

# *minutes*

**CITY OF BROOKINGS  
COMMON COUNCIL MEETING  
City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
November 14, 1994  
7:00 p.m.**

**I. CALL TO ORDER**

**Mayor Davis called the meeting to order at 7:02 p. m.**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

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

**Staff Present: City Manager Tom Weldon, Administrative Assistant Donna Van Nest, City Attorney Martin Stone**

**Media Present: Tracy Reed, Curry Coastal Pilot; Joel Buffington, KURY**

**IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS**

**V. PUBLIC HEARINGS**

**VI. SCHEDULED PUBLIC APPEARANCES**

- 1. Request to review Land Development Code, Section 24 (Setbacks) - Bart Kast**

**Bart Kast, 17015 Parkview Drive, presented Council with a request signed by several builders in the area to amend the Land Development Code, Section 24 (Two-Family Residential District) by changing the language in Section 24.110.B to read the same as Section 24.060.C.**

**Councilor Brendlinger moved, Councilor Scott seconded and the Council voted unanimously to direct staff to draw up an ordinance amending the language in Section 24.110.B to read the same as Section 24.060.C of the Land Development Code for presentation to the Planning Commission.**

**VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE**

**1. Citizens for a Better Brookings**

**Donna Lee, representing the Citizens for a Better Brookings Committee, presented the Council with a check in the amount of \$193.19, donated by the Committee from funds not used during the tax base election campaign. The funds are to be used for the swimming pool.**

**2. Sign Regulations**

**Paul McLeod, 17520 Ross Lane, representing a group of downtown business owners, requested that Council suspend, waive or change the sign regulations concerning sandwich board signs. Mr. McLeod cited an enormous loss of business in the downtown core area since City staff has been mailing enforcement letters concerning Section 88 of the Land Development Code which prohibits sandwich board signs on the sidewalks.**

**It was Council consensus to direct staff to suspend enforcement of the sandwich board sign regulations and to work with the business owners committee and the liaison from the Planning Commission to come up with new sign regulations over a period of four months.**

**VIII. STAFF REPORTS**

**A. City Manager**

**1. Brown and Caldwell Engineering Contract**

**City Manager Tom Weldon requested authorization to enter in the engineering contract with Brown and Caldwell for the interim sludge treatment project.**

**Councilor Hagbom moved, Councilor Brendlinger seconded and the Council voted unanimously to authorize the City Manager to enter into a contract with Brown and Caldwell Engineering for Wastewater Treatment Plant Interim Sludge Facility Improvements.**

**IX. CONSENT CALENDAR**

**A. Approval of Council Meeting Minutes**

- 1. October 24, 1994 Regular Council Meeting**
- 2. November 7, 1994 Special Council Meeting**

**B. Approval of Vouchers (\$428,683.52)**

**C. Miscellaneous**

- 1. Acceptance of improvements at Ocean Park Subdivision**
- 2. Acceptance of Dedication Deed from Robert and Donna Corrigan**

**(end Consent Calendar)**

**The Council requested changes to the minutes of the October 24, 1994 Council meeting.**

**Councilor Scott moved, Councilor Curry seconded and the Council voted unanimously to approve the Consent Calendar as follows:**

**A. Approval of Council Meeting Minutes**

- 1. October 24, 1994 Regular Council Meeting**
- 2. November 7, 1994 Special Council Meeting**

**B. Approval of Vouchers (\$428,683.52)**

**C. Miscellaneous**

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**X. ORDINANCES/RESOLUTIONS/FINAL ORDERS**

**A. Resolutions**

1. **RESOLUTION NO. 94-R-583 - A resolution of the City of Brookings, Curry County, Oregon, adopting disability access grievance procedures.**

**Councilor Brendlinger moved, Mayor Davis seconded and the Council voted unanimously to adopt Resolution No. 94-R-583 - A resolution of the City of Brookings, Curry County, Oregon, adopting disability access grievance procedures.**

2. **RESOLUTION NO. 94-R-584 - A resolution approving a parking lot design after an appeal. (Pacific Court at 340-360 Pacific Avenue)**

**Councilor Brendlinger moved, Councilor Scott seconded and the Council voted unanimously to adopt Resolution No. 94-R-584 - A resolution approving a parking lot design after an appeal. (Pacific Court at 340-360 Pacific Avenue)**

**XI. COMMITTEE REPORTS**

**A. Planning Commission**

**B. Parks and Recreation Commission**

**1. Parks and Recreation Commission Recommendation - Landscaping at Kidtown**

**Parks and Recreation Commission Chair Bill Scales presented Council with a recommendation to approve the proposed amended Kidtown landscaping project by concept.**

**Councilor Scott moved, Councilor Brendlinger seconded and the Council voted unanimously to accept, in concept, the proposed amended Kidtown landscaping project, as recommended by the Parks and Recreation Commission.**

**2. Parks and Recreation Commission Meetings**

**Chair Bill Scales advised the Council that due to the holidays the Parks and Recreation Commission rescheduled their November meeting to November 16 and cancelled their December meeting.**

**C. Golf Board**

**1. Jack Creek Golf Course Lease Agreement**

**City Attorney Martin Stone advised that he received a letter from William J. Stone requesting that the proposed golf course lease agreement be amended by drafting language containing a clause which allows the lender to place a first trust deed on the property as long as either a \$500,000 cash deposit or irrevocable letter of credit is put up with the City.**

The Council position was that the City will not subordinate its interest in the property to a construction lender or allow other liens to attach to the land and the financing arrangement for construction of the project must receive prior approval of the City and must contain protection to ensure that funds are committed to the project and that all bills relating to the project are promptly paid.

Councilor Scott moved, Mayor Davis seconded and the Council voted unanimously to accept the form of the 4th draft of the Jack Creek Lease Agreement, and to direct the City Attorney to send a copy of the draft lease to William J. Stone along with a letter asking William J. Stone to respond no later than November 28, 1994 at 5:00 p.m. as to whether William J. Stone is willing to proceed with a lease agreement on the terms set forth in the draft.

D. Chamber of Commerce

E. City Attorney

1. Estate of Virginia Manley

Councilor Scott moved, Councilor Curry seconded and the Council voted unanimously to authorize the Mayor to sign the Waiver of Right to make Objections to sale of partnership properties in the estate of Virginia Manley.

2. **Andrews, et al v. City of Brookings - LUBA No. 93-198**

City Attorney Martin Stone apprised the Council of the status of the LUBA appeal concerning the old library building and its uses. It was Council consensus to add this item to the December 5 work session. No formal action taken.

**XII. REMARKS FROM MAYOR AND COUNCILORS**

**A. Mayor**

**B. Council**

1. **Cancellation of November 22, 1994 Work Session**

It was Council consensus to cancel the work session scheduled for November 22 due to the fact that the Council and staff will be traveling that day from the League of Oregon Cities Conference in Portland. It was also decided to cancel the November 28 Council meeting because a majority of the Council will not be available to make up a quorum.

**XIII. ADJOURNMENT**

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to adjourn the Council meeting at 9:02 p.m.



Tom Davis  
Mayor