

CITY OF BROOKINGS
REGULAR BROOKINGS COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
October 9, 1989
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 Bill Henry, Nancy Brendlinger, Fred Schutt

Staff Present: Acting City Manager Leo Lightle, Executive Secretary Donna Van Nest, City Attorney John Babin, Investigator Les Murray, Communications Sergeant Cameron Lynn

Planning Commission Present: Commissioner Mary Jane Brimm

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

IV. CEREMONIES/APPOINTMENTS

1. Golf Course Committee

Mayor Hummel announced Bob Hummel, Jim Cole, Councilor Fred Schutt and Ken McLeod as his proposed members for the Brookings Harbor Golf Board. The City Council agreed to appoint the members of the Golf Board individually.

Councilor Brendlinger moved to approve the appointment of Jim Cole to the Brookings Harbor Golf Board, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Brendlinger, Henry, Mayor Hummel

Nays: None

Motion carried; Jim Cole appointed to Brookings Harbor Golf Board.

Councilor Schutt moved to approve the appointment of Bob Hummel to the Brookings Harbor Golf Board, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Henry, Brendlinger, Schutt, Mayor Hummel

Nays: None

Motion carried; Bob Hummel appointed to Brookings Harbor Golf Board.

Councilor Henry moved to approve the appointment of Councilor Fred Schutt to the Brookings Harbor Golf Board, 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; Councilor Fred Schutt appointed to Brookings Harbor Golf Board.

Councilor Brendlinger moved to approve the appointment of Ken MacLeod to the Brookings Harbor Golf Board, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Brendlinger, Mayor Hummel

Nays: Councilor Henry

Motion carried; Ken MacLeod appointed to Brookings Harbor Golf Board.

Mayor Hummel announced that the fifth member of the board is the Mayor.

2. **Committee for Capital Improvements**

Mayor Hummel submitted the following list of seven persons to serve on the Committee for Capital Improvements:

Jane Hughes, Homemaker, League of Women Voters

Bob Krebs, Commissioner, Harbor Sanitary District

Art Fisher, Retired Engineer

Jim Collis, Businessman

Phyllis Cottingham, Retired Federal Worker, League of Women Voters

Kathaleen Dowden, Accountant, Horton Brothers

Elmer Hitchcock, Former Mayor

Councilor Schutt moved to approve the appointment of the seven members of the Committee for Capital Improvements as submitted, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Henry, Schutt, Mayor Hummel

Nays: None.

Motion carried; Committee for Capital Improvements appointed as submitted.

3. **Sewage Rate Committee**

Councilor Schutt moved to appoint the Mayor and the City Manager to serve on the Sewage Rate Committee and to fill the third position at a later time, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Henry, Brendlinger, Mayor Hummel

Nays: None.

Motion carried; Mayor and City Manager appointed to serve on Sewage Rate Committee. Third member to be appointed at a later date.

V. MINUTES FOR APPROVAL

A. Approval of Council Meeting Minutes

1. September 11, 1989 Council Meeting [gray]
2. September 12, 1989 Council Meeting [pink]
3. September 14, 1989 Council Meeting [blue]
4. September 22, 1989 Council Meeting [lilac]

Councilor Schutt moved to approve the minutes of the September 11, 1989 Council Meeting, the September 12, 1989 Council Meeting, the September 14, 1989 Council Meeting and the September 22, 1989 Council Meeting as submitted, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Brendlinger, Henry,
Mayor Hummel

Nays: None.

Motion carried; minutes of the September 11, 1989 Council Meeting, the September 12, 1989 Council Meeting, the September 14, 1989 Council Meeting and the September 22, 1989 Council Meeting approved as submitted.

B. Acceptance of Planning Commission Meeting Minutes

1. September 5, 1989 Planning Commission Meeting

Councilor Henry moved to accept the minutes of the September 5, 1989 Planning Commission Meeting, 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 September 5, 1989 Planning Commission Meeting accepted.

