

CITY OF BROOKINGS



**LABOR DAY
SEPTEMBER 2**

**CITY OF BROOKINGS
BROOKINGS COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
September 9, 1991**

12:00 NOON SESSION

I. CALL TO ORDER

Mayor Hummel called the meeting to order at 12:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Fred Hummel, Councilors Nancy Brendlinger, Mary Jane Brimm, Larry Curry, Tom Davis

Staff Present: City Manager Dennis Cluff, Administrative Assistant Donna Van Nest, Community Development Director Leo Lightle

Media Present: Bill Schlichting, Curry Coastal Pilot; Marge Barrett, KURY

IV. CEREMONIES/APPOINTMENTS

1. Proclamation - Constitution Week

Mayor Hummel proclaimed the week of September 17-23, 1991 as "Constitution Week"

2. Proclamation - Bicentennial of the Ratification of the Bill of Rights and December 15 Bill of Rights Day

Mayor Hummel proclaimed 1991 as "Bicentennial of the Ratification of the Bill of Rights", and December 15 as "Bill of Rights Day".

3. Proclamation - National Emblem Club Week

Mayor Hummel proclaimed the week of September 15 -21 as "National Emblem Club Week".

4. Appointments - Charter Revision Committee

Mayor Hummel advised that two applications have been received, one from Pat McCoy and one from Scott Sabin.

Councilor Brendlinger moved to appoint Scott Sabin and Pat McCoy to the Charter Revision Committee, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Scott Sabin and Pat McCoy appointed to the Charter Revision Committee.

Councilor Curry moved to appoint Councilor Tom Davis to the Charter Revision Committee, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Councilor Tom Davis appointed to the Charter Revision Committee.

V. SCHEDULED PUBLIC APPEARANCES

- 1. Request for waiver of a portion of Systems Development Charges for Cottage Court Subdivision - John Zia**

John Zia, 97848 Titus Lane, Brookings, presented the council with a request for a waiver of a portion of the systems development fees for the Cottage Court Subdivision, an affordable housing subdivision in the Dawson Tract, and proposed a resolution waiving those fees.

Tom Herrod, 1089 Parkview Drive, opposed the request.

Councilor Brendlinger moved to direct staff to draw up an ordinance for public hearing, waiving all but the sewer portion of the systems development charges on 11 low income homes within the Cottage Court Subdivision and waiving the increase in systems development fees for all homes in the Cottage Court Subdivision until December 31, 1991, which motion was seconded by Mayor Hummel. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; staff directed to draw up an ordinance waiving all but the sewer portion of the systems development charges on 11 low income homes within the Cottage Court Subdivision and waiving the increase in systems development fees for all homes in the Cottage Court Subdivision until December 31, 1991.

VI. CONSENT CALENDAR

A. Approval of Council Meeting Minutes

1. August 12, 1991 Regular Council Meeting
2. August 26, 1991 Special Council Meeting

B. Acceptance of Planning Commission Meeting Minutes

1. August 6, 1991 Planning Commission Meeting

C. Requests for Payment

1. Request for payment - Bill Booker Construction - Dawson Tract Project Schedule B - Pay Estimate No. 7

Bill Booker Construction requested final payment in the amount of \$28,648.88 for work completed on the Dawson Tract Water and Sewer Project. Richard Nored of H.G.E. Engineering recommended that the payment be approved.

2. Request for payment - Horton Brothers, Inc. - Dawson Tract Project Schedule C - Pay Estimate No. 7

Horton Brothers, Inc., requested payment in the amount of \$22,426.70 for work completed on the Dawson Tract Water and Sewer Project. Richard Nored of H.G.E. Engineering recommended that the payment be approved.

3. Request for payment - James W. Fowler Co. - Dawson Tract Project Schedule D - Pay Estimate No. 7

James W. Fowler Company requested payment in the amount of \$36,672.06 for work completed on the Dawson Tract Water and Sewer Project. Richard Nored of H.G.E. Engineering recommended that the payment be approved.

