

City of Brookings

MEETING Minutes

CITY COUNCIL

Monday, February 8, 2010

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

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 (upon his appointment); a quorum present.

Staff Present: City Manager Gary Milliman, Planning Director Dianne Morris, Administrative Services Director Janell Howard, Building Official LauraLee Gray, City Attorney Martha Rice, Municipal Court Judge Richard Harper and City Recorder Joyce Heffington.

Other Present: Curry Coastal Pilot Reporter Arwyn Rice and approximately 7 public.

Ceremonies/Appointments/Announcements

Mayor Anderson remarked that Council was now ready to determine the appointment of City Council Position #2, continued from the January 25th meeting, by lot. Following input from the candidates, Council agreed not to engage in further discussion on the deadlocked issue and chose to make the appointment by coin toss.

Councilor Gordon moved, a second followed and Council voted unanimously to make the decision for the appointment of Council Position 2, by coin toss [with Hedda Markham choosing "heads" and Brent Hodges agreeing].

Judge Harper tossed the coin, announced it as "tails," and Councilor Hodges was appointed to City Council Position 2. Councilor Hodges assumed his seat on the Council following the administration of the Oath of Office by Judge Harper.

Public Hearings/Ordinances/Resolutions/Final Orders

Building Official Gray introduced Resolution 10-R-932, adopting a Building Code penalty matrix.

Mayor Anderson remarked that in the interest of parity, he hoped that violations would be dealt with objectively.

Councilor Pieper moved, a second followed and Council voted, with Councilor Hodges abstaining, to adopt Resolution 10-R-932, adopting a City of Brookings penalty matrix.

Mayor Anderson opened the public hearing at 7:18pm in the matter of File LDC-17-09, amendments to Brookings Municipal Code (BMC) Chapter 17.04, Development Permit Procedures.

Hearing no declarations of ex parte, bias, or conflicts of interest, and no objections as to jurisdiction, Director Morris reviewed the staff report.

There were no public comments and Mayor Anderson closed the hearing at 7:21pm.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to approve revisions to File LDC-17-09, Chapter 17.04, Development Permit Procedures, of the Brookings Municipal Code.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to do a first reading of Ordinance 10-O-654 by title only.

Mayor read the title.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to do a second reading of Ordinance 10-O-654 by title only.

Mayor read the title.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to adopt Ordinance 10-O-654 [amending Chapter 17.04, Development Permit Procedures, Title 17, Land Development Code, of the BMC].

Mayor Anderson opened the public hearing at 7:25pm in the matter of File LDC-19-09, revisions to BMC Chapter 17.36.

Hearing no declarations of ex parte, bias, or conflicts of interest, and no objections as to jurisdiction, Director Morris reviewed the staff report.

There were no public comments and Mayor Anderson closed the hearing at 7:30 pm.

Councilor Gordon moved, a second followed and Council voted, with Councilor Hodges abstaining, to approve revisions to Chapter 17.36, Professional Office District, Brookings Municipal Code [as presented in File LDC-19-09].

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to do a first reading of Ordinance 10-O-657 by title only.

Mayor read the title.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to do a second reading of Ordinance 10-O-657 by title only.

Mayor read the title.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to adopt Ordinance 10-O-657 [amending Chapter 17.36, Professional Office District, BMC].

City Manager Milliman reviewed the staff report regarding the incorporation of changes, suggested at the January 25th meeting, into Ordinance 10-O-653, amending BMC Chapter 2.63, Urban Renewal Advisory Committee.

Councilor Gordon moved, a second followed and Council voted, with Councilor Hodges abstaining, to do a first reading of Ordinance 10-O-653 by title only.

Mayor read the title.

Councilor Gordon moved, a second followed and Council voted, with Councilor Hodges abstaining, to do a second reading of Ordinance 10-O-653 by title only.

Mayor read the title.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to adopt Ordinance 10-O-653 [amending Chapter 2.63, Urban Renewal Advisory Committee, of the BMC].

City Manager Milliman reviewed the staff report regarding two Charter Amendments proposed to be placed on the May 18 election ballot at no cost to the City. These two amendments would remove from the Charter language that relates to projects that have been completed, and to bonds that have been paid off. The two amendments, if passed, would allow other water districts, such as the Harbor Water District, to provide water service to properties annexed to the City within their districts.

Mayor Anderson stated that he and Moira Fossum had requested that this matter be brought before Council and so would be abstaining from the vote and discussion.

Councilor Hedenskog moved, a second followed and Council voted, with Mayor Anderson and Councilor Hodges abstaining, to adopt Resolution 10-R-933, directing the City Election Officer to place a measure on the May 18, 2010 ballot proposing amendment to the City Charter by repealing Chapter XI, Water Intake Relocation.

Councilor Pieper moved, a second followed and Council voted, with Mayor Anderson and Councilor Hodges abstaining, to adopt Resolution 10-R-934, directing the City Election Officer to place a measure on the May 18, 2010 ballot proposing amendment to the City Charter by repealing Chapter XII, Wastewater Treatment Plant Facilities Plan.

Staff Reports

Administrative Services Director Howard distributed the SAS 14, letter from the auditor, to Council and provided a brief review of the Certified Annual Financial Report (CAFR), for fiscal year ending June 30, 2009. Generally, Howard noted that the audit was "unqualified", or "clean," with no exceptions; the 18.5% balance in the General Fund more than exceeds the 10% budgeted by Council and does not include the capital reserve fund, which is separate; and the auditor's concern regarding segregation of duties was primarily related to the time when the City Manager was out on medical leave, leaving the City with one less control element, however, because the Mayor reviews and signs each check, the auditors stated that City's controls are good. Howard further stated that this is a common note included on small city audits as most cannot afford to employ staffing levels necessary. Howard also noted that the auditor will be available, via call conferencing, at a future workshop to go over the CAFR with Council and the Budget Committee

Councilor Pieper moved, a second followed and Council voted unanimously to accept the Comprehensive Annual Financial Report for fiscal year ended June 30, 2009.

Mayor Anderson complemented Howard and staff on the audit.

Consent Calendar

1. Approval of Council minutes for January 25, 2010.
2. Acceptance of Planning Commission minutes for January 5, 2010.
3. Acceptance of January, 2010, Vouchers in the amount of \$264,498.24.

City Recorder Heffington noted that the January 25th meeting minutes did not reflect Judge Harper's attendance.

Councilor Hedenskog moved, a second followed and Council voted, with Councilor Hodges abstaining, to accept the Consent Calendar with the addition of a correction to the January 25 meeting minutes showing that Judge Harper was present.

Adjournment

Councilor Hedenskog moved, a second followed and Council voted unanimously to adjourn by voice vote at 7:59pm.

A meeting of the Urban Renewal Agency immediately followed.

Respectfully submitted:

ATTESTED:

this 9th day of March 2010:



Larry Anderson, Mayor



Joyce Heffington, City Recorder