

# *minutes*

**CITY OF BROOKINGS  
COMMON COUNCIL MEETING  
City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
October 25, 1993  
7:00 p.m.**

**I. CALL TO ORDER**

**Mayor Davis called the meeting to order at 7:13 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 Dennis Cluff, Administrative Assistant Donna Van Nest, City Attorney Martin Stone, Planning Director John Bischoff**

**Media Present: Tracy Reed, Curry Coastal Pilot; Martin Kelly, KCRE; Joel Buffington, KURY; Victoria Donovan, TV49**

**IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS**

**V. PUBLIC HEARINGS**

- 1. ORDINANCE NO. 93-O-446.Q - An ordinance amending Ordinance No. 89-O-446 (Land Development Code), Sections 8 (Definitions), 20 (Single Family Residential District), 24 (Two Family Residential District), 28 (Multiple Family Residential District), 32 (Mobile Home Residential District), and 124 (Provisions Applying to Special Uses), of the City of Brookings.**

**Mayor Davis opened the public hearing at 7:15 p.m.**

**Planning Director John Bischoff presented the staff report and read into the record the "Findings and Conclusions - LDC-5-93".**

**Proponents speaking:**

**Leonard Reed, 97888 S. Bank Chetco River Road, Brookings  
Duane Allen, Executive Director, Bay Area Rehabilitation, 440  
Cleveland, Coos Bay, Oregon  
Donna Reed, 757 Valley St., Brookings  
Toby Pilgrim, 408 Highland, Brookings  
Dan Nelson, 97146 Hilltop Dr., Brookings  
Len Woolley, 96337 Dawson Road, Brookings  
Sue Pilgrim, 33134 Nesika Road, Gold Beach, Oregon  
Loretta Chase, 97874 Hamilton Lane, Brookings  
Bea Batten, 603 Pacific, Brookings  
Lorraine Williams, 1249 Iris St., Brookings**

**Opponents speaking:**

**Jim Capon, 650 Mardon Court, Brookings  
Polly Keusink, 16883 Marine Drive, Brookings  
Glenna Youngman, 418 Pine St., Brookings  
Dick Keusink, 16883 Marine Drive, Brookings  
Joann Yax, 437 Pine St., Brookings  
Ellen Babin, 514 Myrtle St., Brookings  
Polly Keusink read a letter into the record from Virginia Manley  
Ann Ramp, 555 Chetco Lane, Brookings  
John Babin, 514 Myrtle St., Brookings  
Shirley Epperson, 434 Pine St., Brookings  
Lucy Giampaoli, League of Women Voters, POB 6014, Brookings**

**Interested Parties speaking:**

**Lorraine Holmes, 17350 Holmes Drive, Brookings**

**City Attorney Martin Stone presented pro and con letters from citizens for the record.**

**Proponent rebuttal:**

**Len Woolley, 96337 Dawson Road, Brookings**

**Opponent rebuttal:**

**Lucy Giampaoli, League of Women Voters, POB 6014, Brookings  
Dick Keusink, 16883 Marine Drive, Brookings**

**There being no further testimony, Mayor Davis closed the public hearing at 9:15 p.m.**

**City Attorney Martin Stone pointed out that findings must be prepared prior to the reading and adoption of Ordinance No. 93-O-446.Q.**

**Councilor Brendlinger moved to direct staff to prepare findings in support of Ordinance No. 93-O-446.Q, and to continue the deliberation of Ordinance No. 93-O-446.Q until Monday, November 1, 1993 at 7:00 p.m., 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; staff directed to prepare findings in support of Ordinance No. 93-O-446.Q, and deliberation of Ordinance No. 93-O-446.Q continued until Monday, November 1, 1993 at 7:00 p.m.**

**VI. SCHEDULED PUBLIC APPEARANCES**

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

**VIII. CONSENT CALENDAR**

**A. Approval of Council Meeting Minutes**

**1. October 11, 1993 Regular Council Meeting**

**B. Acceptance of Commission/Board Minutes**

**1. July 6, 1993 Planning Commission Meeting**

**C. Miscellaneous**

- 1. Change Order No. 2 - Brookings WTP Renovation - Horton Bros., Inc.**

**(end Consent Calendar)**

**Councilor Brendlinger moved to approve the Consent Calendar as presented, 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; Consent Calendar consisting of:**

