

CITY OF BROOKINGS
BROOKINGS COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
January 8, 1990
7:00 p.m.

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 Bill Henry, Nancy Brendlinger, Fred Schutt, Floyd James

Staff Present: Interim City Manager Dick Kahanek, City Attorney John Babin, Recorder/Treasurer Beverly Shields, Engineering Technician Leo Lightle, Planning Director John Bischoff

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

IV. CEREMONIES/APPOINTMENTS

1. Appointment of Budget Officer

Councilor Henry moved to appoint Recorder/Treasurer Beverly Shields budget officer for the 1990-91 fiscal year, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger,
Henry, Mayor Hummel

Nays: None

Motion carried; Beverly Shields appointed budget officer for 1990-91 budget year.

2. Parks and Recreation Commission Appointments

Councilor Henry moved to table this matter until the January 22, 1990 meeting of the Council, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger,
Henry, Mayor Hummel

Nays: None

Motion carried; this item tabled until January 22.

V. MINUTES FOR APPROVAL

A. Approval of Council Meeting Minutes

1. December 7, 1989 Special Council Meeting
2. December 11, 1989 Regular Council Meeting

Councilor Brendlinger moved to approve the minutes of the December 7, 1989 Special Council Meeting and the December 11, 1989 Regular Council Meeting, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; minutes of the December 7, 1989 Special Council Meeting and the December 11, 1989 Regular Council Meeting approved

B. Acceptance of Planning Commission Meeting Minutes

1. November 14, 1989 Regular Planning Commission Meeting

2. December 5, 1989 Regular Planning Commission Meeting

Councilor Henry moved to accept the minutes of the November 14, 1989 Regular Planning Commission Meeting and the December 5, 1989 Regular Planning Commission Meeting, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; minutes of the November 14, 1989 Regular Planning Commission Meeting and the December 5, 1989 Regular Planning Commission Meeting approved.

VI. SCHEDULED PUBLIC APPEARANCES

None.

VII. UNSCHEDULED PUBLIC APPEARANCES

Joe Duzak, 448 Pine Street, made a statement to support our youth by helping them to get a skateboard park.

Mike Handley, 97939 North Bank Chetco River Road, made a presentation on how the skateboarders can go through the Boy Scouts and be provided insurance through Boy Scouts saving the City needing to buy liability insurance. Approximately 100 square feet of land is needed to build a skate ramp.

Following Council discussion, Councilor Henry moved to move quickly into looking for property for a skateboard facility, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; staff to investigate the matter with a report back to the City Council at the February Council meeting.

VIII. COMMUNICATIONS/ANNOUNCEMENTS/REPORTS/REQUESTS

A. Mayor

1. Mayor Hummel gave a brief report on the County Commissioners meeting. The consummate burners will be in operation for another four months. The rate for garbage collection in the city will go from \$7.00 per month to \$12.00 per month.
2. Mayor Hummel announced that a meeting on Saturday at the Christian Church will kick off the Satellite Office of the South Coast Chapter of the American Red Cross.
3. Mayor Hummel announced that interviews for the City Manager applicants will be held on January 11 and 12.
4. Mayor Hummel announced that ads have been placed for a Request for Proposal on the Jack Creek Golf Course project, and some responses have been received. March 31 is the deadline for receiving the proposals.
5. Mayor Hummel announced that the Committee for Capital Improvements will meet on Tuesday, January 16, 1990. They will be studying system development fees and how they should be used.
6. Mayor Hummel announced that the Southern Curry Merchants Association will hold a meeting on January 9, 1990 at City Hall.
7. Mayor Hummel announced that the Council, the Planning Commission and the Budget Committee attended the city-wide mobile tour and saw the areas/issues that need to be addressed at budget time.

8. Mayor Hummel raised the issue of defective sidewalks. Councilor Henry moved to direct staff to prepare a report on the scope of the sidewalk problem and private property needing repairs, and a report on the defective caution lights at the schools, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; staff directed to prepare a report on the scope of the sidewalk problem and private property needing repairs, and a report on the defective caution lights at the schools.

B. Council

1. Councilor Schutt announced that the Citizens for the Drug Free Brookings would meet on January 10, 1990 at City Hall.
2. Councilor Schutt moved to direct staff to purchase a UPS (Uninterruptable Power Source) for the utility billing computer, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; staff directed to purchase a UPS (Uninterruptable Power Source) for the utility billing computer.

3. Councilor Schutt stated that he wanted staff to contact all attorneys in southwestern Oregon to get proposals for attorney services. He stated that he thinks the city can get more for their money. Following Council discussion, Councilor Schutt moved to advertise the position of City Attorney and request proposals from interested attorneys in the southwestern part of the state, **which motion was seconded by Councilor James.** The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; position of City Attorney to be advertised and proposals requested from interested attorneys in the southwestern part of the state.

