

minutes

**CITY OF BROOKINGS
COMMON COUNCIL MEETING
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
February 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, Larry Curry

Council Absent: Councilor Scott

Staff Present: City Manager Dennis Cluff, Clerk Denise Wood, City Attorney Martin Stone, Planning Director John Bischoff

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

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

1. Appointment to Budget Committee

Councilor Brendlinger moved to re-appoint Scott Sabin and to appoint Katherine Martin to the Budget Committee, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Curry, Hagbom, Brendlinger, Mayor Davis

Nays: None

Motion carried; Scott Sabin and Katherine Martin appointed to the Budget Committee.

2. Appointment to Parks and Recreation Commission

Councilor Curry moved to appoint Keith Pepper to the Parks and Recreation Commission, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

Ayes: Councilors Hagbom, Brendlinger, Curry, Mayor Davis

Nays: None

Motion carried; Keith Pepper appointed to the Parks and Recreation Commission.

3. Appointment of Budget Officer for Fiscal Year 1994-95

Councilor Brendlinger moved to appoint Finance Director/Recorder Beverly Shields as the Budget Officer for Fiscal Year 1994-95, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Curry, Brendlinger, Hagbom, Mayor Davis

Nays: None

Motion carried; Beverly Shields, Finance Director/Recorder, appointed as the Budget Officer for Fiscal Year 1994-95.

V. PUBLIC HEARINGS

1. Request for annexation of .25 acre portion of a lot in Riviera Heights Subdivision-Applicant Margie From-File No. ANX-1-94

By a unanimous vote, (motion: Councilor Hagbom, second: Councilor Curry) the Council in the request for an annexation in Riviera Heights Subdivision, File No. ANX-1-94, approved the proposed annexation.

This action was taken following questions or comments regarding the annexation from the following people:

APPLICANTS

- 1. Charles Simpson Representative for Applicant**

APPELLANTS

- 1. John Rogers Marine Dr. Exhibits A, B, C & D**
- 2. Sharon Marriott Marine Dr.**

REBUTTAL

- 1. Charles Simpson Representative for Applicant**

Councillor Hagbom moved to amend the motion to approve the annexation of Riviera Heights Subdivision, File No. ANX-1-94 to include a zone change approval, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Curry, Brendlinger, Hagbom, Mayor Davis

Nays: None

Councilor Hagbom moved to approve the annexation of a .25 acre parcel continuous to Riviera Heights Subdivision with an addition approving a zoning classification change to R-1-6, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Hagbom, Curry, Mayor Davis

Nays: None

Motion carried; Approval of the request for annexation of a .25 acre parcel continuous to Riviera Heights Subdivision with an addition approving a zoning classification change to R-1-6.

2. **Ordinance No. 94-0-446.R - An Ordinance amending Ordinance No. 89-0-446 (Land Development Code), Section 64, (Industrial park I-P District), Subsection 020.R**

Clerk Denise Wood read Ordinance No. 94-O-446.R into the record in its entirety.

By a unanimous vote, (motion: Councilor Brendlinger, second: Councilor Curry) the Council adopted Ordinance No. 94-0-446.R by first reading.

Clerk Denise Wood read Ordinance No. 94-O-446.R into the record in its entirety.

By a unanimous vote, (motion: Councilor Curry, second: Councilor Brendlinger) the Council adopted Ordinance No. 94-0-446.R, An ordinance amending Ordinance No. 89-0-446 (Land Development Code), Section 64, (Industrial Park I-P District), Subsection 020.R, by second reading. [Effective March 16, 1994]

VI. SCHEDULED PUBLIC APPEARANCES

1. **Wastewater Treatment Proposal recommending that Council participate with the initial study analysis.**

T. J. Bossard and Associates and Alex Forrester and Associates are working with Harbor Sanitary District (HSD) on a potential sewer plant for the Harbor area. Such a development would free up HSD's current usage of the Brookings sewer plant and allow for future capacity. They want to jointly update local information and pursue dual technical assistance grants, which will hopefully lead to an FmHA or RDA grant.