D. Approval of Vouchers

E. Resolutions None

F. Miscellaneous

1. Changer Order No. One - Infiltration and Inflow Project - Zorich Trucking/Excavation

The council was presented with Change Order No. 1 for the Infiltration and Inflow Project. Following the bid opening, the total scope of the project was reduced by \$47,614.50, to a total of \$125,670.60.

2. Change Order No. three - Dawson Tract Water and Sewer Improvement Project - Schedule "A" - James W. Fowler Company

The council was presented with Change Order No. Three, which called for a change from a Single Body Air-Vac to a double body Air-Vac. This change order adds \$2,028.20 to the cost of the total project. John Lamar, inspector for H.G.E., advised that this change was required by D.E.Q.

Councilor Brendlinger requested corrections to the minutes of the August 12, 1991 on pages 1 and 17.

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

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Consent Calendar consisting of:

- A. Approval of Council Meeting Minutes**
 - 1. August 12, 1991 Regular Council Meeting**
 - 2. August 26, 1991 Special Council Meeting**
- B. Acceptance of Planning Commission Meeting Minutes**
 - 1. August 6, 1991 Planning Commission Meeting**
- C. Requests for Payment**
 - 1. Request for payment - Bill Booker Construction - Dawson Tract Project Schedule B - \$28,648.88 - Pay Estimate No. 7**
 - 2. Request for payment - Horton Brothers, Inc. - Dawson Tract Project Schedule C - \$22,426.70 - Pay Estimate No. 7**
 - 3. Request for payment - James W. Fowler Co. - Dawson Tract Project Schedule D - \$36,672.06 - Pay Estimate No. 7**
- D. Approval of Vouchers - \$526,063.03**
- F. Miscellaneous**
 - 1. Changer Order No. One - Infiltration and Inflow Project - Zorich Trucking/Excavation**
 - 2. Change Order No. three - Dawson Tract Water and Sewer Improvement Project - Schedule "A" - James W. Fowler Company**

approved.

VII.

DEPARTMENT REPORTS/REQUESTS

A. Community Development Director

1. Report on handicapped parking - U.S. Post Office

Community Development Director Leo Lightle advised that the city has received a request to install additional handicapped parking at the U.S. Post Office located at the intersection of Spruce and Center Streets. The post office has one handicapped parking space on-site. Due to the cost to have engineered plans for every option, staff thought it might be more appropriate to lay out some options and if the council decides to explore an option, engineering costs for one option will be considerably less than engineering costs for multiple options.

Staff presented the council with a plan laid out for parallel parking and a plan laid out to about the steepest head-in parking possible, and noted that due to driveways and back up areas, parallel parking allows more space.

Councilor Brendlinger moved to approve Plan 2, (parallel parking) as presented by Community Development Director Leo Lightle, which includes painting a handicapped parking space on Center Street at Spruce Street, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Plan 2, (parallel parking) at the U.S. Post Office, which includes painting a handicapped parking space and making a handicap access curb on Center Street at Spruce Street, approved.

2. Acceptance of Quitclaim Deed - John A. & Anita M. Ensley - Pioneer Lane

Community Development Director Leo Lightle explained that in order to receive water, Tax Lot 2301 on Pioneer Lane needs to front on a city main water line. When these lots (including Tax Lot 2301) did a lot line adjustment, there was an error in not describing Tax Lot 2301 in such a manner that it fronted on a city main (according to the owner). The action of accepting the Quitclaim Deed will rectify the earlier error and will help further development in this area.

Councilor Davis moved to accept the Quitclaim Deed from John and Anita Ensley on Pioneer Lane, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Quitclaim Deed from John and Anita Ensley on Pioneer Lane accepted.

