



**CITY OF BROOKINGS  
BROOKINGS COMMON COUNCIL MEETING  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
May 13, 1991 - 7:00 P.M.**

**MINUTES**

**I. CALL TO ORDER**

Mayor Hummel called the meeting to order 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, Community Development Director Leo Lightle, Finance Director Beverly Shields, Municipal Court Judge A.L. Stuart**

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

**IV. CEREMONIES/APPOINTMENTS**

**1. Appointment to Parks & Recreation Commission**

Mayor Hummel appointed Steve O'Brien to the Parks and Recreation Commission and requested Council approval.

Councilor Brendlinger moved to appoint Steve O'Brien Parks and Recreation Commission, 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; Steve O'Brien appointed to the Parks and Recreation Commission, replacing Cheryl Bavaro.  
[term expires 02/01/94]**

**VI. PUBLIC HEARINGS**

**1. State Revenue Sharing**

Finance Director/Recorder Beverly Shields advised that ORS 221.770 requires cities to hold two public hearings before passing an ordinance or resolution electing to receive State Revenue Sharing funds. This is the first public hearing; the second will be held in June prior to adopting an ordinance electing to receive the State Revenue Sharing funds.

Mayor Hummel opened the public hearing at 7:02 p.m. and asked for testimony from the Council and the public; hearing none, Mayor Hummel closed the public hearing at 7:03 p.m.

**2. 1991-92 Fiscal Year Budget**

Finance Director/Recorder indicated that it is required by law that a public hearing be held prior to adoption of the budget.

Mayor Hummel opened the public hearing at 7:04 p.m. and asked for testimony from the Council and the public; hearing none, Mayor Hummel closed the public hearing at 7:06 p.m.

**3. 1990/91 Supplemental Budget**

Finance Director/Recorder indicated that it is required by law that a public hearing be held prior to adoption of the supplemental budget.

Mayor Hummel opened the public hearing at 7:08 p.m. and asked for testimony from the Council and the public; hearing none, Mayor Hummel closed the public hearing at 7:10 p.m.

**4. Ordinance No. 91-O-473 - An ordinance authorizing the exercise by the City of Brookings, Oregon, of powers granted by ORS 456.355 to 456.370. [second reading]**

City Attorney Mike Gillespie drafted Ordinance No. 91-O-473 at the request of the City Council to authorize the exercise by the City of powers granted by ORS 456.355 to 456.370, to assist in the development of affordable housing.

A public hearing was held on April 8, 1991 and the ordinance was read in its entirety. The Council adopted the ordinance by first reading with a vote of 4-1. The vote was not unanimous, therefore City Recorder Beverly Shields read Ordinance No. 91-O-473 into the record in its entirety for a second time.

Mayor Hummel opened the public hearing at 7:13 p.m. and asked for testimony and comments from the public.

Proponents speaking: Carolyn Hubbard.

Opponents speaking: Tom Herrod, Ann Ramp, Larry Anderson, Jim Collis, Roger Haag, Bill Cunningham

Following public testimony, Mayor Hummel closed the public hearing at 7:29 p.m.

Councilor Brendlinger moved to adopt Ordinance No. 91-O-473 by second reading, which motion was seconded by Mayor Hummel. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Mayor Hummel

Nays: Councilors Brimm, Curry, Davis

**Motion denied; Ordinance No. 91-O-473 - An ordinance authorizing the exercise by the City of Brookings, Oregon, of powers granted by ORS 456.355 to 456.370, NOT adopted.**

5. Ordinance No. 91-O-334.C - An ordinance amending Ordinance No. 80-O-334 enacted May 30, 1980, and entitled "An ordinance regulating and licensing certain businesses, professions, pursuits, and occupations in the city of Brookings for regulatory and revenue purposes; fixing the fees therefor; providing for an increase or decrease of the same; fixing the penalty for violation thereof; providing for the enforcement thereof; providing certain definitions; providing for a saving clause; repealing ordinance No. 145 To increase the business license fee to \$50; and declaring an emergency", by amending Section 6, Annual Fees.

