

**CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
February 11, 2002
7:00 p.m.**

I. CALL TO ORDER

Mayor Bob Hagbom called the meeting to order at 7:03 p.m.

II. PLEDGE OF ALLEGIANCE

Led by Prior Mayor Tom Davis

III. ROLL CALL

Council Present: Mayor Bob Hagbom, Council President Larry Curry, Councilors Frances Johns, Lorraine Kuhn, Rick Dentino, and Ex-Officio Student Councilor Noël Connelly, a quorum present.

Council Absent: none

Staff Present: City Manager Leroy Blodgett, City Attorney John Trew, Police Lt. John Bishop, City Planner John Bischoff, Special Projects Assistant Jeremy McVeety, and Administrative Secretary Sharon Ridens

Media Present: Editor Scott Graves Curry Coastal Pilot

Other: Planning Commission Chair Richard Gyuro, Parks & Recreation Chair Craig Mickelson and member Bill Boynton, American Music Festival Board Representative Ann Bogner, and approximately 39 other citizens

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

A. Appointments

1. Planning Commission/Position #4 – 4 year term expiring April 1, 2004 (effective February 11, 2002)

Mayor Hagbom reviewed the requirements for appointments to the Planning Commission and briefly reviewed the names and qualifications of the applicants: Rex Atwell, Ernest Cofrances, Tom Davis, Desmond Robinson. Hagbom recommended Council appoint Tom Davis.

Councilor Dentino moved, Councilor Kuhn seconded and the Council voted unanimously to appoint Tom Davis to the Planning Commission/Position No. 4 to complete a four year term expiring April 1, 2004, effective February 11, 2002.

B. Announcements

1. Resignation of Jim Collis from Planning Commission
Mayor Hagbom announced with regrets the acceptance of Planning Commission Member Jim Collis' resignation.
2. Mayor's Liaison appointments
Mayor Hagbom presented a revised Council Liaison Appointments List for Council's review, noting a few changes.

Councilor Johns moved, Councilor Kuhn seconded, and the Council voted unanimously to approve the Mayor's Liaison Appointments as presented in the Council packet.

List was provided in Council packet. A new list with the appointments from tonight's Council meeting and the future Planning Commission changes will be provided at a later date.

Mayor Hagbom asked Council to select Councilor Curry as Council President.

Councilor Johns moved, Councilor Dentino seconded, and the Council voted unanimously to approve Larry Curry as Council President.

V. **PUBLIC HEARING**

- A. In the matter of Planning Commission File No. APP-3-01, an appeal of the Planning Commission's approval of a subdivision dividing a 2.09-acre parcel into 11 lots ranging in size from 7,509 to 7,746 sq. ft., located in the southeast corner of the east/west alignment and the north/south alignment of Dawson Rd.; Walter Battaglia, appellant.

February 8, 2002, letters received after Council packets were prepared was handed out to Mayor, Councilors, Staff and Media. Copies are included for purposes of these minutes. Mayor Hagbom asked City Attorney John Trew to explain and review letter and status of public hearing as scheduled. Trew stated applicants Purdy had withdrawn their application to subdivide tax lot 5000. Therefore, appellant Battaglia's appeal is moot at this time. Any re-application will be processed as a new application and handled accordingly through the standard procedures, via the Planning Commission.

VI. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

- A. Committee and Liaison reports
 - 1. Chamber of Commerce
 - There was no report.
 - 2. Planning Commission
 - a. Annual Report – Chair Richard Gyuro
Planning Commission Chair Richard Gyuro presented the commission's annual report, which included information on their 36 actions at 10 regular commission meetings during 2001. The Commission made seven recommendations to Council as follows:
 - Immediate replacement of the Council Chamber sound system.
The present malfunctioning audio arrangement is an embarrassment to the City. The City has provided TV coverage of Planning and Council meetings in the noble hope that more citizens will become involved or interested in City decisions. Reports from the home audience indicate that audio reception is so poor in many cases that the viewer turns off the set, nullifying any potential benefit. The squeals and howls of the antiquated system are also a distraction to the live participants at the meetings.
 - Continuation of regularly scheduled meetings between the City Council and Planning Commission. While the Planning Commission makes its decisions based on existing ordinances and land development code, an ongoing dialogue helps the Planning Commission members see the overall direction in which the City is moving regarding land development issues.
 - Dialogue (or at least information sharing) should be encouraged between the Planning Commission and Parks and Recreation Commission regarding issues such as park parcels

donations or potential creation.

