

City of Brookings

City Council Meeting MINUTES - Revised

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

Monday, January 25, 2016

Call to Order

Mayor Hedenskog called the meeting to order at 6:03 PM.

Roll Call

Council present: Mayor Ron Hedenskog, Councilors Jake Pieper, Brent Hodges and Bill Hamilton; a quorum present. Councilor Dennis Triglia took his seat on the dais after being sworn in. Ex Officio Nastassia Carrasco was absent.

Staff present: City Manager Gary Milliman, Public Works & Development Director LauraLee Snook, Planning Manager Donna Colby-Hanks, City Attorney Martha Rice, Judge Richard Harper and City Recorder Joyce Heffington. Parks & Technical Services Supervisor Tony Baron was in the audience.

Others Present: Curry Coastal Pilot Report Jane Stebbins and approximately 28 others.

Ceremonies/Appointments/Announcements

Appointment to fill vacant City Council Position #4.

Councilor Pieper moved, a second followed to disqualify Jessica Kensinger as a candidate for Council position #4 for not meeting the residency requirement.

Mayor Hedenskog provided a brief overview of the commitment required and asked the candidates if they would mind waiting outside Chambers during the interview process until their names were called. The candidates agreed to do and once they were out of the room, Council began the interview process.

The four questions below were asked of each candidate:

1. Based on the time commitment required of this position, do you have time to devote to this position and are you willing to commit the time needed to review the materials and attend these meetings?
2. What do you hope to accomplish during your term on the City Council?
3. What do you see as the three most important issues facing the City in the next two years?
4. What differences in the next ten years, if any, would you like to see in City government?

A brief summarization of their responses, by question number, follows:

Adam Briggs:

1. Totally prepared to commit the time
2. Future development , involvement in ensuring even, steady, intelligent, growth
3. Affordable housing, protecting the natural resources, disaster preparedness
4. More celebration of the City's accomplishments

Roger Gilbert

1. No issues

2. Preserve the quality of life, find ways to improve it, provide a richer small business environment, find ways to attract more people, build City pride
3. Infrastructure, financing, find new and creative ways to finance City programs, against debt
4. Find a way to have a cohesive architectural plan for the downtown area to present a better picture to people coming through the City

Gary Klein

1. 100% commitment
2. Police and fire important, everyone playing by the same rules, advocate for the people, make things run more smoothly, give the citizens a fair shake
3. The annexation, police, fire, schools
4. See the City run fairly for everyone, get City in a positive state, paid firemen in 10 years

Richard Monstranski

1. Of course
2. A vision for a vibrant community, residents helping one another, business and job growth, downtown plaza, decrease in crime, affordable housing, infrastructure repaired, multi-field park, park lighting, working with staff to get grants for police, fire and personnel
3. Downtown plan, infrastructure, crime
4. Work for and get input from the citizens, strategic planning/forecast out 20-30 years

Dennis Triglia

1. Absolutely, retired with plenty of time
2. Like to foster discussion toward making an informed decision, sometimes by playing the "devil's advocate"
3. Securing funds for on-going infrastructure and upkeep through grants and other funding mechanisms, paying off the wastewater debt, keeping up with technology for law enforcement and City staff, focusing on the continuing promotion of tourism, increasing the vibrancy of the downtown area, ongoing maintenance of streets, sidewalks and parks
4. Happy with current set-up, maintain the small rural community nature, encourage small business, make it easy for entrepreneurs to get started, encourage more volunteerism, a quality museum and aquarium showcasing local history and marine life

Don Vilelle

1. Yes with a question mark, local government is important but unsure about the time commitment due to other volunteer commitments
2. Want growth but City needs to make sure it has the infrastructure to handle what it already has
3. Infrastructure, disaster preparedness, help people get along, even when they don't see eye to eye, to help the City
4. Look and plan for the future, be open to people coming in from all backgrounds and races, not have the City outgrow itself and lose some of the things that attracted he and his wife to the City; sometimes the City is trying to grow too fast

Following some discussion, Council narrowed the field to Dennis Triglia and Don Vilelle.

