

minutes

**CITY OF BROOKINGS
COMMON COUNCIL MEETING
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
September 12, 1994
7:00 p.m.**

I. CALL TO ORDER

Mayor Davis called the meeting to order at 7:01 p. m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Tom Davis, Councilors Nancy Brendlinger, Bob Hagbom, Councilor Larry Curry

Council Absent: Councilor Dave Scott (arrived at 8:10 p.m.)

Staff Present: Interim City Manager Leo Lightle, Administrative Assistant Donna Van Nest, City Attorney Martin Stone, Chief of Police Kent Owens

Media Present: Tracy Reed, Curry Coastal Pilot; Larry Goodman, KCRE; Joel Buffington, KURY

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

Mayor Davis announced that the Coos Curry Douglas Regional Strategies Board has awarded the Amphitheater project a grant in the amount of \$28, 115.

V. PUBLIC HEARINGS

1. **Public hearing to discuss and enter into contract with Oregon Economic Development Department that authorizes the City of Brookings to accept grant funds from the Department to finance the costs of the Harbor Sanitary District Wastewater Facilities Report.**

Mayor Davis opened the public hearing at 7:06 p.m.

Mayor Davis asked for testimony from the public. There being none, Mayor Davis asked for testimony or comments from the council. There being none, Mayor Davis closed the public hearing at 7:08 p.m.

Councilor Hagbom moved to authorize the mayor to sign the contract with the Oregon Economic Development Department that authorizes the City of Brookings to accept grant funds from the Department to finance the costs of the Harbor Sanitary District Wastewater Facilities Report, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; request to authorize the mayor to sign the contract with the Oregon Economic Development Department that authorizes the City of Brookings to accept grant funds from the Department to finance the costs of the Harbor Sanitary District Wastewater Facilities Report, approved.

VI. SCHEDULED PUBLIC APPEARANCES

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

VIII. STAFF REPORTS

- A. Community Development Director**
- B. Engineer**
- C. Police Department**
- D. City Manager**

1. Report on bids - Water Intake Standby Pump

Councilor Hagbom moved to award the bid for the installation of the third pump at the water intake to EMK Contractors, 540 Conger St., Eugene, Oregon in the amount of \$40,655 and authorize the mayor to sign the contract with EMK, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; bid for the installation of the third pump at the water intake awarded to EMK Contractors, 540 Conger St., Eugene, Oregon in the amount of \$40,655 and the mayor authorized to sign the contract with EMK.

2. Acceptance of Bargain and Sale Deed from Coos-Curry Electric Cooperative and from Curry County for a lot line adjustment on North Second Street

Councilor Brendlinger moved to accept the Bargain and Sale Deed from Coos-Curry Electric for a lot line adjustment on North Second Street, contingent on verification of form by City Attorney Martin Stone, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Bargain and Sale Deed from Coos-Curry Electric for a lot line adjustment on North Second Street, accepted, contingent on verification of form by City Attorney Martin Stone.

E. City Attorney

1. Estate of Virginia Manley

Councilor Curry moved to authorize the mayor to execute the WAIVER OF RIGHT TO OBJECT TO SALE OF REAL PROPERTY in the matter of the estate of Virginia Manley, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; mayor authorized to execute the WAIVER OF RIGHT TO OBJECT TO SALE OF REAL PROPERTY in the matter of the estate of Virginia Manley.

IX. CONSENT CALENDAR

A. Approval of Council Meeting Minutes

- 1. August 22, 1994 Regular Council Meeting**

B. Acceptance of Commission/Board Minutes

- 1. August 2, 1994 Planning Commission Meeting**
- 2. August 16, 1994 Planning Commission Meeting**

C. Approval of Vouchers [\$214,136.71]

D. Miscellaneous

- 1. Liquor license application - That Special Touch Florist - Linda St. Clair**

(end Consent Calendar)

Councilor Hagbom moved to approve the Consent Calendar as presented, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Consent Calendar consisting of:

A. Approval of Council Meeting Minutes

- 1. August 22, 1994 Regular Council Meeting**

B. Acceptance of Commission/Board Minutes

- 1. August 2, 1994 Planning Commission Meeting**
- 2. August 16, 1994 Planning Commission Meeting**

C. Approval of Vouchers [\$214,136.71]

D. Miscellaneous

- 1. Liquor license application - That Special Touch Florist - Linda St. Clair**

approved.

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Ordinances

- 1. Ordinance No. 94-O-506 - An ordinance vacating that certain parcel of public land located adjacent to the northerly end of an unnamed street extending northwest from Fern Street, and below described.**

Administrative Assistant Donna Van Nest read Ordinance No. 94-O-506 into the record in its entirety.

Councilor Hagbom moved to adopt Ordinance No. 94-O-506 by first reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Ordinance No. 94-O-506 adopted by first reading.

Administrative Assistant Donna Van Nest read Ordinance No. 94-O-506 into the record by title only.