4. Councilor Henry thanked the City Manager for the tour of the City.
5. Councilor Brendlinger moved to direct staff to draw up an ordinance amendment to restore water service to those outside the Urban Growth Boundary who previously had water service and to have that ordinance ready by the February meeting, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; staff directed to draw up an ordinance amendment to restore water service to those outside the Urban Growth Boundary who previously had water service and to have that ordinance ready by the February meeting.

6. Councilor Brendlinger moved to direct staff to provide the Council with information on how many undeveloped lots in Tide Rock Meadows and Pleasant Hills Exception Areas front on city water mains, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; staff directed to provide the Council with information on how many undeveloped lots in Tide Rock Meadows and Pleasant Hills Exception Areas front on city water mains.

7. Councilor Brendlinger stated that she did not like the question which was given to her to ask the City Manager applicants at the dinner on Thursday evening. Councilor Henry and Councilor Brendlinger traded questions.
8. Councilor Brendlinger stated that she does not want Richard Bewersdorff to handle the city's Periodic Review process. She asked for no action at this time but suggested that the Council consider telling Benkendorf Associates that the City would prefer to have someone else from their firm handle the review process. Mayor Hummel suggested that there is a possibility that the review process can be handled in-house.

9. Councilor James asked to know what had been done about the water pressure to the fire hydrants on Van Pelt Hills Subdivision. Engineering Technician Leo Lightle explained that the problem is not pressure but volume; that the system was built only for domestic purposes. To correct the problem, larger pumps would have to be installed. Councilor Henry moved to direct the City Attorney to investigate the dedication of the water system in the Van Pelt Hills area to see if the fire hydrants were accepted by the City with the water system, and what liability the City might have as a result, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; City Attorney directed to investigate the dedication of the water system in the Van Pelt Hills area to see if the fire hydrants were accepted by the City with the water system, and what liability the City might have as a result.

C. Planning Commission

None.

D. Chamber of Commerce

Councilor Schutt announced the Chamber of Commerce Manager Terry Connolly would be attending the Drug-Free Brookings meeting.

E. City Manager

1. Report on Moore Street request for no parking areas

Engineering Technician Leo Lightle presented the Council with a survey done by the police department on the parking situation. Councilor Schutt indicated that he would like to see a report from the police department that included more than 2 days of surveillance.

Jeanette Hughes, 01090 Winchuck Road, Brookings, stated that she is the owner of the Sunset Court Apartments on Moore Street. She stated that there are 21 units and 32 parking spaces for the apartment complex, and several of her apartments are occupied by persons who have more than one car.

Councilor Henry moved to direct staff to look into the Moore Street parking problem and bring back recommendations to the Council for consideration, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; staff directed to look into the Moore Street parking problem and bring back recommendations to the Council for consideration.

2. Payment for excavation on water intake project
- Change Order No. 1 - CH2M Hill Engineering

Interim City Manager Richard Kahanek reminded the Council that this matter was tabled at the last meeting pending a response from the contractor as to whether or not he would accept payment in the amount of \$15,569.97, which the contractor has agreed to do.

Councilor Brendlinger questioned the first modification to the change order because it did not include the conditions the city approved at the last meeting. Councilor Henry moved to amend Change Order No. 1 by adding to Number 1 "and the letter from the City to Marv's Utility Specialist dated December 5, 1989", which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; Change Order No. 1 amended by adding to Number 1 "and the letter from the City to Marv's Utility Specialist dated December 5, 1989".

Councilor Brendlinger moved to authorize payment to Marv's Utility Specialist in the amount of \$15,569.97 for excess rock excavation, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; payment approved to Marv's Utility Specialist in the amount of \$15,569.97 for excess rock excavation.

3. Amendment No. 1 - to the professional service contract between the city of Brookings and Gary L. Dyer, Consulting Engineers, for street improvements

Steve Majors, representing Gary Dyer, P.E., presented the Council with a preliminary proposal for Fifth Street construction to open Fifth Street onto Chetco Avenue. Mr. Majors pointed out that there are three proposed projects, Fifth Street, Elk Drive and Easy Street. He suggested that since there are not enough monies at this time to complete all three projects, that the City complete the Fifth Street construction and the Elk Drive improvements and continue on the design phase of Easy Street for completion later. Mayor Hummel expressed concern that Easy Street should be the highest priority because of safety concerns for children walking to school.

Councilor Schutt moved to proceed with the Fifth Street and Elk Drive improvements and leave Easy Street to another time, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry

Nays: Mayor Hummel

Motion carried; Fifth Street and Elk Drive improvements to proceed now; Easy Street project to be continued with the design phase.

Mayor Hummel: "I'd like the record to show that the mayor is voting no on this project because I think it puts the death knell on Easy Street. I don't care what the presentation is. I think all we're doing is delaying a project that was laid out wrong and if we continue with it the way it's laid out it's just never going to be done. I for one want my vote to go down in support of the Easy Street project and I object to the method of the presentation of the three projects that the Council endorsed this year and then being showed only two at one time and being asked to see the other one at a later time."

Councilor Schutt moved to adopt Amendment No. 1 to the Professional Service Contract between the City of Brookings and Gary L. Dyer, Consulting Engineers, for Street Improvements, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; Amendment No. 1 to the Professional Service Contract between the City of Brookings and Gary L. Dyer, Consulting Engineers, for Street Improvements approved.

