

# City of Brookings

## MEETING AGENDA

### **CITY COUNCIL**

**Monday, July 23, 2012, 7:00pm**

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

#### **A. Call to Order**

#### **B. Pledge of Allegiance**

#### **C. Roll Call**

#### **D. Ceremonies/Appointments/Announcements**

1. Employee Anniversary – City Manager Gary Milliman, five years.
2. Yard of the Month Awards
  - a. Best Residential – Altona Mefford, 420 Buena Vista Loop
  - b. Best Commercial – Chetco Federal Credit Union, 729 Chetco Avenue

#### **E. Public Hearings/Ordinances/Resolutions/Final Orders**

1. Amendments and additions to Title 2, Administration and Personnel, of the Brookings Municipal Code. [City Manager, Advance Packet]
  - a. Ordinance 12-O-698, amending Chapters 2.15, 2.35 and 2.40 in their entirety, and Sections 2.05.010, 2.25.050, 2.25.060, 2.55.030, 2.55.070(G), 2.55.080(C), 2.55.090 and 2.70.010.
    - i. Revisions related to 12-O-698
  - b. Ordinance 12-O-699, adding Chapter 2.67, Budget Committee.
  - c. Ordinance 12-O-700, adding Chapter 2.85, Sale of City Owned Property

#### **F. Oral Requests and Communications from the audience**

1. Public Comments on non-agenda items – 5 minute limit per person.\*

#### **G. Consent Calendar**

1. Approve Council minutes for July 23, 2012. [pg. 4]
2. Receive monthly financial report for June 2012. [pg. 8]

#### **H. Remarks from Mayor and Councilors**

- I. Adjourn into Executive Session** - Council will adjourn into executive session in the City Manager's office under the authority of ORS 192.660(2)(i), to review and evaluate the employment-related performance of the City Manager.

\*Obtain Public Comment Forms and view the agenda and packet information on-line at [www.brookings.or.us](http://www.brookings.or.us), at City Hall and at the local library. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 469-1102 if you have any questions regarding this notice.

# July 2012

July 2012						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2012						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

	Monday	Tuesday	Wednesday	Thursday	Friday
Jul 2 - 6	<b>Jul 2</b> 11:00am 12:00pm CC - VIPS 2:00pm 3:00pm CC - Staff 4:00pm 6:00pm CC - Council Wkshp 7:00pm 10:00pm FH-FireTrng	<b>3</b>	<b>4</b> 8:00am 5:00pm July 4th - City Hall Closed 10:00am 12:00pm CC- Site Plan 7:00pm 9:00pm FH-PoliceResrvs	<b>5</b> 3:00pm 4:00pm CC - Staff	<b>6</b>
Jul 9 - 13	<b>9</b> 7:00pm 10:00pm FH-FireTrng 7:00pm 9:30pm CC-Council	<b>10</b>	<b>11</b> 10:00am 11:00am FH-BRFD 10:00am 12:00pm CC- Site Plan	<b>12</b> 9:00am 10:30am CC-Crm Stoppers 1:00pm 4:30pm Court	<b>13</b> 10:00am 11:30am CC - Staff
Jul 16 - 20	<b>16</b> 11:00am 12:00pm CC-VIPS 4:00pm 5:30pm CC - Workshop 7:00pm 10:00pm FH-FireTrng	<b>17</b> 11:00am 12:00pm CC - Staff 2:30pm 4:30pm CC- Staff	<b>18</b> 10:00am 12:00pm CC- Site Plan	<b>19</b> 10:30am 11:30am CC - staff 12:00pm 1:00pm CC-Staff 12:00pm 1:00pm FH - Public Art Committee	<b>20</b>
Jul 23 - 27	<b>23</b> 7:00pm 9:00pm CC-Council 7:00pm 10:00pm FH-FireTrng	<b>24</b>	<b>25</b> 10:00am 12:00pm CC- Site Plan	<b>26</b> 12:00pm 1:30pm CC - Court 7:00pm 9:00pm CC-Parks & Rec	<b>27</b>
Jul 30 - Aug 3	<b>30</b> 7:00pm 10:00pm FH-FireTrng	<b>31</b>	<b>Aug 1</b>	<b>2</b>	<b>3</b>

August 2012

August 2012							September 2012						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