**A. Approval of Council Meeting Minutes**

- 1. October 11, 1993 Regular Council Meeting**

**B. Acceptance of Commission/Board Minutes**

- 1. July 6, 1993 Planning Commission Meeting**

**C. Miscellaneous**

- 1. Change Order No. 2 - Brookings WTP Renovation - Horton Bros., Inc.**

**approved.**

**XI. STAFF REPORTS**

**A. Community Development Director**

**B. Police Department**

**C. City Manager**

**1. Flexible Employee Benefit Plan**

**Councilor Brendlinger moved to direct staff to work with Scott Sabin to educate the employees about a Flexible Benefit Plan and get a consensus of interest from the employees, with the stipulation that this be done during employees non-working hours, 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; staff directed to work with Scott Sabin to educate the employees about a Flexible Benefit Plan and get a consensus of interest from the employees, with the stipulation that this be done during employees non-working hours.**

**2. Surplus Property - Public Auction Bid**

**Councilor Curry moved to declare the 1984 Ford sedan as surplus equipment and to direct staff to hold a public auction bid, 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; 1984 Ford sedan declared to be surplus equipment and staff directed to hold a public auction bid.**

**3. GTE Economic Development Grant Application**

**City Manager Dennis Cluff requested that council authorize the mayor to sign a letter in support of the preparation of the Community Resource Packet application proposal through the GTE Economic Development Grant Application.**

**Councilor Brendlinger moved to authorize the mayor to sign a letter in support of the preparation of the Community Resource Packet application proposal through the GTE Economic Development Grant Application, 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; mayor authorized to sign a letter in support of the preparation of the Community Resource Packet application proposal through the GTE Economic Development Grant Application.**

**Mayor Davis recessed the meeting at 10:26 p.m., to be reconvened at 7:00 p.m., Monday, November 1, 1993.**

**NOVEMBER 1, 1993  
7:00 P.M.**

**I. RECONVENE**

**Mayor Davis called the reconvened meeting to order at 7:07 p.m.**

**II. ROLL CALL**

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

**Staff Present: City Manager Dennis Cluff, Administrative Assistant Donna Van Nest, City Attorney Martin Stone, Planning Director John Bischoff**

**Media Present: Tracy Reed, Curry Coastal Pilot; Larry Goodman, KCRE; Joel Buffington, KURY; Victoria Donovan, TV49**

**IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS**

**Mayor Davis read a proclamation thanking the Brookings Fire Department for their many hours of work and dedication during the Joe Hall Creek forest fire the last week in October.**

**Mayor Davis presented certificates thanking each of the Brookings Fire Department members who participated in fighting the Joe Hall Creek forest fire. Those receiving certificates included:**

**Chief Bill Sharp  
Assistant Chief Tom Kerr  
Captains Don Oliver, Joe Cello, Jim Watson  
Engineer Marshall Ferg  
Firefighters Russell Benson, Carol Bigelow, Mark Doughty, Paul Walker, Chris Glover, Daniel Remer, Robert Yoacham, Scott Barbour, Tony Uselman, Charles Gilchrist, Jack McCord and Aaron McCord**

**IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS**

**A. Ordinances**

- 1. ORDINANCE NO. 93-O-446.Q - An ordinance amending Ordinance No. 89-O-446 (Land Development Code), Sections 8 (Definitions), 20 (Single Family Residential District), 24 (Two Family Residential District), 28 (Multiple Family Residential District), 32 (Mobile Home Residential District), and 124 (Provisions Applying to Special Uses), of the City of Brookings; and declaring an emergency.**

**Planning Director John Bischoff read the findings in support of Ordinance No. 93-O-446.Q into the record. Those findings are attached and made a part of these minutes.**

**Councilor Scott moved to adopt the findings in support of Ordinance No. 93-O-446.Q, 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; Findings in support of Ordinance  
No. 93-O-446.Q adopted.**

**Following council discussion, Councilor Brendlinger moved to  
strike the last sentence of proposed Section 124.170 in  
Ordinance No. 93-O-446.Q, 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; last sentence of proposed Section  
124.170 in Ordinance No. 93-O-446.Q, stricken.**

