

City of Brookings MEETING Minutes

CITY COUNCIL

Monday, August 13, 2012

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

The City Council met in Executive Session at 6:29pm, 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 7:00pm.

Roll Call

Council Present: Mayor Ron Hedenskog, Councilors Dave Gordon, Jake Pieper, Brent Hodges and Kelly McClain; a quorum present.

Staff Present: City Manager Gary Milliman, Public Works & Development Director Loree Pryce, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Pilot Reporter Jane Stebbins and two others.

Ceremonies/Appointments/Announcements

Appointment of Mayor and City Manager to discuss the possible formation of a regional economic development agency with other agencies.

City Manager Milliman provided the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to appoint the Mayor and City Manager as the City's representatives in future discussion with other agencies concerning possible formation of a regional economic development agency.

Staff Reports

Authorization to execute Memorandum of Understanding (MOU) with Brookings Harbor Garden Club (BHGC) with respect to City property landscape maintenance.

Director Pryce provided the staff report.

Councilor Pieper asked if this would decrease the City's payroll costs. Pryce said it would not due to the July 1st restructuring; the \$3,000 stipend would come from Parks maintenance contract funds.

In response to a question from the Mayor, City Manager Milliman said the work involves the City Hall courtyard, the area between Chetco and Ross Road, and Bankus Fountain.

Hedenskog said this would leave little more to do along 101 and Pryce said staff would still be handling mowing and weeding; BHGC would be doing the more detailed work requiring a different skill set.

Councilor Pieper said he thought it was a good idea and hoped BHGC would get credit through signage and that payroll should reflect contracted work.

Councilor Gordon moved, a second followed and Council voted unanimously to authorize the Mayor to execute the Memorandum of Understanding with Brookings Harbor Garden Club with respect to City property landscape maintenance.

Discussion and direction to staff regarding water rate adjustment request from the Southern Curry Cemetery Maintenance District.

City Manager Milliman provided the staff report.

Councilor Hodges said giving the District consideration beyond what they are already getting, which is the same as that given to the City and schools, would "open the floodgates" to others; Councilor Gordon agreed.

Councilor Pieper moved, a second followed and Council voted unanimously to continue billing the Cemetery with the rate of a single family residence and in-City, with no change to the current billing.

Award bid for Bud Cross Access Ramp Improvements to McLennan Excavation, Inc, in the amount of \$117,000 with additional contingency not to exceed \$44,380 for continued sidewalk improvements along Third Street.

Director Pryce provided the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to award a contract to McLennan Excavation, Inc., as the lowest responsible bidder in the amount of \$117,000 for construction of the Bud Cross Park Access Ramp Improvement Project and authorize the additional contingency not to exceed \$44,380 for continued sidewalk improvements along Third Street.

Direction to staff regarding the City's possible participation in the Brookings Healthy Communities Vision Council.

Councilor Pieper said it was a worthy cause and if there is a willing volunteer the City should be represented in some capacity.

Milliman said he did not think staff had the resources to participate.

Councilor Gordon volunteered to participate until the end of this term.

Mayor Hedenskog moved, a second followed and Council voted unanimously to appoint Councilor Gordon to the Brookings Healthy Communities Vision Council.

Create a five member Tourism Promotion Advisory Committee to work with staff and contract service providers to develop and implement a tourism promotion program and report back on the program's effectiveness.

City Manager Milliman provided the staff report.

Councilor Hodges said someone with a marketing background would make a good addition.

Councilor Pieper said five members were too few due to the high level of interest. Council, he said, "...has a good bead on how meetings should be run efficiently and I think a Councilor there just to facilitate the public would be a good idea." He said he would be willing to donate his time to ensure the meeting "stays on track."

Councilor Gordon said the stakeholders, because they are closest to the customers, have a better idea of what our tourists want. Council, he said, would make the final decisions and did not need to be involved in the day-to-day.

Councilor McClain said he liked the idea of five members and agreed with Councilor Gordon that it's probably best that Council not be involved. He said he would like to see what the committee comes up with on its own and suggested adding a realtor to the membership mix.

City Attorney Rice said that the meetings would be public and there was nothing legally wrong with having a Council member on the committee.

Councilor Gordon said he did not think it was appropriate for Council members to make decisions as part of a committee and then vote on those decisions at the Council level.

Councilor Pieper said the committee was going to be more round table discussion than formal and for time efficiency it would be best to have a Council member facilitate the committee.

Councilor Gordon asked Councilor Pieper if he was saying that no one besides the Council who could run a meeting efficiently and Pieper said, "It is not necessarily the strength of some of these people that walk in and have no experience with City government and how meetings are run." Relating his experience on URAC, Pieper added, "I've seen it, and from experience, I know that sometimes they need a little help."

Councilor Gordon said a number of current Council members had no previous experience working with committees or groups in government or in the corporate world. "You learn over time," he said.

Mayor Hedenskog asked about the committee's format and Milliman said the committee would be advisory in nature and that, similar to URAC, it would only be making recommendations. Rather than formalizing it ordinance form at this time, Milliman proposed keeping it informal initially until Council could evaluate its performance.

Mayor Hedenskog asked if it would be too early to include a Port member and Milliman said that would be entirely up to the committee. Council, he said, could decide to take applications and then decide on the appropriate mix for the committee based on the applications or other criteria.

Councilor Pieper expressed concern that by not formalizing the committee at the outset, when it was formalized, committee members who no longer met the committee's criteria might be excluded after having volunteered a considerable amount of time.