Monday		Tuesday		Wednesday		Thursday		Friday	
Jul 30		31		Aug 1		2		3	
Jul 30 - Aug 3				10:00am CC- Site Plan 12:00pm CC - Stout Park 7:00pm FH-PoliceResrvs		3:00pm CC - Staff			
6		7		8		9		10	
Aug 6 - 10		11:00am CC - VIPS 4:00pm CC - Council Wkshp 7:00pm FH-FireTrng		7:00pm CC-Planning Comm		10:00am FH-BRFD 10:00am CC- Site Plan		9:00am CC-Crm Stoppers	
13		14		15		16		17	
Aug 13 - 17		7:00pm FH-FireTrng 7:00pm CC-Council		1:00pm CC - Staff 2:00pm CC - Staff		9:00am CC - Staff 10:00am CC- Site Plan		1:00pm CC - Court	
20		21		22		23		24	
Aug 20 - 24		11:00am CC-VIPS 7:00pm FH-FireTrng		10:00am CC- Site Plan					
27		28		29		30		31	
Aug 27 - 31		7:00pm CC-Council 7:00pm FH-FireTrng		10:00am CC- Site Plan					

Jul 30 - Aug 3

Aug 6 - 10

8d

Aug 13 - 17

Aug 20 - 24

Aug 27 - 31

# City of Brookings

## City Council Meeting MINUTES

**Monday, July 9, 2012**

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

### **Call to Order**

Mayor Hedenskog called the meeting to order at 7:00pm.

### **Roll Call**

Council Present: Mayor Ron Hedenskog, Councilors Dave Gordon, Jake Pieper, Brent Hodges and Kelly McClain; a quorum present.

Staff Present: City Manager Gary Milliman, Public Works & Development Director Loree Pryce, City Attorney Martha Rice, Finance & Human Resources Director Janell Howard, and City Recorder Joyce Heffington.

**Councilor Pieper moved, a second followed and Council voted unanimously to add [as item D-3 under Ceremonies, Appointments & Announcements] the appointment of a Council subcommittee to select the Volunteer of the Year and to remove Item F-2 [requesting financial assistance with SDC charges for clinic] from the agenda.**

### **Ceremonies/Appointments/Announcements**

Mayor Hedenskog proclaimed the week of July 15<sup>th</sup> as Kite Festival Week.

**Mayor Hedenskog moved, a second followed and Council voted unanimously to appoint Jake Pieper as Council President.**

**Councilor Pieper moved, a second followed and Council voted unanimously to appoint Councilor Hodges and Councilor McClain to a Council subcommittee to choose Volunteer of the Year.**

### **Staff Reports**

*Authorize staff to notify Hassett Street property owners holding a Deferred Improvement Agreement (DIA) that the City is proceeding with street improvements and that they will be required to contribute their proportionate share.*

City Manager Milliman said that Councilor Gordon had asked for an estimate of contribution amounts at the time the DIAs were recorded. Director Pryce reviewed that information and provided the staff report.

Councilor McClain asked what funds would be used to cover the difference between today's cost and the cost at the time of recordation and Pryce said it would most likely be paid with System Replacement Funds.

McClain said that if all existing DIAs, using current estimates, were rolled back to the time of recordation the difference could be as much as \$600,000.

Diane Moffit, 622 Hassett Street, commented that all costs should be paid up front, that the drainage system seemed to be working fine and that improvements were not needed.

Tami Konkel, 269 Marine Drive, owner of 520 Hassett, commented that she agreed with Moffit, and added that many of the owners are "upside down" with their mortgages, making it difficult for them to obtain financing.

Jan Sirchuk, PO Box 2711, commented that drainage issues do exist and need attention.

During deliberations, Councilor McClain said it didn't seem fair that, with the reconfiguration of the street width, one property owner would have to pay more while the other property owners would pay less and asked about a possible payment program.

City Manager Milliman said the City did not have a payment program, but if Council wanted to do something like that, staff could look into it. However, Milliman said, some form of security would still be needed.

Councilor Gordon said he would like to get rid of the DIA program, describing it as "ill-conceived." As far as rolling back the cost of improvements, he said he wasn't sure what that would really mean, but didn't feel the City was ready to do that until the final impact was known.

Mayor Hedenskog said that drainage needed to be improved and a lien was a fair way to pay for improvements.

