

**CITY OF BROOKINGS
COMMON COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, OR 97415
February 14, 2000
7:00PM**

I. CALL TO ORDER

Mayor Bob Hagbom called the meeting to order at 7:00 PM.

II. PLEDGE OF ALLEGIANCE

Led by Ex-Officio Councilor Shiloh Thom

III. ROLL CALL

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

Council Absent: None

Staff Present: City Manager Tom Weldon, City Attorney John Trew, Finance Director/Recorder Gail Hedding, Community Development Director Leo Lightle, Police Chief Ken Lewis, and Administrative Secretary Sharon Ridens

Media Present: Chuck Hayward, Curry Coastal Pilot, and Joyce Tromblee, KURY Radio

Other: Chamber of Commerce Executive Director Les Cohen, Chamber President Richard Gyuro, Augie Kofoet - Vice President Businesses for a Better Brookings, Chairman Craig Mickelson of the Parks and Recreation Commission, Pete Pavich from Salmon Run Golf and Wilderness Reserve, and approximately 20 other citizens.

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

None

V. PUBLIC HEARING

None

VI. SCHEDULED PUBLIC APPEARANCE

- A. *Shirley Beamen of Century 21 Real Estate - Pelican's Perch Senior Housing*
Shirley Beamen of 908 Easy Street, Brookings, presented a request for support from the Council on a project for new affordable senior housing on R-3 zoned property on Moore Street - known as Timberlake Development, LLC. She informed the Council the competition for financing from Oregon Housing with applicants from towns all over the State

Councilor Ciapusci moved, Councilor Johns second, and the Council voted unanimously to endorse a proposal for construction of a 24-unit senior housing complex in Brookings from Timberlake Development, LLC, to be known as the Pelican's Perch.

- B. *BHHS Seniors Shannon Mello and Joe Knapp - Park Signing Project*
Chair Craig Mickelson of the Parks & Recreation Commission introduced Brookings-Harbor High School students Shannon Mello and Joe Knapp regarding their Senior Project for a Parks Signage Project, which was recently approved for recommendation by the Parks and Recreations Commission to the Council for approval.

BHHS Students Joe Knapp of 95893 Eggers Road, Brookings, and Shanon Mello of PO Box 2629, Harbor, presented their goals in the project, which included a specific set of standards for signing at city parks with a consistent unified visible and durable design. They provided photographs and samples of materials for their suggested project. Knapp and Mello provided approximate costs, detailed samples of materials, verbiage on the signs, and possible locations for signs. Knapp noted BHHS's Shop Department would be able to provide labor and the for engraving the signs. Discussion ensued with a few questions asked and answered by the students.

Councilor Pepper moved, Councilor Ciapusci seconded, and the Council voted unanimously to approve the signage proposal for staff review and to include the project for the 2000-2001 Fiscal Year Budget.

Councilor Ciapusci and the entire Council commended and thanked the students for their presentation, thorough work and skills in bringing the project to the Council.

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

A. Committee and Liaison reports

1. Chamber of Commerce

a. Annual Report

Chamber President Richard Gyuro of 276 Allen Ln, Brookings introduced the Chamber of Commerce Board members Sheila Hagbom, Marilyn Deards, Judy May-Lopez, Larry Cook, Secretary Tom Weldon, and Director Les Cohen. After referring to the City Ordinance and contract between the Council and the Chamber, Gyuro asked Cohen to present the previously submitted Annual Report, which included a 10.5 percent increase in visitor center attendance from 1998. Cohen noted many other visitor centers in the state have decreased numbers. He spoke of the various marketing and promotions, more specifically the media advertising, and the success of such. A slide presentation included many comparisons with the current year and prior years, regarding the success of the marketing efforts by the requests for information - mail, Internet, visitor centers, and information indicating the City of Brookings Transient Room Tax revenues being increased by 16.6% over 1998, which partially reflects the receipts from Harris Beach State park Campground. Cohen offered a few suggestions to the Council regarding the costs involved with the annual holiday light decorations that the chamber maintains and arranges to be installed along Chetco Avenue during the month of December. He noted the need of repair, refurbishment, and in some cases replacement. He asked the Council to consider budgeting funds for the Chamber to be specifically used for this purpose. Cohen also asked the Council to consider amending their agreement to require the annual program report to be filed by July 31 of each year, corresponding to the Chamber's fiscal year of July to June. There were no questions from the Council.

Mayor Hagbom asked the Council to accept the Annual Report and consider Cohen's request relative to Christmas decorations and change in the annual report for physical year to be addressed at a later date.

