

City of Brookings

CITY COUNCIL MEETING MINUTES

Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, May 12, 2014

Council met in Executive Session at 6:15 PM, in the City Manager's office under 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 Bill Hamilton, Jake Pieper and Kelly McClain; a quorum present. Councilor Brent Hodges was absent.

Staff Present: Finance & Human Resources Director Janell Howard, Public Works & Development Director Loree Pryce, Building Official LauraLee Snook, Planning Manager Donna Colby-Hanks and City Attorney Martha Rice.

Others Present: No media and two others.

Ceremonies/Appointments/Announcements

Mayor Hedenskog recognized Utility Services Technician Mike Batty for 30 years of service with an introduction provided by Director Pryce.

Mayor Hedenskog moved, a second followed and Council voted unanimously to appoint Michelle Hanna to the Public Art Committee.

May Yard of the Month announcements:

- Residential - Curtis & Suzanne Williams, 1101 Coral Court
- Commercial - "Always in Bloom," owner Tina Eszlinger, 777 Cottage Street

Public Hearings

Legislative public hearing in the matter of LDC-2-14, revisions to Chapter 17.40 Public Open Space of the Brookings Municipal Code.

Mayor Hedenskog opened the legislative public hearing in the matter of file LDC-2-14 at 7:07 PM.

Hearing no ex parte, declarations of conflict or personal interest, or objections as to jurisdiction, Mayor Hedenskog reviewed the guidelines and Planning Manager Colby-Hanks reviewed the staff report.

Mayor Hedenskog asked if Azalea Park would be included in the public open space and Colby-Hanks said it would.

McClain asked if there was any restriction on age or condition of the RVs and Colby-Hanks said none was included.

Councilor Hamilton asked if a pad and hook-ups would need to be provided and Colby-Hanks said it could be either way, depending on review of the situation.

There were no public comments and the hearing was closed at 7:14 PM.

Discussion ensued regarding the difference between the two motion options provided in the staff report and Colby-Hanks pointed out that the second motion would provide that the Planning Commission will determine if more than one RV is justified for a particular open space given the site and circumstances.

Councilor McClain said he just wanted to be sure the City's parks didn't become an eyesore with run-down RVs.

Councilor Pieper moved, a second followed and Council voted unanimously to approve the addition of an Recreational Vehicle (RV) to be used as living quarters as a conditional use in Chapter 17.40, Public Open Space, with the criteria in Attachment B [as proposed by the Planning Commission under File LDC-2-14], and to include a limit of one RV per discrete parcel, unless otherwise approved by the Planning Commission.

Public Comments

Delmas Baumbach, 15652 Hwy 101, Brookings, commented on his letter to the editor regarding O'Reilly Auto Parts opening up a store in Brookings without any public comment. He said he'd like to see Council put the matter of big businesses coming into town on an agenda so people in the community have a say in the matter. He said he was also not pleased with the City Manager's letter to him.

Clarice Baumbach, 15652 Hwy 101, Brookings, also commented that she'd like to see local businesses notified when large corporations are considering coming to Brookings. She said she was disappointed to hear that O'Reilly's was coming here and felt that people in the community needed to know when something like this was being considered.

Councilor McClain said the City does not have the power to say who can and cannot move into town. He said he also wondered, when someone who lives outside the City, as the Baumbach's do, refer to Brookings as "our City," if they are asking to be annexed into the City.

Staff Reports

Approve installation of sidewalk and call in associated Deferred Improvement Agreement for street paving project on Hassett Street.

Official Snook provided the staff report.

Mayor Hedenskog said the City was starting to get a lot of sidewalk continuity in that area.

Gary O'Neal, 2092 Footh Creek Road, Gold Hill, commented that they'd purchased their duplex on Hassett Street in 1999 and were surprised when the DIA arrived in the mail. He said he and his wife were not opposed to paying it, but wanted to be sure the policy was being applied fairly.

Mayor Hedenskog said in the 7-1/2 years he's been on the Council, no DIA has been forgiven and only DIA's for Hassett had been called in.

Official Snook pointed out that there might be a situation where an owner had already put in some portion of the improvements and the City would forgive that portion of the DIA.

O'Neal said the City needed to have written guidelines.

Councilor Pieper said it didn't make sense to have Council write guidelines for forgiving DIAs since that policy could change tomorrow.

Councilor McClain said he thought it was reasonable to ask for guidelines and added that as long as he was on the Council he would never vote to give another DIA, nor to forgive one.

Mayor Hedenskog said there is a time when a DIA might be appropriate, but he stands firm that the City will be calling in DIAs and that he wants a comprehensive engineering plan that saves the City money.

Craig Good, 513 Hassett, Brookings, commented that in the 8 years he's lived at this address the condition of the road has been "a nightmare," with poor maintenance and repair. He said he's upside down with the financing on his house and as far as he was concerned the City could put a lien on it since he couldn't afford to pay the \$10,000. The sidewalk, he said, wasn't needed, and wouldn't connect to anything on the Old County Road end of the street. He said the City will never get the DIA money.

Mayor Hedenskog said the street has always been "crummy" but was going to get fixed and the sidewalk will end at the edge of Good's property so people can get across the street. He added that the project will fix the drainage and Good would be pleasantly surprised when it's completed.