Councilor Pieper said that, while there is a downside to DIAs, they do help prevent having improved and unimproved properties on the same street. He said he wasn't sure about rolling back costs and had a hard time placing blame on the City for a lack of disclosure, but he thought the payment time frame seemed short and asked it if could be adjusted.

Councilor Hodges said that he was for changing the DIA policy so that developers pay up front and that it might be a good idea to set up a low interest loan program.

Councilor McClain said he didn't like DIAs and developers should be required to pay up front with the funds put in an earmarked account. McClain said both the seller and title company had an obligation to disclose and he suggested that the owners seek legal recourse if that had not happened. Due to the impact it could have on the City, he said he was concerned about rolling back costs. He also expressed concern that with the reconfiguration, one owner would now have to pay more while the other owners would pay less.

Councilor Gordon said that even if paid for up front, the City would still have to pay the difference when the work was done at some future date. He said he would be interested in seeing some kind of solution for that problem.

Mayor Hedenskog said the issue of DIAs had been kicked around a lot and this policy, with its pros and cons, was what was available.

Councilor Pieper said he feared "acting one way tonight and another later." He said collecting the money up front did not seem to be a good idea due to the public's concern that it might be spent on something else and also because it would be tricky to handle administratively. Pieper said if the three Councilors were firm in wanting to rethink the DIA policy then the Hassett project should be delayed until that happened.

Councilor Hodges said that care was needed in setting a precedent and that something needed to be done about the increased cost to Mr. Davis. He also said the street is in "horrible shape and does need to be improved."

Councilor McClain said he didn't want to change the policy retroactively, but going forward, costs should be collected up front. He also said he didn't think it would that difficult to keep track of the funds, administratively.

Councilor Gordon said he was not proposing that the policy be changed retroactively, but the City did not have to use this same policy moving forward and should figure something else out.

**Councilor Pieper moved, a second followed, and Council voted unanimously to notify all property owners affected by the Hassett Street improvement project, as identified in the July 9, 2012 Council Agenda report, that the City is proceeding with the improvement project and that they will be required to contribute their proportionate share for Hassett Street Improvements. The improvement to include a 28 feet street widening and paving, underground of storm drain facilities and a sidewalk on the south side of Hassett Street with the provision that the properties at 600 and 622 Hassett Street be relieved of the requirement for paying a share of the drainage costs as those properties have installed drainage improvements as approved by the City, and further with the provision that the proportionate share for 523 Hassett Street would not exceed \$35,593.37.**

City Manager Milliman said the payment due date could be changed but the concern is that the property could change hands in the interim, creating a new set of owners with similar issues. Rather than coming up with a loan program at this meeting, Milliman said staff could come back with a proposal at the next meeting, as payments would not be due for 4-6 months.

City Attorney Rice cautioned the Council on extending the payment timeline. Recordation of any liens, she said, should be made as soon as possible to protect the City. Owners, she said, could pay off the lien over time until it was paid off and removed.

Councilor Gordon asked about the recording process for DIAs.

Rice said that DIAs are recorded in the chain of title; the developer or builder would be responsible for recording.

Councilor Gordon asked if staff knew that all the DIAs issued by the City had been recorded.

Pryce said that the DIAs currently under discussion had been recorded.

Councilor Pieper said there is nothing wrong with having a lien placed on your property and it could be a real mess if the payment timeline was postponed.

Councilor McClain said he didn't feel the City could wait to begin the project and Council could work out a reasonable payment plan later.

Councilor Hodges said he had no problem with the City placing a lien which were quite common.

Mayor Hedenskog said that was the City's opportunity to make sure these DIAs don't "fall through the cracks."

**Councilor Pieper moved, a second followed, and Council voted unanimously to authorize placement of liens on affected properties of the Hassett Street**

**improvements where the proportionate share is not paid within 60 days of invoice from the City.**

*Settlement Agreement Application S-41805 between the City of Brookings, WaterWatch of Oregon and Oregon Water Resources Department.*

City Manager Milliman gave the staff report, pointing out that the settlement would give the City a final certificate of water right for 1.57 cubic feet per second (cfs) in exchange for cancelling an undeveloped 8.43 cfs water right, bringing the City's total certificated water right to 11.57 cfs, in perpetuity.

