

**CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
June 12, 2000
7:00PM**

I. CALL TO ORDER

Mayor Bob Hagbom called the meeting to order at 7:04 PM.

II. PLEDGE OF ALLEGIANCE

Led by Brookings Municipal Court Judge Richard Harper

III. ROLL CALL

Council Present: Mayor Bob Hagbom, Councilors Larry Curry, Keith Pepper, Frances Johns, and Ex-Officio Shiloh Thom, a quorum present.

Council Absent: Ex-Officio Councilor Cindi Peterson

Staff Present: City Manager Tom Weldon, City Attorney John Trew, Finance Director/Recorder Gail Hedding, Police Chief Ken Lewis, Municipal Court Judge Richard Harper, and Administrative Secretary Sharon Ridens

Media Present: Chuck Hayward, Curry Coastal Pilot

Other: Chamber of Commerce Executive Director Les Cohen and Chamber President Richard Gyuro, Augie Kofoet-Vice President Businesses for a Better Brookings, Planning Commissioners Rick Dentino and Judi Krebs, Parks and Recreation Commissioner Russ Fritz, Brookings-Harbor Youth Association Director Heather Weckler, and approximately 30 other citizens, including retired City Councilor George Ciapusci.

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

A. Ceremonies

1. Special recognition to George Ciapusci

Mayor Hagbom honored retired Councilor George Ciapusci for all his

many hours given in service to the citizens of Brookings and presented him with a framed Certificate of Appreciation for his service on the City Council, Planning Commission and Capital Improvements Plan Committee.

2. *Special recognition to Cindi Peterson*
Ex-Officio Councilor Cindi Peterson was not in attendance.

B. Announcements

1. Proclamations

a. Proclamation Safety City - Dan Palicki

Mayor Hagbom recognized Dan Palicki, Marilyn Wood, and all companies, agencies, and volunteers who have and continue to make Brookings Police Department's Safety City Program a "Community Treasure". Hagbom continued by urging all citizens to keep the safety of our children as a priority and all parents of children going into kindergarten to send their children to one of the safety city programs this summer!

b. "Americanism Week" June 11th through 17th, 2000 - Brookings Emblem Club #265

Mayor Hagbom proclaimed the week of June 11th through June 17th, 2000, as "Supreme Emblem Club Americanism Week in Brookings," based on the club's citizenship principles, which include the strengthening of Unity of the United States of America. Six club members and including Councilor Frances Johns received the proclamation from Mayor Hagbom.

C. Interview Council Position No. 4 applicants

Mayor Hagbom asked each candidate for Council Position No. 4, to come forward with the balance of applicants (4) remaining outside of Council Chambers at each question and answer session. The applicants were interviewed in the following order: Rick Dentino, Russ Fritz, Augie Kofot, Lorraine Kuhn, and Cherie Mitchell.

D. Selection, appointment and swearing in of applicant for Council Position No. 4

All applicants returned into the Council Chambers. Mayor Hagbom asked for ballots from the Council. Lorraine Kuhn was selected by the Council and sworn into office by Municipal Court Judge Richard Harper.

AGENDA ORDER CHANGE:

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

B. Unscheduled

Due to a long agenda and time restraints, Mayor Hagbom asked City Manager Tom Weldon to introduce technology and science teacher Mike Gordon and three students regarding the issue of closing the lower part of Old County Road for a middle school class, which came to staff after Council packets had been completed. Gordon and students presented their class project incorporating science and technology to create down hill racing cars, learning about physics, aerodynamics, construction, development of team working skills, and how a car is designed and built for racing. Thus, there was a need for a location to test these skills and Old County Road was suggested.

Weldon explained he had talked with Community Development Director Lightle and Police Chief Lewis about this request and they saw no significant problem with closing the road for an hour and twenty minutes on Tuesday and Wednesday morning of this week. The closure would be from the intersection at Azalea Park Road and Old County Road to the intersection of Old County Road and Constitution Way. Public Works will provide barriers and the Police Department will send a patrol car to the area. He explained the only inconvenience would be to those people who want to use this section of Old County Road at that time, and they would be redirected to use Oak Street. After a few questions from the Council to Mr. Gordon and the students, Weldon recommended the Council authorize the closing of Old County Road June 13 and 14, 2000, as requested by the science and technology departments at Azalea Middle School.

