

**CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
January 22, 2001
7:00PM**

I. CALL TO ORDER

Mayor Bob Hagbom called the meeting to order at 7:05 PM.

II. PLEDGE OF ALLEGIANCE

Led by Bill Boynton, citizen

III. ROLL CALL

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

Council Absent: Council President Larry Curry

Staff Present: City Manager Leroy Blodgett, City Planner John Bischoff, Community Development Director Leo Lightle, and Administrative Secretary Sharon Ridens.

Media Present: Chuck Hayward, Curry Coastal Pilot

Other: Chamber of Commerce President Richard Gyuro, Planning Commissioner Jim Collis, Curry County Recycling Committee Representative Ken Burns, ODOT District 7 Assistant Director Lee Sparks, and approximately 9 other citizens

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

A. Appointments

- 1. Additional members to City's 50th Birthday Celebration Committee***
Councilor Kuhn revealed confirmed plans for the City's 50th Birthday Celebration set for the weekend of July 13, 2001, which includes a sock-hop on Friday, various activities at the Port on Saturday, and a concert in Azalea Park on Sunday. There were no new applicants for the committee.

V. **PUBLIC HEARING**

Mayor Hagbom advised Council was entering into the public hearing section of the agenda, at the time of 7:07PM.

- A. *In the matter of Planning Commission File No. APP-1-01, an appeal to a Planning Commission decision that approved VAR-2-00, an application for a variance to the existing Claron Glen subdivision to deny public access to internal walkways and not require sidewalks on both sides of the street; Assessor's Map 40-13-31 CD, various tax lots; R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size) Zone. Wayne F. Robinson, appellant.*

Mayor Hagbom advised he would disqualify himself from participating in the public hearing involving Claron Glen subdivision, since he resides in the area and at one time was president of the homeowners association. He asked, if there were any other Council members that might have personal bias or personal interest that would preclude their participation in this hearing. Councilor Dentino advised he would disqualify himself, as he chaired the Planning Commission meeting of the original hearing on this issue. Mayor Hagbom noted Councilor Curry, being Council President would therefore need to chair this Public Hearing. Curry with an excused absence, due to illness, would not afford a quorum on hearing the matter before the Council. Hagbom recommended the public hearing on Claron Glen be continued to February 5, 2001, for a special public hearing meeting, which would be the first opportunity to have a quorum available. There was a brief discussion.

Chuck Weller, 932 Helen Lane, Brookings, questioned the continuance, but Wayne Robinson, of 949 Helen Lane and appellant, advised he agreed with the continuation and date chosen. There was no other discussion.

Councilor Kuhn moved, Councilor Johns seconded, and the Council voted unanimously to continue the public hearing on Planning Commission File No. APP-1-01, be continued to February 5, 2001, at 7:00 PM, in the City Hall Council Chambers.

- B. *In the matter of Planning Commission File No. LDC-1-01, an amendment to repeal Ordinance 99-O-446.EE which allowed communication towers up to 150 feet in height, when operated by a public entity offering emergency services. City initiated.*

Mayor Hagbom advised he would now call a legislative public hearing to order at 7:14PM, regarding the consideration to adopt Ordinance No. 01-O-446.LL, which is a revision of Ordinance of Ordinance 99-O-446.EE of the Land Development Code. Hagbom asked City Planner John Bischoff to provide a brief background on the matter. He then asked if any member of the Council had any personal bias

or personal interest that would preclude their participation in the hearing, of if any member had a potential or active conflict of interest? There was none. Councilor Rick Dentino stated ex parte for a site visit. No one objected to the jurisdiction of the Council to hear this matter. Mayor Hagbom stated all testimony and evidence must be directed toward the criteria outlined in the staff presentation or other criteria in the comprehensive plan or land use regulation which the person believes applies to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issues precludes appeal to the Oregon Land Use Board of Appeals (LUBA) based on that issue. He also reminded Council and audience the failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow Council to respond to the issue precludes an action for damages in Circuit Court.

Mayor Hagbom asked Bischoff to present the ordinance on behalf of the applicant, the City of Brookings. Bischoff provided the background with references to staff reports. There were no further questions or discussion. Mayor Hagbom asked if any member of the public wished to speak in favor of or against the ordinance, and there was none. He asked if the applicant was willing to waive written argument and have decision made at this meeting. Bischoff responded in favor. Mayor Hagbom advised the public hearing on Ordinance No. 01-O-446.LL is closed at 7:20PM, January 22, 2001, and that Council would proceed to discussion and decision. There was no discussion

City Manager Leroy Blodgett read Ordinance No. 01-O-446.LL in full.

Councilor Dentino moved, Councilor Kuhn seconded, and the Council voted unanimously to have Ordinance No. 01-O-446.LL be read by title only.

City Manager Blodgett read Ordinance No. 01-O-446.LL by title only.

Councilor Dentino moved, Councilor Johns seconded, and the Council voted unanimously to adopt Ordinance No. 01-O-446.LL.

The ordinance was adopted.

VI. SCHEDULED PUBLIC APPEARANCES

- A. Ken Burns - Annual Curry County Recycling Committee Report*
Curry County Recycling Committee Representative Ken Burns provided his annual report to the Council for the entire County's recycling activities and collections. His report also included the goals and actual collections for years

1998 and 1999, current recycling programs, and the future of recycling efforts. Mayor Hagbom thanked Mr. Burns for his report.