**Councilor Hodges moved, a second followed and Council voted unanimously to authorize the Mayor to execute the Settlement Agreement Application S-41805 between the City of Brookings, WaterWatch of Oregon and the Oregon Water Resources Department.**

**Consent Calendar**

1. Approve Council minutes for June 25, 2012.
2. Accept June 2012 Vouchers in the amount of \$264,623.60.

**Councilor Pieper moved, a second followed and Council voted unanimously to approve the Consent Calendar as written.**

**Remarks**

Mayor Hedenskog congratulated City Manager Milliman on receiving the ICMA Award for Career Excellence.

Councilor Pieper remarked that this year's fireworks display was the best he'd seen and hoped the City would continue to support it.

Councilor Gordon remarked that he would like to see the DIA policy matter on a workshop and would also like staff to check to see if all of the other DIAs were recorded.

**Adjournment**

Councilor Pieper moved, a second followed and Council voted unanimously to adjourn by voice vote at 8:27pm.

Respectfully submitted:

ATTESTED:  
this \_\_\_\_\_ day of \_\_\_\_\_ 2012:

\_\_\_\_\_  
Ron Hedenskog, Mayor

\_\_\_\_\_  
Joyce Heffington, City Recorder

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 12 MONTHS ENDING JUNE 30, 2012

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<b>REVENUE</b>					
TAXES	2,473,996.00	11,122.92	2,218,048.16	255,947.84	89.7
LICENSES AND PERMITS	94,500.00	12,645.62	100,492.42	( 5,992.42)	108.3
INTERGOVERNMENTAL	569,000.00	13,180.38	135,192.78	433,807.22	23.8
CHARGES FOR SERVICES	142,500.00	17,650.70	144,848.18	( 2,148.18)	101.5
OTHER REVENUE	94,500.00	3,350.40	91,422.72	3,077.28	96.7
TRANSFERS IN	530,591.00	.00	.00	530,591.00	.0
	<b>3,905,087.00</b>	<b>57,860.02</b>	<b>2,689,804.26</b>	<b>1,215,282.74</b>	<b>68.9</b>
<b>EXPENDITURES</b>					
<b>JUDICIAL:</b>					
PERSONAL SERVICES	13,539.00	.00	.00	13,539.00	.0
MATERIAL AND SERVICES	7,300.00	426.81	4,001.16	3,298.84	54.8
CAPITAL OUTLAY	12,500.00	.00	5,000.00	7,500.00	40.0
	<b>33,339.00</b>	<b>426.81</b>	<b>9,001.16</b>	<b>24,337.84</b>	<b>27.0</b>
<b>LEGISLATIVE/ADMINISTRATION:</b>					
PERSONAL SERVICES	226,652.00	18,925.24	227,924.84	( 1,272.84)	100.6
MATERIAL AND SERVICES	85,700.00	4,276.76	121,571.71	( 35,871.71)	141.9
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<b>312,352.00</b>	<b>23,202.00</b>	<b>349,496.55</b>	<b>( 37,144.55)</b>	<b>111.9</b>
<b>POLICE:</b>					
PERSONAL SERVICES	1,775,928.00	129,206.92	1,666,805.72	109,123.28	93.9
MATERIAL AND SERVICES	155,740.00	12,852.69	122,362.11	33,377.89	78.6
CAPITAL OUTLAY	401,100.00	23,984.22	101,062.30	300,037.70	25.2
TRANSFERS OUT	15,000.00	.00	.00	15,000.00	.0
	<b>2,347,769.00</b>	<b>166,043.83</b>	<b>1,890,230.13</b>	<b>457,538.87</b>	<b>80.5</b>
<b>FIRE:</b>					
PERSONAL SERVICES	194,065.00	15,827.29	189,936.78	4,128.22	87.9
MATERIAL AND SERVICES	124,240.00	7,334.56	109,744.69	14,495.31	88.3
CAPITAL OUTLAY	38,600.00	.00	38,031.72	568.28	98.5
TRANSFERS OUT	.00	.00	.00	.00	.0
	<b>356,905.00</b>	<b>23,161.85</b>	<b>337,713.19</b>	<b>19,191.81</b>	<b>94.6</b>
<b>PLANNING AND BUILDING:</b>					
PERSONAL SERVICES	266,554.00	29,621.11	300,182.85	( 33,628.85)	112.6
MATERIAL AND SERVICES	66,540.00	890.64	18,008.94	48,531.06	27.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	<b>333,094.00</b>	<b>30,511.75</b>	<b>318,191.79</b>	<b>14,902.21</b>	<b>95.5</b>



CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 12 MONTHS ENDING JUNE 30, 2012

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<b>PARKS &amp; RECREATION:</b>					
PERSONAL SERVICES	102,320.00	6,308.69	88,148.32	14,173.68	88.2
MATERIAL AND SERVICES	84,850.00	8,704.93	58,326.44	6,323.56	90.2
CAPITAL OUTLAY	80,800.00	.00	60,697.38	102.62	99.8
TRANSFERS OUT	.00	.00	.00	.00	.0
	<u>227,770.00</u>	<u>15,013.62</u>	<u>207,170.14</u>	<u>20,599.86</u>	<u>91.0</u>
<b>ADMINISTRATIVE SERVICES:</b>					
PERSONAL SERVICES	272,597.00	20,305.36	242,039.20	30,557.80	88.8
MATERIAL AND SERVICES	32,840.00	2,189.29	27,201.15	5,438.85	83.3
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>305,237.00</u>	<u>22,494.65</u>	<u>269,240.35</u>	<u>35,996.65</u>	<u>88.2</u>
<b>SWIMMING POOL:</b>					
PERSONAL SERVICES	54,835.00	12,495.81	49,938.66	4,696.34	91.4
MATERIAL AND SERVICES	33,680.00	7,179.06	32,815.00	865.00	97.4
CAPITAL OUTLAY	20,000.00	3,524.76	19,694.94	305.06	98.5
	<u>108,315.00</u>	<u>23,199.63</u>	<u>102,448.60</u>	<u>5,866.40</u>	<u>94.6</u>
<b>NON-DEPARTMENTAL:</b>					
MATERIAL AND SERVICES	177,940.00	13,614.12	( 2,506.44)	180,446.44	( 1.4)
CAPITAL OUTLAY	2,000.00	.00	.00	2,000.00	.0
TRANSFERS OUT	67,000.00	.00	.00	67,000.00	.0
CONTINGENCIES AND RESERVES	663,366.00	.00	.00	663,366.00	.0
	<u>910,306.00</u>	<u>13,614.12</u>	<u>( 2,506.44)</u>	<u>912,812.44</u>	<u>( .3)</u>
	<u>4,935,087.00</u>	<u>317,668.26</u>	<u>3,480,985.47</u>	<u>1,454,101.53</u>	<u>70.5</u>
	<u>( 1,030,000.00)</u>	<u>( 259,708.24)</u>	<u>( 791,181.21)</u>	<u>( 238,818.79)</u>	<u>( 76.8)</u>

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 12 MONTHS ENDING JUNE 30, 2012

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	421,000.00	32,267.91	330,537.58	90,462.44	78.5
OTHER REVENUE	300.00	25.00	12,929.50	( 12,629.50)	4309.8
TRANSFER IN	.00	.00	.00	.00	.0
	<u>421,300.00</u>	<u>32,292.91</u>	<u>343,467.08</u>	<u>77,832.94</u>	<u>81.5</u>
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	61,198.00	4,270.19	53,976.63	7,219.37	88.2
MATERIAL AND SERVICES	193,240.00	9,548.81	184,580.23	8,659.77	95.5
CAPITAL OUTLAY	134,900.00	2,525.00	49,701.32	85,198.68	36.8
TRANSFERS OUT	94,504.00	.00	.00	94,504.00	.0
CONTINGENCIES AND RESERVES	62,460.00	.00	.00	62,460.00	.0
	<u>546,300.00</u>	<u>16,344.00</u>	<u>288,258.18</u>	<u>258,041.82</u>	<u>52.8</u>
	<u>546,300.00</u>	<u>16,344.00</u>	<u>288,258.18</u>	<u>258,041.82</u>	<u>52.8</u>
	<u>( 125,000.00)</u>	<u>15,948.91</u>	<u>55,208.88</u>	<u>( 180,208.88)</u>	<u>44.2</u>

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 12 MONTHS ENDING JUNE 30, 2012

