

MINUTES
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, July 9, 2007

Call to Order

Mayor Sherman called the meeting to order at 7:00pm and introduced the new City Manager, Gary Milliman.

Roll Call

Council Present: Mayor Pat Sherman, Council President Larry Anderson, Councilors Dave Gordon, Ron Hedenskog and Jan Willms; a quorum present.

Staff Present: City Manager Gary Milliman, Administrative Services Director Paul Hughes, Planning Director Dianne Morris, Public Works Director John Cowan, Police Chief Chris Wallace, Fire Chief Bill Sharp, City Attorney John Trew, Sr. Planner Donna Colby-Hanks, Water/Wastewater Treatment Plant Operator Assistant Keith Higgins, Administrative Assistant Joyce Heffington.

Other: Approximately 20 public. No one from the media was present.

Ceremonies/Appointments/Announcements

Mayor Sherman presented Municipal Court Judge Richard Harper with a certificate for his 10 years of service to the City.

Public Works Director John Cowan introduced the City's new Water/Wastewater Treatment Plant Operator Assistant, Keith Higgins.

Mayor Sherman announced that August awards went to Bill and Patricia Shears, 113 Tanbark, for Yard of the Month, Linda and Charles Grix, 310 Mulberry, for Most Improved Property, and the 704 Chetco Building for the most improved Commercial property.

Public Hearings

Mayor Sherman opened the public hearing in the matter of minor revisions to Brookings Municipal Code Title 1, General Provisions; Title 8, Health and Safety; Title 10, Vehicles and Traffic; Title 13, Public Services; and Title 15, Buildings and Construction at 7:07pm.

Senior Planner Colby-Hanks reviewed changes to Title 8 and Title 10 requested by Council at the last council meeting after which Mayor Sherman asked for public comment.

Jan Henault, 15889 Sunset Strip, representing the South Coast Humane Society, addressed Council regarding the inclusion of the word "cat" in Title 8, under 8.15.020, Control of Domestic Animals. Henault generally presented information pertaining to cat populations in general and possible issues revolving around attempts to enforce cat behavior. Henault further stated that owner education was a more effective tool and suggested that Council institute a program that would take into consideration the interests of both cat and owner.

After deliberation, including input from City Attorney John Trew, Council generally agreed that including cats in the ordinance will afford the public a legal recourse not otherwise provided. Colby-Hanks stated that she would bring the various ordinances, as revised, to the August 13th City Council meeting for adoption.

Mayor Sherman closed the public hearing at 7:41pm.

Council Liaisons

Councilor Gordon attended a meeting of the Local Public Service Coordinating Council.

Councilor Willms attended meetings of the Curry County Recycling Committee and the Parks and Recreation Commission. Willms also announced that the Parks and Recreation Commission will meet on July 26th for a joint work/study session with City Council to discuss issues related to Azalea Park.

Council President Anderson attended one Brookings Harbor High School meeting and two City functions.

Mayor Sherman attended U.S. Coast Guard change of command ceremony and meetings with Senator Gordon Smith.

Public Comments

Kate Yokum, 934 7th Street, addressed Council regarding the need to continue to fund water conservation youth education efforts.

Regular Agenda

Parks and Recreation Commission Chair, Tony Parrish, asked Council to approve the installation of the Stout Mountain Railroad at Stout Park. Parrish stated that the entire project, including security devices, would be completed at no cost to the city.

City Manager Gary Milliman suggested to Council that an agreement be drawn up between the city and the club that clearly delineates respective areas of responsibility.

Council President Anderson moved, a second followed and council voted unanimously to tentatively approve the installation [of Stout Mountain Railroad at Stout Park] pending completion of an agreement between the involved parties.

Building Official/Inspector Gray reported that the high cost of System Development Charges (SDC's) was discouraging business owners from turning existing downtown buildings into either restaurants or beauty parlors due to the higher rates associated with these uses.

Mayor Sherman asked City Attorney Trew if the City could subsidize SDC's using URA funding or waive SDC's for certain businesses.

Trew said that he did not know the answer to the first question, but generally stated that SDC's are strictly regulated by state statute and are "not normally the process by which a City would encourage or discourage a particular type of business." SDC's, Trew said, are designed to determine appropriate contributions to the City's overall infrastructure. Trew further stated that Oregon Revised Statutes require that a legally defensible methodology be used to determine and justify the adopted charges and that a methodology that offers preference to certain types of businesses may not be defensible. It was Trew's suggestion that the City seek the advice of experts, such as that used for the last study, to determine what can or cannot be done.

Gray stated that she would find out if SDC's are applied equally to new and existing buildings in other communities.

Administrative Services Director Hughes advised that the 2007-2008 Fiscal Year budget includes funding to re-open the SDC report to include input from the City's water master and wastewater facilities plans, both of which are in process of being updated.

After some discussion, Council determined that it had no choice but to wait until the water master plan and wastewater facilities plan updates were completed before opening up the SDC report.

David Ford, 1211 Chetco Avenue, owner of Pacific Paradise, generally stated that he was unable to afford the SDC's required to expand his business from a tanning salon to a beauty parlor.

Trew stated that the City needed to know what the cost of infrastructure was going to be before having any discussion surrounding SDC's.

Tim Patterson, 921 Chetco Avenue, generally stated that there is nothing in the SDC report that mentions existing buildings and while new buildings should be charged SDC's, existing buildings should not be charged because they do not change total usage of the system, but rather just take customers from one business and move them to another.

Gray was directed by Council to ask the Dyer Partnership if past use of the Brookings Market would qualify it as a restaurant.

Consent Calendar

- A. Approval of Council Meeting Minutes for June 25, 2007.
- B. Acceptance of Parks and Recreation Minutes for May 24, 2007.
- C. Approval of vouchers for June 2007 in the amount of \$274,178.02.

Councilor Gordon moved, a second followed, and Council voted unanimously to accept the Consent Calendar with an amendment to include the word "Truck" between the words, "No" and "Parking," in the motion on page 2 of the Council Meeting Minutes of June 25, 2007.

Remarks

Mayor Sherman asked the other Council members if they would join her in holding neighborhood meetings to discuss city issues. Council agreed to do so.

Councilor Willms remarked that Council had yet to agree upon a methodology to use for determining contributions to community events. It was determined that a workshop would be scheduled to discuss a methodology developed by Willms.

Adjournment


Councilor Gordon moved, a second followed and council voted unanimously by voice vote to adjourn at 9:15pm.

Respectfully submitted:



Pat Sherman
Mayor

ATTEST by City Recorder
this 26 day of July, 2007:



Paul Hughes
Administrative Services Director/City Recorder