VI. SCHEDULED PUBLIC APPEARANCES

1. Request to reconsider phasing in city taxes for property owners in the West Harris-Dawson Tract-Oregon Driftwood Shores area - Jim Collis, Acting Chairman, Dawson Tract, West Harris Heights Association

Jim Collis, Acting Chairman of the Dawson Tract, West Harris Heights Association presented the Council with a request to consider phasing in City taxes at a rate of 10% per year in the newly annexed Dawson Tract, Oregon Driftwood Shores, West Harris Heights areas. Councilors Brendlinger and Schutt voiced opinions that the rest of the City residents should not shoulder the burden of the taxes for the newly annexed area. City Attorney John Babin informed the Council that it was his opinion that the request for tax relief should have been filed at the time of the request for annexation and it cannot be considered now that the area is already annexed. **No action was taken.**

2. Request to utilize Stout Park property for new library - Pauline Olson

Pauline Olson, representing the Chetco Community Public Library District, presented the Council with a letter from the only living heir of Palm May Stout, which stated that he was in favor of the proposal to utilize part of the Stout Park property for construction of a new library facility. The City Council agreed to table this matter until the Parks and Recreation Committee is appointed.

The Council agreed that the first order of business for the Parks and Recreation Commission would be to analyze the request to utilize Stout Park for a library.

VII. COMMUNICATIONS/ANNOUNCEMENTS/REPORTS/REQUESTS

A. Mayor

1. Parks and Recreation Commission

Mayor Hummel presented the Council with copies of Ordinance No. 61-O-158 (creation of Parks and Recreation Commission) which was repealed in 1982.

Councilor Schutt moved to direct staff to begin the process of drafting a new ordinance reestablishing a Parks and Recreation Commission, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Henry, Brendlinger,
Schutt, Mayor Hummel

Nays: None.

Motion carried; staff directed to begin the process of drafting a new ordinance reestablishing a Parks and Recreation Commission.

The Council agreed to discuss the ordinance at the next Council work session.

2. City Manager Recruitment

Mayor Hummel briefed the Council on the progress of the recruitment process, and indicated that the deadline for applications is to be November 20.

3. Interim Planning Director

Mayor Hummel announced that an interim planner may be on board soon to handle the planning process until a permanent planner can be hired.

4. **Sewer Bonds**

Mayor Hummel announced that the city is proceeding with the sale of the sewer bonds. The bonds will be sold between the end of November and the first week of December.

5. **City Manager Evaluation Criteria**

Councilor Henry requested that a work-in-progress report be made by the city manager as well as the periodic evaluation. The council agreed to discuss the matter further at their next work session.

6. **City Council Vacancy**

Mayor Hummel advised that four applications were received for filling the council vacancy and one was withdrawn due to residency requirements. Art Fisher, Jay Pilant and Floyd James are the remaining applicants and they will be interviewed by the Council at 12:30 p.m. tomorrow.

7. **RESOLUTION NO. 89-R-469** - A Resolution authorizing the elimination of parking on Chetco Avenue near Oak Street for the purpose of installing a left turn lane.

Mayor Hummel indicated that he had many telephone calls regarding this issue. He also indicated that an agreement had been reached between the State of Oregon, the County of Curry and the City of Brookings to divide the cost of constructing a left turn lane at Chetco Avenue and Oak Street equally between the three entities. The Mayor and City Council indicated that they were not aware that all of the parking between Alder and Willow on Chetco Avenue would have to be removed. They indicated that they had been given the impression that a few parking spaces on each side of the highway would be eliminated. The following persons spoke in opposition to the elimination of the parking:

Rocky Parker

Larry Bircher

John Babin

Fred and May Blunt

Lynn Griggs

Betty Nelson, Agent, Oregon Liquor Control
Commission

Rick Ripley, Oregon Liquor Control Commission

Joe Zimmerman

Terry Sargis

Acting City Manager Leo Lightle requested that
the Council take no action on the resolution
at this time. Following a lengthy discussion,
the Council agreed to postpone action on
Resolution No. 89-R-469.

B. Council

None.

C. Planning Commission

None.

