

**MINUTES**  
**City of Brookings**  
**Common Council Meeting**  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon 97415  
Monday, May 11, 2009

Council met for a Workshop in Council Chambers at 5:30pm, to continue its discussion on system development charges and wastewater rates. Present were the full Council, Acting City Manager Janell Howard, Building Official LauraLee Gray, Public Works Director John Cowan, and approximately 15 members of the public and participating agencies.

**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 Dave Kitchen was absent.

Staff Present: Acting City Manager Janell Howard, Planning Director Dianne Morris and City Recorder Joyce Heffington.

Other Present: Curry Coastal Pilot Reporter Arwyn Rice and approximately 3 public.

**Ceremonies/Appointments/Announcements**

Mayor Anderson proclaimed the week of May 18<sup>th</sup>, 2009 as Azalea Festival Week. Chamber of Commerce President, Les Cohen, accepted the award on behalf of the Chamber and members of the dozens of organizations who help make the festival possible.

**Public Hearings/Ordinances**

Mayor Anderson called the legislative public hearing to order at 7:05pm in the matter of File LDC-4-09, adding Chapter 17.94, Landscaping, Tree Preservation and Replacement, to Title 17, Land Development Code, of the Brookings Municipal Code, City initiated.

Hearing no declarations of exparte, personal conflict, or conflicts of interest, and no objections as to jurisdiction, Planning Director Morris reviewed the language for the proposed chapter.

Frank Burris, Oregon State University Extension, PO Box 488, Gold Beach, spoke in support of the chapter, generally stating that Brookings, in considering this chapter for adoption, was the "envy of the Valley."

The hearing was closed at 7:18pm and Council moved to deliberations.

Councilor Pieper expressed concern with the idea of forcing property owners to install root barriers and using System Development Charges as incentives. Pieper also generally stated that the language pertaining to tree retention was too vague; the ordinance should provide a list of prohibited trees; and if incentives were to be used, they should be on a graduated scale such that a larger reduction would be realized with the incorporation of a greater number of listed items.

Councilor Gordon generally expressed concern with the City regulating trees on private property.

Council Hedenskog generally stated that a list of acceptable trees and regulations regarding tree height should be incorporated and that root barriers be excluded from the language.

Mayor Anderson generally stated that the language being considered was a step toward fulfilling the goal of conserving the City's water supply as well as a starting point toward providing incentives to encourage downtown development.

Council directed staff to look at moving the tree section over to the incentive section, eliminating the root barrier section, checking with the Dyer Partnership regarding the legal defensibility of providing incentives and incorporating a sliding incentive scale based on the number of incentive options being addressed by a particular developer.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to continue LDC-4-09 to the next Council meeting [at 7:00pm, May 26, 2009].**

Ordinance 09-O-635 was not considered.

### Regular Agenda

Acting City Manager Howard reviewed the Parks and Recreation Commission proposal to increase group Municipal Pool rates.

Councilor Hedenskog generally stated that there should be a non-resident rate consistent with other pool fees.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to approve swimming pool groups rates as recommended by the Park and Recreation Commission with an alternate change that we have in-City rates as proposed and a 25% increase for out-of-City rates**

Acting City Manager Howard reviewed the terms of the Lone Ranch Financing Agreement.

Mayor Anderson stated that the agreement represents "...an opportunity for the City not to put its citizens in debt for millions of dollars and an opportunity for Borax to put the money out and take the risk." Mayor Anderson also stated for the record that public input had been received from Pat Sherman on this item and would be incorporated into the record of the meeting.

**Councilor Gordon moved, a second followed and Council voted unanimously to authorize the City Manager to execute the Lone Ranch Infrastructure Financing Agreement.**

### Consent Calendar

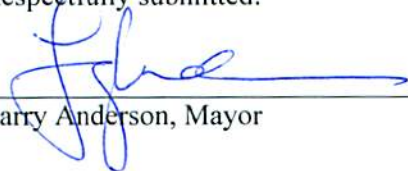
- A. Approval of Council Minutes for April 27, 2009.
- B. Acceptance of Parks and Recreation Minutes for March 26, 2009.
- C. Approval of pay grade change for Lauri Ziemer from Grade 1 to Grade 6.

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

### Adjournment

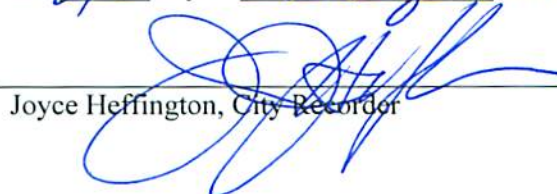
**Councilor Gordon moved, a second followed and Council voted unanimously by voice vote to adjourn at 8:02pm.**

Respectfully submitted:



Larry Anderson, Mayor

ATTESTED:  
this 27<sup>th</sup> day of May 2009:



Joyce Heffington, City Recorder