Good said he never knew that there was a DIA on his property and Councilor McClain said he wouldn't be surprised if the title company hadn't pointed it out to him, and said, "shame on them," for not doing so.

Councilor Pieper said he would let the City lien the property if he was in Good's position.

Councilor McClain moved, a second followed and Council voted unanimously to install 90 feet of sidewalk as described and discussed at the Council Workshop of April 7, 2014, and call in associated DIAs.

Award and authorize execution of contract for the 2013-14 Street Pavement Program.

Director Pryce gave the staff report.

Mayor Hedenskog said the outcome of the recently completed Pavement Management Plan was to be able to fix problems and save a lot of money and this would begin to realize with the Fifth Street project. He said the project would fix the infrastructure underneath the street and Pryce said since it passed the risk factor test the underlying infrastructure would not need to be replaced or upsized. This, she said, made Fifth Street a good project for paving.

Councilor Hamilton said he believed people would be very happy to see Fifth Street repaired.

Councilor Pieper asked staff if they knew why only one bid was received and Pryce said McLennan typically bid on projects like this one, but they did not on this project.

Councilor McClain said awarding a project with just one bid made him nervous, especially since Tidewater typically came in higher, and Pryce said Tidewater's bid was competitively priced. McClain then asked if they would use any of the removed asphalt and Pryce said they might be able to use some of it at the sub-grade level for pothole repairs.

McClain said he noticed "alligator cracking" which he thought indicated a base problem and was concerned that it would return if it was just resurfaced. Pryce said pothole repairs were part of the bid and would involve sub-grade work.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize City Manager to execute a public improvement contract with Tidewater Contractors, Inc., for the construction of the Street Pavement Program 2013-14 in an amount not to exceed \$123,096 which includes the base bid for paving Fifth Street and Bid Alternative 1 for Citywide pothole repairs.

Approve new rate schedule for refuse and recycling services provided by Curry Transfer and Recycling (CTR) reflecting a 1.13 percent rate increase.

Director Howard provided the staff report.

Pete Smart, CTR, said they lose a little ground every time they ask for an increase less than inflation.

Mayor Hedenskog commended Smart for keeping increases below inflation and Smart said every year they keep getting new rules and regulations that impact them but continue to try and stay below inflation with their rate increases.

Mayor Hedenskog suggested that Smart check out the Curry/Del Norte "chitter chatter" forum that has ideas about recycling and how it can be improved. He said he recalled Smart saying that CTR was behind rates in other areas and Smart discussed such things as picking up glass affected cost, as they had to be hauled to Portland.

Mayor Hedenskog said the community is really interested in recycling and suggested that Council might hold a workshop to discuss this and Smart said he would be happy to have CTR participate.

Councilor McClain moved, a second followed and Council voted unanimously to approve a new rate schedule to be effective July 1, 2014, for refuse collection and recycling services provided by Curry Transfer and Recycling, such schedule reflecting a 1.13 percent increase in rates.

Authorize Mayor to sign letter to state agencies requesting that the City's 9-1-1 Tax distribution be sent directly to the City.

Director Howard presented the staff report.

Mayor Hedenskog said he thought this was already happening and Howard said that it was only recently that legislation passed to allow the City to receive the funds directly.

Councilor Pieper moved, a second followed and Council voted unanimously to authorize the Mayor to sign the attached letter requesting Oregon Office of Emergency Management and Department of Administrative Services to change the distribution to provide 9-1-1 tax directly to the City.

Resolutions

Authorization to execute the Resolution, and the Amended and Restated Promissory Note and Contract for Oregon Infrastructure Finance Authority Agreement B07004.

Director Howard provided the staff report.

Councilor McClain moved, a second followed and Council voted unanimously to sign Resolution 14-R-1030 and authorize the City Manager for Finance and Human Resources Director to sign the Amended and Restated Promissory Note and Contract for Oregon Infrastructure Finance Authority for Agreement B07004.

Consent Calendar

1. Approve Council minutes for April 28, 2014.
2. Accept public utility easements from Larry Anderson and William and Pamela Dundom for the Airport Infrastructure and authorize the City Manager to execute the easements.
3. Accept April, 2014 Vouchers in the amount of \$263,517.07.

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

Remarks from Mayor and Councilors

Councilor Hamilton said he has noticed a lot of aggression toward the City Manager from the public when people are discontent about something and having known Gary Milliman and his wife for many years, in his opinion Gary Milliman was "top notch" and "there is no more reputable person that I know on the planet."

Adjournment

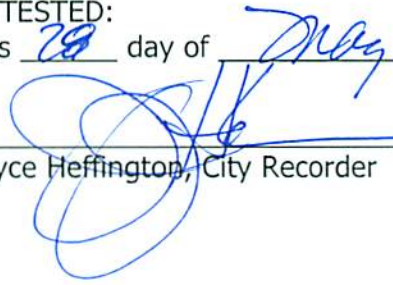
Mayor Hedenskog moved, a second followed and Council voted unanimously to adjourn by voice vote at 8:40 PM.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED:
this 28 day of May 2014:



Joyce Heffington, City Recorder