- DIA's (Deferred Improvement Agreements) - This issue puts the City Council squarely in the hot seat. The delay of street improvements has resulted in some areas having checkerboard sidewalks, property owners unhappy with the prospect of having to pay for improvements unbudgeted by them, and some developers left with the perception of favoritism towards several land developers. The need to call in existing DIAs has led to a state of "paralysis" by the City since at least 1991, when DIAs were first granted. The host of problems is almost too long to enumerate. On top of this, the present ordinance, 172.070, does not allow for a complete prohibition of DIAs as suggested by some. The City Council and Planning Commission have scheduled a series of meetings regarding this. The Planning Commission's expectation is that a cohesive, reasonable (financially palatable) solution will at last be found in 2002. The solution will not please everyone; the City Council, we believe, would gain the admiration of its citizens by finally deciding on an effective solution to this irritant.
 - Dawson Tract and the "S" curve - Using 20/20 hindsight, Dawson Tract probably could have planned better with more open space (a park, for instance). Land was donated at one time for a park, but it was given back to a developer by a former City manager. Citizens complaints include lack of such a park and they are particularly vocal about the limited and potentially dangerous access off highway 101. Once again, the Planning Commissioners expect that the City Council, ODOT, Dawson Tract residents and the Planning Commission will find a viable solution to the untenable situation. It is the opinion of some Planning Commissioners that the City Council is underestimating the concerns of its' constituents in this matter.
 - Staff Follow up and enforcement of land development codes - Better post Planning Commission decision follow up of conditions levied by staff would lead to a more improved perception of the City's determination to enforce the code.
- Ending on a positive note, the Planning Commission thanked the City Council for providing funding for necessary training of Planning Commission members. Gyuro stated legislation continuously changes in land use, and it is nice to know that

ongoing training is available.

3. Parks and Recreation Commission

a. Annual Report – Chair Craig Mickelson

Parks and Recreation Commission Chair Craig Mickelson provided an overview of the Commission's activities during the year 2001. The past year was very busy for the Commission with some projects completed and others still in progress. They had several personnel changes on the Commission with the resignation of Nancy Shute and Russ Fritz who moved over to the Planning Commission. The Council appointed Bill Boynton and Tony Parrish to serve on the Commission and Linda Barker, city staff, to take over the duties of Secretary. Mickelson stated Linda has been with them since October and has made a major contribution to their effectiveness. Mickelson was selected to be Chair for 2002 and Tony Parrish will serve as Vice-Chair. Additionally, Brookings-Harbor High School student Lisa Nowlin is back as their student ex-officio member. She served on the Commission during the 2000-2001 school year. They continue to have Commissioners represent different parks and activities and report to the entire Commission at each meeting. Chair Mickelson gave credit for the past year's success to all the volunteers that help with the parks and run the many recreation programs for citizens of our community. "They really care." He then proceeded with a "glimpse" of the activities by each park (Azalea, Easy Manor, Chetco Point, Bud Cross, and Skate Park) during the year, and concluded the Parks and Recreation Commission is moving along at a rapid pace with a new Master Plan under way, being conducted by the University of Oregon. The study will provide the Commission with needed direction for the future development of programs and facilities that will fit the needs of everyone in the community.

City Manager Blodgett thanked the Commission for taking a more active part in handling their duties, which is indicated in their successful Annual Report.

4. Council Liaisons

Student Ex-Officio Councilor Connelly reported on activities at the high school, which included Valentines Day happenings, and that the Leadership Class would be happy to help with the Parks and Recreation Commission's park clean-up activities.

Councilor Dentino stated he attended the Business Outlook Conference put on by the Chamber of Commerce, the Community Agencies meeting, and will attend the Harbor Sanitation meeting.

Councilor Johns also attended the Business Outlook Conference and Community Agencies meeting, along with a special 17C School District meeting called due to her obligations with the District's Overview Committee. She also attended the Skate Park Committee meeting and the Parks and Recreation Commission meeting.

Councilor Kuhn provided Council with a closing report from the Brookings Birthday Committee, of which she was Chair. A copy is included in these minutes. She stated it had been a pleasure serving on the committee and felt it had been a great success. After all the bills had been paid and thank you notes written, there were funds left over. She proceeded to present Ann Bogner, American Music Festival Board Member, with a check in the amount of \$1,134.76, from those remaining funds, and offered it as a donation toward the AMF 2002 Free Sunday in the Park Summer Concerts. Kuhn concluded by thanking all the volunteers involved with the Birthday Committee and the entire weekend. Councilor Kuhn also attended the recent Planning Commission.

