

minutes

**CITY OF BROOKINGS
COMMON COUNCIL MEETING
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
January 10, 1994
7:00 p.m.**

I. CALL TO ORDER

Mayor Davis called the meeting to order at 7:03 p. m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

Staff Present: City Manager Dennis Cluff, Administrative Assistant Donna Van Nest, City Attorney Martin Stone

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

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

1. Employee of the Season - Winter, 1994

Mayor Davis introduced Linda Phillips as the "Employee of the Season" for winter, 1994 and presented her with a framed proclamation.

2. Appointment to Systems Development Review Board

Councilor Curry moved to appoint reappoint Lonny Draheim to the Systems Development Charge Review Board, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

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

Nays: None

Motion carried; Lonny Draheim reappointed to the Systems Development Charge Review Board. [Term expires October 31, 1997]

3. Appointment to Joint City/HSD Sewer Advisory Committee

Councilor Curry moved to appoint Bill Foot to the Joint City/HSD Sewer Advisory Committee, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

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

Nays: None

Motion carried; Bill Foot appointed to the Joint City/HSD Sewer Advisory Committee.

Councilor Brendlinger moved to appoint Charles Brendlinger to the Joint City/HSD Sewer Advisory Committee, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

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

Nays: None

Motion carried; Charles Brendlinger appointed to the Joint City/HSD Sewer Advisory Committee.

V. PUBLIC HEARINGS

VI. SCHEDULED PUBLIC APPEARANCES

1. "Kidtown" playground presentation - Judy Stringham

Judy Stringham and Stacy Randolph, representing the "Kidtown" playground committee, presented a schematic of the proposed playground. The schematic was drawn showing the trees which the architect had intended to leave standing. Phil Hicks of the USFS examined the trees for disease and found that approximately 8 of the 12 selected to stand were diseased and should be removed for safety purposes. It was suggested that some of the net tree receipts be used to replant the area in question.

Councilor Scott moved to authorize that all diseased or infected trees which would endanger children playing in the "Kidtown" playground area of Azalea Park and any diseased trees adjacent to the playground be removed, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

Motion carried; all diseased or infected trees which would endanger children playing in the "Kidtown" playground area of Azalea Park and any diseased trees adjacent to the playground are to be removed.

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

1. Marine Drive Residents

Sharon Marriott, representing property owners in the Marine Drive area, read a letter to the council regarding the development of the Riviera Heights Subdivision.

It was Council consensus to resolve this issue with staff and continue this regular business meeting at 5:30 p.m., Wednesday, January 12, 1993 to take action on the matter of the concerns of the Marine Drive residents about the Riviera Heights Subdivision.

VIII. CONSENT CALENDAR

A. Approval of Council Meeting Minutes

- 1. December 13, 1993 Regular Council Meeting**

B. Acceptance of Commission/Board Minutes

- 1. December 7, 1993 Systems Development Charge Review Board**

C. Approval of Vouchers [\$241,980.60]

(end Consent Calendar)

Councilors Brendlinger and Curry requested corrections to the minutes of the December 13, 1993 Council Meeting.

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

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

Nays: None

Motion carried; Consent Calendar consisting of:

A. Approval of Council Meeting Minutes

1. December 13, 1993 Regular Council Meeting

B. Acceptance of Commission/Board Minutes

1. December 7, 1993 Systems Development Charge Review Board

C. Approval of Vouchers [\$241,980.60]

approved.

IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Ordinances

B. Resolutions

X. COMMITTEE REPORTS

A. Planning Commission

B. Parks and Recreation Commission

C. Golf Board

D. Chamber of Commerce

Chamber of Commerce Executive Director Les Cohen briefed the council on current affairs at the Chamber of Commerce.

XI. STAFF REPORTS

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

1. Quitclaim Deed - Donald Veale

City Attorney Martin Stone advised the Council of the background concerning the quitclaim deed and recommended that the Council authorize the Mayor to execute the Quitclaim Deed, stipulating that the property is no longer needed for public purposes.

Councilor Curry moved to approve a quitclaim deed from the City of Brookings to Donald and Barbara Veale for a utility easement on Lot 9B of the Crestwood Park Subdivision, stipulating that the property is no longer needed for public purposes, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

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

Nays: None

Motion carried; a quitclaim deed from the City of Brookings to Donald and Barbara Veale for a utility easement on Lot 9B of the Crestwood Park Subdivision, stipulating that the property is no longer needed for public purposes, approved.

XII. REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

B. Council

1. Proposed Softball Fields at Azalea Park

Councilor Scott moved to authorize the Brookings Harbor Softball League to enter Azalea Park for purposes of beginning the construction of the ball fields, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

Motion carried; Brookings Harbor Softball League authorized to enter Azalea Park for purposes of beginning the construction of the ball fields.

Council discussed the proposed Agreement for Use and Maintenance of Portions of Azalea Park, between the City of Brookings, the Brookings Harbor School District No. 17C and the Brookings Harbor Softball League. It was council consensus to direct City Attorney Martin Stone to draft additional language to be added to the Agreement concerning a Review Period and Default Clause.

