

**CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
March 28, 2005 7:00 p.m.**

I. Call to Order

Mayor Pat Sherman called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

Led by Brian Bullock

III. Roll Call

Council Present: Mayor Pat Sherman, Council President Larry Anderson, Councilors Frances Johns Kern, Craig Mickelson, and Dave Gordon, Ex Officio Councilor Wes Enos, a quorum present.

Council Absent: None

Staff Present:

City Manager Leroy Blodgett and Administrative Secretary Linda Barker

Media Present: Curry Coastal Pilot Reporter Brian Bullock

Other:

Approximately 60 other citizens

IV. Ceremonies/Appointments/Announcements

A. Ceremonies

1. Proclamation—Autism Awareness Month

David Wopschall, a 14-year old student accepted a proclamation declaring April to be Autism Awareness Month in Brookings. His mother, Lisa, addressed the Council and public saying she was so proud to live in Brookings where her son has been accepted for the individual he is. She added that autism is on the rise and there is local ongoing training in understanding autism spectrum disorders, the next being at the Chetco Community Public Library April 4. These sessions are open to anyone who wants to learn more about autism.

Cathy Russo Viola said not to discount adults that have autism. They are the NASA engineers, the Bill Gates of the world. Her company hires persons on the autism spectrum because they think out of the box. She concluded by saying it is important as a community that we recognize the unique way those with autism look at the world.

B. Appointments

1. *Appointment of Planning Commission Positions No. 4, 5 and 6*
Mayor Sherman recommended Jim Collis (Position No. 4) and Bruce Nishioka (Position No. 6) be reappointed to their seats on the Planning Commission. She also recommended that William (Ron) Hedenskog be appointed to Position No. 5 which became open with the resignation of Bob Gilmore.

Councilor Gordon moved, a second followed, and the Council voted unanimously to reappoint Jim Collis to Position No. 4 and Bruce Nishioka to Position No. 6; and to appoint William R (Ron) Hedenskog to Position No. 5 on the Planning Commission.

- C. *Announcements*
None

V. Oral Requests and Communications from the Audience

- A. *Committee and Liaison reports*

1. *Council Liaisons*

Ex Officio Councilor Enos said there will be an auction to raise money for Safe and Sober Night. It will be held in the high school gymnasium beginning at 6:00 p.m. He also said prom is one week from Saturday.

Councilor Mickelson attended the Parks and Recreation Commission workshop on the community center March 16 and the Chamber of Commerce's marketing meeting this morning.

Councilor Anderson attended the regular school board meeting.

Councilor Gordon also attended the Chamber's marketing meeting and also a Brookings-Harbor Youth Association board meeting. He missed another meeting of the Port of Brookings Harbor due to the Council's work/study session on the 21st.

Mayor Sherman attended the Parks and Recreation Commission workshop.

- B. *Unscheduled*
None

VI. Staff Reports

- A. *Community Development Department*

1. *Quitclaim Deeds for two (2) 5-foot strips adjacent to 828 Pioneer Road*

City Manager Blodgett said when a recently partitioned piece of property on Pioneer Road was surveyed it was discovered, through a series of deed errors, that a 5-foot wide strip on land adjacent to Pioneer Road remained in private ownership and a 5-foot wide strip

beyond this was in city ownership. The Planning Commission required deeds be prepared to give the 5-foot wide area nearest Pioneer Road to the City for right-of-way and another deed giving the 5-foot strip beyond this to the applicant. The deeds were prepared by the applicant's attorney.

Councilor Mickelson moved, a second followed, and the Council voted unanimously to accept the deed to a five-foot strip of property adjacent to Pioneer Road at 828 Pioneer Road and to authorize Mayor Sherman to sign a Quitclaim Deed transferring ownership to Melody Bond for a separate 5-foot wide piece of property also at 828 Pioneer Road.

B. City Manager

1. *Highway 101 Improvement Solutions*

City Manager Blodgett said ODOT representatives were present to answer Council questions on the alternatives for improvements to traffic on Highway 101. He said, because of the importance of the decision it should have some formality and recommended making a motion to direct staff to prepare a resolution in support of whatever alternative the Council chose. The resolution would then be prepared for consideration at the next Council meeting.

Mayor Sherman said the procedure for the meeting would be as follows: 1) Councilors would ask questions of ODOT representatives present, Matt Malone and Jeff Holthoff; 2) public comments would be taken with strict adherence to the five-minute time limit; 3) Council could again ask questions; 4) the public comment period would be closed; and 5) Council will deliberate and make a decision.

Councilor Gordon asked for clarification on costs for the different options. Malone said part of the matching funds for Alt. 5 could be offset by costs the city would incur in securing parking to replace that lost on Chetco Avenue.

