

**MINUTES  
CITY OF BROOKINGS  
COMMON COUNCIL MEETING  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
January 25, 1993  
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, Larry Curry, Dave Scott, Bob Hagbom

**Staff Present:** City Manager Dennis Cluff, Administrative Assistant Donna Van Nest

**Media Present:** Bill Schlichting, Curry Coastal Pilot; Martin Kelly, KCRE

**IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS none**

**V. PUBLIC HEARINGS none**

**VI. SCHEDULED PUBLIC APPEARANCES none**

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

1. Sharon Westberry, P.O. Box 2852, Harbor, Oregon, asked the council to comment on rumors she heard that the Fred Meyer project is pulling out of Brookings and instead was going to be built in Crescent City.

Council and staff assured Ms. Westberry that none of them had heard these rumors and the city has not been contacted in any way concerning moving the Fred Meyer project. **No formal action taken.**

**III. CONSENT CALENDAR**

**A. Approval of Council Meeting Minutes**

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

**B. Call For Bids**

1. **Fire Department Equipment**

**(end Consent Calendar)**

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

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

**Nays: None**

**Motion carried; Consent Calendar, consisting of:**

**A. Approval of Council Meeting Minutes**

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

**B. Call For Bids**

1. **Fire Department Equipment**

**approved.**

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

**A. Ordinances**

1. **Ordinance No. 93-O-349.C - An ordinance amending Ordinance No. 81-O-349, Section 1, of the City of Brookings. (Building Codes)**

Ordinance No. 93-O-349.C amends the original Ordinance No. 81-O-349 by adopting the newest edition of the various codes for the building department.

Administrative Assistant Donna Van Nest read Ordinance No. 93-O-349.C into the record in its entirety.

Councilor Curry moved to adopt Ordinance No. 93-O-349.C by first reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; Ordinance No. 93-O-349.C adopted by first reading.**

Administrative Assistant Donna Van Nest read Ordinance No. 93-O-349.C into the record by title only for a second reading.

Councilor Scott moved to adopt Ordinance No. 93-O-349.C by first reading, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; Ordinance No. 93-O-349.C - An ordinance amending Ordinance No. 81-O-349, Section 1, of the City of Brookings. (Building Codes) - adopted by second reading. [Effective February 23, 1993]**

B. Resolutions none

**X.**

**COMMITTEE REPORTS**

**A. Planning Commission**

- 1. Acceptance of Annual Planning Commission Report**  
Discussion of the 1992 annual report with the Planning Commission ensued at the January 18th work study session. This discussion delineated some items for the Planning Commission to pursue, some for staff to work on, and others with no apparent resolution that were just discussed at the meeting. City Manager Dennis Cluff recommended that council accept the Planning Commission's annual report and refer it to staff for follow-up.

Councilor Curry moved to accept the annual Planning Commission Report, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; annual Planning Commission Report accepted.**

**B. Parks and Recreation Commission**

- 1. Azalea Park Band Shell proposal - Steve O'Brien**

In a memo from City Engineer Grant Cramond, he explained that Oregon State has turned Azalea State Park over to the City of Brookings. The City of Brookings is permitted to make improvements at the park. A preliminary sketch of the Azalea Park Band Shell proposal has been submitted by Steve O'Brien of BACA. The proposal would partially cover an existing outdoor wood platform located at the park. The proposal would also provide enclosed cover and some storage as a part of the plan.

Mr. Cramond recommended that the council approve the basic concept, but noted that considerable refinement is needed to address seismic, wind load, weathering, acoustic, security and the attendant liability considerations for a public use facility.

Councilor Curry moved to give the council's blessing to the basic concept of the band shell at Azalea Park, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; the basic concept of the band shell at Azalea Park proposed by BACA, given the blessing of the council.**

- C. Golf Board none
- D. Chamber of Commerce none
- E. Systems Development Review Board none

**XI. STAFF REPORTS**

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

Mayor Davis read a letter from Police Chief Kent Owens requesting to present a combined city/county building proposal to the city from the Brookings Police Department and the Curry County Sheriff's Dept.

