

City of Brookings MEETING Minutes

CITY COUNCIL

Monday, December 12, 2011

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

Council met in Executive Session at 6:00pm, in the City Manager's Office, under the authority of ORS 192.660(2)(d) to deliberate with persons designated by the City Council to carry on labor negotiations.

Call to Order

Mayor Anderson called the meeting to order at 7:00pm.

Roll Call

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

Staff Present: City Manager Gary Milliman, Administrative Services Director Janell Howard, Police Lt. Donny Dotson, Senior Planner Donna Colby-Hanks, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Reporter Steve Kadel and approximately 19 public.

Councilor Hedenskog moved, a second followed, and Council voted unanimously to move item E-5 (Resolution 11-R-973) to E-1 and G-3 (Salmon Run Golf Course) to follow item D (Ceremonies).

Ceremonies/Appointments/Announcements

Mayor Anderson introduced new employee, Anella (Lu) Ehlers, Human Resource/Accountant.

Staff Report

Reduce the amount of the lease payment, due in February, 2012, from Claveran Group, LLC for the Salmon Run Golf Course, from \$30,000 to \$15,000 and direct staff to hire a consultant.

City Manager Milliman provided the staff report. Staff, he said, realized that the golf course is an important local resource but has no expertise in its operation and was recommending that the lease amount for 2012 be reduced to \$15,000 and that the money be used to hire a consultant to provide assistance in the courses future development.

Public Comments:

Gerry Ledoux, Salmon Run Men's Club President, commented that he chose to move to the area because of the course and without it he would likely move. He also commented on the amount of money brought into the community through local tournaments and visiting golfers, saying it was somewhere between \$14,000 and \$30,000.

Ed Murdock, Salmon Run Course Manager, gave a prepared report, (a copy of which is on file with the agenda packet), generally commenting that the lack of a permanent water source is the course's biggest challenge and hiring another consultant was unnecessary. Murdock said, "The City needs to determine what their view is of the course," and added that resources could be better utilized making improvements to the golf course. He said that funds for the lease were not available and requested that Council grant the extension.

Mayor Anderson said that he supported the golf course, but felt there were accountability issues. Since the last meeting, he said he'd heard from two people who had questioned the course's management and added that the City had spent a great deal of time trying to resolve the water issue at the course, even though development of a water system was the developer's responsibility. Council, he said, was looking for more definitive information moving forward, such as the number of employees, and he thought that management should know how much money had been donated by Salmon Run and to whom. Anderson added that there needed to be some basis for making modifications to the existing contract if it is to be amended.

Murdock said that the number of employees is always changing and that Salmon Run had been working on procuring the water right for years. He said they'd been told in 2002 by the Water Master that it could not be procured.

Councilor Gordon asked Murdock if the course could become profitable if the water issue were resolved, and Murdock said that until it was resolved, no one was going to put money into the course.

Gordon said that the business plan received by the City did not convince him that the golf course could become profitable and added that the golf course is a private business which the City seems to keep having to bail out.

Mayor Anderson pointed out that the City had paid for both legal and engineering services in its attempts to resolve the water issue while Salmon Run had paid nothing. "There has to be a business plan that is reasonable to justify the operations of that City-owned property," Anderson said.

Councilor Gordon said that he was bothered by the Claveran Group's reluctance to spend the \$15,000 for a consultant to provide a more professional business plan.

Councilor Hedenskog said that by requesting another extension, it was like bringing the Council in as partners and as partners they should be able to see all the financial information. He added that he wanted to see the golf course profitable and viable.

Councilor Pieper said that the City is the landlord and that in the business world, regardless of the economy, if you don't make your lease payment, you eventually lose your lease. It's the golf course's decision whether or not to pay the lease payment, he added, but as the landlord, it was his position that the lease needed to be paid.

