

City of Brookings
WORKSHOP Agenda

CITY COUNCIL

Monday, August 2, 2010, 4:00pm

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

1. Call to Order

2. Roll Call

3. Topics

- Noxious Weeds
- Construction Noise
- 2010 Strategic Plan Review

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4. Council Member Requests for Workshop Topics


5. Adjournment

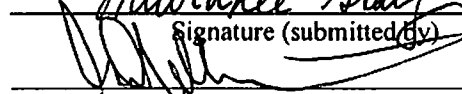
All public City meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 469-1102 if you have any questions regarding this notice.

CITY OF BROOKINGS
Council WORKSHOP Report

Workshop Date: August 2, 2010

Originating Dept: Building



Signature (submitted by)


City Manager Approval

Subject: changes to BMC 8.15.50, Noxious Vegetation

Background/Discussion:

As written, this section of the BMC has been deemed unenforceable, staff is attempting to draft a code section that is not overly regulatory but still allows some control over the most invasive species in our area. Fire hazard due to vegetation has previously been resolved with language changes to 8.05.

Suggested language:

8.15.050 Noxious vegetation.

The Department of Agriculture has declared many species of noxious vegetation to be a menace to the public welfare (ORS 570.505). A list of the vegetation covered under this declaration may be found in OAR 603-052-1200.

It shall be unlawful for the owner, occupant, agent, or other person in possession of any lot, tract, or parcel of land within the corporate limits of the City of Brookings to permit the following:

- A. The growth or propagation of gorse. The City may allow an abatement plan to be filed if it is determined that the gorse infestation is severe enough to merit a long range eradication program.
- B. The growth of nuisance vegetation as defined herein.

8.15.055 Nuisance Vegetation

It shall be unlawful for the owner, occupant, agent, or other person in possession of any lot, tract, or parcel of land within the corporate limits of the City of Brookings to permit the growth of nuisance vegetation on their property. Nuisance vegetation shall be defined as vegetation that:


- Encroaches onto the property of another; and
- Is listed in Oregon Administrative Rule (OAR 603-052-1200).

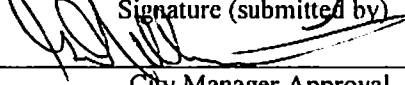
CITY OF BROOKINGS

Council WORKSHOP Report

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Subject: Construction Noise

Background/Discussion:

Construction Noise: Historically we have relied on BMC 8.15.080 to regulate construction noise, I believe it could be argued that this section would not apply to construction activity. We have also relied on the “unwritten policy” that construction work be limited to the hours of 7 a.m. to 7 p.m. I don’t believe that we have any authority to pursue compliance if a contractor refused to work within those hours, and as the issuance of a permit authorizes whatever work is necessary to complete the project, I think it would be difficult to then deem the noise that was created as “unreasonable”.

Current language:

8.15.080 Noise prevention.

A. It shall be unlawful for any person to create, assist in creating, permit, continue, or permit the continuation of any unreasonably loud, disturbing, or unnecessary noise; and further, no person shall conduct or maintain any condition, activity, operation, vocation or avocation which causes unreasonably offensive noise to either the neighborhood or the public at large.

B. The following acts are declared to be violations of this chapter, but said enumeration shall not be deemed to be exclusive:

1. The use of any automobile or other vehicle, engine, stationary or moving instrument, device or thing so out of repair or used in such manner as to create a loud or unnecessary grating, grinding, rattling or other such noise;
2. The sounding of any horn or signaling device on any automobile or other vehicle on any street or public place, except as a necessary warning of danger to property or person or as so used on emergency equipment;
3. Entertainment devices used in an abusive manner for the creation of prolonged and excessively loud noise;
4. The use of an electrical, mechanical or other device, apparatus, instrument or machine that causes interference with radio or television reception by radio or television receiver of good engineering design unless said device or apparatus is duly licensed, approved and operated under the rules and regulations of the Federal Communications Commission.
[Ord. 07-O-591 § 2; Ord. 86-O-406 § 9.]

Propose added language to either Title 8, Nuisances or Title 15, Buildings and Construction:

Construction Noise.

Any person who operates powered construction equipment, erects, constructs, demolishes, excavates for, alters or repairs any building, structure, roadway or utility within the city in such a manner as to cause noise to be received beyond the boundaries of the property on which the construction work is occurring shall comply with the following:

- A. No construction work shall be performed before seven a.m. or after seven p.m. on weekdays.
- B. No construction work shall be performed before nine a.m. or after 7 p.m. on Saturdays or Sundays.
- C. Provided, however, that in case of urgent necessity in the interest of the public welfare and safety, permission may be granted by the City Manager for construction activities to occur during otherwise proscribed hours for the duration of an emergency.

