and deciding to move here. He said he found it surprising that anyone would be against annexation. Access to good health care is one of the fundamental rights to U.S. citizens, he said.

Councilor Hamilton said having an ED would raise property values and annexing into the district would be making an investment into the community and Councilor Hodges said he couldn't think of anything more important to the community. Hodges said two incidents in the past year had brought home how important it was to have an ED here.

Mayor Hedenskog said he'd thought getting the rule changed was a huge hurdle, but now it seemed the hurdle was getting past the voters.

Councilor McClain said the idea of the clinic making money was one of the biggest points of confusion; once the ED opened it would start to lose money. He said a doctor had told him that it really needed to have 8 beds, which was why the tax was needed.

Councilor Pieper said he voted for annexation but understood the reasons why others had not. He said it wasn't a perfect proposal, and it was a shame that the ad had said the things it had, as the person who placed it should have known better.

Adjournment

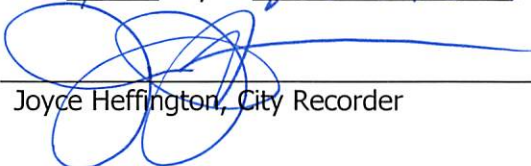
Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 7:58 PM.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED
this 12th day of November 2015:



Joyce Heffington, City Recorder