

MINUTES
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, August 25, 2008

Call to Order

Mayor Anderson called the meeting to order at 7:00 pm.

Roll Call

Council present: Mayor Anderson, Councilors Hedenskog, Gordon, Kitchen and Pieper.

Staff present: City Manager Milliman, Planning Director Dianne Morris and City Recorder Joyce Heffington.

Media present: None.

Public present: Approximately 6.

Public Hearings – Continued

At 7:03 pm, Mayor Anderson opened the continued public hearing regarding the matter of File No. APP-1-08, an appeal of the Planning Commission's denial for the request of an extension of time for 2 years for an approved Master Plan of Development, known as Lone Ranch Master Plan, a 553 acre parcel located on the easterly side of Highway 101 and north of Carpenterville Road; Assessor's Map 40-14 & Index; Tax lots 2400, 2401, and a portion of 2402; U.S. Borax, Applicant and Appellant; Burton Weast, Representative; File MPD-1-04 Extension. The criteria to decide this matter is found in Chapter 17.70.120, Effective Period of Master Plan of Development (MPoD) Approval, and Chapter 17.152, Appeal to the City Council, of the Brookings Municipal Code.

Mayor Anderson generally stated that Council must follow the guidelines in the Brookings Municipal Code and determine if conditions had changed and recommended that the interpretation of the term "conditions" set forth by Dave Perry be used.

After some discussion, Council, with the exclusion of Council Kitchen who did not participate in the hearing due a previously stated conflict, generally agreed that this interpretation was acceptable.

Mayor Anderson moved, a second followed and Council, with the exception of Councilor Kitchen who did not participate, voted to find the [definition of 'conditions' to be that provided by] expert testimony from Mr. Dave Perry, [which states] that the City Code (BMC 17.70.220) requires that an extension request be reviewed in light of changes in the circumstances that may significantly undermine the validity of the City's original decision, and with that, there is a reference to the Brookings Municipal Code, this statement having been supported by the applicant's legal Council.

No exparte or site visits were declared.

No public comments were heard or new testimony submitted.

After some discussion, Council generally agreed that no changes had been made as defined by the agreed upon definition of “conditions,” and the extension criteria had been met.

Councilor Pieper moved, a second followed, and Council, with Councilor Kitchen not participating, voted to overturn the Planning Commission decision to deny the request for an extension of time for MPD-1-04, thereby approving the requested extension to run from the date the Master Plan of Development, known as the Lone Ranch Master Plan, is due to expire on October 25th, 2008, and continuing for two years until October 24, 2010, with the stipulation that the original conditions of approval remain in force, adopting the findings and conclusions of law submitted by the applicant and directing staff to prepare a final order with the adopted findings and conclusions of law and bring it to the September 8th Council meeting for review and action.

The hearing was closed at 7:38 pm and Council adjourned for a break.

Mayor Anderson called the meeting back into session at 7:44 pm.

Council Liaison Reports

Councilor Pieper two City related meetings.

Councilor Kitchen two City and three Coos Curry Electric Cooperative related meetings.

Mayor Anderson two City and one school related meeting.

Regular Agenda

Port Commissioner Jim Relaford reviewed the request for a letter from Council supporting the participation of the Four Ports Group in a review of the Ocean Marine Reserve designations.

After some discussion, Council generally agreed to provide the letter and to participate at a higher level, to include a Council member serving on the Committee.

Councilor Hedenskog moved, a second followed and Council voted unanimously to direct staff to authorize the Mayor to execute a letter supporting the Four Ports Group [participation as the community nominating team reviewing proposals for Ocean Marine Reserves designations].

Mayor Anderson moved, a second followed and Council voted unanimously to direct staff to put forth, by the next regular meeting, thoughts as to how Council can participate at a higher level by either a Council or staff member.

Consent Calendar

- Approval of Council Meeting Minutes for August 11, 2008.
- Approval of street closure request for Duck Derby celebration on Spruce Street between Center & Wharf on Saturday, September 6, 2008 from 8am to 5pm.

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

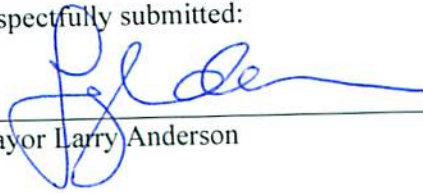
Resolutions

City Manager Milliman reviewed Resolution 08-R-906, and generally stated that in order to meet County Elections deadlines, this resolution, which directed staff to prepare the ballot title for the Charter amendment and submit it for inclusion on the November, 2008 ballot, had been voted on at the August 21st Special Meeting.

Adjournment

Councilor Kitchen moved, a second followed, and Council voted unanimously by voice vote to adjourn at 8:24 pm.

Respectfully submitted:



Mayor Larry Anderson

ATTESTED by City Recorder
this Bud day of September, 2008:



City Recorder Joyce Heffington