**Administrative Assistant Donna Van Nest read Ordinance No.  
into the record in its entirety.**

**Councilor Scott moved to adopt Ordinance No. 93-O-446.Q by  
first reading, 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; Ordinance No. 93-O-446.Q adopted  
by first reading.**

**Administrative Assistant Donna Van Nest read Ordinance No.  
into the record by title only.**



**Councilor Curry moved to adopt Ordinance No. 93-O-446.Q by second reading, 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; Ordinance No. 93-O-446.Q - An ordinance amending Ordinance No. 89-O-446 (Land Development Code), Sections 8 (Definitions), 20 (Single Family Residential District), 24 (Two Family Residential District), 28 (Multiple Family Residential District), 32 (Mobile Home Residential District), and 124 (Provisions Applying to Special Uses), of the City of Brookings; and declaring an emergency - adopted by second reading. [Effective November 1, 1993]**

- 2. Ordinance No. 93-O-329.A - An ordinance repealing Ordinance No. 80-O-329, entitled, "An ordinance establishing a public library system in and for the benefit of the City of Brookings with provisions relating to the maintenance, operation and control thereof."**

**Administrative Assistant Donna Van Nest read Ordinance No. into the record in its entirety.**

**Councilor Brendlinger moved to adopt Ordinance No. 93-O-329.A by first reading, 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; Ordinance No. 93-O-329.A adopted by first reading.**

Administrative Assistant Donna Van Nest read Ordinance No. into the record by title only.

Councilor Curry moved to adopt Ordinance No. 93-O-329.A by second reading, 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; Ordinance No. 93-O-329.A - An ordinance repealing Ordinance No. 80-O-329, entitled, "An ordinance establishing a public library system in and for the benefit of the City of Brookings with provisions relating to the maintenance, operation and control thereof" - adopted by second reading. [Effective November 30, 1993]**

3. **Ordinance No. 93-O-481.B - An ordinance amending Ordinance No. 91-O-481 (Creation of Brookings Harbor Golf Board), Section 4 (Termination).**

Administrative Assistant Donna Van Nest read Ordinance No. 93-O-481.B into the record in its entirety.

Councilor Brendlinger moved to adopt Ordinance No. 93-O-481.B by first reading, 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; Ordinance No. 93-O-481.B adopted by first reading.**

**Administrative Assistant Donna Van Nest read Ordinance No. 93-O-481.B into the record by title only.**

**Councilor Scott moved to adopt Ordinance No. 93-O-481.B by second reading, 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; Ordinance No. 93-O-481.B - An ordinance amending Ordinance No. 91-O-481 (Creation of Brookings Harbor Golf Board), Section 4 (Termination) - adopted by second reading. [Effective November 1, 1993]**

**X. COMMITTEE REPORTS**

**A. Planning Commission**

**B. Parks and Recreation Commission**

**1. Azalea Park Electrical Requirements**

**Council directed staff to write a memo to the Parks and Recreation Commission asking them to determine the electrical requirements at Azalea Park. No formal action taken.**

**C. Golf Board**

**D. Chamber of Commerce**

**XII. REMARKS FROM MAYOR AND COUNCILORS**

**A. Mayor**

**B. Council**

**1. Skateboard Park**

**Councilor Brendlinger presented a video of the condition of the skateboard park, and made several suggestions for cleaning up the area.**

- 1. Repair all ramps so that they do not present hazards to skaters and keep in repaired condition. (replace dry rot, broken pieces, uneven pieces, etc.)**
- 2. Pick up all trash including odds and ends of masonite board and KEEP AREA TRASH FREE!**
- 3. Enclose ramp frames to reduce trash hiding places and improve appearance.**
- 4. Apply wood preservative to avoid future breakage due to deterioration thus reducing hazards to skaters.**
- 5. Remove all graffiti on ramps and asphalt.**
- 6. Designate one backboard for skateboard logos and have the best artist do the work. Exceptions: No suggestive (double meaning - obscene) logos.**

