

City of Brookings CITY COUNCIL MEETING MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, January 27, 2014

The City Council met in Executive Session at 6:00 PM, in the City Manager's office under the authority of 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," and under 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 Bill Hamilton, Brent Hodges, Jake Pieper and Kelly McClain; a quorum present.

Staff Present: City Manager Gary Milliman, Finance & Human Resources Director Janell Howard, Public Works & Development Director Loree Pryce, City Attorney Martha Rice, Building Official LauraLee Snook, Planning Manager Donna Colby-Hanks, Parks & Tech Services Supervisor Tony Baron and City Recorder Joyce Heffington.

Others Present: No media and approximately 11 others.

Councilor Pieper moved, a second followed and Council voted unanimously to remove Ordinance 14-O-725, as provided in the Advance Packet, from the agenda.

Public Hearings/Ordinances/Resolutions/Final Orders

Legislative Public Hearing on File LDC-4-13, revisions to Brookings Municipal Code Section 17.88.100(F) Sandwich Board Signs.

Mayor Hedenskog opened the hearing in the matter of file LDC-4-13 at 7:03 PM.

Hearing no ex parte, declarations of conflict or personal interest, or objections as to jurisdiction, City Attorney Rice reviewed the guidelines and Manager Colby-Hanks reviewed the staff report. There were no public comments and the hearing was closed at 7:09 PM.

Councilor McClain said he liked the idea of some structure and having a contact person and felt that \$40.00 for the permit was a more reasonable amount.

Mayor Hedenskog said Council could make the signs exempt now and come back later and change it if any issues arise.

Councilors Hodges and Hamilton agreed with making them exempt.

Councilor McClain asked how many signs there were and if there had been any problems, and Colby-Hanks said she thought there had been around 15 signs, and only one issue reported which was quickly resolved by the owner.

Councilor Pieper moved, a second followed and Council voted unanimously to approve amending the Brookings Municipal Code to exempt sandwich board signs

from the permitting process, as discussed in the hearing on File LDC-4-13, and direct staff to prepare an adopting ordinance.

Amendments to Brookings Municipal Code Chapters 13.05, Water, and 13.10, Sewer Use Regulations.

Official Snook gave the staff report on revisions to BMC Chapter 13.05, Water.

Councilor Pieper moved, a second followed and Council voted unanimously to do a first reading of Ordinance 14-O-724 by title only.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to do a second reading of Ordinance 14-O-724 by title only.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Ordinance 14-O-724, [amending Chapter 13.05 Water, of the Brookings Municipal Code.].

Official Snook provided the staff report on revisions to Sewer Use Regulations and introduced some additional revisions.

Mayor Hedenskog moved, a second followed and Council voted unanimously to accept amendments to the BMC [Chapter 13.10] for sewer connections and their laterals, [to include] changes addressed at the meeting.

Updates to, and adoption of the Engineering Requirements and Standard Specifications for Public Works Construction by Resolution, and Title 18 amendments.

Director Pryce presented the staff report.

Mayor Hedenskog provided some history and made mention of Supervisor Baron's detail drawings.

Councilor Pieper moved, a second followed and Council voted unanimously to do a first reading of Ordinance 14-O-726 by title only.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to do a second reading of Ordinance 14-O-726 by title only.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Ordinance 14-O-726, [amending Title 18 of the Brookings Municipal Code to provide for adoption of Engineering Requirements and Standard Specifications for Public Works Construction by resolution].

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 14-R-1024, updating the Engineering Requirements and Standard Specifications for Public Works Construction.

Oral Requests and Communications from the audience - Public Comments on non-agenda items – 5 minute limit per person.*

Staff Reports

Approval of May 20, 2014, Countywide Ballot Measure 8-76, "Measure to adopt Home Rule Charter for Curry County."

Mayor Hedenskog introduced the matter and asked City Manager Milliman to review the agenda report. Milliman did, pointing out that report was not to be taken as opinion. The matter, he said, was on the agenda at the Mayor's request.

Public Comment:

Carl King, Citizens PAC Committee Chair, provided some background and asked the Council for its endorsement.

Mayor Hedenskog said the purpose of the initiative process was to address citizen's concerns when their government representatives fail to do so.

Councilor McClain thanked King for his efforts and said a lot of care had gone into creating the charter. He strongly encouraged everyone to educate themselves on the subject.

Councilor Pieper said adoption of the measure would be a step toward restoring faith in County government.

Councilor Hodges said he had some reservations about the charter but was absolutely in support of the need for change. He said he was not certain that the stipend was sufficient for what the Commissioners were required to do.

Councilor Hamilton said this needed to happen and he appreciated the Committee's efforts. He said it would take everyone to fix the County's problems and he found nothing negative in the proposed Charter.

Mayor Hedenskog moved, a second followed and Council voted unanimously to support the approval of Measure 8-76, the "Measure to adopt Home Rule Charter for Curry County," to appear on the May 20, 2014, countywide ballot.

Approval to install park benches at Chetco Point Park, purchase and installation to be handled by Robert Trust and volunteers.