2. Disposition of Future Azalea Park Tree Receipts

Councilor Scott moved to divide the Azalea Park net tree sales receipts in this manner: 1/2 net revenue to Azalea Park Maintenance Fund, 1/4 net revenue to Azalea Park Reserve Fund and 1/4 net revenue to Azalea Park Discretionary (Development) Fund, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

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

Nays: None

Motion carried; Azalea Park net tree sales receipts to be divided in this manner: 1/2 net revenue to Azalea Park Maintenance Fund, 1/4 net revenue to Azalea Park Reserve Fund and 1/4 net revenue to Azalea Park Discretionary (Development) Fund.

3. Cable Television Notice to Review Rates

Councilor Curry moved to authorize staff to give notice to Falcon Cable Television of a review by the City of Brookings of the current Falcon Cable Television rates, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

Motion carried; staff authorized to give notice to Falcon Cable Television of a review by the City of Brookings of the current Falcon Cable Television rates.

EXECUTIVE SESSION - ORS 192.660 (1)()

XIII. RECESS

Mayor Davis recessed the meeting at 8:48 p.m., to be reconvened at 5:30 p.m., Wednesday, January 12, 1994.

minutes

**CITY OF BROOKINGS
RECONVENED COMMON COUNCIL MEETING
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
January 12, 1994
5:30 p.m.**

I. RECONVENE

Mayor Davis reconvened the meeting at 5:40 p. m.

II. ROLL CALL

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

Staff Present: City Manager Dennis Cluff, Administrative Assistant Donna Van Nest, Community Development Director Leo Lightle, Building Inspector Doug Alexander, Planning Director John Bischoff

Media Present: Tracy Reed, Curry Coastal Pilot; Martin Kelly, KCRE; Joel Buffington, KURY

III. COUNCIL BUSINESS

1. Riviera Heights Subdivision

Mayor Davis explained that the purpose of this agenda item is to attempt to resolve the problems between some of the Marine Drive residents and the developers of the Riviera Heights Subdivision.

Speaking from the audience during the meeting were:

Mark Weinhold, Riviera Heights Project Engineer
Charles Simpson, developer for owner Margie Frohm
Gene Wood, Riviera Heights General Contractor
Jerry Larue, employee of General Contractor

Following discussion, it was Council consensus to continue the meeting until staff can research the matter of the Riviera Heights Subdivision further and the developer can determine the status of the project from DEQ. The developer was also asked to contact the owner to determine if the owner would be willing to post a bond.

IV. RECESS

Mayor Davis recessed the meeting at 7:18 p.m., to be reconvened at 7:00 p.m., Monday, January 17, 1994.

minutes

**CITY OF BROOKINGS
RECONVENED COMMON COUNCIL MEETING
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
January 17, 1994
7:00 p.m.**

I. RECONVENE

Mayor Davis reconvened the meeting at 7:00 p. m.

II. ROLL CALL

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

Council Absent: Councilors Nancy Brendlinger, Dave Scott

Staff Present: City Manager Dennis Cluff, Community Development Director Leo Lightle

Media Present: Tracy Reed, Curry Coastal Pilot; Martin Kelly, KCRE

III. COUNCIL BUSINESS

1. Riviera Heights Subdivision

- a. Resolution No. 94-R-570 - A resolution of the City of Brookings identifying the Riviera Heights Subdivision as a hazardous building site within the City of Brookings.**

Sharon Marriott read a letter from the residents of Marine Drive.

Councilor Curry moved to adopt Resolution No. 94-O-570, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

Ayes: Councilors Curry, Hagbom, Mayor Davis

Nays: None

Motion carried; Resolution No. 94-R-570 - A resolution of the City of Brookings identifying the Riviera Heights Subdivision as a hazardous building site within the City of Brookings. - adopted.

Councilor Scott arrived at 7:21 p.m.

2. Golf Course Taxes

City Attorney Martin Stone advised that the taxes still owing on the Jack Creek golf course property total \$4,391.41 and are the responsibility of the lessee WJS. WJS was contacted concerning the delinquent taxes and WJS advised that there were no funds to pay this tax debt. Mr. Stone recommended to the council that the city proceed with the termination papers but do not release the lessee from liability for the real property taxes, and include a provision in the papers that would leave the lessee ultimately responsible. The second part of the recommendation was a choice of leaving the taxes unpaid for now and require that as part of the new lease agreement that the new lessee pay this obligation as part of the lease agreement, or pay the real property taxes.

Councilor Curry moved to (1) proceed with the termination papers on the Jack Creek Golf Course lease with WJS Golf but do not release the lessee from liability for the real property taxes, and include a provision in the papers that would leave the lessee ultimately responsible, and (2) pay the real property taxes, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

Ayes: Councilors Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; City to (1) proceed with the termination papers on the Jack Creek Golf Course lease with WJS Golf but do not release the lessee from liability for the real property taxes, and include a provision in the papers that would leave the lessee ultimately responsible, and (2) pay the real property taxes.

3. Fran Weir, Brookings-Harbor Health District, presented information on a Rural Health Outreach Grant. The District is looking for a 3-agency consortium to apply for the grant and asked the city to join. Council requested that the Health District meet with the council at the February 7, 1994 work session to discuss the request.

ADJOURNMENT

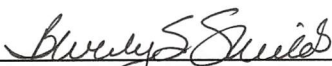
Councilor Scott moved to adjourn, which motion was seconded by Councilor Hagbom; **motion carried unanimously.**

Mayor Davis adjourned the meeting at 7:46 p.m.



Tom Davis
Mayor

ATTEST:



Beverly S. Shields
City Recorder