

City of Brookings CITY COUNCIL MEETING MINUTES

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

Monday, December 11, 2023

Call to Order

Mayor Isaac Hodges called the meeting to order at 7:00 PM

Roll Call

Council Present: Council President Andy Martins, and Councilors Clayton Malmberg, Phoebe Pereda and Kristi Fulton; a quorum present

Staff present: City Manager Janell Howard, Public Works and Development Services Director Tony Baron, Finance Director Lu Ehlers, City Attorney Lori Cooper (by phone) and Deputy Recorder Brooklyn Osterhage

Media Present: 2

Others Present: Approximately 30 audience members

Consent Calendar

1. Approve Council minutes for November 13, 2023
2. Accept October Financials

Councilor Martin moved, Councilor Fulton seconded, and Council voted unanimously, with Councilors Malmberg and Pereda abstaining, to approve the Consent Calendar.

Oral Requests and Communications from the Audience

1. Michael Frederick – 16883 Yellowbrick Road (non-resident), spoke against St. Timothy's abatement.
2. Alex Frederick – 16883 Yellowbrick Road (non-resident), commended new councilors and spoke against the St. Timothy's abatement.
3. Robert O'Sullivan – 96734 DeMoss Road (non-resident), spoke against the St. Timothy's abatement.
4. Teresa Lawson – 820 Brookhaven Drive, Brookings questioned how much the St. Timothy's abatement has cost the City.
5. Diana Cooper – 805 Paradise Lane, Brookings spoke on Brookings CORE Response asking Council to reach out and expressed desire to give a presentation to the Council.
6. David Harris – 922 Timberline Drive, Brookings welcomed new Council members and spoke against St Timothy's abatement.
7. John McKinney – Floral Drive, Brookings applauds new councilors for civic mindedness and spoke against the City Manager.
8. Fran Chambers – 1101 Rowland Lane, Brookings spoke about electric franchise fee and thanked Councilors for stepping up.

Staff Reports

1. Continue the Review of Planning Commission decision on File APP-1-23 Notice of Abatement to St. Timothy's Episcopal Church.

In this matter, Councilor Clayton Malmberg declared ex-parte contact, as he was previously on the Planning Commission and stated he could make an unbiased decision on this matter. There were no bias, personal interest, or conflicts of interest declared.

There were two objections to the jurisdiction of the City Council to hear the matter from the public, and City Attorney Lori Cooper assured all that there was no legal basis to those objections.

PWDS Director Tony Baron gave an overview of the staff report.

Councilor Martin moved, Councilor Malmberg seconded, and Council voted unanimously, with Councilor Pereda abstaining, to affirm the Planning Commission's denial of St. Timothy's Episcopal Church's appeal of the Notice of Abatement issued April 14, 2023 for 401 Fir Street, Assessor's Map & Tax No. 4113-005BC-07300 and direct staff to prepare Findings and Conclusions to be brought back for approval.

2. Authorize the Issuance of Wastewater Revenue Bonds

Staff report presented by Janell Howard

Councilor Martin moved, Councilor Fulton seconded, and Council voted unanimously to read Ordinance 23-O-810 by title only.

Ordinance 23-O-810 was read by title only.

Councilor Martin moved, Councilor Pereda seconded, and Council voted unanimously to adopt Ordinance 23-O-810 authorizing the issuance of Wastewater Revenue Bonds to finance improvements to the Wastewater System.

3. Amend BMC 13.050.250 Water Curtailment

Staff report presented by Tony Baron

Councilor Martin moved, Councilor Fulton seconded, and Council voted unanimously to read Ordinance 23-O-811 by title only.

Ordinance 23-O-811 was read by title only.

Councilor Malmberg moved, Councilor Pereda seconded, and Council voted unanimously to adopt Ordinance 23-O-811, an Ordinance amending the

Brookings Municipal Code, Chapter 13 Public Services, subsection 13.050.250 Water Curtailment as described in Exhibit A.

4. Wastewater Treatment Plant – Outfall Repair Task Order

Staff report presented by Tony Baron

Mayor Hodges asked if this is within our budgeted system replacement funds; Janell Howard answered yes.

Councilor Martin moved, Councilor Pereda seconded, and Council voted unanimously to authorize the City Manager to sign Task Order #2 with Jacobs Engineering in the amount of \$25,000 for the wastewater treatment plant outfall inspection and bid document preparation.

5. Oregon State Fire Marshal (OSFM) Engine Program Intergovernmental Agreement

Staff report presented by Janell Howard

Councilor Malmberg moved, Councilor Pereda seconded, and Council voted unanimously to adopt Resolution 23-R-1251 authorizing the City Manager to sign the Oregon State Fire Marshal 2023 Engine Program Intergovernmental Agreement for a new Type 3 Engine.

6. Audit Report for the fiscal year ended June 30, 2023

Staff report presented by Lu Ehlers

Janell Howard commended Lu and her staff on having an unqualified opinion which means no exceptions or findings. Mayor Hodges thanked Lu as well.

Councilor Fulton moved, Councilor Martin seconded, and Council voted unanimously to accept the City's Audit for the fiscal year ended June 30, 2023.

7. Ratify the City Council decision, adopting Ordinance 23-O-809

Staff report presented by Janell Howard

Mayor Hodges moved, Councilor Malmberg seconded, and Council voted unanimously to ratify and approve previous City Council decision, adoption of Ordinance 23-O-809, from the November 13, 2023 meeting

Remarks from Mayor and Councilors

Councilor Martin requested that an executive session be scheduled soon to review the City Manager's contract with the City Attorney; all of Council was in agreement.

Mayor Hodges spoke on his past and expressed his desire for the City to unite.

Councilor Pereda thanked community for support, expressed her support of Hodges as Mayor and expressed that the community should all find common ground.

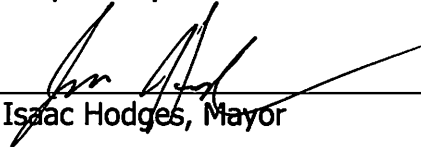
Councilor Fulton thanked Mayor Hodges for his honesty, expressed that Council is set to a higher standard, and encouraged the community to volunteer. She also thanked Russ Wedmore for his time as a City employee and congratulated him on his retirement.

Councilor Malmberg thanked everyone for the opportunity to serve and thanked all those who applied for council positions.

Adjournment

Mayor Isaac Hodges adjourned the meeting at 8:36 PM.

Respectfully submitted:


Isaac Hodges, Mayor

ATTESTED:
this 8th day of January, 2024:


Janell K. Howard, City Recorder