Councilor Pepper moved, Councilor Johns seconded, Councilor Kuhn abstained, and the balance of the Council voted unanimously to add the closure of Old County Road to the agenda.

Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to authorize the closure of Old County Road June 13 and 14, 2000, from approximately 8:20AM to approximately 9:40AM for the Azalea Middle School class soap box car race.

AGENDA ORDER RETURNED AS PRINTED

V. PUBLIC HEARING

There was none.

VI. SCHEDULED PUBLIC APPEARANCES

There was none.

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

A. *Committee and Liaison reports*

1. *Chamber of Commerce*

Executive Director Les Cohen met with field representatives for Senators Gordon Smith and Ron Wyden regarding the lack of signage on interstate highway I-5, and U.S. Hwy 199 to indicate ocean beaches and Brookings, Oregon. He also discussed with the representatives the need, work, and progress being made to improve commercial air service between Crescent City and Medford and the need for direct flight service to Portland and points north. Cohen thanked the Council and staff for their efforts and assistance with the 61st Annual Azalea Festival.

Discussion ensued between Councilor Pepper and Cohen regarding air service into Crescent City from the San Francisco Airport. Pepper applauded the Chamber and all the other volunteers regarding their fortitude in continuing with the Azalea Festival's Saturday parade through all the rain.

2. *Businesses for a Better Brookings*

Vice President Augie Kofotet advised there were now 300 flags sponsored with a goal of 400. Kofotet advised he had been informed of many compliments on the display of flags throughout the weekend, and asked for confirmation from the Council on flags.

Mayor Hagbom said the Council supported the Businesses for a Better Brookings' "test program for the display of welcome flags" on city property (sidewalks) in downtown Brookings. He said they could add other businesses to this test area.

3. *Port of Brookings-Harbor*

No report.

4. *Planning Commission*

No report.

5. *Council Liaisons*

Council Johns advised the Council of the retirement of the Warden at Pelican Bay Stay Prison the first part of July and that there will be a picnic for him on July 8, 2000.

Mayor Hagbom advised Council and new Councilor Kuhn that liaison assignments will be discussed in the next week or so, and reassignments made at the next Council meeting.

B. Unscheduled

Don Nuss of 808 Pioneer Road, Brookings, presented questions regarding funds requested from the Port of Brookings Harbor as to the kite festival. He continued by asking the Council to look at a different way to handle bed tax.

Mayor Hagbom declared a recess at 8:38PM.

Council reconvened at 8:45PM.

Mayor Hagbom gave special recognition to Student Ex-Officio Shiloh Thom for her accomplishments as a Senior and graduate of Brookings-Harbor High School, and thanked her for her help and accomplishments. Thom thanked the Council and was allowed to leave the meeting early.

AGENDA ORDER CHANGED:

VIII. STAFF REPORTS

B. City Manager

2. Salmon Run Golf Course

City Manager Weldon explained, along with comments and written explanations from City Attorney John Trew, the need of a Landlord's consent agreement presented on behalf of the golf course for a loan from Family Security Bank. Further, Trew advised the agreement would not impact the City's position as Lessor. Golf course General Manager Pete Pavich and Family Security Bank President Genie Gilliam were present for questions. The final copy of the Landlord's Consent assignment was presented for signature by the Mayor and resolution for consideration. There was minimal discussion.

Councilor Pepper moved, Councilor Johns seconded, Councilor Kuhn abstained, and the balance of the Council voted unanimously to approve the new Landlord's Consent authorizing Mayor Hagbom to sign on the City's behalf, and to approve Resolution No. 00-R-675, in the matter of granting consent under golf course lease.

AGENDA ORDER RETURNED AS PRINTED:

VIII. STAFF REPORTS

A. Finance Department

1. *1999-2000 Fiscal Year Supplemental Budget*

Finance Director/Recorder Gail Hedding reviewed the unforeseen expenditures and revenues proposed for the supplemental budget. Hedding asked the council to approve Resolution No. 00-R-678.

Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to approve Resolution No. 00-R-678, in the matter of adopting a supplemental budget for 1999/2000 fiscal year.

