

City of Brookings

MEETING MINUTES

CITY COUNCIL

Monday, October 26, 2009

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

The City Council met in Executive Session at 6:00pm in the City Manager's office, under ORS 192.660 (2)(e), "to conduct deliberations with the City Manager as the person designated by the governing body to negotiate real property transactions." Present were Mayor Anderson, Councilors Hedenskog, Gordon and Pieper, City Manager Milliman and City Attorney Martha Rice. Councilor Kitchen was absent.

Call to Order

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

Roll Call

Council Present: Mayor Larry Anderson, Councilors Hedenskog, Gordon, and Pieper; a quorum present. Councilor Kitchen was absent.

Staff Present: City Manager Gary Milliman, Planning Director Dianne Morris, City Attorney Martha Rice and City Recorder Joyce Heffington.

Others Present: Curry Coastal Pilot Reporter Arwyn Rice and approximately 21 public.

Public Hearings/Ordinances/Final Orders

Mayor Anderson opened the public hearing at 7:02pm in the matter of File CPZ-1-09, a request to change the zoning of two parcels from Multi-family Residential to General Commercial, Assessor's map 41-13-06AC, tax lot 100, and 41-13-06AD, tax lot 700.

Under ex parte, Mayor Anderson and Councilors Hedenskog and Gordon each stated that they had driven by Hawthorne Street to view its condition. Additionally, Councilor Hedenskog declared a general site visit, as a long term resident, and Councilor Gordon stated he'd been through the adjacent property on his way to City Hall. There were no declarations of conflict, personal bias or personal interest and no objections as to jurisdiction.

Mayor Anderson reviewed the hearing guidelines and Planning Director Morris provided her staff report, noting the addition of Exhibit D, already distributed, and a request for a continuance, received just prior to the hearing, from Pat Sherman.

Mayor Anderson expressed concern that the 1/2 street improvements on Fifth Street, called for in the Public Works report, would extend beyond the project and should be limited to the access area, and that on Hawthorne, the 24 ft of asphalt approved by the Planning Commission, would not connect to the driveways.

Director Morris stated that she had asked Director Cowan to provide a better description of the required 1/2 street improvements on Fifth Street.

Applicant : John Bischoff, 96333 Wildwood Road, generally stated that Fifth Street is operating at Level B and will continue to do so, even with this new development, according to Oregon Department of Transportation (ODOT).

In Support: Bill McMillan, CEO, Curry General Hospital, 30218 Humingbird Hill, Gold Beach, generally stated that the intention is to build a large multi-specialty clinic and, stated they do hope to add a 24-hour free-standing emergency room (ER), and are seeking a change to state law to allow this.

In Opposition: Ralph Martin, PO Box 2423, Harbor, generally stated that once rezoned, any commercial use could be allowed and that granting this use would increase traffic at Fifth and Chetco, generating more accidents.

Interested Party: Dorothy Schreiber, 634 Hawthorne, generally stated that she was looking for reassurance that the removal of two trees would take place as a condition of approval, and that she would like to see driveways connected to the new street surface.

In general, Mayor Anderson responded that any Conditions of Approval would be monitored and Director Morris stated that the two trees in question were not a condition of approval.

Interested Party: Judy Krebs, 15951 Bay View, generally stated that the City adopt a provisional zoning change such that it would revert back to its original use if the project was not realized.

In general, Bill McMillan stated that Curry General would be willing to cut down the two trees in question and Director Morris stated that the zone change would be limited to parking and would run with the land.

Mayor Anderson closed the public testimony portion of the hearing at 7:47pm and continued the meeting to Wednesday, December 2nd, 7:00pm, as requested by Pat Sherman, with the following timeline for submission of written materials: "For the next 7 day period, ending 4:30pm on November 2nd, anyone may submit written testimony. For the 7 day period beginning November 3rd and ending at 4:30pm on November 9th, rebuttal may be submitted regarding testimony received during the first 7 day period. For the 7 day period beginning November 10th and ending at 4:30pm, November 16th, the applicant may submit rebuttal to any material in the record."

Mayor Anderson opened the public hearing at 7:52pm in the matter of File LDC-13-09, proposed amendment to Brookings Municipal Code Ch. 17.100.

There were no ex parte or other declarations of conflict, personal bias or personal interest and no objections as to jurisdiction.

Mayor Anderson reviewed the guidelines, Director Morris reviewed the staff report and the hearing was closed at 7:58pm.

Councilor Pieper moved, a second followed and Council voted unanimously to approve revisions to Chapter 17.100, Hazardous Building Site Protection Hillside Development Standards of the Brookings Municipal Code.

Mayor Anderson introduced Ordinance 09-O-650 for Chapter 17.100 revisions.

Councilor Hedenskog moved, a second followed and Council voted unanimously to do first reading of [Ordinance 09-O-650] by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to do a second reading [of Ordinance 09-O-650] by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt [Ordinance 09-O-650, amending Chapter 17.100, Hazardous Building Site Protection Hillside Development Standards of the Brookings Municipal Code, in its entirety].

Mayor Anderson opened the public hearing in the matter of File LDC-15-09, proposed amendment to Brookings Municipal Code Ch. 17.12 at 8:02pm.

There were no ex parte or other declarations of conflict, personal bias or personal interest and no objections as to jurisdiction.

Mayor Anderson reviewed the guidelines, Director Morris reviewed the staff report and the hearing was closed at 8:06pm.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve amendments to Brookings Municipal Code Chapter 17.12 of as presented in File LDC-15-09.

Councilor Hedenskog moved, a second followed and Council voted unanimously to read [Ordinance 09-O-649] the first time by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to read do the second reading [of Ordinance 09-O-649] by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt [Ordinance 09-O-649, an ordinance amending Chapter 17.12, Establishment of Zoning Districts and Zoning Map, of the Brookings Municipal Code, in its entirety].

Consent Calendar

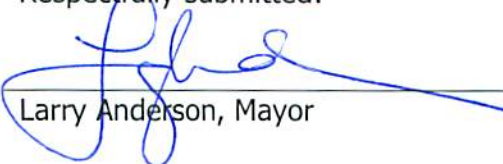
1. Approval of Council minutes for October 12, 2009.
2. Receive monthly financial report for September, 2009.

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

Adjournment

Councilor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:09pm.

Respectfully submitted:


Larry Anderson, Mayor

ATTESTED:
this _____ day of _____ 2009:

Joyce Heffington, City Recorder