

**CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
August 12, 2002 7:00 p.m.**

I. CALL TO ORDER

Mayor Bob Hagbom called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

Led by Linda Barker

III. ROLL CALL

Council Present: Mayor Bob Hagbom, Council President Larry Curry, Councilors Frances Johns Kern, Lorraine Kuhn, and Rick Dentino, a quorum present.

Council Absent: none

Staff Present:

City Manager Leroy Blodgett, City Attorney John Trew, City Planner John Bischoff, Special Projects Assistant Jeremy McVeety, and Administrative Secretary Linda Barker

Media Present: Curry Coastal Pilot Editor Scott Graves

Approximately 60 citizens were present

IV. CEREMONIES/APPOINTMENTS ANNOUNCEMENTS

A. Announcements

1. Yard of the Month/Most Improved Property of the Month

Mayor Hagbom announced that the Yard of the Month for August is located at 909 Timberline Drive, owned by Todd and Beverly Rigby. Sergio and Francisca Salas of 609 Hassett Street are recipients of the Most Improved Property of the Month for August.

V. PUBLIC HEARING

A. In the matter of ANX-2-02, an application for annexation into the city of a ±553 acre parcel of land consisting of two complete tax lots and a portion of a third tax lot and approximately 11,680 feet of Highway 101 right-of-way from the northerly city limits to the north boundary of the subject property; U. S. Borax Corp., applicant; Martha Stiven, Western Advocates, Inc., representative.

Mayor Hagbom opened the quasi-judicial public hearing at 7:05 p.m. No Councilor declared bias, conflict of interest, or ex parte contact. Councilor Dentino and Mayor Hagbom declared they had attended a presentation made by Borax representatives at the Chamber of Commerce Forum July 11.

Mayor Hagbom asked the audience if there was any objection to the jurisdiction of the Council to hear this request. Cathryn Wiley, 96374 Duley Creek Road, cited a November 4, 2001, Curry Coast Pilot article quoting Mayor Hagbom that his campaign financial statement proves that he has the support of the community and not of outside interests and would be staying away from anyone connected with the Urban Growth Boundary, however she had copies and distributed Councilor Curry's and Mayor Hagbom's Cash Contributions/Loans Received Report for the general election of 2000 showing Hagbom and Curry received contributions from U. S. Borax, and Western Advocates, Inc., Burton Weast. City Attorney John Trew advised the statement and submissions did not take away the jurisdiction of this Council to hear this matter and to proceed.

John Trew read the hearing procedures into the record. City Planner John Bischoff gave the staff report noting both staff and the Planning Commission recommended approval of the application. Questions from the Council to Planner Bischoff centered on what effect the annexation may have on water to existing uses. City Manager Blodgett said that the water management study recently completed for the area considered more houses than Borax is proposing and that additional water from wells on the Borax property were not considered in water source figures.

Dennis Boyle, U. S. Borax Land Manager, introduced members of his presenting team: Burton Weast, Western Advocates, Inc.; Ginc Emre, OTAK (engineers on project); Al Johnson, Johnson and Sheraton, Land Use Attorneys; Marty Stiven, Western Advocates, Inc.; and Kurt Kruger, civil engineer with OTAK.

After the applicant's presentation, questions from the Council centered on Highway 101 access and time projections for the project to begin if annexation is approved. No representative of the Planning Commission was present at the meeting.

Proponents speaking for the application were: Pat Sherman, 303 Truman Lane; David Itzen, 15629 Pedrioli Drive; Mike Gaudett, SWOCC, 1988 Newmark, Coos Bay; and Peggy Goergen, 1227 Collis Lane.

Speaking in Opposition of the proposal were: Augie Kofoet, 787 Ransom Avenue; Mike Smith, Rainbow Rock Service Association, Box 100, Brookings; Cathryn Wiley, 96437 Duley Creek Road; Phyllis Cottingham, 1307 English Court; Yvonne Maitland, 15676 Oceanview Drive; and Pete Chasar, 935 Marina Heights Road. Speakers had concerns over water impacts, designation of a public open space zone for private lands, costs to taxpayers, and fish in streams on the property.

There was no testimony from interested parties or representatives of public agencies.