City of Brookings 2010 Strategic Plan

Goals & Objectives	Priority/Action Items	Resp Party	Target	Status	
GOAL 1: Achieve Fiscal Sustainability					
<ul style="list-style-type: none"> • Sufficient revenue to sustain City services at appropriate levels. • Provide competitive employee compensation. • Balanced revenue system that recognizes demands on City services by residents, businesses and visitors. • Stable, effective and accountable management. • Include sustainability considerations in purchasing decisions. • Maximize utilization of non-City revenue resources to pay for services provided by City to unincorporated area. • Encourage new private investment in the City. • Expedite implementation of approved development plans. 	1	Maintain General Fund reserve at 10 percent of annual operating budget.	AS/CM	On-going	17% in 2010-11
	2	Develop two-year budget beginning in 2010-11.	AS	10/10	
	3	Consider formation of fire district.	CM/FC	7/10	Intern Study
	4	Consider formation of parks/recreation district.	CM	11/09	Intern Study
	5	Review/update all fees annually.	CR/AS	Apr/Annually	Ongoing/no 2010 update
	6	Aggressively pursue grant funding.	CM	Ongoing	Ongoing
	7	Conduct energy audits at water and wastewater plants.	US	FY 09-10	Not Initiated
	8	Develop vehicle replacement program	AS	1/11	Preliminary Work Completed
GOAL 2: Improve Internal Systems					
<ul style="list-style-type: none"> • Sustain positive workplace environment and employee morale. • Assure internal consistency and efficiency. • Excellent customer service. 	1	Conduct periodic workshops to review progress on goals (quarterly workshops).	CM/CC	Jan/Apr/ Jul/Oct	Ongoing
	2	Develop written administrative policies and procedures.	CM	Ongoing	Ongoing
	3	Complete public works standards and specifications/digital format.	TS	10/08	Public Review 7-10
	4	Review/update Administrative Code Sections 2.05, 2.10, 2.15, 2.20, 2.25, & 2.45	CR	10/10	2.05, 2.15, 2.25 Completed
	5	Integrate infrastructure data into GIS.	CM	FY 09-10	In Progress

KEY:

AS = Administrative Services Director
BO = Building Official

CC = City Council
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FC = Fire Chief

PC = Police Chief
PL = Planning Director

TS = Technical Superintendent
US = Utilities Superintendent

City of Brookings 2010 Strategic Plan

GOAL 3: A Safe Community			Resp Party	Target	Status
<ul style="list-style-type: none"> • Adequately staffed, equipped and housed police and fire departments. • Maintain streets in a safe/serviceable condition. • Provide clean drinking water and compliant wastewater treatment. • Improve personal/family preparedness. 	1	Provide minimum staffing of two police officers on each shift.	CC	Open	2010-11 Budget
	2	Build and equip an Emergency Operating Center.	CM/PC	12/11	Awaiting Federal Contract Final rev-8/2 workshop
	3	Exercise emergency plan	PC	10/09	Focusing on ICS training
	4	Pursue streets/highway safety project funding.	CM	Ongoing	Numerous applications
	5	Develop bicycle plan & pursue funding for bicycle/pedestrian improvements.	PL/CM	5/10	Numerous applications. Draft Master Plan target 10/10
GOAL 4: Complete Capital Projects					
<ul style="list-style-type: none"> • Complete approved capital projects in a timely and cost efficient manner to enhance economic growth. • Provide infrastructure to support economic growth. • Develop coastal access. 	1	Develop consolidated implementation plan for water, stormwater, wastewater and pavement management plans.	TS	2/10	Delayed/Lack of staff
	2	Secure water rights certificates and extensions.	CM	10/09	COBU submitted 7-10
	3	Implement downtown street/pedestrian project.	CM	12/09	Completion 10-10
	4	Complete dewatering processing facility.	CM	8/11	Engineering 6/10, Bid 8/10
	5	Complete water system improvements funded by current loan.	CM	10/09	Projects in design
	6	Improve project readiness to take advantage of federal/state funding opportunities	CM/TS	Ongoing	Numerous projects ready
	7	Identify alternate site for Public Works shop.	CM	9/09	Airport
	8	Develop comprehensive plan for addressing wastewater I&I issue	CM/TS/US	4/11	Sewer Inspections
	9	Wastewater plant slide stabilization strategy	CM	6/10	Geologic investigation
	10	Resolve property ownership/replace tank @ Mountain Dr.	CM	6/11	In design

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GOAL 5: Influence Economic Growth			Resp Party	Target	Status
<ul style="list-style-type: none"> • Establish development policies and public improvements/standards that recognize economic trends. • Secure needed resources. • Establish policy that City is pro-growth. 	1	Develop Growth Management Plan to include achieving a 1.5% minimum growth in # of units.	CM/PL	2/10	See Economic Strategy
	2	Develop urban growth boundary transition agreements with special districts.	PL	10/09	Draft agreements under review
	3	Establish working relationship with County in managing land use policy in Urban Growth Area.	PL	10/09	Complete
	4	Participate in regional economic development activities; develop strategic partners.	CM	Ongoing	Ongoing
	5	Develop business retention program.	CM/PL	6/09	Not started ¹
	6	Develop and regularly review/update infrastructure master plans and development standards.	CM/PL	Ongoing	
	7	Implement plan for addressing downtown parking needs.	CM	10/09	Complete
	8	Amend Charter to remove barriers to annexation.	CM	11/10	Failed
GOAL 6: Effective Intergovernmental Relations					
<ul style="list-style-type: none"> • Influence regional, state, national policy on issues important to achieving City goals. • Secure grant funding. • Efficient use of City resources. • Orderly urban growth. • Achieve City goals through strategic partnerships. 	1	Participate in intergovernmental agencies and initiatives that further the City's goals.	CM/CC	Ongoing	BCRAA

¹ While a comprehensive plan has not been prepared, there have been related actions taken, including:

- a. Workforce housing chapter of BMC adopted
- b. Downtown parking implementation plan
- c. Sign regulation changes.

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