CITY OF BROOKINGS BROOKINGS COMMON COUNCIL MEETING Brookings City Hall Council Chambers 898 Elk Drive, Brookings, Oregon June 11, 1990

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, Council President Fred Schutt, Councilors Nancy Brendlinger, Bill Henry, Floyd James [Councilor James arrived at 7:06 p.m.]

Staff Present: City Manager Dennis Cluff, City Attorney Michael Gillespie, Administrative Assistant Donna Van Nest, Community Development Director Leo Lightle, Finance Director/Recorder Beverly Shields, Municipal Court Judge A. L. Stuart

Media Present: Will Sampson, Curry Coastal Pilot; Marge Barrett, KURY

IV. CEREMONIES/APPOINTMENTS

None.

V. MINUTES FOR APPROVAL

A. Approval of Council Meeting Minutes

- 1. April 2, 12, 19, 1990 Budget Committee Meeting Minutes
- 2. May 14, 1990 Regular Council Meeting Minutes
- 3. May 15, 1990 Special Council Meeting Minutes
- 4. May 21, 1990 Special Council Meeting Minutes
- 5. May 30, 1990 Special Council Meeting Minutes

Councilor Henry moved to approve the minutes of the April 2, 12, 19, 1990 Budget Committee Meeting, the May 14, 1990 Regular Council Meeting as corrected, the May 15, 21, 30, 1990 Special Council Meeting Minutes, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Henry, Brendlinger,

Schutt, Mayor Hummel

Nays: None

Motion carried; minutes of the April 2, 12, 19, 1990 Budget Committee Meeting, the May 14, 1990 Regular Council Meeting the May 15, 21, 30, 1990 Special Council Meeting Minutes approved.

- B. Acceptance of Planning Commission Meeting Minutes
 - 1. May 1, 1990 Planning Commission Meeting Minutes

Councilor Henry moved to accept the minutes of the April 3, 1990 Planning Commission Meeting, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

Mayor Hummel

Nays: None

Motion carried; minutes of the May 1, 1990 Planning Commission Meeting accepted.

VI. SCHEDULED PUBLIC APPEARANCES

None.

VII. COMMUNICATIONS/ANNOUNCEMENTS/REPORTS/REQUESTS

A. Mayor

Skateboard Park - Use of city property

Mayor Hummel announced that as requested, he had contacted School District 17C and the board of the school district had made a decision not to commit any vacant land for a skateboard park at this time. Mayor Hummel noted that a suggestion was made to utilize the upper level of the property next to temporary skateboard city hall for а Councilor Henry moved to meet with skateboarders as soon as possible to get the necessary plans for a skateboard park, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; a meeting with the skateboarders as soon as possible to get the necessary plans for a skateboard park approved.

Mayor Hummel requested that Joe Martin, representing the skateboarders, contact the City Manager on Tuesday to set up a meeting time.

2. Urban Renewal District

Lyle Stewart, the planner for the Urban Renewal District, presented the Council with copies of the memo of Findings and Documentation of Blight within the City of Brookings, which is one of the steps in forming the Urban Renewal District. Mr. Stewart pointed out that it is very important to adopt the Urban Renewal Plan before the end of September. No formal action taken.

3. Curry Tri-City Executive Board Membership

Mayor Hummel announced that the three Mayors met May 23 and by consensus opted for quarterly meetings of the full city councils, rotating the location of the meetings. He also noted that the mayors saw the need for ongoing communications and decided to arrange for monthly meetings of a small body, again rotated meeting sites between the cities. It was suggested that this smaller body consist of three representatives of each city, the manager/administrator citv councilor. Following a brief discussion, Councilor Schutt moved to approve the appointment of the mayor, the city manager and a rotation system for the other council members to attend the monthly meetings, which motion was seconded by Councilor The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; appointment of the mayor, the city manager and a rotation system for the other council members to attend the Curry Tri-Cities monthly meetings approved.