City Manager Dennis Cluff explained that the business license fees were reviewed at budget time as being one area that should be updated to bring much needed resources to the city. The business license fee has not been increased since May 30, 1980 (11 years). The concern in changing the fee structure was that it would be reasonable and simplistic. Other cities were polled for comparison purposes and it was found that the type of schedule proposed seemed to be the most efficient way of assessing businesses on an increasing scale rather than one rate for everyone.

Mayor Hummel opened the public hearing at 7:30 p.m. City Recorder Beverly Shields read Ordinance No. 91-0-334.C into the record in its entirety.

Following Council discussion, Mayor Hummel closed the public hearing at 7:47 p.m.

Councilor Brimm moved to adopt Ordinance No. 91-0-334.C by first reading, which motion was seconded by Councilor Brendlinger. 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-334.C - An ordinance amending Ordinance No. 80-O-334 enacted May 30, 1980, and entitled "An ordinance regulating and licensing certain businesses, professions, pursuits, and occupations in the city of Brookings for regulatory and revenue purposes; fixing the fees therefor; providing for an increase or decrease of the same; fixing the penalty for violation thereof; providing for the enforcement thereof; providing certain definitions; providing for a saving clause; repealing ordinance No. 145 To increase the business license fee to \$50; and declaring an emergency", by amending Section 6, Annual Fees. - adopted by first reading. [Second reading to be June 10, 1991]**

**VII. CONSENT CALENDAR**

The Council requested that Resolution No. 91-R-507 be removed from the consent calendar. [See Item XIII.1 for Resolution No. 91-R-507]

**A. Approval of Council Meeting Minutes**

1. April 8, 1991 Regular Council Meeting
2. April 9 and 16, 1991 Budget Committee Meeting

**B. Acceptance of Planning Commission Meeting Minutes**

1. March 5, 1991 Planning Commission Meeting
2. April 2, 1991 Planning Commission Meeting

**C. Requests for Payment**

1. Request for payment - Wildish Building Company - Pay Estimate No. 13
2. Request for payment - Bill Booker Construction - Dawson Tract Project Schedule B - Pay Estimate No. 3
3. Request for payment - Horton Brothers, Inc. - Dawson Tract Project Schedule C - Pay Estimate No. 3
4. Request for payment - James W. Fowler Co. - Dawson Tract Project Schedule D - Pay Estimate No. 3
5. Request for payment - James W. Fowler Co. - Dawson Tract Project Schedule A - Pay Estimate No. 2
6. Request for payment - Horton Brothers, Inc. - Water Treatment Plant Renovation - Pay Estimate No. 2 [yellow]

**D. Approval of Vouchers**

**E. Resolutions**

1. Resolution No. 91-R-508 - A resolution of the City Council of the City of Brookings in support of the establishment of an enhanced 9-1-1 system throughout the State of Oregon.
3. Resolution No. 91-R-509 - A resolution of the City Council of the City of Brookings in support of recommendations of the Oregon Roads Financing Committee contained in Oregon House Bill 3559.

**F. Miscellaneous**

new

1. Request for liquor license change (addition of partners) - Lady Boston Restaurant
2. Requests for liquor license renewals

C & K Market, Inc., Ray's Sentry Market No. 1  
David J. Hodge, Brookings Market & Gifts  
Wendy L. Rogers, Pickle Barrel Sandwich and Seafood Company  
M.J. Grocery, Inc., Local Market  
Wilma M. Kemp, Pine Cone Tavern  
O'Hollerans, Inc., O'Hollerans Restaurant  
Charles W. Hansen, Flying Gull Restaurant  
S.M. Dougherty, Little Mama Mia's  
August Dean Otten, Alliance Fast Mart  
Lee's Dragon Gate Restaurant

Councilor Davis moved to adopt the Consent Calendar, 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; Consent Calendar consisting of:**