**Councilor Curry moved to give the skateboard people 30 days to follow Councilor Brendlinger's suggestions and to have the skateboard park equipment secured for the winter, 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; skateboard park users given 30 days to follow Councilor Brendlinger's suggestions (as follows):**

- 1. Repair all ramps so that they do not present hazards to skaters and keep in repaired condition. (replace dry rot, broken pieces, uneven pieces, etc.)**
- 2. Pick up all trash including odds and ends of masonite board and keep area trash free.**
- 3. Enclose ramp frames to reduce trash hiding places and improve appearance.**
- 4. Apply wood preservative to avoid future breakage due to deterioration thus reducing hazards to skaters.**
- 5. Remove all graffiti on ramps and asphalt.**
- 6. Designate one backboard for skateboard logos and have the best artist do the work. Exceptions: No suggestive (double meaning - obscene) logos.**

**and further, to have the skateboard park equipment secured for the winter.**

**2. Council Meeting change**

**Councilor Brendlinger moved to cancel the council meeting scheduled for November 10 and to reschedule it, if necessary, for November 15 prior to the work session, 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; council meeting scheduled for November 10 cancelled and rescheduled, if necessary, for November 15 prior to the work session.**

**3. General Economic Development Ad Hoc Committee**

**Councilors Hagbom and Curry advised that they attended the Curry County Commission meeting in Gold Beach this morning. The Curry County Commission authorized that addition of one person from each city council and one person from each chamber of commerce to be added to the General Economic Development Ad Hoc Committee membership.**

**Councilor Scott moved to appoint Councilor Bob Hagbom as the representative from the City of Brookings on the General Economic Development Ad Hoc Committee, which motion was seconded by Mayor Davis. The clerk called the roll with the following results:**

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

**Nays:** None

**Abstentions:** Councilor Hagbom

**Motion carried; Councilor Bob Hagbom appointed as the representative from the City of Brookings on the General Economic Development Ad Hoc Committee.**

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

**XIII. ADJOURNMENT**

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

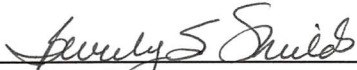
**Mayor Davis adjourned the meeting at 9:22 p.m.**



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**Tom Davis**  
**Mayor**

**ATTEST:**



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**Beverly S. Shields**  
**City Recorder**

FINDINGS IN SUPPORT OF  
ORDINANCE No. 93-0-446.Q

The Common Council of the City of Brookings, in adopting Ordinance No. 93-0-446.Q, makes the following findings as required by Section 144.050D of Ordinance 89-0-446:

1. Ordinance No 93-0-446.Q amends Ordinance No 89-0-446 ( Land Development Code of the City of Brookings) to allow a non-profit rehabilitation training center with a related retail store as a conditional use in residential districts, and to establish parking and buffering requirements relating to such use.
2. Ordinance No. 93-0-446.Q was initiated by the City of Brookings.
3. A public hearing before the Common Council of Brookings was held on October 25, 1993 to consider the proposed ordinance, and at the hearing testimony and exhibits were presented to the Council by staff, proponents and opponents of the ordinance.
4. The proposed conditional use will provide for a rehabilitation training facility and related retail store for products produced, repaired or recycled through the facility.
5. Rehabilitation training facilities, either with or without related retail stores, are not specifically mentioned in the Land Development Code. There is a need to provide for rehabilitation training facilities in the city's existing zones.
6. Conditional use of land as a rehabilitation training facility is similar in nature to other conditional uses permitted in residential zones, such as public, private or parochial schools.
7. The criteria for approval of a conditional use includes requirements for compatibility with the neighborhood in which the use is located. The residential characteristics of a neighborhood can be protected through application of conditions of approval.
8. Adoption of Ordinance 93-0-446.Q will encourage the appropriate use of land within the city. Existing structures that otherwise might not accommodate residential use may be utilized.



9. The welfare of the city will be promoted by adoption of the ordinance. Rehabilitation training centers provide jobs for individuals who are in training, and permit those individuals to lead a more independent life. Retail stores related to rehabilitation training centers provide affordable clothing and other goods to families with lower incomes.
11. Ordinance 93-0-446.Q complies with and conforms to the Comprehensive Plan goals, policies and generalized land use map.