3. Request to close Easy Street temporarily for construction

Community Development Director Leo Lightle advised that the Easy Street project will necessitate the closure of Easy Street from approx. September 10, 1991 thru October 10, 1991. The installation of a large diameter culvert at Macklyn Creek at a significant depth requires considerable construction time. Mr. Lightle noted that the contractor would like to begin as early as possible as the job can be accomplished more rapidly in the dry weather period.

Councilor Brimm moved to approve the closure of Easy Street from September 10, 1991 thru October 10, 1991, for construction purposes, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

**Motion carried; closure of Easy Street from
September 10, 1991 thru October 10, 1991, for
construction purposes approved.**

VIII. CALL FOR BIDS

1. Shop truck - Public Works

Community Development Director Leo Lightle explained that the 1991-92 budget reflects a total amount of \$33,000 budgeted for acquisition of a shop truck with accessories, for Public Works. The funds are budgeted equally between the Street Fund, Water Fund and Wastewater Fund.

The council requested that staff contact the State for a possible bid.

Councilor Davis moved to authorize staff to call for bids for a shop truck, with accessories, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry,
Davis, Mayor Hummel

Nays: None

**Motion carried; staff authorized to call for bids for a shop
truck, with accessories.**

IX. RECESS

Mayor Hummel recessed the meeting at 1:30 p.m., to be reconvened at 7:00 p.m. this date.

7:00 P.M. SESSION

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Fred Hummel, Councilors Nancy Brendlinger, Mary Jane Brimm, Larry Curry, Tom Davis

Staff Present: City Manager Dennis Cluff, City Attorney Mike Gillespie, Administrative Assistant Donna Van Nest

Media Present: Bill Schlichting, Curry Coastal Pilot; Martin Kelly, KCRE; Marge Barrett, KURY

IX. ANNOUNCEMENTS/REPORTS/REQUESTS

A. Mayor

B. Council

1. Ex-Officio City Recorder

Mayor Hummel presented the council with a request from Finance Director/Recorder Beverly Shields to name the Administrative Assistant as the ex-officio Recorder in the absence of the Recorder at council meetings. This item came about due to the council's concerns about staff time spent at council meetings. The charter requires that the recorder be present at all council meetings unless excused. The Administrative Assistant is present at all council meetings to take minutes.

Councilor Davis moved to appoint the Administrative Assistant as the representative of the City Recorder in the absence of the City Recorder at council meetings, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

**Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel**

Nays: None

Motion carried; Administrative Assistant appointed as the representative of the City Recorder in the absence of the City Recorder at council meetings.

2. Azalea Park Subcommittee Report and Recommendation - Councilors Curry and Davis

Councilors Curry and Davis presented the council with a written report submitted by the Azalea Park Subcommittee.

Councilor Davis moved to 1) accept Azalea Park from the State of Oregon in the fiscal year 1992-93, and 2) to direct the development of the master plan to be administered by the Parks & Recreation Commission and that they be directed to proceed as follows:

- 1) The plan must call for a maintenance plan that will assure the existing park could be maintained at or beyond the existing level as maintained by the State.
- 2) The plan must include details of any additional uses be included in that master plan.
- 3) The plan should be presented to the council by the Parks & Recreation Commission at least on a quarterly basis so that the Council can chart the progress of the master plan and input back,

which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Azalea Park to be accepted from the State of Oregon in the fiscal year 1992-93, and the development of the master plan is to be administered by the Parks & Recreation Commission and they are directed to proceed as follows:

- 1) The plan must call for a maintenance plan that will assure the existing park could be maintained at or beyond the existing level as maintained by the State.
 - 2) The plan must include details of any additional uses be included in that master plan.
 - 3) The plan should be presented to the council by the Parks & Recreation Commission at least on a quarterly basis so that the Council can chart the progress of the master plan.
3. Request to correct Council Meeting Minutes of January 28, 1991 - Councilor Brendlinger

Council was presented with the minutes of the January 28, 1991 Council Meeting. Page 4, under Item 2, Ordinance No. 91-O-190.B, indicates that Councilor Brendlinger declared a conflict of interest and stepped down from the bench. Page 5 indicates that Councilor Brendlinger voted on the motion to adopt Ordinance No. 91-O-190.B by first reading. Page 6, line 1, indicates that Councilor Brendlinger stepped back up on the bench.