4. Request for authorization to retain the firm of Harlan/Miller Associates to prepare an architectural rendering of a new fire station

Interim City Manager Richard Kahanek presented an idea for a new fire station and requested authorization to retain the architectural firm of Harlan/Miller to do a design proposal for the new station. Councilor Brendlinger suggested that the City have the property surveyed before proceeding. Councilor Henry moved to proceed with the survey of the property on Elk Drive with permanent markers to be placed on the property upon completion of the survey, and retain Harlan/Miller Associates to prepare an architectural rendering of the new fire station, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt,
Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; survey of the property on Elk Drive with permanent markers to be placed on the property upon completion of the survey, and Harlan/Miller Associates to prepare an architectural rendering of the new fire station authorized.

5. Acceptance of Tony Felipe waterline - Collis Lane

Councilor Henry moved to accept the Tony Felipe waterline off Arnold Lane into the city water system, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; Tony Felipe waterline off Arnold Lane accepted into the city water system.

6. Formal award of contracts for wastewater improvements

Interim City Manager Dick Kahane advised the Council that formal notification of concurrence for the awarding of the bids has been received from the U.S. Environmental Protection Agency, and he requested authorization from the Council to notify the appropriate contractors. Councilor Schutt moved to authorize Riedel International, Inc. to proceed with Contract No. 1 for the ocean outfall construction at a cost of \$1,332,000, and Wildish Buildings Company to proceed with Contract No. 2 for the wastewater treatment plant and conveyance improvements at a cost of \$4,091,800, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; Riedel International, Inc. authorized to proceed with Contract No. 1 for the ocean outfall construction at a cost of \$1,332,000, and Wildish Buildings Company authorized to proceed with Contract No. 2 for the wastewater treatment plant and conveyance improvements at a cost of \$4,091,800.

F. City Attorney

1. City Attorney John Babin advised the Council on ex parte contacts.
2. City Attorney John Babin presented the Council with an account update of the Palm May Stout property. The money was received in January.
3. City Attorney John Babin advised the Council that Mr. and Mrs. Dale Rohse have filed a claim against the city for removal of a water meter and denial of water service for their property, which is located outside the Urban Growth Boundary.

G. Contract Review Board

None.

IX. CALL FOR BIDS

1. Chlorine Turbidity Recorder - Water Treatment

Councilor Henry moved to authorize staff to prepare a call for bids for a Chlorine Turbidity Recorder, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; staff authorized to prepare a call for bids for a Chlorine Turbidity Recorder.

X. REPORT ON BIDS

1. Patrol car - police department

Councilor Schutt moved to award the bid to Akin Ford for a 1990 Ford Crown Victoria in the amount of \$14,361, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger,
Henry, Mayor Hummel

Nays: None

Motion carried; bid awarded to Akin Ford for a 1990
Ford Crown Victoria in the amount of \$14,361.

XI. PUBLIC HEARINGS

1. Proposed amendment to Land Development Code to exempt remodel of structures not in excess of 50% assessed value from development permit requirements

Mayor Hummel opened the public hearing at 11:20 p.m.

Comments were heard from the public:

Tony Ardagna questioned why the process is taking so long.

Mayor Hummel closed the public hearing at 11:37 p.m.

Councilor Brendlinger moved to adopt the Planning Commission recommendation to amend Section 4.070 of the Land Development Code and direct staff to prepare the appropriate ordinance amending the Land Development Code, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger,
Henry, Mayor Hummel

Nays: None

Motion carried; Planning Commission recommendation to amend Section 4.070 of the Land Development Code approved and staff directed to prepare an ordinance amending the Land Development Code.

XII. FINAL ORDERS

None.

XIII. ORDINANCES

None.

XIV. RESOLUTIONS

None.

XV. PAYMENT OF VOUCHERS

Councilor Brendlinger moved to approve the vouchers for November in the amount of \$148,478.16, and for December in the amount of \$276,384.79, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger,
Henry, Mayor Hummel

Nays: None

Motion carried; vouchers for November in the amount of \$148,478.16, and for December in the amount of \$276,384.79 approved.

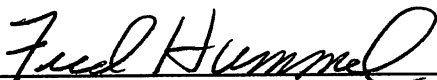
XVI. RECESS

Councilor Schutt moved to recess the meeting to Monday, January 15, 1990 at 9:00 a.m. for an executive session to discuss City Manager applicants, which motion was seconded by Councilor James. The clerk called the roll with the following results:

Ayes: Councilors James, Schutt, Brendlinger,
Henry, Mayor Hummel

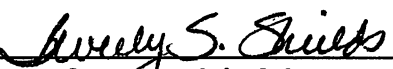
Nays: None

Motion carried; meeting recessed to Monday, January 15, 1990 at 9:00 a.m. for an executive session to discuss City Manager applicants.



Fred Hummel
Mayor

ATTEST:



Beverly S. Shields
City Recorder

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