**A. Approval of Council Meeting Minutes**

1. April 8, 1991 Regular Council Meeting
2. April 9 and 16, 1991 Budget Committee Meeting

**B. Acceptance of Planning Commission Meeting Minutes**

1. March 5, 1991 Planning Commission Meeting
2. April 2, 1991 Planning Commission Meeting

**C. Requests for Payment**

1. Request for payment - Wildish Building Company - Pay Estimate No. 13

2. **Request for payment - Bill Booker Construction - Dawson Tract Project Schedule B - Pay Estimate No. 3**
3. **Request for payment - Horton Brothers, Inc. - Dawson Tract Project Schedule C - Pay Estimate No. 3**
4. **Request for payment - James W. Fowler Co. - Dawson Tract Project Schedule D - Pay Estimate No. 3**
5. **Request for payment - James W. Fowler Co. - Dawson Tract Project Schedule A - Pay Estimate No. 2**
6. **Request for payment - Horton Brothers, Inc. - Water Treatment Plant Renovation - Pay Estimate No. 2**

**D. Approval of Vouchers**

**E. Resolutions**

1. **Resolution No. 91-R-508 - A resolution of the City Council of the City of Brookings in support of the establishment of an enhanced 9-1-1 system throughout the State of Oregon.**
3. **Resolution No. 91-R-509 - A resolution of the City Council of the City of Brookings in support of recommendations of the Oregon Roads Financing Committee contained in Oregon House Bill 3559.**

**F. Miscellaneous**

1. **Request for liquor license change (addition of new partners) - Lady Boston Restaurant**

**2. Requests for liquor license renewals**

**C & K Market, Inc., Ray's Sentry Market No. 1  
David J. Hodge, Brookings Market & Gifts  
Wendy L. Rogers, Pickle Barrel Sandwich and  
Seafood Company  
M.J. Grocery, Inc., Local Market  
Wilma M. Kemp, Pine Cone Tavern  
O'Hollerans, Inc., O'Hollerans Restaurant  
Charles W. Hansen, Flying Gull Restaurant  
S.M. Dougherty, Little Mama Mia's  
August Dean Otten, Alliance Fast Mart  
Lee's Dragon Gate Restaurant**

**approved as presented.**

**VIII.**

**COMMUNICATIONS**

**A. Mayor**

1. Mayor Hummel announced that the Roy Rainey vs. City of Brookings trial is scheduled to begin June 4th and might last 3 days.
2. Mayor Hummel and the Council set a special meeting for May 20, 1991 at 7:00 p.m. for consideration of the systems development fees proposed by HGE, Inc.
3. Transient lodging tax - Ordinance revision

Mayor Hummel proposed to increase the transient room tax to 7% and give the Chamber of Commerce the same amount (\$43,750) as is in the budget currently.

Councilor Curry moved to reject the proposed Ordinance No. 91-O-342.A and replace it with proposed Ordinance No. 91-O-342.B to increase the transient room tax to 7% and give the Chamber of Commerce \$43,750 as is budgeted for fiscal year 1991-92, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:



Ayes: Councilors Brimm, Curry, Mayor Hummel

Nays: Councilors Brendlinger, Davis

**Motion carried; the proposed Ordinance No. 91-O-342.A rejected, to be replaced with proposed Ordinance No. 91-O-342.B to increase the transient room tax to 7% and give the Chamber of Commerce \$43,750 as is budgeted for fiscal year 1991-92.**

**B. Council**

**1. D.E.Q. Solid Waste Grant Program**

City Manager Dennis Cluff advised that the county has now amended the cost participation to 40% county and 60% cities, (20% each city). The grant application for the two DEQ grants must be received by DEQ by May 31, 1991. The potential grants are: 1) funding (up to \$50,000) for preparation of a 20-Year Solid Waste Management Plan; and 2) funding (up to \$50,000) for preparing a comprehensive recycling program. The cost of preparing these applications is minimal for the potential benefit that could be received. Staff recommends that Council consider approving participation with the county and other cities in paying a consultant to apply for up to \$100,000 worth of solid waste grants.

Councilor Davis moved to remove the words, "without prior authorization" from the compensation portion of the contract with CH2M Hill Engineering, 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; the words, "without prior authorization" are to be removed from the compensation portion of the contract with CH2M Hill Engineering. [The new language for that sentence reads, "If two grant applications are prepared the fee will not exceed \$4,000."]**

2. Council work session date for May, 1991

City Manager Dennis Cluff advised that the regular May work session date falls on Memorial Day, which is a holiday. The Council set Tuesday, May 28, 1991 at 7:00 p.m. for the work session.

