

**CITY OF BROOKINGS**  
**SPECIAL BROOKINGS COMMON COUNCIL MEETING**  
**Brookings City Hall Council Chambers**  
**898 Elk Drive, Brookings, Oregon**  
**September 14 - 15, 1989**  
**7:00 p.m.**

**MINUTES**

The City Council of the City of Brookings, Curry County, Oregon, convened the Special Council Meeting of September 14, 1989, at 7:01 p.m., in the Council Chambers of Brookings City Hall.

**I.           CALL TO ORDER**

Mayor Hummel called the meeting to order at 7:01 p.m.

**II.           ROLL CALL**

**Council Present:** Mayor Fred Hummel, Councilors Ralph Mory, Nancy Brendlinger, Bill Henry, Fred Schutt

**Staff Present:** City Manager Roy Rainey, City Attorney John Babin, Executive Secretary Donna Van Nest, Planning Director Richard Ullian

**Media Present:** Roger Hayden, Curry Coastal Pilot; Marge Barrett, KURY

**III.          RECESS**

Councilor Brendlinger presented City Manager Roy Rainey with a written objection to a memo that he had given the City Council on September 12, which objection was read into the record.

Mayor Hummel recessed the meeting at 7:05 p.m. to convene an Executive Session under ORS 192.660(1)(h).

**IV.          RECONVENE**

Mayor Hummel reconvened the public session at 8:30 p.m.

V. CITY MANAGER'S EMPLOYEE AGREEMENT

Mayor Hummel announced that the Council had reviewed the legal opinion provided by its independent attorney and had decided that more information was needed to take the proper course of action.

Councilor Schutt moved to direct the City Attorney to seek the information required dealing with the manager's employment agreement, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

Motion carried; City Attorney directed to seek the information required dealing with the manager's employment agreement.

VI. RECESS

Mayor Hummel recessed the meeting at 8:34 p.m., to be reconvened at 7:00 p.m., Friday, September 15, 1989.

Mayor Hummel directed staff to place a telephone in the Council Chambers for a call on Friday evening.

VII. RECONVENE

Mayor Hummel reconvened the public session at 7:02 p.m., September 15, 1989.

VIII. ROLL CALL

Council Present: Mayor Fred Hummel, Councilors Ralph Mory, Nancy Brendlinger, Fred Schutt, (Councilor Henry answered roll call via telephone at 7:25 p.m. at the beginning of the Executive Session)

Staff Present: City Manager Roy Rainey, City Attorney John Babin, Executive Secretary Donna Van Nest

Media Present: Roger Hayden, Curry Coastal Pilot

**IX. RECESS**

Mayor Hummel recessed the public session at 7:04 p.m. to convene an Executive Session under ORS 192.660(1)(h).

**X. RECONVENE**

Mayor Hummel reconvened the public session at 8:42 p.m.

**XI. CITY MANAGER'S EMPLOYMENT AGREEMENT**

Mayor Hummel announced that the issue before the Council is to decide whether to take action on the City Manager's employment agreement in light of the legal opinion received by the City from Michael Gillespie, an independent attorney who was hired to review the legality of the city manager's employment agreement. Mayor Hummel stated that Mr. Gillespie's opinion was that the employment agreement is void for a number of reasons, and the issue before the city council is to decide whether or not to dismiss the city manager without cause, effective on adjournment of this meeting, and that he shall receive compensation for hours worked and any vacation time accrued.

Councilor Schutt moved to dismiss the city manager without cause, effective on adjournment of this meeting, and pay him compensation for hours worked and any vacation time accrued, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; city manager dismissed without cause, effective on adjournment of this meeting, and he will be compensated for hours worked and any vacation time accrued.**

Mayor Hummel appointed Councilor Schutt as liaison to meet with Mr. Rainey to effect the transfer of city and personal effects.

Councilor Brendlinger moved to appoint Leo Lightle as interim city manager until such time as an interim city manager can be obtained through the League of Oregon Cities, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; Leo Lightle appointed interim city manager until such time as a full time interim city manager can be obtained through the League of Oregon Cities.**

Councilor Schutt moved to direct the mayor to contact the League of Oregon Cities for the possible name of an individual who can serve as an interim city manager and to contact the League of Oregon Cities to begin the manager recruitment process, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

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

Nays: None

**Motion carried; mayor directed to contact the League of Oregon Cities for the possible name of an individual who can serve as an interim city manager and to contact the League of Oregon Cities to begin the manager recruitment process.**

**XII. HARBOR SANITARY DISTRICT ARBITRATION**

City Attorney John Babin announced that the decision of the arbitrators has been received and the position of the city has been sustained in five of the six arbitration points.

XIII. ADJOURN

Councilor Brendlinger moved to adjourn, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

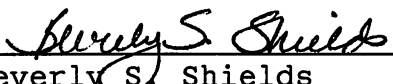
Ayes: Councilors Brendlinger, Schutt, Mory, Henry,  
Mayor Hummel

Nays: None

Motion carried; meeting adjourned at 8:53 p.m.

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

ATTEST:

  
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Beverly S. Shields  
City Recorder