The indication on page 5 that Councilor Brendlinger voted is in error and needs to be removed from the minutes.

City Attorney Mike Gillespie has advised that this matter needs to be brought before the Council for a motion to correct the minutes.

Councilor Davis moved to direct staff to correct the minutes of the January 28, 1991 Council meeting by deleting the reference to Councilor Brendlinger voting on the first reading of Ordinance No. 91-O-190.B, which reference is contained on Page 5 of the minutes, which motion was seconded by Councilor Curry.

The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

Motion carried; staff directed to correct the minutes of the January 28, 1991 Council meeting by deleting the reference to Councilor Brendlinger voting on the first reading of Ordinance No. 91-O-190.B, which reference is contained on Page 5 of the minutes.

4. Library Reversionary Clause

City Attorney Mike Gillespie indicated that a Quitclaim Deed would not be appropriate to remove the reversionary clause from the library property on Alder Street.

Mr. Gillespie suggested the possibility of the city joining in the process of selling the library property and then, by resolution, presenting the proceeds to the library district.

Dick Draper of the library board suggested the possibility of selling or leasing the property to an entity which would make public use of the building.

City Manager Dennis Cluff suggested that the city sell the property to the library district and then donate the money back to the library district.

City Attorney Mike Gillespie will contact City Auditor Gerald Burns to discuss the legality of Mr. Cluff's suggestion. No formal action taken.

4, November council meeting date change

Councilor Brendlinger noted that the League of Oregon Cities Conference is again being held on the date of the November council meeting.

Following council consensus, Councilor Brendlinger moved to set the November council meeting date to November 18, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

Motion carried; November council meeting date set for November 18.

4. Change Order No. Two - Dawson Tract Water and Sewer Improvement Project - Schedule "B" - Bill Booker Construction

The council was presented with the final change order for Schedule "B" of the Dawson Tract Water and Sewer Improvement Project to balance the final project quantities, which change order reduces the total project cost by \$45,110.05.

Councilor Brendlinger moved to approve the final change order for the Dawson Tract Water and Sewer Improvement project, Schedule "B", which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

Motion carried; final change order for the Dawson Tract Water and Sewer Improvement project, Schedule "B", approved.

C. Planning Commission

None.

D. Parks and Recreation Commission

None.

E. Golf Board

Jim Cole, Chairman of the Golf Board, requested that council set up a bank account for donations to be accepted by the Golf Board to be used for the purpose of conducting a feasibility study for the proposed Jack Creek Golf Course.

Council directed staff to implement the Golf Course Fund as set up by Ordinance No. 89-O-458. No formal action taken.

IV. DEPARTMENT REPORTS/REQUESTS

A. City Manager

1. Declaration of surplus property - fire tanker tractor

City Manager Dennis Cluff advised that the Oregon State Statutes provide that the council is authorized to declare equipment to be surplus, thereby allowing for the sale of such equipment. The fire department has purchased a newer tractor for the tanker and it is in full service now. Staff requested that the council declare the old fire tanker tractor to be surplus equipment so that it can be sold and the proceeds of the sale be added back into the fire department budget.

Councilor Davis moved to declare the 1967 GMC tractor, ID No. TJ764OAD1055R, as surplus property, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

Motion carried; 1967 GMC tractor, ID No. TJ764OAD1055R, belonging to the fire department, declared to be surplus property.

B. City Attorney

1. Fowler Arbitration

City Attorney Mike Gillespie advised that arbitration has taken place concerning Schedule "D" of the Dawson Tract Water and Sewer Improvement project.