3. Councilor Curry - Report on Azalea State Park Subcommittee Meeting

Councilor Curry invited the public to attend a meeting of the Azalea Park Subcommittee on Thursday, May 16th, at 3:00 p.m. to walk through the park. Staff was directed to notice a Council work session on May 16, 1991, in Azalea Park so that more than 2 councilors could attend the meeting.

C. Planning Commission

1. Recommendation for a moratorium on development on Pioneer Road between Hassett Street and Easy Street

A communication from Planning Director John Bischoff advised that at the April 2, 1991 hearing, while considering an application for two projects, a triplex building and a 4 unit dwelling group in the R-2 Zone, within the area describe above, the Planning Commission recognized and identified concerns for storm drainage in the area. Discussion revolved around concerns that water draining from the east side of Pioneer crosses under Pioneer at a point approximately 400 feet north of Easy St., flows in a ditch to the west for approximately 230 feet and empties into a natural drainage course which flows south toward Easy Street. During heavy rains the basement of a house built near the drainage

course is occasionally flooded. Apparently a culvert which carries water in the drainage course under an apartment complex parking lot and then under Easy St., does not handle the water coming down the drainage during heavy rain. At least one person from the audience stated that the area of concern had at one time been considered almost a swamp and that this was the reason that Art St. had not been extended north from its present location.

The city does not have underground storm drains in this section of Pioneer Rd. and all drainage is handled either within ditches along the streets or through natural drainage courses which run north-south through the area. Because of the lack of engineered drainage facilities for this area the Commission is concerned that continued development will cause increased runoff and thus creating greater problems.

The Planning Commission is recommending a development moratorium on Pioneer Road between Hasset Street and Easy Street because of drainage problems.

Councilor Brendlinger declared a conflict of interest and reserved the right to speak from the floor, which she did, concerning the drainage problems in the area.

Community Development Director Leo Lightle made a presentation concerning the drainage problems.

Councilor Davis moved to direct staff to prepare historical data and prepare a presentation for the Council of possible alternative solutions if possible, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brimm, Curry, Davis, Mayor Hummel

Nays: None

**Motion carried; staff directed to prepare historical data and prepare a presentation for the Council of possible alternative solutions to the drainage problems on Pioneer Road between Hassett Street and Easy Street.**

Councilor Brendlinger returned to the bench.

**D. Parks & Recreation Commission**

**1. Recommendation on use of Stout Park for library building**

Sandy Calta, Parks and Recreation Commission Chair, informed the Council that the reason for the Parks and Recreation Commission vote of 4-1 to deny the Library District approval to build in Stout Park, was that the Parks and Recreation Commission believes that Stout Park was given to the City as a park and should remain the same.

Councilor Davis moved to authorize the City Attorney to research the transfer of the Stout Park property, if the Library District pays the cost, and report back to the Council, 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; City Attorney authorized to research the transfer of the Stout Park property, if the Library District pays the cost, and report back to the Council.**

E. Golf Board

Mayor Hummel advised that two responses have been received for the proposed golf course development. Those responses are being reviewed at the present time and will be presented to the Golf Board at their next meeting.

F. Chamber of Commerce

Eldon Mitchell, new chamber manager, introduced himself.

G. City Manager

1. Request for authorization to purchase tractor for fire department

City Manager Dennis Cluff explained that line item 104-726 of the fire department budget contains an amount of \$22,000 of which \$17,000 of that amount was to be used for the tanker tractor. The present tractor and tanker are in such a condition that they are no longer dependable. It was determined that the tractor needed to be replaced with a dependable unit. The fire department has, for the last 8 or 9 months, shopped around for a replacement tractor. The most difficult part of the process has been in locating a unit that was short enough both in wheel base and in height to fit into the station, and also one that fit our budgeted amount. We have located what we believe is the tractor that fits our needs at Brattain International Trucks in Portland.

The Brookings Fire Department requests that the Council consider authorizing staff to purchase a 1981 White Road Commander II tractor for the fire department, from Brattain International Trucks at a total cost of \$11,750.