Blodgett asked if the City gave right-of-way on Railroad Avenue to ODOT to construct Alt. 4, would that be part of the match. Malone answered in the negative saying that would give ODOT more roadways to maintain so this probably wouldn't be included as part of the matching funds.

Members of the public speaking on the subject were:

Marianne Runyon, PO Box 6537, Brookings, spoke in favor of Alt. 5.

Elliott Schwarz, PO Box 6667, Brookings, was concerned about either options because of the costs and other factors.

Cindi Beaman, PO Box 8002, Brookings, presented two letters in favor of the couplet idea, Alt. 4, and spoke in favor of the couplet.

Eldon Gossett, PO Box 144, Brookings, said he is in favor of the couplet design, preferring a town that has good traffic flow.

Dan Nachel, PO Box 1238, Brookings, wondered who is pushing for couplet. He favored Alt. 5.

Jeff Homes, 17350 Holmes Drive, Brookings, said he firmly rejects the couplet option saying the majority of people oppose the couplet. He also feels that Alt. 5 was designed to be rejected and that we need to go back to the drawing board.

Don Nuss Jr., 650 Mardon Court, Brookings, said he is against the couplet citing safety of school children crossing two highways instead on one.

John Babin, 517 Chetco Avenue, Brookings, spoke in favor of Alt. 4. He said eliminating parking (Alt. 5) in downtown has the real potential of destroying the character of downtown and the heart of Brookings.

Kencil Longcor, 407 Smith Drive, Brookings, said he queried his Smith Drive neighbors and only one would like the couplet. Two people in the area have sold their houses because of the possibility of the couplet.

Dom Petrucelli, 539 Cushing Court, asked why we needed to do something. Traffic counts conducted by him and others didn't come up with the numbers cited by ODOT. He did not think enough people had been contacted in the ODOT sponsored telephone survey about the options. He thinks the majority of citizens don't want a couplet.

Bev Nachel, 351 Spruce Drive, Brookings, said the couplet will not change the area for the better. She was concerned with safety for school children living on the west side of Railroad having to cross two highways to go to and from school.

Walt Thompson, PO Box 2066, Harbor, said to keep a viable business community the town needs to skip the couplet idea.

Stuart Ehrenreich, 97666 North Bank Chetco Road, Brookings, said an economic development plan should have been coupled with a modification of traffic flow. The two need to go hand in hand.

Pete Chasar, 935 Marina Heights Road, Brookings, a member of stakeholders committee wanted to clear up some misconceptions. He

said one misconception is that ODOT is pushing for the couplet and that is incorrect. He suggested if Alt. 5 is chosen to use concrete planters at curb edge to be a physical barrier between pedestrians and vehicles. He said the stakeholders committee was made up of people from all segments of the community and at their final meeting there was a large vote for Alt. 5. He asked the Council to go with the stakeholder's recommendation.

Don Nuss, 650 Mardon Court, Brookings, thanked Malone and Holthoff and ODOT for spending a lot of time and effort on the issue. As part of the stakeholders committee he said there was actual joy at end of the final meeting that they had made a decision and had asked the hard questions. He said Alt. 5 will not divide the community as Alt. 4 would.

Tim Patterson, PO Box 82, Brookings, said he had submitted letters that he said dispute many Alt. 5 proponents' comments. With the traffic count rising each year ODOT is attempting to plan ahead and prevent gridlock such as in Lincoln City. He said Alt. 5 is totally opposite of the pedestrian-friendly downtown that all studies in the past have indicated for the downtown area.

Nilesh Amin, PO Box 7000, Brookings, said if tourists do not see his business it will kill the business which he believes will happen if Alt. 4 is chosen. While stating Alt. 5 is not perfect he recommending picking it and figuring out parking.

Barbara Nysted 427 Buena Vista Loop, Brookings, said she outlined her feelings against the couplet in an email to the Council last month. She said "no build" was not an option and wondered why it was on the table; the couplet was not for the majority of the people and Alt. 5 could be made a lot more palatable. Maybe it should be back to the drawing board.

Stan Milstone, 206 Schooner Bay Drive, Brookings, said as he understood it, at the beginning of the meeting Mayor Sherman had said the decision would be made in a closed Council meeting and this is not the way it should be.

City Manager Blodgett explained the deliberations and vote would not be in a closed session, however, once everyone who wished to speak had done so, the meeting would be closed for additional public input.

The council took a short recess beginning at 8:20 p.m. The meeting reconvened at 8:27 p.m.

The meeting was closed to public input and the Council began deliberations. In answer to questions from Councilor Gordon, Malone

stated he did not remember ever having an estimate of \$30 million of any of the options. The \$16-20 million estimate had been pretty consistent for most of last year.

