

**CITY OF BROOKINGS
SPECIAL COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
December 5, 2000
7:00PM**

I. CALL TO ORDER

Mayor Bob Hagbom called the meeting to order at 4:10 PM.

II. PLEDGE OF ALLEGIANCE

Led by City Attorney John B. Trew

III. ROLL CALL

Council Present: Mayor Bob Hagbom, Councilors Larry Curry, and Frances Johns, quorum present; with Councilor Lorraine Kuhn arriving at 4:25PM.

Council Absent: Keith Pepper, excused

Staff Present: City Manager Leroy Blodgett, City Attorney John Trew, City Planner John Bischoff, Administrative Secretary Sharon Ridens, and one other citizen..

Media Present: Chuck Hayward, Curry Coastal Pilot

Other: Councilor Elect Rick Dentino

IV. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Ordinances

- 1. Approval of Ordinance No. 00-O-541, an ordinance to adopt a procedure for processing claims for compensation made pursuant to Article I, Section 18, of the Oregon Constitution as amended by Initiative Measure 7, enacted into law by the voters on November 7, 2000, and declaring an emergency***

Mayor Hagbom explained reason for the specially called council meeting, which was due to necessary city action by the passage of Measure 7. He then asked City Attorney John Trew to provide a brief background and explanation of the status of Measure 7 and the importance of the City of Brookings acting immediately for an ordinance regarding procedures for

processing claims for compensation made pursuant to Article I, Section 18, of the Oregon Constitution as amended by Initiative Measure 7, enacted into law by the voters on November 7, 2000. Questions ensued by the Council to City Attorney Trew, and he answered their questions based on many unknown factors because of Measure 7's current status.

City Planner John Bischoff pointed out an inconsistency in the proposed ordinance under Section 11, (b) first paragraph reference of written notice to property owners within 300 feet of same owned property, in comparison with our Land Development Code, which indicated "within 250 feet". However, stated it was an acceptable and workable difference. Bischoff continued noting the State Land Development Laws requires only within 100 feet. John Trew advised Council the goal of the ordinance in this matter, is to advise as many citizens as possible.

City Manager Leroy Blodgett explained he and Trew had worked diligently on this ordinance with many rewrites and drafts. He stated the ordinance is not objecting to, favoring, or side-stepping Measure 7 in anyway, but only establishing a process for anyone who would want to file a claim.

City Attorney Trew explained because of the special meeting and timeline rules established in the City's council procedures ordinance, the proposed ordinance would need to be read in it's entirety. Therefore, Mayor Hagbom asked Trew to proceed with the reading of Ordinance No. 00-O-541. He did so.

Mayor Hagbom asked for any questions or comments. Discussion ensued regarding Section 6 of the proposed ordinance and the need for establishing a form and fee amounts. City Manager Blodgett asked to continue these issues for the next meeting in order to meet with staff to allow for justification of fee amounts and form(s).

Mayor Hagbom states proposed Ordinance No. 00-O-541, has been read in full.

Councilor Johns moved, Councilor Kuhn seconded, and the Council voted unanimously to have the second reading of Ordinance No. 00-O-541, entitled "In the matter of an ordinance to adopt a procedure for processing claims for compensation made pursuant to Article I, Section 18, Oregon Constitution as amended by Initiative Measure 7 enacted into Law by the voters on November 7, 2000, and declaring an emergency" be read by title only.


With no further discussion, City Attorney Trew read the ordinance by title only per Council's request. Hagbom asked for a motion.

Councilor Johns moved, Councilor Kuhn seconded, and the Council voted unanimously for the adoption of Ordinance No. 00-O-541, entitled "In the matter of an ordinance to adopt a procedure for processing claims for compensation made pursuant to Article I, Section 18, Oregon Constitution as amended by Initiative Measure 7 enacted into Law by the voters on November 7, 2000, and declaring an emergency".

XII. ADJOURNMENT

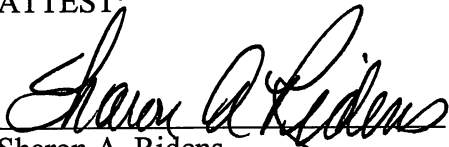
Councilor Curry moved, Councilor Johns seconded, and the Council voted unanimously to adjourn the meeting at 4:45PM.

Respectfully submitted:



Bob Hagbom
MAYOR

ATTEST:



Sharon A. Ridens
Interim City Recorder