Councilor Davis moved to authorize the purchase of a 1981 White Road Commander II tractor for the fire department, from Brattain International Trucks at a total cost of \$11,750, after staff inspects and approves it, 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; purchase authorized of a 1981 White Road Commander II tractor for the fire department, from Brattain International Trucks at a total cost of \$11,750, after staff inspects and approves it.**

Councilor Curry moved to exempt the purchase of this tractor from competitive bidding due to a lack of the availability of equipment such as this, 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; the purchase of the tractor for the fire department exempted from competitive bidding due to a lack of the availability of equipment such as this.**

2. Request to proceed with Highland Subdivision high level water pressure project

Councilor Curry declared a conflict of interest and stepped down from the bench during the discussion and decision making process.

City Manager Dennis Cluff advised that Resolution No. 90-R-481, dated April, 1990, ordered the engineering report and the establishment of this LID. It was ordered in by a 3-2 vote. The engineering report was timely received by the City, but through a misunderstanding, the city manager never gave

the public notice nor set up a meeting for the passage of the LID ordinance. Before proceeding further, staff would like to know if the current council wishes to proceed with the formation of this LID.

If the council directs continuation with the LID formation, staff will be give notice of a future public hearing. Affected property owners would need to remonstrate in writing prior to that public hearing if they opposed the LID. The LID formation would be automatically defeated if the affected persons owning 66% of either the affected front footage or 66% of the area within the proposed LID boundaries remonstrated against the LID.

Mayor Hummel moved to proceed with the implementation of the resolution establishing the Highland Subdivision High Level Water Project Local Improvement District, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Davis, Mayor Hummel

Nays: None

**Motion carried; staff directed to proceed with implementation of the resolution establishing the Highland Subdivision High Level Water Project Local Improvement District.**

Councilor Curry returned to the bench.

**H. Community Development Director**

1. Request for acceptance of waterline on Linda Lane

Councilor Brendlinger declared a potential conflict of interest and stepped down from the bench during the discussion and decision making process.

Community Development Director Leo Lightle advised that the developer has had the waterline installed; the engineer, John Thorpe, has confirmed the construction meets applicable standards, and the developer has agreed to pay for the parts to install the fire hydrant.

Councilor Curry moved to accept the waterline on Linda Lane into the city water system, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brimm, Curry, Davis, Mayor Hummel

Nays: None

**Motion carried; waterline on Linda Lane accepted into the city water system.**

Councilor Brendlinger returned to the bench.

2. Request to close Old County Road temporarily for waterline construction

Community Development Director Leo Lightle advised that Sam Williams, the contractor for Darrell Allsup, has requested that Old County Road be closed for one week to allow construction of a waterline. The location would be west of its intersection with Constitution Way.

Councilor Curry moved to allow Old County Road to be temporarily closed for construction for a one-week period, during the day, and to be opened and barricaded for traffic at night, 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; Old County Road, west of its intersection with Constitution Way to be temporarily closed for construction for a one-week period, during the day, and to be opened and barricaded for traffic at night.**

**J. City Attorney**

None.

**K. Contract Review Board**

None.

**IX. CALL FOR BIDS**

None.

**X. REPORT ON BIDS**

**1. Fire Department and Wastewater Treatment equipment**

Community Development Director Leo Lightle advised that the fire department Account No. 104-726 was established several years ago to allow for the replacement of old equipment. At the April Council meeting, approval was given to call for price quotations for that equipment. Quotations were opened on May 6, 1991, reviewed and it is recommended that the equipment be purchased from L.N. Curtis and Sons. They submitted the most complete bid at the best price.

The wastewater treatment plant became a part of this because some of their safety equipment is the same as what the fire department specified.

The cost of the equipment is \$4,829.50 for the fire department and \$3,545.00 for wastewater treatment.

Mr. Lightle requested that the Council accept the price quotation from L.N. Curtis and Sons in the amount of \$8,374.50.

Councilor Brimm moved to accept the price quotation from L.N. Curtis and Sons in the amount of \$8,374.50 for equipment for the fire department and the wastewater treatment department, 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; price quotation from L.N. Curtis and Sons in the amount of \$8,374.50 for equipment for the fire department and the wastewater treatment department, accepted.**

**XI. FINAL ORDERS**

None.