It was agreed that the rotation would be as follows:

- 1. Council President Schutt
- 2. Councilor Henry
- 3. Councilor Brendlinger
- 4. Councilor James
- 4. Oregon Housing and Associated Services

Mayor Hummel announced that a representative from Oregon Housing and Associated Services would be holding a meeting in July in Brookings. The object of this group is to assist in low income housing. They are working through a grant from the Fred Meyer Trust.

B. Council

1. Councilor Schutt

Councilor Schutt inquired as to the status of the trailer and equipment which are being stored on Marina Heights. City Manager Dennis Cluff informed him that action is being taken to have the equipment and trailer removed.

- 2. Councilor Schutt noted that the Council had requested a full report on police activities and the packet contains only statistics. He was assured that he would have a full report next month.
- 3. Councilor Schutt inquired as to the status of the caution lights at the schools. He was informed that the fixtures have arrived, but that the city must wait for the availability of the Coos-Curry Electric Co-op cherry picker truck to be able to assemble the lights.
- 4. Councilor Schutt inquired as to what is going to be done with the eyesore at the corner of Fifth and Easy which was created when the new street was put in. The mayor suggested planting low ground cover in the area.
- 5. Councilor Schutt asked if a review of the City Manager was going to be done since he has been with the city for three months. Mayor Hummel indicated that he would schedule the review.
- 6. Councilor Schutt noted that he and Councilor James are the subcommittee looking into the Municipal Court and requested that they be allowed to look into the police department at the same time. The Council agreed that Councilors Schutt and James could work with the city manager on any kind of investigation regarding the police department. Councilor Schutt indicated that they would work with the city manager and if no results were forthcoming they would come back to the City Council.

7. Reconsideration of Fifth Street design decision

Councilors Henry and Brendlinger requested that the Council reconsider their previous action which approved Alternate No. 3 for the Fifth Street design (all greenway). Councilor Henry stated that he had discovered that there had been a breakdown in communication between the city and the property owners affected by the design. Councilor Henry moved to request that the Council reconsider their previous action, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; request that the Council reconsider their previous action on the design of the Fifth Street entrance approved.

8. Fifth Street design and authority to call for bids

Councilor Henry moved to approve design Alternate No. 1 for the Fifth Street reconstruction, which motion was seconded by Councilor Brendlinger.

Speaking from the audience in favor of Alternate No. 1:

Tom Jones, representing Ray's Sentry Markets Genie Gilliam, President, Southern Curry Merchants Association

Doug Nidiffer, owner, Ray's Sentry Markets

Speaking from the audience in favor of Alternative No. 3:

Pat Cropper, Chair, Brookings Parks & Recreation Commission

Betty Crooks

Pauline Olsen

Dorothy Baird, President, Brookings-Harbor Garden Enthusiasts

The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James

Nays: Mayor Hummel

Motion carried; Alternate No. 1 for the Fifth Street reconstruction approved. (Maps depicting Alternate No. 1 and Alternate No. 3 are attached to and made a part of these minutes.)

9. Design of Frontage Road

Steve Majors presented the Council with a new Alternative No. 1 for this project, which would make Frontage Road one-way with a right turn only onto Fifth Street from Frontage Road and two-way traffic on Ross Road.

Gerald Ross of Ross Insurance requested a postponement on this issue.

Jerry Arrell of Chetco Rexall Drugs requested a postponement of any decision on this matter until his partner, Doug Peterson, returns home from the hospital.

Speaking from the audience during the discussion:

Jerry Arrell, representing Chetco Rexall Drugs Don Horton, owner, Pacific Center

Following discussion, Councilor Schutt moved to approve Alternative No. 1 for the design of Frontage Road, with the intention of meeting with the merchants involved again next week when Doug Peterson is home from the hospital to readdress the issue, and authorize the engineering firm to call for bids for the entire Fifth Street project, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Alternative No. 1 for the design of Frontage Road approved, with the intention of meeting with the merchants involved again next week when Doug Peterson is home from the hospital to readdress the issue, and authorization for the engineering firm to call for bids for the entire Fifth Street project approved. (Maps depicting Alternate No. 1 and Alternate No. 2 are attached to and made a part of these minutes.)

C. Planning Commission

None

D. Chamber of Commerce

Terry Connolly, Chamber of Commerce Manager, thanked the city for the Fujita ceremony during the Azalea Festival.

