

MINUTES
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, September 10, 2007

Call to Order

Mayor Sherman called the meeting to order at 7:00pm

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, Planning Director Dianne Morris, Fire Chief William Sharp, City Attorney John Trew, Administrative Assistant Joyce Heffington.

Media Present: Curry Pilot Reporter Tom Hubka

Other: Approximately 18 public

Ceremonies/Appointments/Announcements

Mayor Sherman proclaimed September 17th through September 23rd National Emblem Club Week. Club President Debra Clary accepted on behalf of Club members.

Mayor Sherman announced the resignation of Parks and Recreation Commissioner, Elizabeth Grodin, Position No. 6. and directed staff to advertise the position.

Council Gordon moved, a second followed and Council voted unanimously to appoint Joyce Heffington as Interim City Recorder.

Mayor Sherman announced the Yard of the Month Awards for September as follows:

- Commercial Property – The Center, #2 Ross Road, Manuel and Judy Lopez, owners
- Most Improved Property - 828 Limbaugh, owner Dorothy Mote
- Yard of the Month - 314 Birch, owner Dale York

Public Hearings

Mayor Sherman opened the public hearing in the matter of File #LDC-2-06, continued from the August 27, 2007 Council meeting, to consider revisions to Title 17, Chapters 17.170, Street Standards, 17.168, Utilities, and 17.80, Site Plan Approval of the Brookings Municipal Code.

Councilor Anderson stated under ex-parte that he had participated in the Land Development Code Committee that proposed the revised language.

Mayor Sherman reviewed the order of business for the hearing.

Planning Director Morris reviewed the proposed language changes.

Fire Chief Sharp addressed Council regarding issues of fire safety and the proposed change in the radius of cul-de-sac bulbs, generally stating that the increased radius in the Land Development Code (LDC) was proposed to bring this document into agreement with the State's Uniform Fire Code which the City has already adopted.

Bill Dundom, PO Box 1502, Brookings, spoke in opposition to the proposed changes in radius for cul-de-sac bulbs generally stating that the increase in size, due to the design requirements for building roads on steeper slopes, would make it more expensive and therefore more difficult for developers to meet those standards. Dundom cited Gold Beach as an example of a city where streets standards are diminishing in size.

Fire Chief Sharp generally stated that he could not speak to what Gold Beach does and restated that the standards that are being proposed are to bring the LDC into compliance with the State's Uniform Fire Code.

Mayor Sherman closed the public hearing at 7:27pm and Council moved to deliberation.

Planning Director Morris stated that alternative configurations to the cul-de-sac could be allowed under both the State Uniform Fire Code and the proposed language such as a hammerhead design.

Fire Chief Sharp stated that he did have the authority to sign off on alternative configurations based on certain conditions, however, the city is required by the state to meet or exceed the State's standards.

After some discussion, staff was directed to bring back to Council definitive criteria to justify allowing alternative configurations to the proposed cul-de-sac design; to research how the rest of the state is handling storm water drainage, safety and other issues relative to street design; and to bring both the street standards and updates to Public Work's Standards to Council for consideration at the same time.

The public hearing on Chapter 17.170, Street Standards, was continued to the October 8th Council Meeting.

Director Morris reviewed the proposal to delete the language in Chapter 17.80.040(C), Site Plan Approval, Development Standards.

Councilor Anderson moved, a second followed and Council voted to approve the deletion of language in chapter 17.80.40(C) with Councilor Gordon abstaining as he was not present at the original hearing.

Councilor Willms moved, a second followed and Council voted to approve the language in Chapter 17.168.020, Off-site development standards and requirements, Sections 1 and 6, as just read [by Director Morris] with Councilor Gordon abstaining as he was not present at the original hearing.

Liaison Reports

Councilor Willms attended a Storm Water Master Plan Workshop, an Easy Manor Park Walk, and worked on the upcoming Ice Cream Social.

Councilor Anderson attended one Brookings Harbor High School Board meeting and two city meetings.

Mayor Sherman attended a Back to School Breakfast and the Storm Water Master Plan Workshop, was a speaker at the Gold Beach Rotary, and an artist at the Art Walk.

Public Comments

Brent Bevan, 905 Helen Lane, commented on the lack of sidewalks on 5th between Easy and Ransom as creating potential safety issues and asked if and when this area would be improved.