Councilor Hagbom moved to adopt Ordinance No. 94-O-506 by second reading, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Ordinance No. 94-O-506 - An ordinance vacating that certain parcel of public land located adjacent to the northerly end of an unnamed street extending northwest from Fern Street, and below described - adopted by second reading. [Effective October 11, 1994]

2. **Ordinance No. 94-O-507 - An ordinance declaring the annexation of certain real property to the City of Brookings, and concurrently rezoning said property from residential one (R-1) county zoning to single family residential 6,000 sq. ft. minimum lot size (R-1-6) city zoning.**

Administrative Assistant Donna Van Nest read Ordinance No. 94-O-507 into the record in its entirety.

Councilor Hagbom moved to adopt Ordinance No. 94-O-507 by first reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Ordinance No. 94-O-507 adopted by first reading.

Administrative Assistant Donna Van Nest read Ordinance No. 94-O-507 into the record by title only.

Councilor Curry moved to adopt Ordinance No. 94-O-507 by second reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Ordinance No. 94-O-507 - An ordinance declaring the annexation of certain real property to the City of Brookings, and concurrently rezoning said property from residential one (R-1) county zoning to single family residential 6,000 sq. ft. minimum lot size (R-1-6) city zoning - adopted by second reading. [Effective October 11, 1994]

B. Resolutions

- 1. Resolution No. 94-R-582 - A resolution of the City of Brookings establishing a policy of nondiscrimination on the basis of handicapped status.**

Councilor Hagbom moved to adopt Resolution No. 94-R-582, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Resolution No. 94-R-582 - A resolution of the City of Brookings establishing a policy of nondiscrimination on the basis of handicapped status - adopted.

XI. COMMITTEE REPORTS

A. Planning Commission

B. Parks and Recreation Commission

Acting Chair Keith Pepper gave a brief report on activities of the Commission.

C. Golf Board

1. Jack Creek Golf Course Lease

It was council consensus to hold a special council meeting on Thursday, September 15, 1994 to discuss the proposed lease agreement for the Jack Creek Golf Course project. No formal action requested or taken.

D. Chamber of Commerce

XII. REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

1. Designated representative and alternate to Oregon Coastal Zone Management Association (OCZMA)

Councilor Brendlinger moved to appoint Council President Larry Curry as the designated representative to the Oregon Coastal Zone Management Association, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Council President Larry Curry appointed as the designated representative to the Oregon Coastal Zone Management Association.

Councilor Hagbom moved to appoint Councilor Dave Scott as the designated alternate representative to the Oregon Coastal Zone Management Association, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Councilor Dave Scott appointed as the designated alternate representative to the Oregon Coastal Zone Management Association.

B. Council

1. Deer crossing signs on Chetco Avenue

Mayor Davis moved to direct staff to contact the Oregon Department of Transportation to request "Deer Crossing" signs on Chetco Avenue, a blinking light on the crosswalk sign in front of the Redwood Theater, and a "Fifth Street" sign at the corner of Chetco Avenue and Fifth Street, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; staff directed to contact the Oregon Department of Transportation to request "Deer Crossing" signs on Chetco Avenue, a blinking light on the crosswalk sign in front of the Redwood Theater, and a "Fifth Street" sign at the corner of Chetco Avenue and Fifth Street.

Mayor Davis recessed the council meeting at 8:05 and convened an executive session at approximately 8:10 p.m. (Councilor Scott arrived at approximately 8:10 p.m.)

**EXECUTIVE SESSION - ORS 192.660 (1)(b) Discipline of Public Officers and Employees
ORS 192.660(1)(h) Consultation with Legal Counsel
ORS 192.660(1)(a) Employment of a Public Officer**

Mayor Davis reconvened the council meeting at 9:08 p.m.

1. Discipline of Public Officers and Employees

Councilor Hagbom moved that all allegations made by Jerry Fries regarding the Brookings Police Department and specifically Chief Kent Owens have been reviewed to the satisfaction of the City Council and said allegations are deemed not valid and no further action will be taken by the council, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Scott, Hagbom, Curry, Mayor Davis

Nays: None

Motion carried; all allegations made by Jerry Fries regarding the Brookings Police Department and specifically Chief Kent Owens have been reviewed to the satisfaction of the City Council and said allegations are deemed not valid and no further action will be taken by the council.

The council unanimously agreed to add the Employment of a Public Officer to the council agenda.

2. Employment of a Public Officer

Councilor Curry moved to offer the position of City Manager to Tom Weldon of Ashland, Oregon at a salary of \$43,500 and the same benefit package as the rest of the employees, plus the use of a car, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Scott, Hagbom, Curry, Mayor Davis

Nays: None

Motion carried; Mayor authorized to offer the position of City Manager to Tom Weldon of Ashland, Oregon at a salary of \$43,500 and the same benefit package as the rest of the employees, plus the use of a car.


XIII. ADJOURNMENT

Councilor Curry moved to adjourn, which motion was seconded by Councilor Scott; motion carried unanimously. Mayor Davis adjourned the meeting at 9:22 p.m.



Tom Davis
Mayor

ATTEST:


Beverly S. Shields
City Recorder