Councilor Curry moved that the Council join forces with the Port of Brookings, Harbor Sanitary District, TJ Bossard & Assoc., and the 17-C School District to proceed with the study to solve the sanitary problems in the Brookings-Harbor community, and to aid in funding at a minimum cost of \$1,500.00 each, not to exceed \$1,875.00 each, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

This action was taken following questions or comments regarding the proposal from Alex Forrester.

Ayes: Councilors Curry, Brendlinger, Hagbom, Mayor Davis

Nays: None

Motion carried; The Council will join forces with the Port of Brookings, Harbor Sanitary District, TJ Bossard and Assoc., and the 17-C School District to proceed with the study to solve the sanitary problems in the Brookings-Harbor community, and to aid in funding at a minimum cost of \$1,500.00 each, not to exceed \$1,875.00 each.

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

VIII. CONSENT CALENDAR

A. Approval of Council Meeting Minutes

- 1. January 24, 1994 Regular Council Meeting**
- 2. February 2, 1994 Special Council Meeting**

B. Acceptance of Commission/Board Minutes

- 1. December 7, 1993 Planning Commission Meeting**
- 2. January 4, 1994 Planning Commission Meeting**

C. Approval of Vouchers [\$113,956.12]

D. Call for Bids

- 1. Fire Department equipment**

(end Consent Calendar)

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

Ayes: Councilors Hagbom, Curry, Mayor Davis (Councilor Brendlinger abstaining due to her absence at one meeting)

Nays: None

Motion carried; Consent Calendar consisting of:

A. Approval of Council Meeting Minutes

1. January 24, 1994 Regular Council Meeting
2. February 2, 1994 Special Council Meeting

B. Acceptance of Commission/Board Minutes

1. December 7, 1993 Planning Commission Meeting
2. January 4, 1994 Planning Commission Meeting

C. Approval of Vouchers [\$113,956.12]

D. Call for Bids

1. Fire Department equipment

approved.

IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Ordinances

1. Ordinance No. 94-0-474.D - An ordinance amending Ordinance No. 91-0-474 (Council Rules), Section 12 (Order of business of council).

Clerk Denise Wood read Ordinance No. 94-O-474.D into the record in its entirety.

Councilor Curry moved to adopt Ordinance No. 94-0-474.D by first reading, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

Ayes: Councilors Curry, Hagbom, Brendlinger, Mayor Davis

Nays: None

Motion carried; Ordinance No. 94-O-4\74.D adopted by first reading.

Clerk Denise Wood read Ordinance No. 94-O-474.D into the record by title only.

Councilor Curry moved to adopt Ordinance No. 94-0-474.D by second reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Curry, Brendlinger, Hagbom, Mayor Davis

Nays: None

Motion carried; Ordinance No. 94-0-474.D, - An ordinance amending Ordinance No. 91-0-474 (Council Rules), Section 12 (Order of business of council). - adopted by second reading. [Effective March 16, 1994]

B. Resolutions

- 1. Resolution No. 94-R-572 - A resolution approving the Marine Terrace Subdivision after an appeal.**

No action was taken on this Resolution; previous motion upon which this resolution is based is being reconsidered at the March 14th meeting.

X. COMMITTEE REPORTS

- A. Planning Commission**
- B. Parks and Recreation Commission**
- C. Golf Board**
- D. Chamber of Commerce**
- E. Systems Development Charge Review Board**

1. Annual Report

Councilor Brendlinger moved to accept the Annual Report of the Systems Development Charge Review Board as presented, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Curry, Brendlinger, Hagbom, Mayor Davis

Nays: None

This action was taken following questions or comments regarding the Annual Report from Jim Collis, Chairman of SDC Review Board and Martin Kelly of KCRE.

Motion carried; Annual Report of the Systems Development Charge Review Board is approved as presented.