E. Golf Board

Mayor Hummel noted that the application for water right at Jack Creek is being prepared.

F. City Manager

1. Request for payment - Riedel International, Inc. - Wastewater Treatment Plant Outfall Construction Project

Councilor James moved to approve payment of \$111,338.57 to Riedel International, Inc. for work completed on the wastewater treatment plant outfall construction from April 6, 1990 through June 5, 1990, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; payment of \$111,338.57 to Riedel International, Inc. for work completed on the wastewater treatment plant outfall construction from April 6, 1990 through June 5, 1990 approved.

Request for payment - Wildish Construction - Wastewater Treatment Plant Upgrade Project

Councilor Schutt moved to approve payment of \$184,505.00 to Wildish Building Company for work completed on the wastewater treatment plant upgrade project from May 1, 1990 through May 31, 1990, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; payment of \$184,505.00 to Wildish Building Company for work completed on the wastewater treatment plant upgrade project from May 1,1990 through May 31, 1990 approved.

Request for payment - Marv's Utility Specialists - Water Intake Project

Councilor Henry moved to approve payment of \$1,018.58 to Marv's Utility Specialists for work completed on the water intake project, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; payment of \$1,018.58 to Marv's Utility Specialists for work completed on the water intake project approved.

4. Eagle Scout project - Stout Park cleanup

City Manager Dennis Cluff indicated that as an Eagle Scout project, Nathan Fox has proposed to clean up and weed the larger parcel of Stout Park. Nathan has presented his proposal to the Parks and Recreation Commission and has received their positive recommendation.

Councilor James moved to approve Nathan Fox's proposed Eagle Scout project and direct the City Manager to write Nathan a letter informing him of the approval and the conditions under which the project must be performed, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Nathan Fox's proposed Eagle Scout project to clean and weed the larger parcel of South Park approved, with direction to the City Manager to write Nathan a letter informing him of the approval and the conditions under which the project must be performed.

5. Council Work Study Meeting time change

City Manager Dennis Cluff advised that a number of citizens have requested that Council hold their meetings during the daytime. Mr. Cluff requested that the Council consider holding their work sessions during the daytime which would allow key staff to attend without incurring overtime and would reduce by one the required night meetings for Council.

Councilor Schutt pointed out that although the present Council can meeting during the daytime hours, there could come a time when a person with regular work hours could be prevented from running for office because of the meeting times.

Councilor Schutt moved to approve the daytime work session of the Council for one month, that being at 2:00 p.m., June 25, 1990, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; daytime work session of the Council for one month, that being at 2:00 p.m., June 25, 1990, approved.

6. Liquor license application - Change of Ownership - Shell Mini Mart - Harry J. & Juliette M. Turner

City Manager Dennis Cluff presented Council with a request for a change of ownership liquor license request for the Shell Mini Mart from Harry J. & Juliette M. Turner. Mr. Cluff indicated that the Brookings Police Department has done a background check and has no objection to the granting of this license.

Councilor Henry moved to approve the request for a change of ownership liquor license request for the Shell Mini Mart from Harry J. & Juliette M. Turner, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; change of ownership liquor license request for the Shell Mini Mart from Harry J. & Juliette M. Turner approved.

G. Community Development Director

None.

H. City Attorney

None.

J. Contract Review Board

None.

VIII. CALL FOR BIDS

None.

IX. REPORT ON BIDS

None.

X. PUBLIC HEARINGS

None.

XI. FINAL ORDERS

None.

XII. ORDINANCES

1. ORDINANCE NO. 90-0-463 - An ordinance declaring the City's election to receive state revenues, and declaring an emergency.

Administrative Assistant Donna Van Nest read Ordinance No. 90-0-463 into the record in its entirety. Councilor Henry moved to adopt Ordinance No. 90-0-463 by first reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry, James,

Mayor Hummel

Nays: None

Motion carried; Ordinance No. 90-O-463 - An ordinance declaring the City's election to receive state revenues, and declaring an emergency - adopted by first reading.