**XII. ORDINANCES**

1. Ordinance No. 91-O-190.C - An ordinance amending Ordinance No. 66-O-190 enacted December 30, 1966, and entitled "An ordinance providing rates to be charged for water service by the City of Brookings, Oregon; prescribing the rules and regulations for conduct and operation of the water system of said city and connection therewith; regulating and governing the use of water from said system; providing penalties for non-payment of water service and for violation of this ordinance; and declaring an emergency" by amending provisions for approval of water service.

City Manager Dennis Cluff advised that as discussed at the April 22nd work session, this ordinance amendment would allow water service to certain city areas that would pose a high maintenance risk to the city. Property owners desiring said service would be responsible for putting in and maintaining their own individual service lines.

City Recorder Beverly Shields read Ordinance No. 91-O-190.C into the record in its entirety.

Councilor Brimm moved to adopt Ordinance No. 91-O-190.C by first reading, 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; Ordinance No. 91-O-190.C adopted by first reading.**

City Recorder Beverly Shields read Ordinance No. 91-O-190.C into the record by title only.

Councilor Brimm moved to adopt Ordinance No. 91-O-190.C by second reading, 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; Ordinance No. 91-O-190.C - An ordinance amending Ordinance No. 66-0-190 enacted December 30, 1966, and entitled "An ordinance providing rates to be charged for water service by the City of Brookings, Oregon; prescribing the rules and regulations for conduct and operation of the water system of said city and connection therewith; regulating and governing the use of water from said system; providing penalties for non-payment of water service and for violation of this ordinance; and declaring an emergency" by amending provisions for approval of water service. - adopted by second reading. [Effective date: June 11, 1991]**

2. Ordinance No. 91-O-430.B - An ordinance amending Ordinance No. 88-O-430 enacted December 15, 1988, and entitled "An ordinance regulating the use and discharge of waste into the public sewers of the city of Brookings, Oregon; promulgating the regulations; and providing penalties" by amending provisions relating to sewer service.

City Manager Dennis Cluff advised that as discussed at the April 22nd work session, this ordinance amendment would allow sewer service to certain city areas that would pose a high maintenance risk to the city. Property owners desiring said service would be responsible for putting in and maintaining their own individual service lines.

City Recorder Beverly Shields read Ordinance No. 91-O-430.B into the record in its entirety.

Councilor Brimm moved to adopt Ordinance No. 91-O-430.B by first reading, 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; Ordinance No. 91-O-430.B adopted by first reading.**

City Recorder Beverly Shields read Ordinance No. 91-O-430.B into the record by title only.

Councilor Brimm moved to adopt Ordinance No. 91-O-430.B by second reading, 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; Ordinance No. 91-O-430.B - An ordinance amending ordinance No. 88-0-430 enacted December 15, 1988, and entitled "An ordinance regulating the use and discharge of waste into the public sewers of the city of Brookings, Oregon; promulgating the regulations; and providing penalties" by amending provisions relating to sewer service. - adopted by second reading. [Effective date: June 11, 1991]**

**XIII.**

**RESOLUTIONS**

1. Resolution No. 91-R-507 - A resolution of the City Council of the City of Brookings establishing a fee schedule to cover administrative costs in the contractors cash bonding process.

Councilor Curry moved to adopt Resolution No. 91-R-507, 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; Resolution No. 91-R-507 - A resolution of the City Council of the City of Brookings establishing a fee schedule to cover administrative costs in the contractors cash bonding process. - adopted.**

**XIV.**

**UNSCHEDULED PUBLIC APPEARANCES**

None.

**EXECUTIVE SESSION ORS 192.660 ( )**

The Council recessed to Executive Session under ORS 192.660(1)(i) to review and evaluate the job performance of the chief executive officer.

**RECONVENE**

Mayor Hummel reconvened the regular Council meeting.

Councilor Brendlinger moved to approve a 5% raise for the city manager, effective July 1, 1991, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; 5% raise approved for the city manager, effective July 1, 1991.**

**XV. ADJOURNMENT**

Councilor Davis moved to adjourn the meeting, which motion was seconded by Councilor Brendlinger; **motion carried unanimously.**

Mayor Hummel adjourned the meeting at approximately 11:45 p.m.

  
\_\_\_\_\_  
Fred Hummel  
Mayor

**ATTEST:**

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