XI. STAFF REPORTS

- A. Community Development Director**
- B. Engineer**

C. Police Department

D. City Manager

1. Acceptance of 1992-93 Audit

Councilor Brendlinger moved to accept the 1992-93 Audit as presented, 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 accepted the 1992-93 Audit as presented.

2. Marine Drive sewer line - Street repair

There was some discussion as to whether this should be considered since the Applicant's representative had left the meeting. After Council deliberation and the City Attorney's opinion, it was decided to continue with this agenda item.

Council acted to allow one time use of city equipment and personnel under the following conditions:

- 1. Use of 4-man city crew (2 workmen, 2 flaggers) and equipment @ \$240/hour;**
- 2. City crew performs sealing work whenever they can be spared from other city jobs;**
- 3. Owner/developer provide one year warranty on original trench and patch work;**
- 4. Owner/developer provide bond for sealing work (if bond includes a letter of credit, it must be for a one year time period);**

5. **Slurry required after sealing complete; and,**
6. **A hold harmless clause for city work on street patching, recognizing they are working for the owner/developer/contractor.**

Councilor Curry moved to approve the proposed Marine Drive sewer line-street repair with the above specifications, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

Ayes: Councilors Hagbom, Curry, Mayor Davis

Nays: None

E. City Attorney

1. **Request for reconsideration of conditions of approval - Marine Terrace Subdivision**

Councilor Curry moved to reconsider the additional conditions regarding a cul-de-sac layout and density issues placed by the City Council on the Marine Terrace Subdivision approval at the January 24, 1994 council meeting, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

**Ayes: Councilors Hagbom, Curry, Mayor Davis
(Councilor Brendlinger abstaining)**

Nays: None

Motion carried; Reconsideration of the additional conditions regarding a cul-de-sac layout and density issues placed by the City Council on the Marine Terrace Subdivision approval at the January 24, 1994 council meeting, approved.

XII.

REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

B. Council

- 1. Recommendation that council consider appointing one of its members to head up the organizing of a Chetco/Winchuck Rivers Local Watershed Council.**

Councilor Curry moved to appoint Councilor Brendlinger along with Councilor Curry to serve on the Chetco/Winchuck Rivers Local Watershed Council, which motion was seconded by Mayor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Hagbom, Curry, Mayor Davis

Nays: None

Motion carried; Councilor Brendlinger is appointed to serve on the Chetco/Winchuck Rivers Local Watershed Council with Councilor Curry.

- 2. Recommendation that council direct staff to prepare code amendments to require one-foot eave overhang on all residences and allow manufactured dwellings in all residential zones**

Councilor Curry moved that staff be directed to prepare code amendments to require one-foot eave overhang on all residences and allow manufactured dwellings in all residential zones and that CCR's be recognized (with a final draft of amendments presented to the Planning Commission upon completion), which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Curry, Hagbom, Brendlinger, Mayor Davis

Nays: None

Motion carried; Approval of directing staff to prepare code amendments to require one-foot eave overhang on all residences and allow manufactured dwellings in all residential zones, and that CCR's be recognized (with a final draft of amendments presented to the Planning Commission upon completion).

**EXECUTIVE SESSION - ORS 192.660 (1)(d)
ORS 192.660 (1)(b)**

Executive Session was in progress from 11:00 - 12:35, at which time the following motion took place.

Councilor Hagbom moved to decline the Union offer as discussed in the Executive Session, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Hagbom, Brendlinger, Curry, Mayor Davis

Nays: None

Motion carried; The Union offer as discussed in the Executive Session has been declined.

XIII. ADJOURNMENT

Councilor Brendlinger moved to adjourn, which motion was seconded by Councilor Curry; motion carried unanimously.

Mayor Davis adjourned the meeting at 12:38 a.m.



**Tom Davis
Mayor**

ATTEST:



**Beverly S. Shields
City Recorder**