Administrative Assistant Donna Van Nest read Ordinance No. 90-0-463 into the record by title only. Councilor Henry moved to adopt Ordinance No. 90-0-463 by second reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry, James,

Mayor Hummel

Nays: None

Motion carried; Ordinance No. 90-O-463 - An ordinance declaring the City's election to receive state revenues, and declaring an emergency - adopted by second reading. [Effective June 11, 1990]

Tom Herrod went on record as objecting to the emergency clause.

2. ORDINANCE NO. 90-0-464 - An ordinance of the city of Brookings, Oregon, authorizing the issuance and sale of limited general obligation bond anticipation notes, series 1990A, in an amount of \$2,950,000 for the purpose of financing the water distribution improvements and the sanitary sewer improvements within the Dawson Tract, Oregon Driftwood Shores and West Harris Heights areas; prescribing the form and detail of said notes and the covenants and agreements made by the city to facilitate and protect the payment thereof; and declaring an emergency.

Administrative Assistant Donna Van Nest read Ordinance No. 90-0-464 into the record in its entirety. Councilor Henry moved to adopt Ordinance No. 90-0-464 by first reading, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry, James,

Mayor Hummel

Nays: None

Motion carried; Ordinance No. 90-O-464 - An ordinance of the city of Brookings, Oregon, authorizing the issuance and sale of limited general obligation bond anticipation notes, series 1990A, in an amount of \$2,950,000 for the purpose of financing the water distribution improvements and the sanitary sewer improvements within the Dawson Tract, Oregon Driftwood Shores and West Harris Heights areas; prescribing the form and detail of said notes and the covenants and agreements made by the city to facilitate and protect the payment thereof; and declaring an emergency - adopted by first reading.

Administrative Assistant Donna Van Nest read Ordinance No. 90-0-464 into the record by title only. Councilor Schutt moved to adopt Ordinance No. 90-0-464 by second reading, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry, James,

Mayor Hummel

Nays: None

Motion carried; Ordinance No. 90-O-464 - An ordinance of the city of Brookings, Oregon, authorizing the issuance and sale of limited general obligation bond anticipation notes, series 1990A, in an amount of \$2,950,000 for the purpose of financing the water distribution improvements and the sanitary sewer improvements within the Dawson Tract, Oregon Driftwood Shores and West Harris Heights areas; prescribing the form and detail of said notes and the covenants and agreements made by the city to facilitate and protect the payment thereof; and declaring an emergency - adopted by second reading. [Effective June 11, 1990]

Lorraine Holmes, 17360 Holmes Drive, went on record objecting to the emergency clause.

3. ORDINANCE NO. 90-0-383.A - An ordinance amending Ordinance No. 84-0-383, Section 6, and declaring an emergency.

Administrative Assistant Donna Van Nest read Ordinance No. 90-0-383.A into the record in its entirety. Councilor Brendlinger moved to adopt Ordinance No. 90-0-383.A by first reading, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Ordinance No. 383.A - An ordinance amending Ordinance No. 84-O-383, Section 6, and declaring an emergency - adopted by first reading. (Telephone franchise amendment)

Administrative Assistant Donna Van Nest read Ordinance No. 90-0-383.A into the record by title only. Councilor Henry moved to adopt Ordinance No. 90-0-383.A by second reading, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Ordinance No. 383.A - An ordinance amending Ordinance No. 84-O-383, Section 6, and declaring an emergency - adopted by second reading. [Effective June 11, 1990] (Telephone franchise amendment)

XIII. RESOLUTIONS

1. **RESOLUTION NO. 90-R-484 -** A resolution authorizing the Finance Director to transfer available appropriations as necessary to cover deficit line items at year end.

Councilor Henry moved to adopt Resolution No. 90-R-484, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Resolution No. 90-R-484 - A resolution authorizing the Finance Director to transfer available appropriations as necessary to cover deficit line items at year end adopted.

2. **RESOLUTION NO. 90-R-487 -** A resolution adopting the budget, declaring tax levied and making appropriations for the 1990/91 fiscal year.

Councilor Brendlinger moved to adopt Resolution No. 90-R-487, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Resolution No. 90-R-487 - A resolution adopting the budget, declaring tax levied and making appropriations for the 1990/91 fiscal year, adopted.