Councilor Pieper encouraged the applicants who were not chosen to run for office in the 2016 election. Mayor Hedenskog agreed and pointed out that in over the past 9 years there was only one contested race for a City Council seat.

The two remaining candidates were then asked additional questions. The questions and their responses have been summarized below:

Don Vilelle

What have you learned from your experience on the Parks and Recreation Commission?

Everyone very open, staff and commissioners. Feels he's a good listener, tends not to talk too much, and gets along well with the other commissioners and people in general. Main concern is the time factor. Knows he can do it, but would need to give up something and he enjoys doing what he is currently doing. He would give something up if appointed.

Dennis Triglia

What have you learned from your experience on the Parks and Recreation Commission?

Commission is well run, feel they are friends. Very congenial, listen to input, look at the facts; not a popularity contest. Never has had a problem with the City. Researches everything and bases decisions on facts. Happy to continue serving on the commission if not selected for the position.

If appointed, what are your two most important goals?.

Doing best to balance the budget and doing the best to work with what we have. Trying to come up with alternatives to get funding. Increasing downtown vibrancy and making it more friendly. Local events supported by TPAC have been worthwhile.

Councilor Pieper said Vilelle's long history of volunteerism carried a great deal of weight, however, due to Vilelle's time commitment concerns, he would support Dennis Triglia's appointment.

Mayor Hedenskog said Vilelle had a proven track record and was being honest regarding his concerns.

Councilor Hamilton said he had no doubt that Vilelle would be a good Councilor, but would support Triglia due to Vilelle's time commitment concerns.

Councilor Hodges agreed with concerns regarding Vilelle's time commitment and said he would also support Triglia.

Councilor Hodges moved, a second followed and Council voted unanimously to appoint Dennis Triglia to Council Position #4.

Judge Harper administered the oath of office and Mayor Hedenskog called a five minute break at 7:17 PM while Triglia took his seat on the dais and called the meeting back to order at 7:26 PM.

Public Hearings/Final Orders

Quasi-judicial public hearing on MOD-1-15/MPD-1-04, request to extend the expiration date for the Lone Ranch Master Plan.

Mayor Hedenskog opened the public hearing at 7:27 PM.

Under ex parte, Hedenskog said he had surveyed the property in 1999. Hearing no declarations of conflict or personal interest, or objections as to jurisdiction, City Attorney Rice reviewed the guidelines and Planning Manager Colby-Hanks reviewed the staff report and Exhibit E, provided to Council at the meeting, and including submittals by Charles Schlumpberger, Cameron La Follette, staff and Ed Trompke.

Burton Weast, representing the applicant, provided a brief history of the U.S. Borax/Lone Ranch property and said they were waiting for the market to recover. He said they had already spent \$2 million getting the waterline to the college and \$5 million to date. He said they continued to update the required studies and there had, as yet, been no development.

Ed Trompke, also representing the applicant, said there were no changes and the impacts are very small and while they had requested an extension to 2032, there was no intention to delay until then. He said there were no adjudicated water rights on the Oregon Coast, and no geophysical changes to the property. The only conditions that have changed, he said, are economic conditions.

Mayor Hedenskog asked about the Rainbow Rock Service Association (RRSA) water right and Trompke said he didn't know what it was, but thought it might be a permit to draw the state's water from the pond.

Nathan Francis, Rio Tinto Land Manager for U.S. Borax, said they still found value in the project and were keeping permits active so they could be ready to move forward.

Public Comments:

Steve Klein, 17744 Hwy 101 North, RRSA member, said they were not opposed to the project. He said their water source was run-off; a Department of Environmental Quality delineated water source produced by run-off from 160 acres located in the project and they used the pond as a storage buffer. RRSA, he said, had the right to collect the water. He said at some point the Master Plan of Development (MPD) needed to be reviewed due to changes in State regulations.