Councilor Hodges said a Councilor could express an opinion without formal participation on the committee and that was in favor of seven members. He also said Milliman was more than capable of handling the meeting. Council, he said, was already doing a lot of things outside the box, and that was a compliment to the City Manager. He suggested that Council let the committee take shape and see where it goes.

Councilor McClain said he was in favor of trusting the City Manager to start the meeting informally, decide if the group should be five or seven members and then come back to Council with his recommendations.

Mayor Hedenskog moved, a second followed and Council voted unanimously to create a five to seven member Tourism Promotion Advisory Committee to work with the City staff and contract service providers in the development and implementation of a tourism promotion program and report back to the City Council on the effectiveness of said program.

Public Hearings/Ordinances/Resolutions/Final Orders

Resolution 12-R-992 authorizing the Mayor to execute the U.S. Economic Development Administration Brookings Airport Infrastructure Co-Applicant Agreement and designate the City Manager as recipient contact.

City Manager Milliman provided the staff report.

Councilor Hodges said it was not often the City had a chance to apply for this amount of funding. He asked if there would be a possibility of annexing the airport and Milliman said that Council might want to discuss it at the workshop on the 20th.

Councilor McClain asked about savings, and Milliman said there would be some related to pumping but the intent of the project was oriented toward growth.

Councilor McClain said if the airport ever became busy it could create a huge noise nuisance as well as a traffic issue and he would rather work with Crescent City on their airport. He said he liked the idea of adding light industrial at the Brookings airport, however, and wondered if the City had the funds.

Milliman said it would have to be financed and there were potential SDCs for water and tentatively approved wastewater slide funds already included in the financing which could count toward the sewer match.

Mayor Hedenskog asked if the water storage tank proposed would meet the Water Master Plan storage capacity goal and City Manager Milliman said it would, but pointed out that there is a failing tank on LaBonte Lane that needs to be replaced.

Councilor Pieper said having a light industrial area could be "huge" and added that this could be a "build it and they will come" situation.

Councilor Hodges moved, a second followed and Council voted unanimously to adopt Resolution 12-R-992, [authorizing the Mayor to execute the U.S. Economic Development Administration Brookings Airport Infrastructure Co-Applicant Agreement and designate the City Manager as recipient contact].

Resolution 12-R-991 adopting Model Rules for public contracting and policy for public procurement and contracting and designating the City Council as the Local Contract Review Board.

City Manager Milliman provided the staff report and City Attorney Rice added that, regarding preference, there are state and federal laws that would require the City to demonstrate that contractors are being impacted by virtue of being located in the City in a percentage equal to the preference being provided, and she did not believe that the City would be able to do this.

Councilor Gordon asked if inviting only local contractors to bid on certain jobs would limit the possibility of getting a lower bid from someone outside the area and Milliman said it potentially could. Gordon said the City and its citizens would not then benefit from the lowest possible price.

At the Mayor's request, Milliman reviewed the proposed changes in category limits and pointed out that the City already uses the intermediary process in some cases.

Councilor McClain asked what level the City Manager is currently able to approve without Council approval and Milliman said, \$25,000. McClain then asked why the limit had been raised to \$150,000.

Rice said the limits allowed by the state and the City Manager had been matched for ease of process, but it could be otherwise structured.

Councilor McClain said he was comfortable with Milliman making decisions under the new limits, but pointed out that Milliman would not always be around. He said it was great to keep things local but wondered if it made sense to pay significantly more to do so.

Councilor Hodges said the City had saved \$140,000 on the EOC project by bidding locally and Councilor McClain pointed out that the reason for the savings was that the project had been restructured before being re-bid.

Milliman suggested that any expenditure above \$25,000 could be reported back to Council.

There was considerable discussion regarding the proposed limits and whether Council wanted to receive reports or have approval. Council generally agreed that anything above \$25,000 should be

brought to Council for approval and Milliman said he would make changes and bring the resolution back to Council.

Councilor Pieper moved, a second followed, and Council voted unanimously to continue the matter of Resolution 12-R-991 to a future date.

Ordinance 12-O-701 repealing Brookings Municipal Code Chapter 2.45, Local Contract Review Board, in its entirety.

City Manager Milliman provided the staff report.

Councilor Gordon moved, a second followed and Council voted unanimously to do a first reading of Ordinance 12-O-701 by title only.

Mayor Hedenskog read the title.

Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading of Ordinance 12-O-701 by title only.

Mayor Hedenskog read the title.

Councilor Pieper moved, a second followed and Council voted unanimously to adopt Ordinance 12-O-701 [repealing Brookings Municipal Code Chapter 2.45, Local Contract Review Board, in its entirety].

Consent Calendar

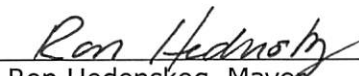
1. Approve City Council Meeting minutes for July 23, 2012.
2. Authorize letter requesting Coastal Management Grant award and the City Manager to execute the grant agreement.
3. Accept Parks and Recreation minutes for March 22, 2012.
4. Accept July, 2012 Vouchers in the amount of \$ \$311,660.44

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

Adjournment

Councilor Gordon moved, a second followed and Council voted unanimously to adjourn by voice vote at 8:57pm.

Respectfully submitted:



Ron Hedenskog, Mayor

ATTESTED:
this 14th day of August 2012:



Joyce Heffington, City Recorder