3. RESOLUTION NO. 90-R-488 - A resolution of the Council of the City of Brookings approving Resolution No. R-90-1 of the Pacific Cal/Ore Fire Chiefs Association, said Resolution No. R-90-1 being a mutual assistance agreement between the fire agencies of Curry County, Oregon and Del Norte County, California, and repealing Resolution No. 90-R-480 of the City of Brookings.

Councilor Henry moved to adopt Resolution No. 90-R-488, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Resolution No. 90-R-488 - A resolution of the Council of the City of Brookings approving Resolution No. R-90-1 of the Pacific Cal/Ore Fire Chiefs Association, said Resolution No. R-90-1 being a mutual assistance agreement between the fire agencies of Curry County, Oregon and Del Norte County, California, and repealing Resolution No. 90-R-480 of the City of Brookings, adopted.

4. **RESOLUTION NO. 90-R-489** - A resolution electing to provide workers compensation insurance coverage to all City of Brookings volunteers.

Councilor Henry moved to adopt Resolution No. 90-R-489, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,

James, Mayor Hummel

Nays: None

Motion carried; Resolution No. 90-R-489 - A resolution electing to provide workers compensation insurance coverage to all City of Brookings volunteers, adopted.

XIV. UNSCHEDULED PUBLIC APPEARANCES

- 1. Tom Herrod objected to the proposed Urban Renewal District as proposed. He wants the proposition to be put before all of the voters.
- 2. Don Jaklewicz came before the council to complain about certain actions authorized by Community Development Director Leo Lightle in the matter of cutting a bank on Old County Road. Mr. Lightle was directed to prepare a memo for Council review of the issue.
- 3. Tony Ardagna complained that people are building fences with the unfinished, or ugly, side showing on the neighbor's side of the fence. He also complained that the contractor's are not cleaning up their messes from dirt, etc. on the streets during construction projects.

XV. APPROVAL OF EXPENDITURES

Councilor James moved to pay the vouchers in the amount of \$1,096,121.19, which motion was seconded by Councilor Schutt.

Councilor Brendlinger moved to amend the motion by changing the language to read, "to approve the vouchers as distributed", which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Henry, Brendlinger,

Schutt, Mayor Hummel

Nays: None

Motion carried; motion amended by changing the language to read, "to approve the vouchers as distributed".

The clerk called the roll with the following results:

Ayes: Councilors James, Henry, Brendlinger,

Schutt, Mayor Hummel

Nays: None

Motion carried; vouchers approved as distributed in the amount of \$1,096,121.19.

EXECUTIVE SESSION ORS 192.660 ()

None.

XVI. ADJOURNMENT

Councilor Henry moved to adjourn the meeting, which motion was seconded by Councilor Brendlinger; **motion carried unanimously.** Mayor Hummel adjourned the meeting at 11:40 p.m.