AGENDA ORDER CHANGED:

VIII. STAFF REPORTS

C. Police Department

1. *Buy or lease new police cars*

Finance Director Hedding asked to take this agenda item out of order as it impacts following agenda items.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to add the approval of Resolution No. 00-R-679 to the agenda.

Police Chief Ken Lewis explained the request and quotations for leasing four vehicles for the Police Department, and recommended the Council approve a lease purchase option and the resolution. Discussion ensued.

Councilor Pepper moved, Councilor Kuhn seconded, and the Council voted unanimously to approve Resolution No. 00-R-679, in the matter of exempting from competitive bidding the lease purchase of four new police patrol vehicles.

A. Finance Department

3. *2000-2001 Fiscal Year State Revenue Sharing*

Mayor Hagbom asked Finance Director Hedding to review and discuss the state revenue sharing and proposed ordinance. There was minimal discussion. Mayor Hagbom called for the ordinance to be read in full. Hedding read Ordinance No. 00-O-538, in full.

Councilor Pepper moved and Councilor Johns seconded to have the second reading of Ordinance No. 00-O-538, be read by title only.

Mayor Hagbom stated a motion had been made and seconded and asked for discussion. There was none. He called for the question.

The Council voted unanimously to have Ordinance No. 00-O-538 read by title only.

Finance Director Hedding read the ordinance by title only. There was no further discussion.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to adopt Ordinance No. 00-O-538, in the matter of declaring the City's election to receive State Revenues and declaring an emergency.

Mayor Hagbom advised the motion was adopted.

City Attorney Trew clarified the procedures for announcing and voting on ordinances.

AGENDA ORDER RETURNED AS PRINTED:

VIII. STAFF REPORTS

A. Finance Department

2. *2000-2001 Fiscal Year Budget Adoption, Tax Levy and Appropriation*
Finance Director Gail Hedding reviewed the background and requests for funds for Public Works shop and other line items for the Fiscal Year 2000/2001 budget, prior to adoption of said budget. Hedding concluded with her recommendations. There was no discussion.

Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to approve the changes in the aforementioned lines items, as necessary for adoption of the 2000-20001 Fiscal Year Budget, Tax Levy and Appropriation.

Hedding continued by reviewing Resolution No. 00-R-677, and asked for approval.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to approve Resolution No. 00-R-677, in the matter

of adopting the budget, declaring tax levied, making appropriations for the 2000-2001 fiscal year and to categorize the levy as provided in ORS 294.435.

3. *2000-2001 Fiscal Year Budget Adoption, Tax Levy and Appropriation*
Previously addressed.

4. *Authorized Disbursement Signatories*
Finance Director Hedding provided background on the necessity for a resolution to document the authorized signatories for City financial activities. She continued with a request to approved Resolution No. 00-R-676.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to approve Resolution No. 00-R-676, in the matter of naming a City Recorder/Treasurer and naming authorized signatories.

5. *Lease for primary copy machine in City Hall*
After explaining the background of the City's current primary copy machine, lease, and associated costs, Finance Director Hedding recommend the Council authorize staff to enter into a lease arrangement with CMI Business Systems for leasing a new photocopy machine. There were was no discussion.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to authorize staff to enter into lease arrangement for a four year period of a Toshiba Digital 5570 copier with CMI Business Systems effective immediately.

B. *City Manager*

1. *Sale of tobacco to minors*
City Manager Tom Weldon presented background and a copy of a prepared ordinance which he delivered to all motels, restaurants, and stores which might be effected by the ordinance. To date, no one had called his office and no one was at the meeting tonight regarding the matter. Councilor Johns commented in favor of the ordinance plan.

Councilor Curry advised he was not in favor of this ordinance. He commented this issue should be at the voters' level, not the City Council's, due to fines and enforcement of ordinance. Discussion ensued regarding a correct title for the ordinance, possible public hearings, and enforcement.

Mayor Hagbom asked for delayed action on this matter, as he would be attending a meeting for the League of Oregon Cities in the next two weeks and would secure input from them and any legislative issues.