**It was council consensus to add the request from Police Chief Kent Owens to present a combined city/county building proposal to the city from the Brookings Police Department and the Curry County Sheriff's Department, to the February 3, 1993 agenda for the joint city council county commission meeting. No formal action required or taken.**

**D. City Manager**

**1. Appointment of budget officer for fiscal year 1993-94**

**ORS 294.331 requires, "the governing body of each municipal corporation shall designate one person to serve as budget officer." City Manager Dennis Cluff recommend Beverly Shields be designated the budget officer for fiscal year 1993-94. She has performed this function in the past and has the best working knowledge of the city budget.**

**Councilor Curry moved to appoint Beverly Shields budget officer for fiscal year 1993-94, which motion was seconded by Councilor Hagbom. The clerk called the roll with the following results:**

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

**Nays: None**

**Motion carried; Beverly Shields appointed budget officer for fiscal year 1993-94.**

**2. Request for approval of budget calendar**

**A budget calendar is necessary to plan budget meetings, hearings and give public notice in the time frame allowed by State Budget Law. If the April 7th budget meeting date is changed - most other dates will be changed accordingly and a new budget calendar prepared. Finance Director Beverly Shields recommended that council consider April 7, 1993 for budget committee meeting and adopt budget calendar if that date is acceptable.**

**Councilor Brendlinger moved to adopt the budget calendar as presented, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:**

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

**Nays: None**

**Motion carried; budget calendar adopted as presented.**

**3. Acceptance of 1991-92 audit report**

Each year the council has accepted the audit report as a formal acknowledgement of the audit report completion. Finance Director Beverly Shields reviewed the audit and found no discrepancies and recommended acceptance.

Councilor Curry moved to accept the 1991-92 audit report, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; 1991-92 audit report accepted.**

**Council directed staff to bring the items referred to in the audit management letter back to work sessions for discussion.**

**4. Roseburg School District v. City of Roseburg**

City Manager Dennis Cluff presented council with a letter from the League of Oregon Cities requesting contributions to a legal assistance fund to assist with expenses in financing the preparation of an appellate brief in the case of Roseburg School District v. City of Roseburg, in which case the tax court held that the storm drainage charges of the city constitute a tax under the language of Article XI, section 11b of the constitution. The letter stated that the decision in this case will have a major impact on other city imposed fees and charges and other measure 5 issues. The LOC requested a contribution of \$200 from cities the size of Brookings.

Councilor Curry moved to contribute \$200 to the League of Oregon Cities for the purpose of assisting with expenses in financing the preparation of an appellate brief in the case of Roseburg School District v. City of Roseburg, in which case the tax court held that the storm drainage charges of the city constitute a tax under the language of Article XI, section 11b of the constitution, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; city manager authorized to expend \$200 to the League of Oregon Cities for the purpose of assisting with expenses in financing the preparation of an appellate brief in the case of Roseburg School District v. City of Roseburg, in which case the tax court held that the storm drainage charges of the city constitute a tax under the language of Article XI, section 11b of the constitution.**

E. City Attorney none

## **XII. REMARKS FROM MAYOR AND COUNCILORS**

A. Mayor

### **1. North Bend Crime Lab**

Mayor Davis read a letter from District Attorney Bill Wallace requesting support from the city opposing the proposed shutdown of the North Bend Crime Lab by the State.

Councilor Brendlinger moved to direct staff to draft a letter for the mayor's signature opposing the proposed shutdown of the North Bend Crime Lab, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:



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

**Nays:** None

**Motion carried; staff directed to draft a letter for the mayor's signature opposing the proposed shutdown of the North Bend Crime Lab by the State of Oregon.**

**2. Solid Waste Advisory Committee Meeting**

Mayor Davis announced that a meeting of the Solid Waste Advisory Committee would be held on January 28 at 2:00 p.m. at the courthouse in Gold Beach.

**3. Southern Curry Ambulance Association**

Mayor Davis announced that he has been contacted by a member of the Southern Curry Ambulance Association, who has requested that the city council tour the facilities of the ambulance association to become more acquainted with the organization and its functions. March 3rd was discussed as a possible date but no decision was made.

**4. Council designations**

Mayor Davis brought up the question of designates from the council to the various boards and commissions.

Following discussion, the council requested staff to research and put in writing the schedules of meetings of the various organizations to bring back to council at the next work session.

**B. Council**

**1. "City Happenings" column in newspaper - Councilor Brendlinger**

Councilor Curry moved to authorize Councilor Brendlinger to work with the city manager and to "run" with a "City Happenings" column in the Curry Coastal Pilot to begin within 30 days, which motion was seconded by Councilor Brendlinger.

The clerk called the roll with the following results:

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

Nays: None

**Motion carried; Councilor Brendlinger authorized to work with the city manager and to "run" with a "City Happenings" column in the Curry Coastal Pilot to begin within 30 days.**

2. Parks regulations

Councilor Brendlinger voiced concerns over proposed parks regulations by the State, including the proposed day-use fees. She will follow-up and gather more information.

**EXECUTIVE SESSION - ORS 192.660 (1)( ) none**

**XIII. ADJOURNMENT**

Councilor Curry moved to adjourn the meeting, which motion was seconded by Councilor Scott; motion carried unanimously.

Mayor Davis adjourned the meeting at 8:55 p.m.



\_\_\_\_\_  
Tom Davis  
Mayor

**ATTEST:**



\_\_\_\_\_  
Beverly S. Shields  
City Recorder