Councilor Curry attended the Business Outlook Conference and the Community Agencies meeting. He thanked the newspaper for their coverage on the committee and its purposes. Curry attended Crime Stoppers, a very active organization and very beneficial to the citizens of Brookings. He noted the need for contributions to the organization so they can maintain the funds used to combat crime.

- a. Southwestern Oregon Community Action Council – Annual Report/
Councilor Kuhn
Councilor Kuhn has withdrawn from this Council.
- b. 50th Birthday Committee Final Report
Councilor Kuhn provided a report per above.

B. **Unscheduled**

Citizen Don Nuss of 808 Pioneer, Brookings repeated his request to Council for accountability from the Chamber of Commerce. He repeated his same requests and

stated the Mayor Hagbom is currently being investigated for elections violations and that City Manager Blodgett dropped the ball and did not do his job of protecting the tax payers in having full disclosure of the dollars being spent by the Chamber. He continued by stating he would be going to the Curry County District Attorney and the State Attorney General for action, because “the foxes have guarded the chicken coupe far too long...”

VII. STAFF REPORTS

A. City Manager

1. Adoption of City Council Goals

City Manager Blodgett reviewed the staff report and reported on the successful work-session, which included for the first time the Council, City Department Heads, and representatives from all the Commissions. The following were the final goals recommended by consensus from the very participatory and productive process. Staff recommended approval of the goals so as to provide them direction in budget preparation and project schedules.

- Complete preliminary design, select site location(s), and identify fund sources for
 - Community Center & Covered Swimming Pool
 - City Hall
 - Fire Hall
- Downtown Revitalization/Couplet
 - Complete Master Plan
 - Support & begin implementation of the Master Plan
 - Lobby to have Phase II of the couplet on the STIP
- Parks
 - Complete new concession stand/restrooms at Azalea Park
 - Remodel or improve all park restrooms
 - Complete Parks Master Plan
 - Upgrade all Play Equipment
 - Fund Recreation Programs
- Public Works Shop
 - Begin Construction Phase
- Water
 - Begin Implementation of the Water Management Plan
 - Secure funding for increased water storage and system upgrade
- Wastewater
 - Reduce Infiltration & Inflow

- Complete engineering study for Dawson/Carpenterville Roads & Highway 101
- Improve Cable TV Service
- Explore the possibility of a second bridge on Chetco River for Emergency Preparedness

Councilor Dentino moved, Councilor Johns seconded, and the Council voted unanimously to approve the Fiscal Year 2002-2003 Council Goals as presented.

2. New City Attorney Fee Agreement, effective July 1, 2002
City Manager Blodgett reviewed the changes presented by City Attorney Trew regarding his fee agreement as presented by letter in the Council packet. Staff recommended Council approve.

Councilor Johns moved, Councilor Kuhn seconded and the Council voted unanimously to approve the fee agreement proposed by the City Attorney, effective July 1, 2002.

3. Request from Curry County Juvenile Department regarding Juvenile Accountability Incentive Block Grant Program
City Manager Blodgett advised Council he had met with Curry County's Interim Juvenile Department Director Terry Yantis regarding the Juvenile Accountability Incentive Block Grant Program. Blodgett asked Council, as in the past, to waive the funds (\$2,149) to the county jurisdiction allowed by the grant, because our city does not have such a program.

Councilor Dentino moved, Councilor Johns seconded, and the Council voted unanimously to have staff write a letter to the Criminal Justice Services Division to waive to Curry County the \$2,149 funds allowed for our jurisdiction.

4. Other
Blodgett updated Council on the Downtown Development Committee's activities, stating March 6 through 9, 2002, would be Immersion Week as outlined by RBF's Urban Design Studios proposal for the Town Center Master Plan, which will include a Community Design Workshop at the Chetco Library on March 9 for approximately 4 to 6 hours in the morning.

VIII. CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
 - 1. Minutes of January 28, 2002, Regular Council Meeting
 - B. Acceptance of Planning Commission Minutes
 - 1. Minutes of December 4, 2001, Regular Commission Meeting
 - C. Approval of Vouchers (\$147,856.05)
- (end Consent Calendar)

Councilor Johns moved, Councilor Kuhn seconded, and the Council voted unanimously to approve the consent calendar as presented.