Mr. Gillespie presented the city with a contract modification from James W. Fowler Company. Councilor Brendlinger moved to authorize the Mayor and City Recorder to sign the contract modification, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Mayor and City Recorder authorized to sign the contract modification with James A. Fowler Company for Schedule "D" of the Dawson Tract Water and Sewer Improvement project.

2. Ethics Discussion

City Attorney Mike Gillespie offered to come to Brookings to discuss the subject of ethics in office with the council, boards and commissions. By consensus, the council agreed to Monday, September 30, 1991 at 7:00 p.m.

Councilor Curry moved to unanimously thank Mr. Gillespie for his generous offer and to pay for his mileage and meals, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Council unanimously thanked Mr. Gillespie for his generous offer to come to Brookings to discuss ethics with the council, boards and commission, and authorized payment for his mileage and meals.

V. CONTRACT REVIEW BOARD

None

VI. CALL FOR BIDS

None

VII. REPORT ON BIDS

1. Swimming pool resurfacing

The council was informed that, along with Bob Wade from H.G.E., staff was present in the Council Chambers of City Hall at 2:00 p.m., Thursday, September 5, 1991 to open bids. No bids were received for resurfacing the swimming pool.

Mr. Cluff advised that H.G.E. readvertised on Friday, and hopefully bids will be received for this project later this month. No formal action taken.

2. Ransom Avenue Street Improvement Project

City Manager Dennis Cluff advised that the Ransom Avenue Project bids are over the 10% allowed by state statute on the road portion of the project. This leaves several options.

Option No. 1 - Notify all participants, conduct a new public hearing to consider public input, with construction delayed until approval from the property owners is secured.

Option No. 2 - Not accept any bids received and readvertise the project in the winter and hopefully bidders would offer better pricing for a project starting in the spring.

Option No. 3 - Another modified alternative might be to not accept any bids received, take the project back to the land owners for further input using current cost information, (which would be re-establishing the L.I.D. costs upward to reflect the current bids) and to readvertise the project for construction during the spring and summer of 1992.

Option No. 4 - Proceed with the project with the city picking up the difference in excess of the 10% allowed.

Option No. 5 - Do nothing; reject all bids. There would be no L.I.D. for the road and the city could put in at city expense the water line to establish the loop system benefitting all of the city and allowing Joseph Powers to complete his half plus 12' of road project, as well as the city repairing the portion of Ransom Avenue near the intersection with Sixth Street.

Mr. Cluff noted that the city has invested \$29,000 for engineering reports, assessment rolls, surveying, and design documents for the Ransom Avenue project.

Councilor Davis moved to table this agenda item to a special council meeting on September 18, 1991 at 5:00 p.m., which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Ransom Avenue Report on Bids agenda item tabled to a special council meeting on September 18, 1991 at 5:00 p.m.

VIII. FINAL ORDERS

None.

IX. ORDINANCES

1. Ordinance No. 91-O-402.A - An ordinance amending Ordinance No. 86-O-402 enacted June 9, 1986, by amending provisions and adding provisions relating to rates and establishing a rate setting formula. (garbage franchise)

Following discussion and several changes in language, City Attorney Mike Gillespie was directed to make the necessary changes with CTR attorney Mike Early, which changes will be brought back to the council on September 30, 1991 at a special council meeting. No formal action taken

X. UNSCHEDULED PUBLIC APPEARANCES

Don Jaklewicz objected to a memo put out by Councilor Brendlinger which outlined the outcome of an ethics hearing brought against her by Melody Bateman and Don Jaklewicz.

XI. RECESS

Mayor Hummel recessed the meeting at 11:25 p.m., to be reconvened at 5:00 p.m., September 18, 1991.

SEPTEMBER 18, 1991

5:00 P.M.

I. RECONVENE

Mayor Hummel reconvened the council meeting at 5:03 p.m.

Mayor Hummel asked for a moment of silence in honor of Ronald Davis, a 1985 graduate of Brookings-Harbor High School who was employed by the San Diego, California Police Department. Officer Davis was killed in the line of duty on Tuesday, September 17, 1991. Ronald Davis was the son of Rose and Phillip Bonde of Brookings.