D. Chamber of Commerce

Chamber of Commerce Manager Terry Connolly read a
statement into the record from the Chamber of
Commerce supporting the development of the public
golf course in Brookings.

E. City Manager

1. Police Department - Report on drug programs

Brookings Police Department Investigator Les
Murray made a verbal report to the council on
the drug programs being implemented by the
department. **No action required.**

2. **Report - High Level Water System Improvements - Highland, Forest Park, Cameo Subdivisions**

Acting City Manager Leo Lightle informed the council that after two mailings and a neighborhood meeting, there is not enough support (51% is required) to go forward with the project and he advised the council that staff will not expend any more time or money on the project unless directed to do so by the council. No action required.

3. **Approval of street improvement plans - Ray's Sentry Market Apartments - 5th Street**

Acting City Manager Leo Lightle advised the council that Acting City Engineer Gary Dyer is recommending approval of the revised plans (dated September 22, 1989) for the Ray's Sentry Market Apartment Project on Fifth Street.

Councilor Schutt moved to approve the revised plans as presented, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Henry, Schutt, Mayor Hummel

Nays: None.

Motion carried; revised plans for Ray's Sentry Market Apartment Project approved.

4. **Request to change November Council Meeting date**

Acting City Manager Leo Lightle informed the council that the November council meeting date is in conflict with the annual League of Oregon Cities Conference and requested that the meeting date be changed. Councilor Henry moved to reschedule the November meeting to November 20, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Henry, Brendlinger, Mayor Hummel

Nays: None.

Motion carried; November council meeting rescheduled for November 20.

5. Request for Payment - Marv's Utility Specialist

Acting City Manager Leo Lightle presented the council with an invoice from CH2M Hill Engineering on behalf of Marv's Utility Specialists in the amount of \$25,403.61, and requested authorization to pay the invoice.

Councilor Henry moved to authorize the payment of the invoice in the amount of \$25,403.61, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Brendlinger, Henry, Mayor Hummel

Nays: None.

Motion carried; authorization granted to pay Marv's Utility Specialists in the amount of \$25,403.61.

6. Inter-governmental Agreement between City of Brookings and Harbor Sanitary District

Acting City Manager Leo Lightle presented the Council with a proposed Inter-Governmental Agreement between the city and Harbor Sanitary District. The agreement was drawn up following the arbitration proceedings.

Councilor Schutt moved to sign the Inter-governmental Agreement, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Henry, Brendlinger, Schutt, Mayor Hummel

Nays: None.

Motion carried; mayor authorized to sign the Inter-governmental Agreement between the city and the Harbor Sanitary District.

F. City Attorney

None.

G. Contract Review Board

None.

VIII. CALL FOR BIDS

1. Request for approval of plans and authority to call for bids - Wastewater Facilities Plan - Brown and Caldwell Engineering

Acting City Manager Leo Lightle requested approval of the plans and authority for Brown and Caldwell Engineering to call for bids for the outfall and the wastewater treatment plant expansion.

Councilor Henry moved to approve the plans and authorize Brown and Caldwell Engineering to call for bids for the outfall and the wastewater treatment plant expansion, which motion was seconded by Councilor Schutt. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry, Mayor Hummel

Nays: None.

Motion carried; plans approved and Brown and Caldwell Engineering authorized to call for bids for the outfall and the wastewater treatment plant expansion.

IX. REPORT ON BIDS

None.

X. PUBLIC HEARINGS

1. Amendment to Land Development Code - temporary uses

Mayor Hummel opened the public hearing at 10:18 p.m. and requested comments from the public. There being none, the public hearing was closed at 10:19 p.m.

Councilor Schutt advised that under proposed Section 84.050 temporary permits could be issued for a year and he felt that was too long for a temporary permit.

Mayor Hummel expressed the opinion that the proposed ordinance covered a much broader area than he expected.

Councilor Henry suggested that the council send the proposed Ordinance No. 89-O-457 back to the Planning Commission for further study.

Councilor Schutt moved to table Ordinance No. 89-O-457, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Henry, Schutt,
Mayor Hummel

Nays: None.

