

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

Council will met at 6:00pm in Executive Session under authority of 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." In attendance were the full Council and City Manager Milliman with Attorney Mark Amberg, conferenced in.

Call to Order

Mayor Sherman called the meeting to order at 7:04pm.

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 Patti Dunn, Planning Director Dianne Morris, Public Works Director John Cowan, Police Lieutenant John Bishop, Public Works Utility Worker/Mechanic Chuck Gage, City Attorney John Trew, Administrative Assistant Joyce Heffington.

Media Present: *Curry Pilot Editor Scott Graves*

Other: Approximately 14 public

Ceremonies/Appointments/Announcements

Mayor Sherman recognized Public Works Utility Worker/Mechanic Chuck Gage for ten years of service.

Councilor Anderson moved, a second followed and Council voted unanimously to accept the Mayor's recommendation and appoint Rick Bishop to Urban Renewal Advisory Committee, Position 7.

Councilor Willms moved, a second followed and Council voted unanimously to accept the Mayor's recommendation and appoint Ken Barkema to Parks and Recreation Commission Position 2.

Councilor Willms moved, a second followed and Council voted unanimously to accept Richard Yock's resignation from Planning Commission Position 2.

Council Liaison Reports

Councilor Willms attended meetings of the Easy Manor Park Subcommittee, Stout Park Subcommittee, Brookings Harbor Education Foundation, the Urban Renewal Advisory Committee, Parks and Recreation Commission and the March of the Santas.

Councilor Anderson attended four school related and three city related meetings.

Mayor Sherman attended meetings of the Brookings Harbor Education Foundation, Azalea Park Foundation, Easy Manor Park Subcommittee, Ocean Policy Advisory Commission (OPAC) in Gold Beach, Small Cities in Coquille, and the Homeless Coalition.

Councilor Hedenskog attended meetings of the Port Commission and OPAC in Gold Beach.

Councilor Gordon attended the first meeting of the committee established in the County to research a law enforcement district.

Public Comments

Linda Morgan, a nurse with the Curry County Health Department, addressed Council requesting a letter of support from the City for a Curry County grant to fund a federally qualified health center. The center would support a clinic in Brookings two days a week.

Mayor Sherman asked for a motion to add this request to the agenda.

Councilor Willms moved, a second followed and Council voted unanimously to add to the agenda an item authorizing the City to write a letter supporting the County's grant application for funding to support a federally qualified health center.

Regular Agenda

Councilor Willms moved, a second followed and Council voted unanimously to authorize a letter supporting the County's grant application [for funding to support a federally qualified health center].

City Manager Milliman reviewed the staff report recommending approval of the proposed Water Conservation Demonstration Project. This project would provide leak detection services and incentives for water conservation retrofits.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve the Water Conservation Demonstration Project [as outlined in the Council Agenda Report].

City Manager Milliman reviewed the staff report regarding the recommendation to authorize the Mayor to submit a proposal to the Coos Curry Electric Cooperative (CCEC) with respect to achieving certain economic and conservation goals, and conclude discussion on the formation of a municipal electric utility.

After a lengthy discussion, Council generally agreed to receive input from Council regarding the tone and content of the proposed amendments before moving forward. Councilor Gordon stated that he was removing himself from participating in future discussion with the CCEC. Councilor Hedenskog agreed to take his place.

Mayor Sherman moved, a second followed and Council voted to have a subcommittee, comprised of the Mayor, Councilor Hedenskog and the City Manager, sit down and discuss with members [of the Coos Curry Electric Cooperative] some of the points [made in the outline of draft amendments to the franchise agreement] which were not intended to be hostile, even though they were taken so, and conclude the discussion about the formation of a municipal utility with the decision not to go forward with it.

City Manager Milliman reviewed the staff report regarding the City entering into an agreement with the Brookings Harbor Soccer League in support of the development of a multipurpose athletic field at Azalea Park, stating that this is a three party agreement including the Urban Renewal Agency and that the park is in the Urban Renewal Plan.

Councilor Anderson moved, a second followed and Council voted unanimously to authorize the Mayor to execute an operating agreement with the Brookings Harbor Soccer League for items discussed in the [Council Agenda Report] dated December 10.

Planning Director Morris reviewed the recommendations made in the Citizen Involvement Annual Report for 2007, stating that most of the responses were favorable.

Councilor Willms moved, a second followed and Council voted unanimously to accept the Committee for Citizen Involvement Annual Report for 2007, and forward to the County

Planning Coordinator and State's Citizen Involvement Advisory Committee as required by Resolution 399.

Councilor Anderson moved, a second followed and Council voted unanimously to approve the Storm and Surface Water Facilities Plan for the Brookings-Harbor Area, dated October, 2007.

Public Works Director Cowan reviewed the staff report regarding the storm drain project tying an existing drain into the construction project at Chetco Terrace Estates. He also advised that the City would be working to get a dedicated easement along this pipe line.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve the bid by P&S Construction to tie an existing six-inch storm drain line into Chetco Terrace's storm drain system.

City Manager Milliman reviewed the staff report regarding the proposed recommendation to enter into agreement with WILLDAN to prepare a Pavement Management System, pointing out that while \$70,000 had been budgeted, WILLDAN's proposal came in at \$35,000.

