

CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES

Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings Oregon
May 9, 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 Matt and Josh Magnuson.

III. Roll Call

Council Present: Mayor Pat Sherman, Council President Larry Anderson, Councilors Dave Gordon and Craig Mickelson, a quorum present.

Council Absent: None

Staff Present:

City Manager Leroy Blodgett

City Attorney John Trew

Police Chief Chris Wallace

Police Lt. John Bishop

Community Development Director Ed Wait

Administrative Assistant Donna Colby-Hanks

Media Present: Curry Coastal Pilot Reporter Brian Bullock

Other:

Approximately 35 citizens

IV. Ceremonies/Appointments/Announcements

A. Ceremonies

1. Proclamation – Child Care Provider Appreciation Day

Dawnel Magnuson and Kerri Giles accepted a proclamation declaring May 6, 2005 as Child Care Provider Appreciation Day. Magnuson and Giles explained the requirements of their profession and the satisfaction received from their work.

2. Presentation of Certificate of Appreciation to Dave Lentz, 10-Year Work Anniversary

City Manager Blodgett introduced Dave Lentz and Mayor Sherman presented a certificate of appreciation to him for 10 years of service.

3. *Presentation of Certificate of Appreciation to Cam Lynn, 25-Year Work Anniversary*
Police Chief Wallace introduced Cam Lynn and Mayor Sherman presented a certificate of appreciation to him for 25 years of service.

B. Announcements

1. *Yard of Month/Most Improved Property/ Commercial Property of Month*
Keith and Jill Chavez at 206 Cedar Street, received the award for Yard of the Month. David and Jessica Kovarik at 523 Railroad, were honored with the Most Improved Property award. Evergreen Federal Bank at 850 Chetco Avenue received the first Commercial Property award.

V. Oral Requests and Communications from the Audience

A. Committee and Liaison reports

1. *Chamber of Commerce*

Les Cohen gave a report on recent activities that included a strategic workshop, a marketing review and revisions meeting, and a Wild Rivers Coast Meeting for the Chamber of Commerce. Cohen reviewed the upcoming monthly forums.

2. *Council Liaisons*

Councilor Mickelson attended a budget meeting for CCD.

Councilor Gordon attended a marketing meeting for the Chamber of Commerce.

Councilor Anderson attended a Habitat for Humanity recognition dinner for the beginning of their first project.

B. Unscheduled

Linda Wassel, 714 5th Street, Brookings, read a letter regarding potential erosion concerns on her property. The letter was also submitted for the Planning Commission. Councilor Anderson asked if she had participated in the Planning Commission hearing for the subdivision from which the concerns arose. Wassel stated she had.

Don Nuss, 650 Mardon Ct., Brookings, questioned Councilors Gordon and Mickelson's involvement with the Chamber of Commerce. Mickelson stated he received no compensation from the Chamber and Gordon stated he resigned his position on the Chamber board prior to becoming a Councilor.

Yvonne Maitland, 15676 Oceanview Drive, Brookings, stated she had two concerns. The first being the LUBA remand of the Borax Project and the potential for road area to be calculated into the lot size area. City Manager Blodgett explained his conversation with County Counsel Herbage regarding

lot sizes and road areas. Maitland reiterated her concern with steep slopes and possible landslides in the Harbor Hills area. She felt this land was unsuitable for building on.

Barbara Nysted, 427 Buena Vista Loop, Brookings, questioned the financing of the Hwy 101 Solution and where the City of Brookings would obtain their share of matching funds. City Manager Blodgett explained there was no plan to use Urban Renewal Funds for the highway. Nysted said she attended the Hwy 101 Solutions Work Session and felt Mayor Sherman's presentation at that session should be presented in a public forum.

Keith Smith, 99590 North Bank Chetco River Road, briefed the Council on the application of bio-solids on his ranch. He requested the City remove their items from his property.

VI. Staff Reports

A. *Community Development Department*

1. *Generator Project Bid*

Community Development Director Ed Wait reviewed the staff report for the generator project bid. The Council discussed the details of the proposed site plan.

Councilor Anderson moved, a second followed, and the Council voted unanimously to approve advertising and taking the generator project to bid.

2. *Parkview Deferred Improvement Agreements*

Community Development Director Ed Wait reviewed the staff report regarding Deferred Improvement Agreements (DIA) on Parkview Drive. The Council discussed the procedure for calling in DIAs and annexations, septic systems and their ages, locations of existing sidewalks, and this decision setting a precedent for future DIAs. The Council agreed this decision would not limit the Council to further discussion on DIAs and suggested staff develop a plan for other DIAs to be called in.

Bob Covey, 16987 Parkview Drive, Brookings, felt a decision needs to be made and the best time to install sewer lines would be prior to sidewalk and street work.

Jeff Holmes, 17350 Holmes Drive, Brookings, felt a patchwork of sidewalks creates a hazard.

Barbara Nysted, 427 Buena Vista Loop, Brookings, questioned the procedure for older neighborhoods without DIAs to receive improvements. City Manager Blodgett explained a vote was needed to form a local Improvement District; however, it was a separate issue.

Councilor Anderson moved, a second followed, and the Council voted unanimously to accept the three recommendations from the staff report to call in annexations and DIAs on Parkview Drive.