II. ROLL CALL

Council Present: Mayor Fred Hummel, Councilors Nancy Brendlinger, Mary Jane Brimm, Larry Curry, Tom Davis

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

Media Present: Bill Schlichting, Curry Coastal Pilot; Marge Barrett, KURY; Martin Kelly, KCRE

III. CEREMONIES/APPOINTMENTS

1. National Arts Week in Brookings

Mayor Hummel proclaimed the week of September 22-28, 1991 as "National Arts Week in Brookings".

IV. DEPARTMENT REPORTS/REQUESTS

A. Community Development Director

1. Request for closure of Tanbark Road and Pioneer Road

Community Development Director Leo Lightle requested that the council authorize temporary closures on Tanbark Road and on Pioneer Road for the implementation of the I & I reduction project.

Councilor Curry moved to authorize the temporary closure of Tanbark Road for two weeks and Pioneer Road three weeks for the purpose of the implementation of the I & I reduction project, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; temporary closure of Tanbark Road for two weeks and Pioneer Road for three weeks for the purpose of the implementation of the I & I reduction project authorized.

V. REPORT ON BIDS

1. Ransom Avenue Street Improvement Project

Clarence Branscomb, 800 Cameo Court, read a statement into the record objecting to the Ransom Avenue Street Improvement LID, and requesting that the LID be rescinded.

Jim Hargrove, property owner at Third and Ransom, objected to the Ransom Avenue Street Improvement LID, and requested that the LID be rescinded.

Following council discussion, Councilor Brimm moved to accept staff Option No. 3, which motion was seconded by Mayor Hummel. The clerk called the roll with the following results:

Ayes: Councilors Brimm, Davis

Nays: Councilors Curry, Brendlinger, Mayor Hummel

Motion denied; staff Option No. 3, "Another modified alternative might be to not accept any bids received, take the project back to the land owners for further input using current cost information, (which would be re-establishing the L.I.D. costs upward to reflect the current bids) and to readvertise the project for construction during the spring and summer of 1992", not accepted.

Councilor Curry moved to direct staff to research to see if the city could come up with \$87,000 to put into the Ransom Avenue Street Improvement LID and to research any area for extra savings, and to contact City Attorney Mike Gillespie to check on the setting of precedence if the council took action to put city monies into a local improvement district, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry,
Davis, Mayor Hummel

Nays: None

Motion carried; staff directed to research to see if the city could come up with \$87,000 to put into the Ransom Avenue Street Improvement LID and to research any area for extra savings, and to contact City Attorney Mike Gillespie to check on the setting of precedence if the council took action to put city monies into a local improvement district.

VI. ORDINANCES

1. Ordinance No. 91-O-474 - An ordinance governing the procedures of the Brookings Common Council. [Second reading]

Council was advised that Ordinance No. 91-O-474 was read in its entirety and adopted by first reading at the August 12, 1991 Council meeting. Since the ordinance was not adopted by unanimous vote, it must be read again in its entirety at the September meeting.

Councilor Davis moved to remove Ordinance No. 91-O-474 from the agenda, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Curry, Davis

Nays: Councilors Brendlinger, Brimm, Mayor Hummel

Motion denied; Ordinance No. 91-O-474 not removed from the agenda.

Administrative Assistant Donna Van Nest read Ordinance No. 91-O-474 into the record in its entirety for the second reading.