Councilor Anderson moved, a second followed and Council voted unanimously to authorize the Mayor to execute a consulting services agreement with WILLDAN for the preparation of a Pavement Management System with a condition to the motion that the project be completed ninety days after May 1st.

Dan Brattain, 907 Midland Way, Brookings and Chair of the Del Norte Airport Advisory Commission, addressed Council regarding the City's proposed participation in the Border Coast Airport Authority Joint Powers Agreement (JPA), generally stating that the JPA is seeking to expand and this agreement will improve their position for future funding.

David Finigan, 981 H Street, Crescent City, Chair of the JPA, addressed Council generally stating that support of the JPA would be economically beneficial to the City.

City Manager Milliman added that the City would have no financial responsibility, but would hold a seat on the Board and be directly involved in planning for the airport's future needs.

City Attorney Trew generally stated that he still had questions and concerns and wanted to be clear that Council's actions at this time would be limited to agreeing to look at this and not sign any agreements. Trew also stated that he had several legal questions that needed to be answered.

Councilor Gordon moved, a second followed and Council voted unanimously to approve in concept the City's participation in the Border Coast Airport Authority Joint Powers Agreement.

Councilor Willms moved, a second followed and Council voted unanimously to authorize the City Manager to negotiate final terms and execute Separation Agreement and Release of Claims with Joe Ingwerson.

Consent Calendar

- A. Approval of Council Meeting Minutes for October 22, 2007 and November 13, 2007
- B. Acceptance of Planning Commission Meeting Minutes for November 6, 2007.
- C. Acceptance of Parks and Recreation Commission Minutes for October 25, 2007.
- D. Approval of vouchers for November, 2007 in the amount of \$258,224.39.
- E. Receive and file report on Water Storage Tank Project from City Manager.
- F. Receive and file report on Storm Emergency Follow-Up from City Manager.

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

Ordinances

Police Lieutenant Bishop reviewed the staff report regarding the City's need to adopt an ordinance establishing the City's authority to conduct criminal history checks in compliance with state law.

Councilor Anderson read in full Ordinance 07-O-599, an ordinance adding Chapter 2.30, Authority of the Police Department to Perform Criminal History Records Checks, to Title 2, Administration and Personnel, of the Brookings Municipal Code; and declaring an emergency.

Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading by title only of Ordinance 07-O-599.

Councilor Anderson read the title of Ordinance 07-O-599.

Councilor Willms moved, a second followed and Council voted unanimously to adopt Ordinance 07-O-599, an ordinance adding Chapter 2.30, Authority of the Police Department to Perform Criminal History Records Checks, to Title 2, Administration and Personnel, of the Brookings Municipal Code; and declaring an emergency.

City Manager Milliman reviewed the staff report regarding the adoption of an ordinance establishing a master fee resolution, generally stating that capturing fees in one master fee schedule will allow for a more efficient process for identifying and revising fees as necessary.

Councilor Willms read in full Ordinance 07-O-598, an ordinance adding Chapter 1.10, "Fees and Charges" to Title 1, General Provisions, of the Brookings Municipal Code.

Councilor Gordon moved, a second followed and Council voted unanimously to do a second reading by title only of Ordinance 07-O-598.

Councilor Anderson moved, a second followed and Council voted unanimously to adopt Ordinance 07-O-598, an ordinance adding Chapter 1.10, "Fees and Charges" to Title 1, General Provisions, of the Brookings Municipal Code.

Resolutions

Planning Director Morris reviewed the staff report regarding Resolution 07-R-881, a resolution repealing the County Referral Fee.

Councilor Gordon moved, a second followed and Council voted unanimously to adopt Resolution 07-R-881, a resolution amending Resolution 06-R-760, establishing fees for the performance of the actions and reviews required by the Brookings Municipal Code, repealing the County Referral Fee.

Mayor Sherman called a break at 9:20pm and reconvened the meeting at 9:25pm.

Mayor Sherman reviewed her proposal requesting Council adopt Resolution 07-R-779, a resolution establishing a Sustainability Policy for the City of Brookings.

After much discussion it was decided to delay any decision on this issue until after the Council Goal's workshop.

Mayor Sherman reviewed her proposal to have the City adopt Resolution 07-R-880, a joint resolution with the City of Port Orford, generally calling for improved coordination between the County and both cities regarding planning issues in the urban growth area, and advised that Port Orford will be adopting the same resolution on the December 19th.

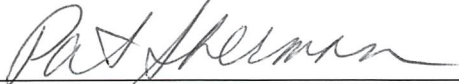
Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Resolution 07-R-880, the Joint Resolution of the Cities of Port Orford and Brookings, calling for improved coordination between the Cities and Curry County with respect to urbanization planning within the Cities' urban growth areas and authorize continued collaboration with

the City of Port Orford on this issue with the removal of the words after Urban Growth Boundary in item #1.

Adjournment

Councilor Willms moved, a second followed, and Council voted unanimously by voice vote to adjourn to a meeting of the Urban Renewal Agency at 10:08pm.

Respectfully submitted:



Pat Sherman
Mayor

ATTEST by City Recorder
this 15th day of January, 2008:



Joyce Heffington
Interim City Recorder