There were no responses when Mayor Hagbom asked if any participant wished to hold the record open in order to submit additional written argument. At 9:32 p.m. the public hearing was closed. The applicant waived an additional seven days to submit written argument.

Councilor Dentino moved, it was seconded, and the Council voted unanimously to approve Planning Commission File No. ANX-2-02, in the matter of a request for annexation of a 553± acre parcel of land and the adjoining Highway 101 frontage including 1,600± feet of Highway 101 between the existing city limits and the subject property and rezoning the parcel P/OS (Public Open Space) on that certain property described within, U. S. Borax, applicant.

Councilor Dentino moved, it was seconded, and the Council voted unanimously to approve the Final ORDER and Findings of Fact for ANX-2-02.

City Manager Blodgett read in its entirety, Ordinance No. 02-O-549, an ordinance amending the city limits and zoning map of the City of Brookings by annexing a 553± acre parcel of land and the adjoining Highway 101 frontage including 1,600± feet of Highway 101 between the existing city limits and the subject property and rezoning the parcel P/OS (Public Open Space) on that certain property described within.

Councilor Dentino moved, it was seconded and the Council voted unanimously to have the second reading of Ordinance No. 02-O-549 by title only.

City Manager Blodgett read Ordinance No. 02-O-549 by title only.

Councilor Dentino moved, it was seconded and the Council voted unanimously to adopt Ordinance 02-O-549.

The meeting was recessed at 9:50 p.m. until 10:00 p.m.

- B. In the matter of ANX-3-02, an application for annexation into the city of a 1.51 acre parcel of land located on the east side of Parkview Drive approximately 800 feet north of Hampton Drive; Assessor's Map No. 41-13-31 CB Tax Lot 1200; John Zia, applicant; Jim Capp, representative.

Mayor Hagbom opened the public hearing on ANX-3-02 at 10:00 p.m. No Council member declared personal bias or an active or potential conflict of interest. No Council member declared ex parte contact. There were no objections to the jurisdiction of the Council to hear this application. City Attorney Trew reviewed hearing procedures.

City Planner Bischoff gave the staff report and reported staff's and the Planning Commission's recommendation to approve this annexation.

The applicant's representative, Jim Capp, PO Box 2937, Harbor Oregon, gave his presentation.

No one spoke as a proponent, opponent, interested party or public agency on this application.

The hearing was closed to public participation and open to Council discussion at 10:25 p.m. The applicant waived an additional seven days in which to submit additional written testimony.

Councilor Kuhn moved, it was seconded, and the Council voted unanimously to approve Planning Commission File No. ANX-3-02, an application for annexation into the city of an 1.51 acre parcel of land located on the east side of Parkview Drive 800 feet north of Hampton Lane.

Councilor Dentino moved, it was seconded and the Council voted unanimously to approve the Final ORDER and Findings of Fact for ANX-3-02.

City Manager Blodgett read in its entirety, Ordinance 02-O-550, an ordinance amending the city limits and zoning map of the City of Brookings by annexing a 1.51 acre parcel of land and rezoning the parcel R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) on that certain property described within.

Councilor Dentino moved, it was seconded and the Council voted unanimously to have the second reading of Ordinance No. 02-O-550 by title only.

City Manager Blodgett read Ordinance No. 02-O-550 by title only.

Councilor Kuhn moved, it was seconded and the Council voted unanimously to adopt Ordinance NO. 02-O-550.

- B. In the matter of approving an Urban Renewal Plan, titled the Brookings Urban Renewal Plan.

At 10:32 p.m., Mayor Hagbom opened the public hearing in the matter of an Ordinance of the City of Brookings approving the Urban Renewal Plan and directing that notice of approval be published. No Councilor declared ex parte contact, personal bias or personal interest, or a potential or actual conflict of interest. No member of the public challenged the Council's jurisdiction to hear the matter.

City Manager Blodgett gave the staff report, recommending approval of the Urban Renewal Plan. Charles Kupper, author of the Renewal Plan and Report summarized the process of formulating the urban renewal district and plan. All state requirements were followed allowing the public hearing to be held.