A map submitted by Steve Klein, was entered into the record as Exhibit F.

Councilor Hodges asked what the difference was between delineated and adjudicated water sources.

Trompke said a delineation defines a location while an adjudication is a decision by a court or board giving certain rights.

Weast said they had worked with RRSA and they were very cooperative. He said they have provided a stub so that RRSA can hook up to City water if and when it is needed. When the sewer line is completed, he said, due to its proximity to their water source, RRSA may need to hook up City water.

Klein said they appreciated the stub to the water line, but it didn't make sense for them to abandon their water system at this time and RRSA intends to stick with the current water source as long as possible.

Mayor Hedenskog said that if a fire were to run through the property, RRSA would probably need to hook up to City water.

City Manager Milliman said they had an infrastructure financing agreement with U.S. Borax as to how improvements are to be handled.

Councilor Triglia said that 12 years seemed like a long time and questioned why the City should accept the applicant's reasoning for the extension.

Mayor Hedenskog explained that and the MPD is an overview of the development plan and they will need to move through the same hurdles for the property during the Detailed Development Plan (DDP) process.

Councilor Hodges said it would be a huge set-back to the City and the applicant if the extension were not approved.

Councilor Pieper said denying the request would not make the development happen any sooner, and this is a legal process provided to the applicant.

The hearing was closed at 8:20 PM.

Councilor Pieper moved, a second followed and Council voted unanimously to approve File MOD-1-15/MPD-1-04, to modify condition of approval #1 as requested [granting an extension of time] as well as approve the Final Order, Findings of Fact and the revised conditions of approval as provided with the staff report.

Public Comments on non-agenda items

Connie Hunter said she had lost her audience and would have asked the Lone Ranch people to stay so she could ask them for affordable veteran housing. She said the City had gotten close with the NDRC application and thanked everyone for attending the veteran's stakeholders meeting and the City for supporting KCIW.

Staff Reports

Direction regarding the addition of regulations for "abusive solicitation" and "unlawful transfer" to the Brookings Municipal Code (BMC).

Director Snook provided the staff report.

Councilor Triglia said he was concerned that adding these regulations to the BMC could result in a lawsuit. Public safety, he said, didn't trump any constitutional rights.

City Attorney Rice said his concerns were valid and she would like direction from Council to review the ordinance. The laws regarding solicitation, she said, are in flux.

City Attorney Rice was given direction to review the legality of the proposed language.

Approval to proceed with downtown master planning process.

City Manager Milliman presented the staff report.

Councilor Pieper moved, a second followed and Council voted unanimously to proceed with a downtown master planning process as outlined in the January [25], 2016, Council Agenda Report

Resolutions

Resolution 16-R-1069, appointing representatives to the Border Coast Regional Airport Authority.

City Manager Milliman gave the staff report.

Mayor Hedenskog moved, a second followed and Council voted unanimously to reappoint Mayor Hedenskog to the BCRAA Board of Directors and to reappoint City Manager Milliman as his alternate.

Consent Calendar

1. Approve Council minutes for January 11, 2016.
2. Accept Public Art Committee minutes for November 2, 2015.
3. Receive monthly financial report for December, 2015.

Mayor Hedenskog moved, a second followed and Council voted unanimously to approve the Consent Calendar as written.

Remarks from Mayor and Councilors

Mayor Hedenskog remarked on the Veteran Stakeholders Meeting, and the new VA Director Douglas Paxton, Sr., whom, he said, seemed very active in pursuing veterans issues.

Councilor Pieper welcomed Triglia to the Council.

Councilor Hamilton commended the four new Eagle Scouts for their efforts.

Adjournment

Mayor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 9:10 PM.

Respectfully submitted:

ATTESTED:
this ____ day of _____ 2016:

Approved by Council 2-22-16

Ron Hedenskog, Mayor

Joyce Heffington, City Recorder