Council confirmed that there are plans to improve that area with sidewalks, possibly this fiscal year.

Regular Agenda

Planning Director Morris reviewed the staff report regarding the establishment of an “in lieu” parking space construction fee.

Council discussed various concerns regarding the implementation of the \$20,000 fee recommended in the staff report and generally agreed that this discussion should be postponed until the Land Development Code Committee could again review it.

Councilor Gordon moved, a second followed and Council voted unanimously to continue to the October 8th Council meeting Regular Agenda Item, VII. A [the discussion of in lieu parking space construction fees] and Agenda Items IX. A & IX. B [adoption of Ordinance 07-O-594, an ordinance amending Chapter 17.92, Off-Street Parking and Loading Regulations of the City of Brookings Land Development Code and adoption of resolution 07-R-777, a resolution adopting an “in lieu” parking space construction fee to be applied as described under Chapter 17.92.030, Off Street Parking, of the Brookings Municipal Code].

City Manager Milliman reviewed the memorandum regarding the Joint Management Agreement (JMA) with the County and proposed Mixed-Use Master Plan (MUMP) zoning ordinance.

After some discussion, Council generally agreed that the JMA needed to be brought into agreement before any discussion regarding the MUMP zoning ordinance takes place, and that a joint workshop between the City and County was needed to work on the JMA.

Mayor Sherman moved, a second followed and Council voted unanimously to direct staff to write a letter to the County Commissioners requesting that they put the process on hold for adopting the ordinances under consideration and that the City and County move forward on amending the Joint Management Agreement and after completing that process move forward on the ordinances.

City Manager Milliman reviewed the staff report regarding Sudden Oak Death (SOD) at Azalea Park.

Council directed staff to involve someone from the Parks and Recreation Commission in the process to ensure that no conifers other than those that are dead are removed.

City Manager Milliman stated that he was also planning to contact the State to see about getting a pathology report on those conifers that appear to be doing poorly.

Councilor Willms moved, a second followed and Council voted unanimously to authorize the City Manager to execute Sudden Oak Death (SOD) Program Consent Form with the Oregon Department of Forestry (ODF); authorize ODF to remove Tan Oak trees and other infected vegetation from the area of Azalea Park where SOD disease has been found to exist; and authorize ODF to remove Tan Oak trees from areas of Azalea Park that may become infected with SOD as a protective measure.

Consent Calendar

Acceptance of Parks and Recreation Commission Minutes for July 26, 2007.

Acceptance of Planning Commission Minutes for August 7, 2007

Approval of vouchers for August, 2007 in the amount of \$1,075,186.97.

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

Ordinances/Resolutions/Final Orders

The adoption of Ordinance 07-O-594, an ordinance amending Chapter 17.92, Off-Street Parking and Loading Regulations of the City of Brookings Land Development Code and the adoption of Resolution 07-R-777, a resolution adopting an "in lieu" parking space construction fee to be applied as described under Chapter 17.92.030, Off Street Parking, of the Brookings Municipal Code, were continued under an earlier motion.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Resolution 07-R-778, guidelines to be used for the Community Relations Fund.

Mayor Sherman announced that Council would adjourn into Executive Session.

Councilor Gordon moved, a second followed, and Council voted unanimously by voice vote to adjourn into Executive Session [under ORS 192.660 (2) (h), "To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed."]

Present for the Executive Session were Mayor Pat Sherman, Council President Larry Anderson, Councilors Dave Gordon, Ron Hedenskog and Jan Willms, City Manager Gary Milliman, Administrative Assistant Joyce Heffington and Curry Pilot Reporter Tom Hubka.

Council adjourned to the regular meeting at 9:25pm.

Adjournment

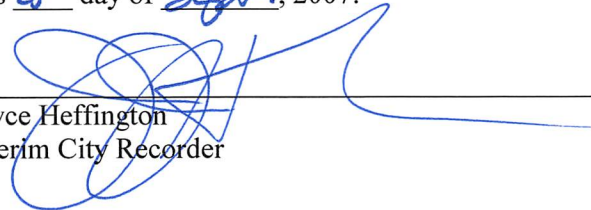
Council Willms moved, a second followed and Council voted unanimously by voice vote to adjourn at 9:25pm.

Respectfully submitted:



Pat Sherman
Mayor

ATTEST by City Recorder
this 25th day of Sept., 2007:



Joyce Heffington
Interim City Recorder