Dan Nachel, PO Box 1238, Brookings, stated he would like to have seen area business people on the agency board. City Manager Blodgett advised that the Downtown Development Committee, which is composed of five local business people, would be continued as an advisory committee to the agency.

Earl Upton, PO Box 844, Smith River California, a property owner on Ransom Avenue, asked if the Urban Renewal District would increase property values downtown and hoped that public improvements would lead private improvements to happen.

There were no opponents, interested parties or public agencies speaking on this matter.

The hearing was closed to public participation and open to Council discussion at 10:50 p.m.

City Manager Blodgett read Ordinance No. 02-O-551 in its entirety.

Councilor Kuhn moved, it was seconded and the Council voted unanimously to have the second reading of Ordinance NO. 02-O-551 by title only.

City Manager Blodgett read Ordinance No. 02-O-551 by title only.

Councilor Kuhn moved, it was seconded and the Council voted unanimously to adopt Ordinance No. 02-O-551, approving the Urban Renewal Plan and directing that notice of approval be published.

VI. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

- A. Committee and Liaison reports
 - 1. Chamber of Commerce-None
 - 2. Council Liaisons-None
- B. Unscheduled-None

VII. STAFF REPORTS

- A. Police Department
 - 1. Approval of School Resource Officer agreement with Brookings-Harbor School District 17C

City Manager Blodgett gave the staff report and recommended approval of an agreement between the City of Brookings and Brookings-Harbor School District 17C for a School Resource Office for School Year 2002-2003.

Councilor Johns Kern moved, it was seconded and the Council voted unanimously to authorize Mayor Hagbom to sign the agreement between the Brookings-Harbor School District 17C and the City of Brookings for a School Resource Officer for School Year 2002-2003.

VIII. CONSENT

- A. Approval of Council Meeting Minutes
 - 1. Minutes of July 8, 2002, Regular Council Meeting
 - 2. Minutes of July 22, 2002, Regular Council Meeting
 - 3. Minutes of July 29, 2002, Special Council Meeting
- B. Acceptance of Parks and Recreation Commission Minutes
 - 1. Minutes of June 27, 2002, Regular Commission Meeting
- C. Acceptance of Planning Commission Minutes
 - 1. Minutes of June 4, 2002, Regular Commission Meeting
 - 2. Minutes of July 2, 2002, Regular Commission Meeting
- D. Approval of Vouchers (\$239,068.02)
(end Consent Calendar)

Councilor Dentino moved, it was seconded and the Council voted 4-0 (voting for: Councilors Curry, Johns Kern, Dentino and Mayor Hagbom; Councilor Kuhn abstaining as she was not at the July 8, 2002, meeting) to approve the Consent Calendar as printed.

IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
 - 1. In the matter of Ordinance 02-O-549, an ordinance amending the city limits and zoning map of the City of Brookings by annexing a 553± acre parcel of land and the adjoining Highway 101 frontage including 1,600± feet of Highway 101 between the existing city limits and the subject property and rezoning the parcel P/OS (Public Open Space).

This Ordinance was considered and adopted after the public hearing held earlier in the meeting.

- 2. In the matter of Ordinance 02-O-550, an ordinance amending the city limits and zoning map of the City of Brookings by annexing a 1.51 acre parcel of and rezoning the parcel R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

This Ordinance was considered and adopted after the public hearing held earlier in the meeting.

3. In the matter of Ordinance 02-O-551, an ordinance of the City of Brookings approving the Urban Renewal Plan and directing that a notice of approval be published.

This Ordinance was considered and adopted after the public hearing held earlier in the meeting.

B. Final Orders

1. Final ORDER and Findings of Fact for ANX-2-03

This Final ORDER and Findings of Fact was considered and approved after the public hearing held earlier in the meeting.

2. Final ORDER and Findings of Fact for ANX-3-03

This Final ORDER and Findings of Fact was considered and approved after the public hearing held earlier in the meeting.

XII. ADJOURNMENT


With no further business before it, the Council adjourned the meeting at 11:00 p.m.

Respectfully submitted:



Bob Hagbom
Mayor

ATTEST by City Recorder this 29 day of August, 2002.



Paul Hughes
Finance Director/City Recorder