

City of Brookings

CITY COUNCIL MEETING Minutes

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415
Monday, July 22, 2013

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: Finance & Human Resources Director Janell Howard, Building Official LauraLee Snook, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Pilot Reporter Jane Stebbins and 2 others.

Ceremonies/Appointments/Announcements

Mayor Hedenskog announced July Yard of the Month awards as follows:

- Residential – Rosy & Debra Williams, 316 Memory Lane.
- Commercial – Coos Curry Electric Cooperative, 815 Railroad Street.

Staff Reports

Award contract for Beach Lift Station Rehabilitation project and accept temporary construction and permanent storm drain easements.

Building Official Snook provided the staff report.

Councilor Hamilton asked if staff was confident the contractor could adequately shore up the slope and Snook said they were.

Councilor Pieper moved, a second followed and Council voted unanimously to award the bid in the amount of \$117,000 for the Beach Avenue Lift Station Rehabilitation project to McClennan Excavation as the lowest responsible bidder and accept temporary construction and permanent storm drain easement given by Hannah Lawson at 1515 Beach Avenue, and authorize the Mayor to sign the easements.

Law Enforcement Property Tax Levy Proposal.

Mayor Hedenskog provided the agenda report.

Councilor Hodges said a flat rate would be easier to deal with than a split rate.

Councilor Hamilton said a number of people had told him that a levy under a dollar would be acceptable, while others had said they would not support any levy.

Councilor Pieper said he hoped that, whatever levy the County proposed, it would be to cover the bare bones minimum to determine whether or not voters wanted to support minimal law enforcement in the unincorporated area.

Councilor McClain said Council had been unable to support the County's earlier numbers and the City's proposed \$0.92 per thousand would cover essential services, and allow the unincorporated area to determine what level of patrol was desirable.

Commissioner Susan Brown discussed a proposed levy of \$1.15 which, she said, was the number needed to provide essential services. Brown said in order to keep the cities levy amount at \$0.92, a split rate would be needed, with the cities paying \$0.92 and the unincorporated area paying \$1.45. Her plan, Brown said, would not pay back road department funds at this time, and if the levy passed, the County could fund patrol using general funds. She said she is also proposing that the County get started on implementing a Transient Occupancy Tax (TOT) in the unincorporated area.

Mayor Hedenskog asked Brown about the amount of revenue a TOT tax would provide and Brown said charging a TOT of 9% in the unincorporated area and 3% in the cities, would generate over a \$1 million in funds.

Mayor Hedenskog asked Brown if she thought the governor would allow the County to use 100% of the TOT funds for law enforcement, and Brown said it might be possible if the County made the request with a plan in mind, such as the one they were discussing. Brown said the state wasn't going to miss revenue that it didn't already receive.

Councilor Pieper asked if the County's general fund would pay for any of the essential services and Brown said in her plan it would not. Pieper then asked if there was a contingency plan should the levy fail and Brown said they would have to look at state mandates if the levy failed.

Councilor McClain asked how many deputies the county currently had and Brown said four, with six budgeted. Brown said they were finding it difficult to fill the remaining two positions, due to the lack of secure funding.

Councilor McClain said it sounded a little like a shell game, but he thought weaning the County away from spending general funds to support law enforcement was a good plan. The unincorporated area needed to be responsible for its own patrol, he said, and the magic number was something under a dollar.

Councilor Hodges said he would like to see a law enforcement district formed and asked Brown if there was anyone working to open up any forest lands for logging. Brown said that was a big job and Hodges said the County should push harder.

Councilor Pieper said, if the County was freeing up general funds to pay for more deputies, it was not "like" a shell game...it was a shell game, and while he would support making a recommendation to the County on what to include on the ballot, he didn't know if he could support it to the residents.

Mayor Hedenskog introduced a revised draft letter and asked Council for input.

Councilor Pieper said he would like to see the first sentence changed so that the position was the City's and not that of the City Council.

Councilor Hodges said he was not sure he agreed with that change or that everyone within the City would agree with it and Councilor Pieper said, probably not, but there was only one official position of the City, and that was the Council's. When Council takes a position, he said, there should be no deviation from that position in any part of the City.

Councilor Hodges said staff's position may be different and Councilor Pieper said it shouldn't be. Pieper said the Council and the City's staff are the City, and if Council were to take an official position, it needed to be upheld down through the ranks.

Councilor Hodges said he could speak from a Council member's standpoint, but not for everyone at the City, and Pieper said staff members who are paid with tax dollars and rates do not have a position because they are not elected officials.

City Attorney Rice said it was legally permissible to make the change.

Mayor Hedenskog read the proposed draft letter incorporating his revisions and Pieper's suggestion, as follows:

"The purpose of this letter is to clearly state the position of the City of Brookings with respect to a possible countywide property tax levy for law enforcement now being contemplated by the Board of Commissioners.

Starting with the levy in the year 2010, Brookings City Council has been opposed to taxation that unfairly asks citizens of this City to subsidize Sheriff's patrol deputies for the unincorporated areas of the County. In addition, we have argued against any levy methodology that unfairly places a greater responsibility for City citizens to fund the offices of the DA, juvenile, probation, courts and the jail. We have stated continuously that all County citizens should share the funding of essential law enforcement equally. Today, the City Council is in unanimous agreement with this same approach.