Councilor Mickelson was concerned about the cement dividers and if they would restrict left hand turn opportunities. Malone stated the median dividers would be for safety and to preserve the capacity of the left turn lanes. Malone also said U-turns would be restricted using Alt. 5.

Each of the Councilors expressed what a difficult decision they had before them. Councilor Anderson expressed the thought that the only consensus tonight was the rejection of the “no build” alternative.

Mayor Sherman read a suggested motion and there was discussion on some of the wording. Councilor Anderson said he liked the spirit of the wording but was uncertain about citing the Oregon Revised Statutes (ORS) when the Council has not had the opportunity to look at them. After council discussion the references to ORS was removed from the wording.

Councilor Anderson moved, a second followed, and following additional Council discussion on the motion, the Council voted 3-2 (voting for: Johns Kern, Councilors Anderson, and Mayor Sherman; voting against: Councilors Mickelson and Gordon) to request staff to prepare a resolution recommending Alternative 5 as the preferred alternative to the Brookings-Highway 101 Transportation Solution Project based on:

- **Public comments from the public comment period**
 - **Letters submitted by the public**
 - **Input from stakeholders**
 - **Input from Council meeting**
- and**
- **Maintaining local control of Railroad Avenue**
 - **Economic factors concerning Chetco Avenue businesses**
 - **Cost and likelihood that project will be completed**
 - **No displacement of people from their homes**
 - **Minimal disruption of neighborhoods from noise;**
- and further, the resolution should contain a strong recommendation to have a red/green traffic light installed in conjunction with the project either at Fern and Chetco or at the theater crossing to assure pedestrian safety as they cross between the municipal parking lot and businesses;**
- and further, resolution should contain a strong recommendation to divert the bike trail to Railroad Avenue and to fund the bike trail in conjunction with the project.**

2. *Vietnam Veterans of America, Chapter 757, request for funds for fireworks display*

Councilor Gordon said he is on the Board of Directors of the Vietnam Veterans organization but he does not directly profit from this association. Steve Dryden, Fireworks Chair, asked the Council for a \$1,000 donation or a \$750 donation with the City providing two port-a-potties for a three-day event to be held at the Port of Brookings Harbor over the 4th of July weekend.

Councilor Mickelson moved, a second followed, and the Council voted unanimously to donate \$750 to Vietnam Veterans of America, Chapter 757 and to provide two port-a-potties for the 4th of July celebration to be held for three days at the Port of Brookings Harbor.

3. *Commercial Property of the Month*

City Manager Blodgett gave details of a new segment of the Yard of the Month/Most Improved Property Program. At the March 14 meeting, the Council approved adding a commercial property segment to the popular program. There was discussion on who would be receiving the \$50 credit on their water/sewer bill, the property owner or the business owner, and what type signs would be used to honor the winners.

Councilor Anderson moved, a second followed, and the Council voted unanimously to adopt a commercial property segment as part of the Yard of the Month/Most Improved Property Program.

4. *Set dates for Brown and Caldwell public presentation on biosolids alternatives and next Council meeting*

City Manager Blodgett said Steve Wilson, Brown and Caldwell, is nearing completion of a report on biosolids and suggested a public presentation at the Chetco Community Public Library April 11 at 7:00 to 9:30 p.m. He asked the Council to set this date for the presentation and move the Council meeting regularly scheduled for that evening to April 12.

Councilor Gordon moved, a second followed, and the Council voted unanimously to schedule a public presentation on biosolids disposal alternatives at the Chetco Community Public Library April 11 beginning at 7:00 p.m. and to reschedule the first Council meeting in April to April 12, 7:00 p.m. in the Council Chambers of City Hall.

5. *Other*
None

VII. Consent Calendar

A. *Approval of Council Meeting Minutes*

1. *Minutes of March 14, 2005, regular Council meeting*
End Consent Calendar

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

VIII. Remarks from Mayor and Councilors

A. *Council*

Councilor Mickelson said the Planning Commission is looking at Tuesday April 19 as a date for a joint Council/Planning Commission work session. City Manager Blodgett said he received information on a training session in Canyonville on April 16. If some Planning Commissioners or Councilors went to it they could share it with the other members on the 19th.

Councilor Anderson commented that there seems to be a trend in construction projects not to order a dumpster until the job is finished and to allow the debris to pile up in front of buildings or storefronts. He asked staff to see if there is an ordinance that addresses storage of debris in front of a business.

- B. *Mayor*
None

X. Adjournment

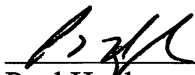
With no further business before it the Council adjourned the meeting at 9:30 p.m.

Respectfully submitted:



Pat Sherman
Mayor

ATTEST by City Recorder this 13 day of April, 2005.



Paul Hughes
Finance Director/City Recorder