Councilor Johns moved, Councilor Ciapusci seconded, and the Council voted unanimously to accept the Chamber of Commerce Annual Report, to consider the Christmas decorations expenditure for the next Fiscal Budget, and to consider an amendment to the agreement between the City and Chamber in regards to requiring the annual program report to be filed by July 31 of each year, corresponding to the Chamber and City's Fiscal Year of July to June.

2. *Businesses for a Better Brookings*

Vice President Augie Kofoet of 787 Ransom, Brookings reported 268 flags had been secured for flying on the designated holidays, but they were still looking for more sponsors. Kofoet noted the flags would be flying next Monday as Presidents Day. On behalf of Business for a Better Brookings, he requested funds from the City for the organization's labor and activities accomplished on US Hwy 101, in the approximate amount of \$15,000. Kofoet stated the organization was looking for a way to get part of the City's bed tax, which is put into the general fund. He asked Mayor Hagbom, if they could apply to have the City of Brookings give them a sign, since "we both have the same target for the area". He continued by stating 100% of the funds would go into the downtown community. Kofoet provided a copy of the request to the Mayor.

Mayor Hagbom asked for questions. There were none. The Mayor asked for an official request to be presented to the Budget Committee. City Manager Tom Weldon asked for the written request immediately, since the budget process has already begun. Kofoet indicated it would be to City by Wednesday.

3. *Port of Brookings-Harbor*

None

4. *Parks & Recreation Commission*

None

5. *Planning Commission*

a. *'99 Annual Report - Marv Lindsey, Past Chair*

Past Chair Marv Lindsey, P.O. Box 1804, Brookings, presented the Commission's annual report and asked for acceptance. He thanked the Mayor, Council, and all of the City's Commissions and Boards for their many thousands of volunteer hours, after he provided the brief summary of the Commission's actions. There were no questions from the Council. Mayor Hagbom thanked Lindsey for the Commission's very busy and fruitful work.

Councilor Ciapusci moved, Councilor Curry seconded, and the Council voted unanimously to accept the Planning Commission's '99 Annual Report.

6. *Council Liaisons*

Councilor Ciapusci advised the Council he attended the February 1, 2000 Planning Commission meeting and reported there was one request for a final map proposal which was approved; a request for a change of zoning which was approved; and a county referral regarding a variance on a minimum lot size on property in Harbor. The Commission recommended approval to the County planner.

Councilor Curry informed the Council he attended two meetings last week: one for CPACT and one for OCZMA. Curry provided a review of the main agenda items for the two meetings, which included information on the Oregon Scenic By-ways and how to secure additional information from CPACT.

B. *Unscheduled*

Mayor Hagbom referenced letters to the editor in the Curry Coastal Pilot regarding the City's Ordinance relative to the audience addressing the Council. He read two paragraphs of Ordinance No. 91-O-474, regarding procedures for addressing the Council. Hagbom stated he would follow that particular part of the ordinance to the letter. Mayor Hagbom asked for any unscheduled comments.

Don Nuss of 808 Pioneer Road, Brookings, referred to the last meeting and his prior request and continued his argument that the Chamber of Commerce's records should be public record. He questioned members of the Council using "harsh and abusive" language toward him as a tax payer. Mayor Hagbom thanked Nuss for his comments, and asked if there was anyone else.

Yvonne Mailland of 15676 Oceanview Dr, Harbor, Oregon, provided comments on Don Nuss's behavior and asked for a response regarding the use of City time and personnel to handle Chamber affiliated work. City Attorney John Trew answered her questions and advised City use of City Computers and personnel are acceptable and there is nothing unethical about it. She asked Mayor Hagbom in regards to a conflict of interest regarding the City Manager being a member of Chamber. Mayor Hagbom stated many times this information has been provided publicly in meetings with referenced advise by City Attorney Trew.

Don Nuss asked for recognition. Mayor Hagom said no. Nuss rebutted again, and the Mayor allowed him to proceed. Nuss advised he had not made a part of his concern that City employee's time used for Chamber business was unethical. City Attorney Trew reminded Nuss he had his written and verbal response from the City, of which he advised the Council to stand by his [Trew] opinion, and that the Council and he will continue to stand by that opinion - nothing unethical is occurring. Nuss rebutted, and the Mayor answered he [Nuss] did receive it.

Chamber President Richard Gyuro asked for a point of clarification and the Mayor confirmed, the Chamber's Board of Directors are elected not appointed.