Dave Manzella from the Curry County Health Department and coordinator on tobacco education commented on the Council's reactions to this suggested ordinance and argued in favor of passing it. He noted the idea of the ordinance is to ban self service displays in stores, not to address the sell of tobacco to minors. Manzella continued further with detailed information on the issues of youths' access to tobacco, a plan to curbing youths smoking, and over 400 small communities in state of California passing these types of laws before the state took on the issue. He closed by advising in a community like ours, the age when a youth is willing to take that first cigarette can be pushed back and should be a priority, when \$13.7 million in our county is spent as a result of cigarette smoking costs.

By consensus the Council placed this matter on the July 24, 2000, agenda for further action.

2. *Salmon Run Golf Course*
Previously addressed on agenda.

C. *Police Department*

1. *Buy or lease new police cars*
Agenda Item addressed previously, after Agenda Item No. VIII.A.1.

IX. CONSENT CALENDAR

A. *Approval of Council Meeting Minutes*

1. *Minutes of May 22, 2000, Regular Council Meeting*

B. *Acceptance of Planning Commission Meeting Minutes*

1. *Minutes of May 2, 2000, Regular Commission Meeting*

C. *Approval of Vouchers (\$459,900.06)*

(end Consent Calendar)

Councilor Johns moved, Councilor Curry seconded, Councilor Kuhn abstained, and the balance of the Council voted unanimously to approve the consent calendar.

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. *Ordinances*

1. *No. 00-O-538 - in the matter of declaring the City's election to receive State Revenues and declaring an emergency*
Previously addressed on agenda.

2. *No. 00-O-537 - in the matter of the sale of Tobacco to Minors*
Previously addressed on agenda.

3. *No. 00-O-482.B - An ordinance amending Ordinance No. 93-0-482A, adopted June 8, 1993.*

City Manager Weldon presented the Parks and Recreation Commission request to delete the term limits of its officers by resolution which were previously discussed at May 22, 2000, meeting. There was minimal discussion. Mayor Hagbom called for the ordinance to be read in full. Weldon read Ordinance No. 00-O-482.B, in it's entirety.

Councilor Pepper moved and Councilor Johns seconded to have the second reading of Ordinance No. 00-O-482.B, be read by title only.

Mayor Hagbom stated the a motion had been made and seconded and asked for discussion. There was none. He called for the question.

The Council voted unanimously to have Ordinance No. 00-O-482.B read by title only.

City Manager Weldon read the ordinance by title only. There was no further discussion.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to adopt Ordinance No. 00-O-482.B, in the matter of amending Ordinance No. 91-O-482 (creating a Parks and Recreation Commission), adopted December 18, 1991.

Mayor Hagbom advised the motion was adopted.

B. Resolutions

1. *No. 00-R-678 - in the matter of adopting a supplemental budget for 1999/2000 fiscal year*
Previously addressed on agenda.

2. *No. 00-R-677 - in the matter of adopting the budget, declaring tax levied, making appropriations for the 2000-2001 Fiscal Year and to categorize the levy as provided in ORS 294.435*
Previously addressed on agenda.

3. *No. 00-R-676 - in the matter of naming a City Recorder/Treasurer and naming authorized signatories*
Previously addressed on agenda.

~~4. *No. 00-R-679 - in the matter of approving a lease agreement for the*~~

~~primary copy machine in City Hall.~~

CANCELLED ON AGENDA, as not necessary, according to City Attorney.

5. *No. 00-R-675, in the matter of granting consent under golf course lease agreement*
Previously addressed on agenda.

XI. REMARKS FROM MAYOR AND COUNCILORS

A. Council

Councilor Pepper asked for the status of the PROUD recommendations. Weldon advised the report was almost to conclusion.

Councilor Kuhn thanked the Council for her appointment. Weldon welcomed Kuhn and advised of the need to schedule an orientation to meet staff and have tours of City's facilities.

B. Mayor


Hagbom advised he will be at League of Oregon Cities meetings during the later part of next week and asked the Council to inform him if there are any issues they would like him to take to the meeting(s) as to legislature/league activity this fall. He also asked the City Manager and staff to confirm the LOC annual conference reservations.

City Attorney John Trew suggested checking with corporate offices and/or out-of-town owners for businesses regarding the anti-smoking ordinance/issues.

XII. ADJOURNMENT

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to adjourn the meeting at 10:14PM.

Respectfully submitted:



Bob Hagbom
Mayor

ATTEST:



Gail E. Hedding
Finance Director/Recorder