Councilor Hodges said that he was a member of the golf course and thinks the golf course does a tremendous amount for the community. He said that a subcommittee that met regularly to review financial and improvement progress would be an improvement over the current practice of a letter every six months. Hodges also mentioned the possibility of putting the lease payment into an escrow account to be held against progress toward meeting goals. "I don't think doing away with the golf course is going to do anyone any good," Hodges said, and asked the City Manager to explain the water right's process.

Milliman responded that the water rights are assigned to the property and that the City had to decide who to sell its water to. An agreement would be needed with the golf course owners outlining its cost, use and development, he added.

Councilor Pieper moved to deny the request for extension of the lease payment and direct staff to keep the current agreement, a second followed, and the motion failed, 2 to 3, with Councilors Pieper and Hedenskog voting "Yes" and Mayor Anderson and Councilors Gordon and Hodges voting "No."

Councilor Gordon moved, a second followed and Council voted 3 to 2, with Mayor Anderson and Councilors Gordon and Hodges voting "Yes," and Councilors Pieper and Hedenskog voting "No," to approve a reduction in the lease amount due in February, 2012, under the terms of the agreement as amended between the City and Claveran Group, LLC, from \$30,000 to \$15,000, and direct said amount to be used to retain professional services to review documents relating to the operation of the Salmon Run Golf Course and make recommendations with respect to lease agreement restructuring and plan implementation to achieve financial sustainability of the golf course.

Ceremonies/Appointments/Announcements

Police Dispatcher, Susan Frisch, was recognized for her ten years of service.

Public Hearings/Ordinances/Resolutions/Final Orders

Resolution 11-R-973, establishing Nationwide as an eligible deferred compensation plan.

Director Howard reviewed the staff report.

Councilor Pieper moved to adopt Resolution 11-R-973, establishing Nationwide as an eligible deferred compensation plan.

Ordinance 11-O-686, amending Brookings Municipal Code Title 8, Health and Safety.

Planner Colby-Hanks reviewed the staff report regarding revisions to Title 8 of the Brookings Municipal Code.

Councilor Hedenskog moved, a second followed and Council voted unanimously to do a first reading of Ordinance 11-O-686 by title only.

Mayor Anderson read the title.

Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading of Ordinance 11-O-686 by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 11-O-686 [amending Title 8, Health and Safety, of the BMC in its entirety].

Public Hearing on File LCD-3-11, revisions to Brookings Municipal Code Chapter 17.88, Signs Regulations.

Mayor Anderson opened the Public Hearing on File LCD-3-11 at 8:07pm.

Hearing no ex parte, declarations of conflict or personal interest, nor objections as to jurisdiction, Mayor Anderson reviewed the guidelines and Planner Colby-Hanks reviewed the staff report. There were no public comments and the hearing was closed at 8:09pm.

Councilor Hodges asked about the engineering required for signs over five square feet in size. During discussion it was determined that staff typically provides the required engineering data needed to make the signs conform to code.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve revisions to Brookings Municipal Code Chapter 17.88, Sign Regulations, as contained in the file LDC-3-11.

Ordinance 11-O-673, amending Brookings Municipal Code Chapter 17.88, Sign Regulations.

Councilor Hedenskog moved, a second followed and Council voted unanimously to do a first reading of Ordinance 11-O-683 by title only.

Mayor Anderson read the title.

Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading of Ordinance 11-O-683 by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 11-O-683, [amending subsections 17.88.030 (A) and 17.88.040 (B), and deleting subsections 17.88.040 (E) and (H), of Brookings Municipal Code Chapter 17.88, Sign Regulations].

Mayor Anderson opened the public Hearing at 8:21pm, on File LDC-2-11, revisions to Brookings Municipal Code Chapter 17.92, Off-Street Parking and Loading Regulations, City initiated.

Hearing no ex parte, declarations of conflict or personal interest, nor objections as to jurisdiction, Mayor Anderson reviewed the guidelines and Planner Colby-Hanks reviewed the staff report.