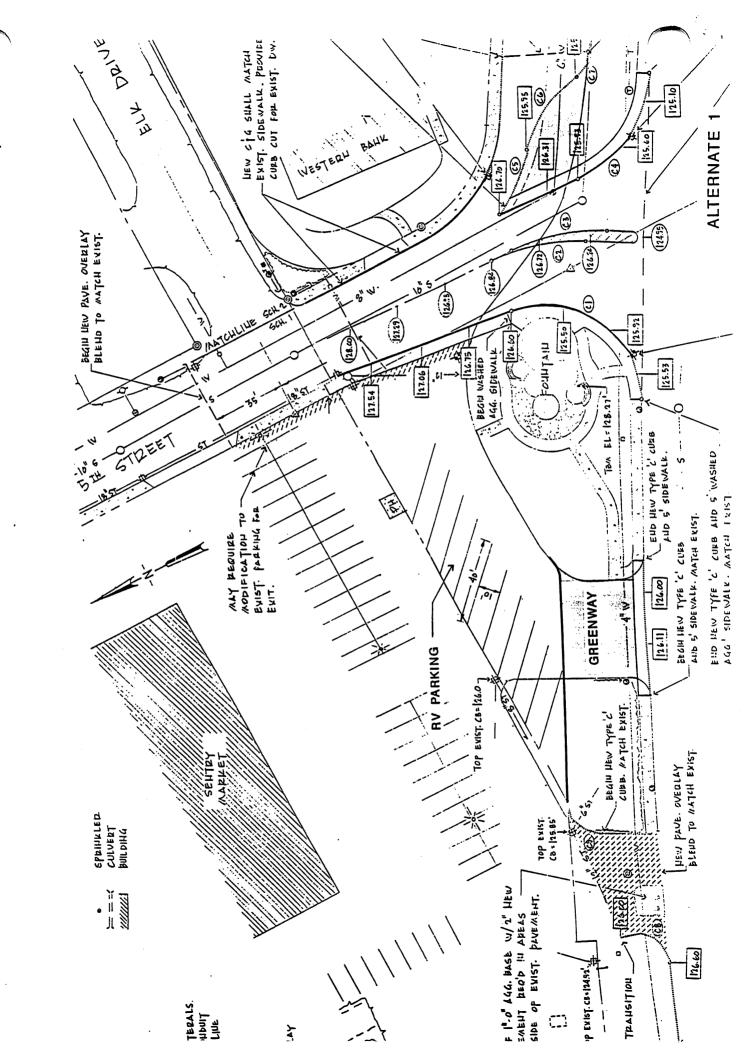
Fred Hummel

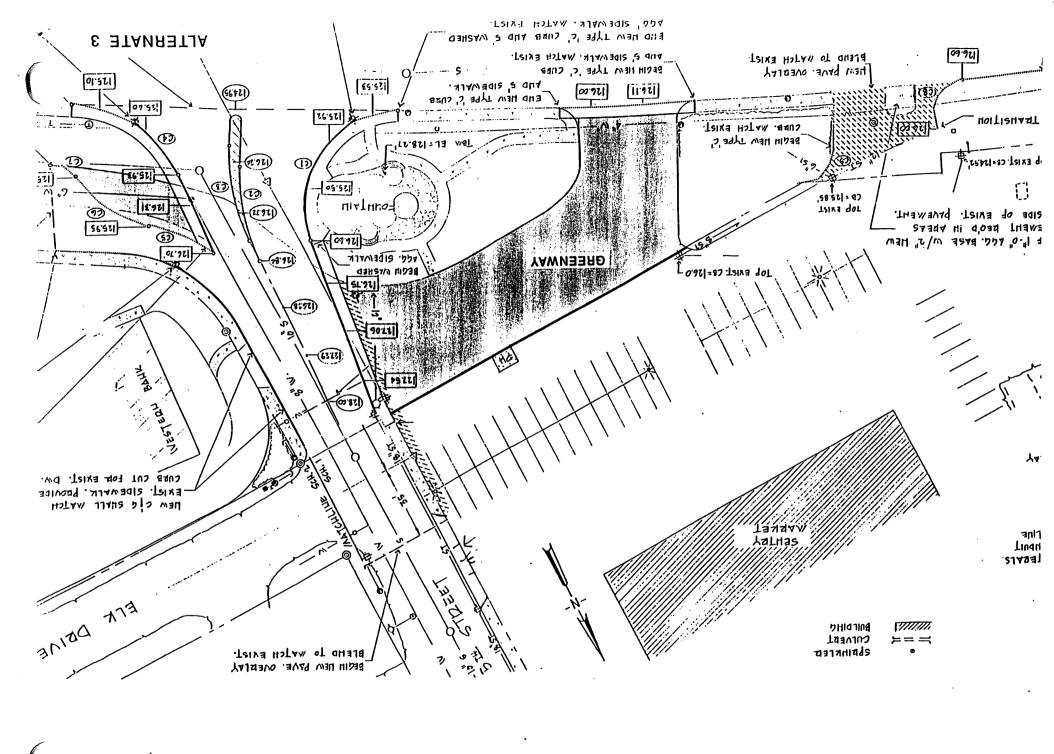
Mayor

ATTEST:

Beverly S Shields

City Recorder







CONSULTING ENGINEER
P. O. BOX 1198
COOS BAY, OREGON 97420
TELEPHONE: (503) 269-0732

June 7, 1990

City of Brookings 898 Elk Drive Brookings, OR 97415

Attn: Dennis Cluff

City Manager

Re:

City of Brookings

5th & Chetco Street Improvements

Project #345

Dear Dennis:

Enclosed are copies of two alternatives we discussed for improvements to Frontage Road. General comments on these alternatives are as follows:

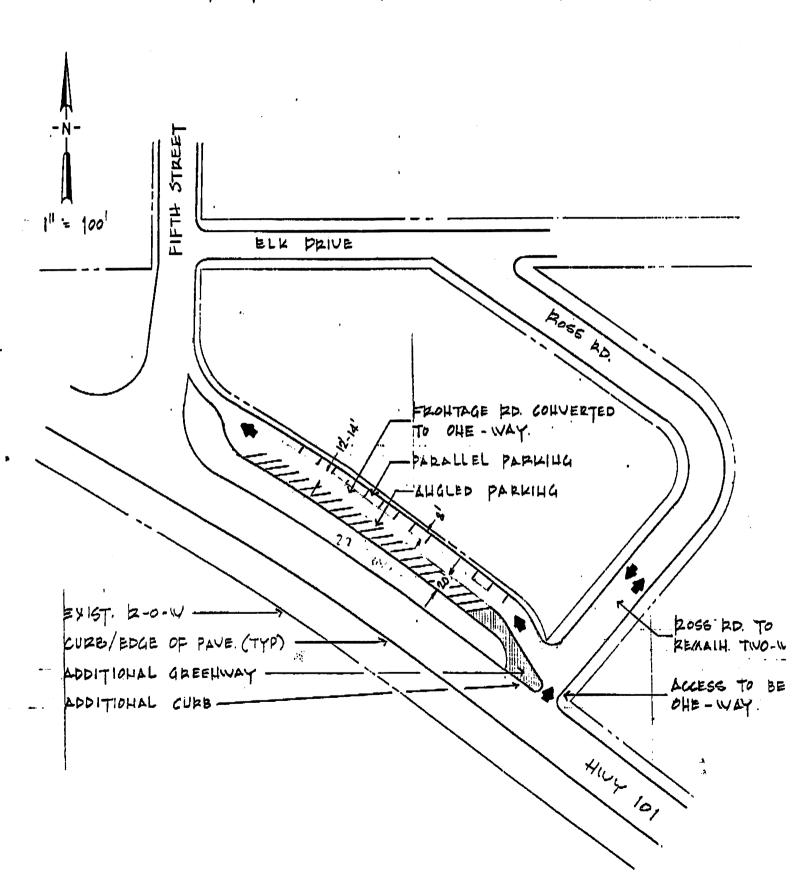
Alternative 1 - This alternative would be the cheapest to construct, minimize the amount of conflicting traffic movement and generate the most parking. However, more vehicles would be funneled to 5th. Street where they can only make a right turn.

Alternate 2 - Existing pavement widths and two way traffic restrict parking options. Creating another access point to Chetco Avenue increases the potential for hazardous traffic flows and may conflict with the new traffic signal at 5th Street.

Both of these alternative along with their associated costs will be presented to the Council at their June 11, 1990 meeting. If further questions or concerns arise, please give us a call.

Very truly yours,

Steve Majdr, P.E. Project Manager ALTERNATIVE #1 - CONVERT FRONTAGE RD. TO ONE-WAY AND PROVIDE ADDITIONAL PARKING. PROVIDE ONE-WAY ACCESS ONTO FIFTH STREET AND ONE-WAY ACCESS FROM HWY 101 TO FRONTAGE RD.



ALTERNATIVE #2 - BLOCK ACCESS OF FRONTAGE PD ONTO FIFTH OT, PROVIDE HEW ACCESS AD. ONTO HWY 101 BETWEEN FIFTH ST. & ROSS AD. CONVERT FRONTAGE AD. ACCESS FROM HWY 101 TO ONE -WAY AND ROSS AD. TO PART ONE -WAY.