Tom Martin of 935 Hidden Court, Brookings, advised he was given a copy of a memorandum dated February 3, 2000, relating to giving the newspaper publisher our agenda. Mayor Hagbom advised Martin, he was ahead of the agenda schedule.

VIII. STAFF REPORTS

A. Finance Department

1. Request for approval to purchase HP Laser Jet Printer

Finance Director Gail Hedding documented for the Council a need to purchase an HP Laser Jet Printer 8100. Information regarding three local of four bidders responding was given to the Council for consideration.

Councilor Ciapusci moved, Councilor Curry seconded, and the Council voted unanimously to approve the purchase of bid items in the amount of \$718.16, from Comark, except for the unbid item - 64mb memory, which is to be purchased from Amazing Computers at \$482.95.

Mayor Hagbom declared a recess at 8:25PM for approximately five minutes.

Council meeting was resumed at 8:35PM.

B. City Manager

1. Council Procedures Ordinance

Mayor Hagbom provided a background to the audience, noting 1-1/2 years ago, the Council, with previous Mayor Nancy Brendlinger, got together regarding these changes. It was noted at that time there was a direct conflict with this ordinance and the City Charter and it had many typos. Hagbom also informed the Council, City ordinances have to be reviewed every 3 years or so, because state laws change which effect city ordinances. He informed the Council he had asked for input from the League of Oregon Cities (LOC) and other cities relative to conduct of meetings, procedures, etc. These recommendations are made based on conversations with LOC members, input from all City Councilors, and advise from the City Attorney who advised the current ordinance allows for the presiding officer to have latitude. The recommended changes by the memo in meeting packet includes the desire to clarify, not change, preferred word usage, deletions, correct spellings, commas, periods -

grammatical errors. Discussion ensued.

Councilor Ciapusci considered some of the recommended language changes in section 21d were redundant, but that a change in the word vituperative was a good recommendation.

Councilor Pepper referred to Newspaper of record, rather than "the Curry Costal Pilot" - and asked prior to final approval of a change in the ordinance, if the Council could receive a redline version. It was a consensus of the Council to leave section 21d as it was with the exception of the word vituperative, and to have the staff prepare a redline copy before the next Council meeting.

Mayor Hagbom asked for any comments from the audience.

Don Nuss of 808 Pioneer Road, Brookings, reviewed some of the recommended changes, including those to section 21d. Mayor Hagbom allowed him to continue, although a consensus had already been made by the Council to leave section 21d as it was with noted exceptions. Mayor Hagbom stated he would have City Attorney Trew review Section 15.B.2 for better clarification.

Hagbom asked for any other comments.

Augie Kofot of 787 Ransom discussed two of the recommended changes in regards to Sections 13 and 6.

Olive Wooldridge of 94361 Wedderburn Loop, Gold Beach, Oregon, asked for the Council to consider keeping track of the public's time used and not used, so that if not used in total, they could use their balance of time in rebuttal. She read a prepared statement.

At 9:05PM, the Mayor excused the Student Ex-officios Shiloh Thom and Cindi Peterson.

Robert Pieper of 98478 No Bank Chetco, Brookings, a new member to community made comments on censorship at the high school and problems in community.

Mayor Hagbom, on behalf of the City Council, not the Chamber; stated that to his knowledge there have been no cut backs on commission or council meetings, and questioned what Pieper was talking about. Hagbom stated our [the Council] business is doing the best job we can regarding the City's business, and not anyone else's at any time.

Tom Martin of 935 Hidden Court, Brookings, was acknowledged by the Mayor. He asked for the Council's approval to return to the harsh & abusive issue. It was denied.

Don Nuss of 808 Pioneer, Brookings, presented his opinion on the definition of harsh and abusive terms in the ordinance. Mayor Hagbom advised Nuss to stop, that he was not going into the last meeting. Nuss rebutted.

Elena Moore of 95990 Eggers Road, Brookings stated she was concerned about 21d recommendations and was allowed by the Mayor to share a few thoughts even though the matter was mute. She read a prepared statement.

Stan Funk of 95990 Eggers Road, Brookings, commented on proposed, now mute, changes for section 21, and recommended a public work study to rewrite the ordinance.

C. *Community Development Department*

1. *Returning property to Curry Co. on Cove Road*

Community Development Director Leo Lightle recommended the Council return the deed to Assessor's Map 41-13-6DD Tax Lot 3400 to Curry County. Minimal discussion ensued.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to return the deed for Cover Road - Assessor's map 41-13-6DD Tax Lot 3400, to Curry County.