Councilor Brimm moved to adopt Ordinance No. 91-O-474 by second reading, which motion was seconded by Mayor Hummel. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm,
Mayor Hummel

Nays: Councilors Curry, Davis

Motion carried; Ordinance No. 91-O-474 - "An ordinance governing the procedures of the Brookings Common Council", adopted by second reading. [Effective date October 18, 1991]

2. Ordinance No. 91-O-478 - An ordinance repealing Ordinance No. 86-O-407, enacted November 17, 1986 and entitled, "AN ORDINANCE SETTING A MEETING DATE FOR REGULAR MONTHLY MEETINGS OF THE COMMON COUNCIL OF THE CITY OF BROOKINGS AND REPEALING ORDINANCES NO. 80-O-336, 82-O-357 AND SECTION 1 OF ORDINANCE NO. 51-O-002."

Council was advised that Ordinance No. 86-O-407, set a date for regular monthly council meetings. With the adoption of Ordinance No. 91-O-474, Ordinance No. 86-O-407 is no longer valid and should be repealed.

Administrative Assistant Donna Van Nest read Ordinance No. 91-O-478 into the record in its entirety for the first reading.

Councilor Davis moved to adopt Ordinance No. 91-O-478 by first reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry,
Davis, Mayor Hummel

Nays: None

Motion carried; Ordinance No. 91-O-478 adopted by first reading.

Administrative Assistant Donna Van Nest read Ordinance No. 91-O-478 into the record by title only for the second reading.

Councilor Davis moved to adopt Ordinance No. 91-O-478 by second reading, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Ordinance No. 91-O-478 - An ordinance repealing Ordinance No. 86-O-407, enacted November 17, 1986 and entitled, "AN ORDINANCE SETTING A MEETING DATE FOR REGULAR MONTHLY MEETINGS OF THE COMMON COUNCIL OF THE CITY OF BROOKINGS AND REPEALING ORDINANCES NO. 80-O-336, 82-O-357 AND SECTION 1 OF ORDINANCE NO. 51-O-002.", adopted by second reading. [Effective October 18, 1991]

3. Ordinance No. 91-O-479 - An ordinance repealing Ordinance No. 91-O-471, enacted March 12, 1991 and entitled, "AN ORDINANCE PROVIDING LIMITATIONS ON SEWER CONNECTIONS TO THE CITY OF BROOKINGS SEWAGE DISPOSAL SYSTEM; REPEALING ORDINANCE NO. 91-O-471; AND DECLARING AN EMERGENCY."

Council was advised that with the LUBA decision and the adoption of Ordinance No. 91-O-430.C, Ordinance No. 91-O-471 should be repealed.

Administrative Assistant Donna Van Nest read Ordinance No. 91-O-479 into the record in its entirety for the first reading.

Councilor Brimm moved to adopt Ordinance No. 91-O-479 by first reading, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Ordinance No. 91-O-479 adopted by first reading.

Administrative Assistant Donna Van Nest read Ordinance No. 91-O-479 into the record by title only for the second reading.

Councilor Brimm moved to adopt Ordinance No. 91-O-479 by second reading, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

Motion carried; Ordinance No. 91-O-479 - An ordinance repealing Ordinance No. 91-O-471, enacted March 12, 1991 and entitled, "AN ORDINANCE PROVIDING LIMITATIONS ON SEWER CONNECTIONS TO THE CITY OF BROOKINGS SEWAGE DISPOSAL SYSTEM; REPEALING ORDINANCE NO. 91-O-471; AND DECLARING AN EMERGENCY.", adopted by second reading. [Effective date October 18, 1991]

VII. RESOLUTIONS

None

EXECUTIVE SESSION - ORS 192.660 (1) ()

None

Mayor Hummel announced that the arbitrator found in favor of the city in the arbitration hearing between City of Brookings and James Fowler Company on the Dawson Tract Sewer and Water Improvement Project, Schedule "D".

VIII. ADJOURNMENT

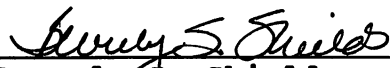
Councilor Davis moved for adjournment, which motion was seconded by Councilor Curry; motion carried unanimously.

Mayor Hummel adjourned the meeting at 8:43 p.m.



Fred Hummel
Mayor

ATTEST:



Beverly S. Shields
City Recorder