B. City Manager

1. Burn Barrels/Open Burning Limitations

City Manager Blodgett reviewed the staff report and burning permit requirements.

David Leigh, 630 Pioneer Road, Brookings, felt current burning was done within the guidelines of the law and there were more important issues to be resolved.

Mary Coston, 231 Wharf Street, Brookings, stated she only burnt paper and plant trimmings and felt law abiding citizens shouldn't be penalized.

Jim Benson, 315 Memory Lane, Brookings, questioned if the ban would include items being burnt on beaches and in fireplaces.

Barbara Nysted, 427 Buena Vista Loop, Brookings, felt homes are to close together to allow burning without causing health problems.

Don Nuss, 650 Mardon Court, Brookings, felt it would be more responsible to discuss solutions prior to discontinuing the practice.

Barbara Warthen, 1323 Ransom Avenue, Brookings, stated she burns once a month in the winter and would like to continue. She felt only a few citizens were experiencing problems.

Jeff Holmes, 17350 Holmes Drive, Brookings, explained he open burns excessive vegetation once a year, takes precautions, and to have burning banned would create a hardship for him.

Sally Laasch, P.O. Box 7816, Brookings, stated that her neighbors burn and it doesn't cause a problem.

Tom Coston, 231 Wharf Street, Brookings, was concerned with the price of dumpsters rising if the ban were implemented prior to alternatives being sought. He discussed composting of yard waste.

The Council deliberated on public input given, health concerns, hardships, and different solutions for the problem.

Councilor Mickelson moved, a second followed, and the Council voted unanimously to eliminate burn barrels within the city but to allow Class B open burning.

2. *Mill Beach Camping*

City Manager Blodgett reviewed the staff report regarding camping at Mill Beach. Blodgett explained the City doesn't have authority over the beach without the adoption of an ordinance; the beach below the vegetation line is under the jurisdiction of the State of Oregon. He advised the access road to the area was owned by South Coast Lumber.

Police Chief Wallace stated he had spoken with South Coast Lumber and the City Police were to enforce the "No Trespassing" signs recently put up once a request is made by the property owner. He discussed other occurring crimes that were not related to the access issue.

Council discussed ideas for improving access and projects for the parks and beaches located within the city limits. One of the long term goals was to complete a trail from Chetco Point to Mill Beach. Council requested Staff proceed with the development of an ordinance similar to those adopted by other coastal communities.

Jim Benson, 315 Memory Lane, Brookings, questioned what beaches would be covered by the ordinance and was advised it would cover all within the city limits.

3. *Special Election Requirements for Highway 101 Solution*

City Manager Blodgett reviewed the staff report regarding the procedure to bring the Hwy 101 Solution to a vote of the citizens.

Councilor Anderson moved, a second followed, and the Council voted unanimously to accept Resolution 05-R-739, A Resolution of the City of Brookings instructing City Staff to prepare documents for a public vote on the Highway 101 Improvement Solution.

VII. Consent Calendar

A. *Approval of Council Meeting Minutes*

1. *Minutes of April 25, 2005, regular Council meeting*

B. *Acceptance of Parks and Recreation Commission Meeting Minutes*

1. *Minutes of March 31, 2005, regular meeting*

C. *Acceptance of Planning Commission Meeting Minutes*

1. *Minutes of April 5, 2005, regular meeting*

D. *Approval of vouchers for the month of April, 2005, (\$609,044.95)*

Councilor Mickelson moved, a second followed and the Council voted unanimously (Councilor Gordon abstained due to being absent from April 25, 2005 City Council Meeting) to approve the consent calendar as published.

VIII. Ordinances/Resolutions/Final Orders

A. *Resolutions*

1. *05-R-738 A Resolution in the matter of approving rates for sanitation services to be charged by Curry Transfer and Recycling to customers in the City of Brookings.*

City Manager Blodgett reviewed the resolution regarding the sanitation service rates for Curry Transfer and Recycling within the Brookings City Limits.

Pete Smart, CTR, stated the rate increase was 1.6%, approximately one half the rate of inflation.

Councilor Mickelson moved, a second followed and the Council voted unanimously to approve Resolution 05-R-738, In the Matter of approving rates for sanitation services to be charged by Curry Transfer and Recycling to customers in the City of Brookings to become effective July 1, 2005.

2. *05-R-739 A Resolution of the City of Brookings in the matter of Highway 101 Improvement Solution to be determined by public vote.* City Manager stated this Resolution had been approved earlier in the meeting.

IX. Remarks from Mayor and Councilors

Don Nuss, 650 Mardon Court, Brookings, stated he would like to follow the process for developing the information to be placed on the ballot for the Hwy 101 Solution.

Jeff Holmes, 17350 Holmes Drive, Brookings, felt the ballot should contain the no build option along with Alternative 4 and 5.

There was additional discussion on what Alternatives would be placed on the ballot with the Council agreeing the approved Resolution addressed Alternative 4 and 5.

There were no further comments from the Council or Mayor.

X. Adjournment

The meeting was adjourned at 9:33 p.m. by Mayor Sherman.

Respectfully submitted:



Pat Sherman
Mayor

ATTEST by City Recorder this 24 day of May, 2005.



Paul Hughes

Finance Director/City Recorder