Lightle informed the Council he had met with ODOT today regarding cross walk at the Redwood Theater on US Hwy 101/Chetco Avenue. ODOT is recommending a latter type crosswalk, visible replacement signs with fluorescence signs, and poles to put a mast arms across the street. Research is being done by their engineering department. ODOT will be asking the City to pay for the electric costs but the state will maintain the cross walk lines. District 7 Representative Lee Sparks asked to be sure the Council was aware of the status of the progress on this matter.

D. *Police Department*

1. *Request for authorization to hire Reserve Police Officer Josh Pieren as second School Resource Officer (SRO) at full time, temporary status*

Police Chief Ken Lewis asked the Council to authorize the hiring of a temporary officer, funded 100% by 17C School District-at their request, as

a School Resource Officer. Lewis noted Josh Pieren has been functioning in that capacity ever since the school district went back into session after the second to last bomb scare. City Manager Weldon noted this was an emergency situation.

Councilor Pepper moved, Councilor Ciapusci seconded, and the Council voted unanimously to approve the authorization to hire Reserve Officer Josh Pieren as a full time, temporary employee to serve a second School Resource Officer.

2. *Request to purchase Police car through State of Oregon*
Police Chief Ken Lewis provided information on the process to purchase of a new police car through the State of Oregon. He recommended the Council authorize a purchase in the amount of \$20,375.00. Discussion ensued.

Councilor Johns moved, Councilor Ciapusci seconded, and the Council voted unanimously to approve Resolution No. 00-R-667, exempting from competitive bidding the purchase of a 2000 police vehicle, in the amount of \$20,375.00.

Don Nuss of 808 Pioneer Rd, Brookings, commented on bid procedures with the State of Oregon. Mayor Hagbom and City Manager Weldon advised our local dealers were on the bid list, but not interested, basically due to all auto dealers involved with state vehicles for the last few years have been in Portland area.

Out of Agenda order:

Councilor Pepper moved, Councilor Ciapusci seconded and the Council voted unanimously to approve Resolution No. 00-R-666, in the matter of a resolution conveying real property to Curry County.

IX. CONSENT CALENDAR

- A. *Approval of Council Meeting Minutes*
 - 1. *Minutes of January 24, 2000, Regular Council Meeting*
- B. *Acceptance of Parks & Recreation Commission Minutes*
 - 1. *Minutes of November 18, 1999, Regular Commission Meeting*
- C. *Acceptance of Planning Commission Minutes*
 - 1. *Minutes of January 4, 2000 Commission Minutes*
- D. *Approval of Vouchers (\$332,302.66)*

(end Consent Calendar)

Councilor Ciapusci moved, Councilor Johns seconded, the Mayor abstained due to his absence at the January 24, 2000, Council meeting, and the balance of the Council voted unanimously to approve the consent calendar as corrected (January 24, 2000 minutes).

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. *Ordinances*

None
- B. *Resolutions*
 - 1. *Approval of Resolution No. 00-R-666 - a resolution conveying real property (Cove Road) to Curry County*
Addressed under agenda item VIII. D. 2.
 - 2. *Approval of Resolution No. 00-R-667 - a resolution authorizing exemption from competitive bidding the purchase of a 2000 Police vehicle*
Addressed under agenda item VIII. D. 2.

XI. REMARKS FROM MAYOR AND COUNCILORS

- A. *Council*

None
- B. *Mayor*

Mayor Hagbom advised Janey Cummins from the League of Oregon Cities (LOC) would be here on February 17th at 11:00AM to meet with staff and any available Council members to discuss LOC activities and assistance. Hagbom then asked the Council for a letter of support to Governor Kitzhaber for the reappointment of Hans D. Radtke to the Pacific Fisheries Management Council.

Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to add to the agenda, the matter of supporting Hans Radtke to the Pacific Fisheries Management Council.

Councilor Pepper moved, Councilor Johns seconded, and the Council voted unanimously to authorize the City Manager to prepare a letter to Governor Kitzhaber for all their signatures to approve Hans D. Radtke's reappointment to the Pacific Fisheries Management Council.

Councilor Curry asked for copies to be sent to appropriate people and agencies.

XII. ADJOURNMENT

Mayor Hagbom adjourned the meeting at 9:47PM.

Respectfully submitted:



Bob Hagbom
Mayor

ATTEST:



Gail L. Hedding
Finance Director/Recorder