Mayor Anderson expressed concern about the size of the corner vision area in the recommended option and suggested that those areas with small lot sizes be allowed to conform to the existing code.

After some discussion, it was suggested that the existing code be applied to the downtown core area while in other areas the recommended changes be applied.

Mayor Anderson moved, a second followed and Council voted to approve the revisions with modifications. The vote, motion and second were then withdrawn as the hearing had not been closed, and the hearing was closed at 8:44pm.

Mayor Anderson moved, as second followed and Council voted unanimously to approve revisions to the corner vision requirements for commercial driveways in Chapter 17.92, Off street parking and loading regulations, BMC, excluding the downtown core area map # 17.92.030-1, which would utilize the current design [provided] in [option] A and to implement what is known as option B in the remaining areas.

Staff Reports

Approval to allocate System Development Funds for Parks and Recreation priority projects and \$2,000 to install a picnic table at Hillside Pedestrian Oasis.

City Manager Milliman provided the staff report.

Mayor Anderson asked if the table could be moved, and Milliman said that it could.

Councilor Hodges moved, a second followed and Council voted unanimously to approve the allocation of System Development funding in the amount of \$88,309 for Parks and Recreation Commission priority projects, and an additional \$2,000 for the Public Art Committee's request for a picnic table at the Hillside Oasis.

Approval of a letter of support for Federal Discretionary Grant for Railroad Street Improvements.

Milliman provided the staff report.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approval of a letter of support for Federal Discretionary Grant for Railroad Street Improvements.

Authorization to enter agreement with Ater Wynne, LLP, and CH2MHill for services associated with the development of new intergovernmental agreement with the Harbor Sanitary District.

Milliman provided the staff report.

Councilor Gordon moved, a second followed and Council voted, 3 to 2, with Councilors Pieper and Hedenskog voting "No," and Mayor Anderson and Councilors Hodges and Gordon voted "Yes," to authorize the Mayor to execute agreements with Ater Wynne, LLP, and CH2MHill for legal and technical services associated with the development of a new intergovernmental agreement with the Harbor Sanitary District, with the amount of fee not to exceed \$15,000, without further Council authorization.

Consent Calendar

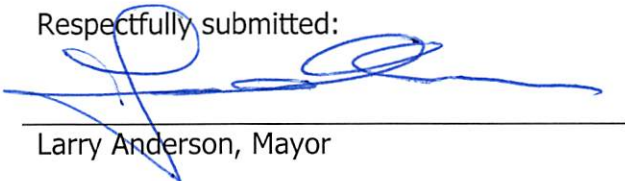
1. Approve Council minutes for November 14, 2011.
2. Accept Planning minutes for November 1, 2011.
3. Accept November, 2011, Vouchers in the amount of \$549,332.02.
4. Receive monthly financial report for October, 2011.

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

Adjournment

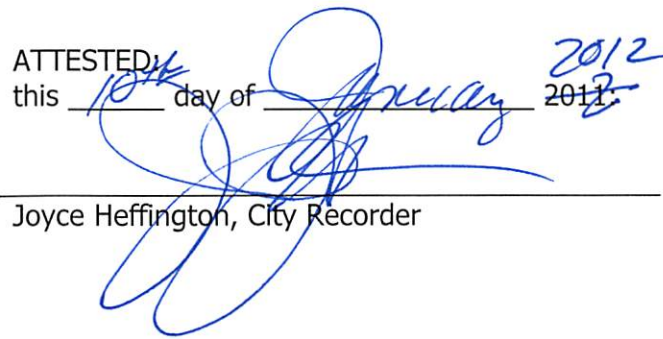
Councilor Pieper moved, a second followed and Council voted unanimously by voice vote to adjourn at 9:02pm.

Respectfully submitted:



Larry Anderson, Mayor

ATTESTED:
this 10th day of January ²⁰¹² ~~2011~~



Joyce Heffington, City Recorder