B. Pat Widmer and Barbara Cleland -Family Community Education (FCE) presentation

Pat Widmer and Barbara Cleland presented the City with a donation of \$550, to begin an important project fund for covering the pool, and challenged all other non-profit organizations to match or better their donation. These monies came from the profits at their annual Homemaker's Holiday. Mayor and Council expressed their appreciation.

C. Tom Kerr - Kerr Ace Hardware Improvements presented

Tom Kerr of Kerr Ace Hardware presented a proposal of blending the existing and remodeling of Kerr Ace Hardware's business location with the City's plans for downtown by providing drawings and discussion. City resident Sue Etchart of 222 Del Norte Lane, Brookings, asked for some clarifications. There was brief discussion from Council, but no other comments from audience. No action was taken.

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

A. Committee and Liaison reports

1. Chamber of Commerce

Chamber President Richard Gyuro of 276 Alan Lane, Brookings invited anyone not yet registered to attend their all day Business Outlook Conference scheduled for tomorrow, January 23, 2001, to register at the door after 7:30AM.

2. Businesses for a Better Brookings

There was no report.

3. Port of Brookings-Harbor

There was no report.

4. Council Liaisons

Councilor Dentino being a new Council member had not yet attended any meetings as a liaison.

Councilor Johns has been meeting with the new committee formed by the School District to oversee the recently passed bond measure.

Councilor Kuhn attended the Brookings-Harbor Port Commission meeting where there new proposed design was presented.

Mayor Hagbom attended the Curry County Commissioners meeting today, where the UGB County Ordinance was passed.

B. Unscheduled

Lee Sparks, 3500 Stewart Parkway, Roseburg, OR, apologized for tardiness in returning for a visit to Brookings, but explained his last month's activities, which included completion of the raised median on U.S. Hwy 101 South just at the south edge of Dot Martin Bridge (Chetco Bridge) and Lower Harbor Road exit. He also reported on the speed reduction at the north end of town, and a potential speed reduction on the two-way turn lane by Benham Lane in Harbor. Mayor Hagbom thanked ODOT for all it's cooperation, and providing a great representative, Lee Sparks.

VIII. STAFF REPORTS

A. City Manager

1. Adoption of City Council Goals

City Manager Leroy Blodgett reviewed the Council's work-session held on January 17th, and recommended the Council adopt the alphabetized recommended goals for FY 2001-2002 as presented.

Councilor Johns moved, Councilor Dentino seconded, and the Council voted unanimously to adopt the City Council Goals as presented for FY 2001-2002.

2. Other

City Manager Blodgett advised he had recently been appointed to the Coos Curry Douglas Regional Investment Board. Blodgett also stated the ODOT Community Solutions Team (CST) met to discuss the couplet project and set a future meeting for March 14, 2001, in Brookings to discuss making it happen. He will be attending the Business Outlook Conference tomorrow, and workshops in Tigard and Newport at the end of the week.

B. Community Development Department

1. Acceptance of two deeds - new extension of Wharf Street and sludge tank parcel from South Coast Lumber Co.

Community Development Director Leo Lightle reported on the background of two new right-of-ways for the City. Lightle also advised

there were no health issues and recommended Council accept the deeds. There was no discussion.

Councilor Kuhn moved, Councilor Johns seconded, and the Council voted unanimously to accept two deeds for the new extension of Wharf Street and sludge tank parcel from South Coast Lumber.

2. *Approval of contract amendment with Brown and Caldwell in the amount of \$59,250 and authorization for Mayor to sign contract amendment*
Community Development Director Lightle explained the requested amended contract presented by Brown and Caldwell in the amount of \$59,250. Lightle responded to discussion and recommended Council approve the contract amendment.

Councilor Dentino moved, Councilor Johns seconded, and the Council voted unanimously to approve the Brown and Caldwell contract amendment in the amount of \$59,250.00, and authorized Mayor Hagbom to sign the contract amendment on behalf of the City.

IX. CONSENT CALENDAR

A. Approval of Council Meeting Minutes

1. *Minutes of January 8, 2001, Regular Council Meeting*

(end Consent Calendar)

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

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Ordinances

1. *No. 01-O-446.LL - in the matter of an ordinance amending Section 40, Public Open Space (P/OS District)of Ordinance 89-O-446, an ordinance creating the Land Development Code*
This agenda matter was handled under Agenda Item No. V. B. previously.

B. Resolutions

There were no resolutions

XI. REMARKS FROM MAYOR AND COUNCILORS

A. Council

Councilor Johns had been contacted by the Pelican Bay Prison as to continuing as a City Liaison to their committee.

B. Mayor

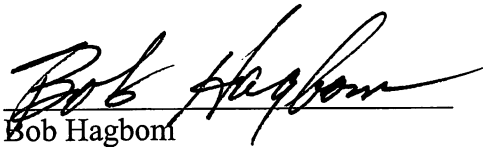
1. Council Liaison Appointments

Mayor Hagbom presented the new Council Liaison list and asked Council to contact him, if there were any questions.

XII. ADJOURNMENT

Council voted unanimously to adjourn the meeting at 8:07PM.

Respectfully submitted:



Bob Hagbom
MAYOR

ATTEST:



Randy Reed
Finance Director/City Recorder