Supervisor Baron gave the staff report.

Public Comments:

Robert Trust, Harbor, shared photos of the bench.

Stu Anthony, Brookings, commented on tourism in Brookings, how important the benches are at Chetco Point and how bureaucracy inhibits the placement of a simple bench.

Councilor McClain moved, a second followed and Council voted unanimously to approve the installation of two park benches at Chetco Point Park with the cost of purchase and installation to be paid by Robert Trust and volunteers.

Adoption of Public Art Committee mission statement.

Director Pryce provided the staff report.

Mayor Hedenskog moved, a second followed and Council voted unanimously to adopt the Public Art Committee's mission statement, "To inspire public art through visual presence and community education."

Approval to discontinue collection of additional SDC's based on change of use for buildings in use as of January 1, 2014, and direction to staff regarding issues to be addressed by the consultant in developing the new use fee and SDC fee schedules.

City Manager Milliman presented the staff report.

Councilor Pieper said when a new business went into an existing lower use building, it could fall between policy changes and asked how staff thought they would deal with that situation. The historical policy, he said, was to give a credit if the building had a previous higher use.

Milliman said the business would fall into a period of time between one policy and the next and he would not anticipate that the new policy would necessarily provide that the concept of additional SDCs with a change of use would survive. The new policy, he said, would only apply to new buildings.

Councilor Hodges said a balance was needed between what's cheap and what's fair.

Councilor McClain said he feared this would stir up a hornet's nest and his concern was that the new system might not improve the situation for businesses such as hair salons and restaurants which were being discouraged by high SDC's.

Milliman said a legal basis was needed to make changes.

Councilor Pieper said it was a tough issue and thanked staff for doing a good job solidifying Council's comments. The SDC study, he said, was the only way to legally defend the fees.

Councilor Hodges said he'd like to see it done.

Councilor Hamilton said he highly recommended the City do the review and make changes.

Councilor McClain said he hoped it would not make things worse and a system of usage would be the right direction to go.

Councilor Pieper moved, a second followed and Council voted unanimously to discontinue the practice of collecting additional SDC's based upon change of use from buildings already occupied as of January 1, 2014.

Councilor Pieper moved, a second followed and Council voted unanimously to direct staff to advise the consultant who will be developing new use fee and SDC fee schedules to address the following issues: a) that greater emphasis be placed upon applying a sewer strength factor to commercial sewer use fees rather than applying strength factors to SDCs; b) that consideration be given to a sewer use fee structure that uses consumption as a basis; c) that alternative formulas be developed for SDC fee determination including building square footage, water meter size, estimated water consumption or other methods other than applying a strength factor; d) that the user and SDC fee structures should identify the appropriate amount of SDC that should be collected for debt service, and that debt service requirements not met by SDC revenues be met by user fees; and e) that the concept of an SDC amount that can be adjustable based upon actual water use be explored.

Approval to allocate \$20,000 in the draft 2014-15 General Fund budget for possible debt service in connection with the Del Norte County Airport Runway Safety Area (RSA) project with the stipulation that the debt be offset by any grant revenue received by the City for the project.

City Manager Milliman gave the staff report.

Councilor Hodges said he was willing to consider it as the airport was important.

Councilor Pieper said he was concerned about the City putting up funds when Del Norte County could not. He also said he didn't want to see this slip into a recommended budget.

Milliman advised that Del Norte County would be providing the loan and that they subsidize the airport at \$200,000 per year. He said he could bring the matter back for additional consideration by Council at a later time, or could include it as a separate budget line item for 2014-15.

Councilor McClain asked how much Crescent City would be providing and Milliman said they would be considering the matter later in the month.

Councilor Hamilton said the airport was important to our economy and he wanted to wait and see what the County was going to do.

Mayor Hedenskog said it is important to our economy and all the Council was being asked to do was to include it as an allocation in the proposed budget.

Councilor Pieper moved, a second followed and Council voted unanimously to consider an allocation in the draft 2014-15 General Fund budget for possible debt service payment in connection with the Border Coast Regional Airport Authority Runway Safety Area project at Del Norte County Airport, with the stipulation that any grant revenue received by the City that can be utilized for this project be offset from the City's debt service contribution and include this as a separate line item in the budget.

Consent Calendar

1. Approve Council minutes for January 13, 2014.
2. Accept Public Arts Committee minutes for December 19, 2013.
3. Accept Tourism Promotion Advisory Committee minutes for November 20, 2013.
4. Receive December 2013 monthly financial report.

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

Adjournment

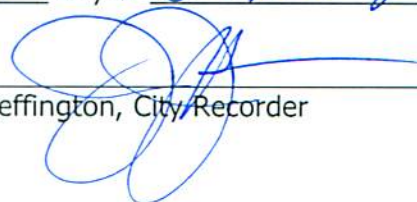
Mayor Hedenskog moved, a second followed and Council voted unanimously to adjourn by voice vote at 9:02 PM.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED
this 11th day of February 2014



Joyce Heffington, City Recorder