In April the City Council proposed a split rate levy of \$0.92 and \$1.93 per \$1,000 assessed valuation to pay for County law enforcement services that equally benefit residents of the cities and the unincorporated areas. That rate was based on our analysis of a document supplied by Commissioner Smith. Since then, the Board of Commissioners has approved the 2013-14 budget that can be used to supply more reliable numbers. Although the Board of Commissioners may agree on a somewhat different rate for a levy, the Brookings City Council is recommending specific language in the proposed levy, such as, the use of proceeds from this property tax levy should be explicitly defined in the language of the measure as being limited to 1) Sheriff's Department general administration, not including road deputies or dispatching services, 2) the operation and maintenance of the County jail, 3) the provision of District Attorney services, 4) the provision of Juvenile and Probation services and, 5) the local cost share of the County Emergency Services Coordinator.

The City Council further recommends that any such property tax levy be authorized for a period of three years, during which time alternatives for providing and funding law enforcement services in Curry County would be explored.

The City Council believes that the County has other alternatives at its disposal to secure funding for patrol services in the unincorporated area and for dispatching services, such as the current practice of charging fees to the cities of Port Orford and Gold Beach for dispatch services, and placing a transient lodging tax measure before the unincorporated area voters to fund Sheriff patrol services."

Councilor Hodges moved, a second followed and Council voted unanimously to direct the Mayor to prepare and sign the letter [to the County regarding a proposed tax levy], as read into the record.

Resolutions

Resolution 13-R-1017 and applying interest credit and reducing interest rate for Curry Health Network for Curry Health Network System Development Charges.

Director Howard provided the staff report.

Councilor Hodges said he thought Council was considering reducing the interest rate to 6%.

Director Howard said that 6% was the number she had previously thrown out as being the highest rate the City might have to pay and, speaking conservatively, she wouldn't want to see the City paying a higher rate than CHN was paying the City. Howard said the resolution in the packet reflected the City Manager's take on what he thought Council was looking to do, but she felt there were a lot of options in between.

Mayor Hedenskog said he had proposed a four step, incentive-based methodology, with the first step being to drop the interest rate to 6%, followed by a second step, dropping it to 3%.

Councilor McClain said he would hate to give CHN an interest rate reduction and later see the City have to borrow at a higher rate. He said he could agree with a 5% or 6% interest rate but there needed to be some give and take. He said as far as he knew, the hospital application had not yet been made and while he would like to assist CHN in getting a hospital, if Council were to give everything up now, they would have no leverage later on.

Councilor Pieper said a lowered interest rate should be based on CHN having held up its part of the bargain, and the section in the resolution waiving future SDCs should be removed.

Councilor McClain said he was against lowering the interest rate to less than 6% at this time and the approach he would take would be to reduce the rate to 6% now, with an additional interest and principle reduction upon seeing some progress. Future SDC's should be considered last, he said.

Mayor Hedenskog listed the possible incentives as 1) reducing the interest rate to 6%, 2) reducing the interest rate to 3%, 3) applying a 3% interest rate credit to the principle retroactively, and 4) waiving future SDCs when CHN submitted building permits for expansion.

Councilor Hamilton said he could easily support reducing the interest rate to 6% at this time, and other step reductions when some forward motion was made toward the hospital application with a reduction in principle being the last step.

Mayor Hedenskog said the only way the City could lose money was if it borrowed at a higher rate and he was not afraid to reduce the interest rate to 3%, although he did like the idea of providing stepped incentives.

Councilor Pieper said he would hate to see Council hold CHN over a barrel on the interest rate and suggested reducing it to 4.5%.

Councilor McClain said he saw no reason to go below 6% at this time.

Councilor Hodges said he thought reducing the rate to 6% was fair, with additional step reductions moving forward, but he was against waiving SDCs.

After further discussion it was generally agreed to reduce the interest rate to 6%, now, and then meet with CHN representatives and work out a plan for a stepped approach tied to specific goals.

Councilor Hodges moved, a second followed and Council voted unanimously to lower the SDC interest rate [to CHN] from 9% to 6%.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Resolution 13-R-1017 [reducing interest rate for Curry Health Network System Development Charges] including the revisions that we spoke about [to provide only a 3% reduction in the interest rate].

Resolution 13-R-1018 authorizing the refinance of outstanding water system obligation.

Director Howard provided the staff report.

McClain asked how much it cost to refinance and Howard said it had cost the city one-half percent.

Councilor Hodges moved, a second followed and Council voted unanimously to adopt Resolution 13-R-1018, authorizing the refinancing of outstanding water system obligation.

Consent Calendar

1. Approve Council minutes for July 8, 2013.
2. Receive June 2013 financial report.

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

Remarks from Mayor and Councilors

Mayor Hedenskog remarked on how busy the Kite Festival was on Saturday.


Councilor McClain remarked that petitions were being circulated to place a measure on the ballot to change to a Charter form of County government.

Adjournment

Councilor Hodges moved, a second followed and Council voted unanimously to adjourn by voice vote at 8:53 PM.

A meeting of the Urban Renewal Agency followed.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED:
this 15th day of August 2013:



Joyce Heffington, City Recorder