Motion carried; Ordinance No. 89-O-457 tabled.

XI. FINAL ORDERS

None.

XII. ORDINANCES

1. **ORDINANCE NO. 89-0-457** - An ordinance amending Ordinance No. 89-O-446 (Land Development Code) by the inclusion of temporary use permit procedures and criteria. [See Public Hearings]
2. **ORDINANCE NO. 89-0-458** - An ordinance creating the Brookings Harbor Golf Board; Prescribing its duties; creating the Golf Course Fund; and repealing Ordinance No. 87-O-413.

Clerk Donna Van Nest read Ordinance No. 89-O-458 into the record in its entirety. Councilor Schutt moved to adopt Ordinance No. 89-O-458 by first reading, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Henry, Brendlinger,
Mayor Hummel

Nays: None.

Motion carried; Ordinance No. 89-O-458 adopted by first reading.

Clerk Donna Van Nest read Ordinance No. 89-O-458 into the record by title only. Councilor Brendlinger moved to adopt Ordinance No. 89-O-458 by second reading, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Schutt, Brendlinger, Henry,
Mayor Hummel

Nays: None.

Motion carried; Ordinance No. 89-O-458 adopted by second reading.

XIII. RESOLUTIONS

1. **RESOLUTION NO. 89-R-467** - A resolution amending Resolution No. 88-R-441 of the City of Brookings.

Clerk Donna Van Nest read Resolution No. 89-R-467 into the record in its entirety. Councilor Henry moved to adopt Resolution No. 89-R-467, 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; Resolution No. 89-R-467 adopted.

2. **RESOLUTION NO. 89-R-468** - A resolution adopting rates, fees and charges to the users of the city of Brookings sewer services; and repealing Resolution No. 89-R-443.

Clerk Donna Van Nest read Resolution No. 89-R-468 into the record in its entirety. Councilor Schutt moved to adopt Resolution No. 89-R-468, which motion was seconded by Councilor Henry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Schutt, Henry,
Mayor Hummel

Nays: None.

Motion carried; Resolution No. 89-R-468 adopted.

XIV. UNSCHEDULED PUBLIC APPEARANCES

None.

XV. PAYMENT OF VOUCHERS

Councilor Henry moved to approve the vouchers in the amount of \$357,629.74, 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; vouchers approved in the amount of \$357.629.74.

XVI. RECESS

Mayor Hummel recessed the meeting at 10:55 p.m., in order to reconvene at 12:30 p.m., on October 10, 1989 to interview prospective council members and to select the interim city manager.

XVII. RECONVENE

Mayor Hummel reconvened the recessed meeting at 12:33 p.m.

XVIII. INTERVIEWS OF COUNCIL CANDIDATES

The council interviewed Art Fisher, Jay Pilant and Floyd James.

Following the interview process, Councilor Schutt moved to appoint Floyd James to the vacant city council seat, 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; Floyd James appointed to fill vacant city council seat. Term will expire December 31, 1990.

XIX. INTERIM CITY MANAGER SELECTION

Councilor Henry moved to appoint Richard L. Kahanek as interim city manager, 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; Richard L. Kahanek appointed interim city manager.

The council arrived at a figure of \$3,333 per month salary, plus \$500 for lodging for a total of \$3,833 compensation per month, plus use of the city manager's car. Mayor Hummel recessed the meeting at 2:25 p.m. to call Mr. Kahanek to offer him the position. Mr. Kahanek accepted the position at the salary offered. He will begin work on Monday, October 16, 1989. Mayor Hummel reconvened the meeting at 2:32 p.m.

XX. **ADJOURNMENT**

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

Ayes: Councilors Brendlinger, Schutt, Henry, Mayor Hummel

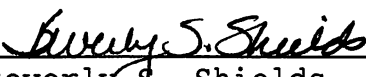
Nays: None

Motion carried; meeting adjourned at 2:39 p.m.



Fred Hummel
Mayor

ATTEST:



Beverly S. Shields
City Recorder