IX. REMARKS FROM MAYOR AND COUNCILORS

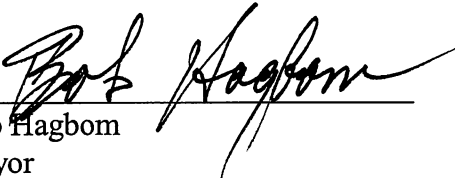
- A. Council
There were no additional comments by Council.

- B. Mayor
Mayor Hagbom discussed recent requests for Council members to be present on behalf of the City at "special organization" meetings. However, he has informed those organizations that anything relative to the City of Brookings is to be conducted in the Council Chambers at a Council meeting so that all Council, public, and media can discuss and be informed first hand.

XII. ADJOURNMENT

Mayor and Council by unanimous verbal decision adjourned the Council meeting at 7:47 p.m.

Respectfully submitted:



Bob Hagbom
Mayor

ATTEST by City Recorder this 28 day of February, 2002.



Paul Hughes
Finance Director/City Recorder

WALTER L BATTAGLIA
17304 Blueberry Drive ♦ Brookings, OR 97415-9717
(541) 469-3593 ♦ e-mail: calxsoft@harborside.com

*Handed out
@ 2/11/02
cc: mtg*

Brookings City Council
City of Brookings
898 Elk Drive
Brookings, OR 97415

RECEIVED
FEB 8 2002

February 8, 2002

ATTN: John Bischoff, Planning Director

RE: APPEAL OF PLANNING COMMISSION CASE # 1998-001
COMMUNITY DEVELOPMENT

To the City Council:

I have been informed that Douglas and Emily Purdy have withdrawn the application to subdivide tax lot 5000.

Since the application is withdrawn, my appeal of the Planning Commission's decision is moot at this time.

I recommend the City Council notice the withdrawal of application, and instruct the Planning Department to take no action on it.

Assuming the City Council affirms the foregoing disposition of this case, I concur, and plan to take no further action on the matter.

I thank the Purdys for withdrawing the application, and the Planning Commission, the City Council and the Planning Director for their interest and efforts in bringing this matter to an agreeable conclusion.

Yours truly,

Walter L Battaglia
Walter L. Battaglia
Consultant

cc:

P.O. BOX 172
OPHIR, OR.
97464

February 8, 2002

RECEIVED
FEB 8 2002

City of Brookings
898 Elk Drive,
Brookings, OR.
97415

Attn: Mr. John C. Bischoff

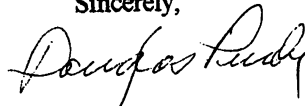
CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

Ref: SUB-6-01
Tax Lot #5000

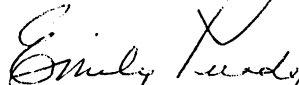
This will confirm our telephone conversation of yesterday that we agree to the cancellation of the City Council Meeting scheduled for February 11, 2002.

These plans are being withdrawn based on an error in judgement made by the city. Resubmission will be made as outlined by you.

Sincerely,



DOUGLAS L. PURDY



EMILY PURDY

*Handed out
@ 9/11/00
at mtg.*

BROOKINGS BIRTHDAY COMMITTEE CLOSING REPORT

The party is over for the time. Celebration of the City of Brookings "50th" Birthday was in my view a great success. Fun was had by all. The celebration was kicked off in Ray's parking lot with a sock hop on Friday evening. Then onto the Port of Brookings Harbor on Saturday, with Curry Cruisers and KURY Radio providing the entertainment. The finally in Azalea Park on Sunday where we all had the pleasure of listening to the Marine Corp Band out of Camp Pendleton.

Our major fundraiser was a dinner at the Elks the Dinner Committee was comprised of Joyce Reynolds, Andy Drago, Fred Pate, Mary O'Holleran and Pat Piper. I know there were many other individuals involved and I can only say that they were a super team they were instrumental in the Birthday party success.

We would like to especially thank Dori Frost and the AMF for all of their efforts and support in getting the entertainment on Sunday. This idea started off with we can do it and escalated to "Are we sure we can do it". Then the AMF pulled it off along with help from many other individuals and organizations.

With the completion of all debts being paid we are able to donate to the American Music Festival the amount of \$1,134.76.

It is a wonderful feeling when a Community is so giving, and I must say it is ever a better feeling when we can give back to the Community by way of more concerts in the park this summer.

I applaud everyone who worked so hard to complete the "50th" Birthday Celebration for the City of Brookings.

It was my pleasure to be the Chairperson and work with the Birthday Committee.

Sincerely,



Councilor Lorraine Kuhn