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,275,500.00	( 641.56)	1,134,219.83	141,280.17	88.9
OTHER INCOME	4,000.00	.00	30,727.01	( 26,727.01)	768.2
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>1,279,500.00</u>	<u>( 641.56)</u>	<u>1,164,948.84</u>	<u>114,553.16</u>	<u>81.1</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	421,876.00	40,447.92	406,814.66	15,061.34	96.4
MATERIAL AND SERVICES	372,130.00	41,075.46	285,980.88	86,149.14	76.9
CAPITAL OUTLAY	80,800.00	.00	64,888.48	15,913.52	80.3
	<u>874,806.00</u>	<u>81,523.38</u>	<u>757,682.00</u>	<u>117,124.00</u>	<u>86.8</u>
WATER TREATMENT:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	443,149.00	.00	.00	443,149.00	.0
CONTINGENCIES AND RESERVES	151,545.00	.00	.00	151,545.00	.0
	<u>594,694.00</u>	<u>.00</u>	<u>.00</u>	<u>594,694.00</u>	<u>.0</u>
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>1,469,500.00</u>	<u>81,523.38</u>	<u>757,682.00</u>	<u>711,818.00</u>	<u>51.6</u>
	<u>( 190,000.00)</u>	<u>( 82,164.94)</u>	<u>407,264.84</u>	<u>( 597,264.84)</u>	<u>214.4</u>

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 12 MONTHS ENDING JUNE 30, 2012

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
CHARGES FOR SERVICES	2,437,900.00	28,932.78	2,328,737.03	109,162.97	95.5
OTHER REVENUE	553,000.00	.00	914.05	552,085.95	.2
TRANSFER IN	.00	.00	.00	.00	.0
	<u>2,990,900.00</u>	<u>28,932.78</u>	<u>2,329,651.08</u>	<u>861,248.92</u>	<u>77.9</u>
<u>EXPENDITURES</u>					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	317,604.00	32,611.57	349,481.29	( 31,877.29)	110.0
MATERIAL AND SERVICES	226,740.00	48,543.46	173,857.13	52,882.87	76.7
CAPITAL OUTLAY	24,800.00	.00	126,134.94	( 101,234.94)	506.6
	<u>569,244.00</u>	<u>81,155.03</u>	<u>649,473.36</u>	<u>( 80,229.36)</u>	<u>114.1</u>
WASTEWATER TREATMENT:					
PERSONAL SERVICES	371,227.00	32,827.43	356,228.08	14,998.92	96.0
MATERIAL AND SERVICES	579,290.00	36,005.85	615,871.71	( 36,581.71)	106.3
CAPITAL OUTLAY	2,287,400.00	30,643.12	1,322,143.51	965,256.49	57.8
TRANSFERS OUT	1,123,824.00	.00	.00	1,123,824.00	.0
CONTINGENCIES AND RESERVES	259,915.00	.00	.00	259,915.00	.0
	<u>4,621,656.00</u>	<u>99,476.40</u>	<u>2,294,243.30</u>	<u>2,327,412.70</u>	<u>49.6</u>
	<u>5,190,900.00</u>	<u>180,631.43</u>	<u>2,943,716.66</u>	<u>2,247,183.34</u>	<u>56.7</u>
	<u>( 2,200,000.00)</u>	<u>( 151,698.65)</u>	<u>( 614,065.58)</u>	<u>( 1,585,934.42)</u>	<u>( 27.9)</u>

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 12 MONTHS ENDING JUNE 30, 2012

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	481,345.00	.00	442,212.59	39,132.41	91.9
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	2,000.00	.00	449.12	1,550.88	22.5
	<u>483,345.00</u>	<u>.00</u>	<u>442,661.71</u>	<u>40,683.29</u>	<u>91.6</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	70,000.00	220.00	8,099.69	61,800.31	11.6
CAPITAL OUTLAY	587,215.00	399.43	3,085.50	584,129.50	.5
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	306,130.00	.00	.00	306,130.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>963,345.00</u>	<u>619.43</u>	<u>11,185.19</u>	<u>952,159.81</u>	<u>1.2</u>
DEPARTMENT 20:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 22:					
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 24:					
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>963,345.00</u>	<u>619.43</u>	<u>11,185.19</u>	<u>952,159.81</u>	<u>1.2</u>
	<u>( 480,000.00)</u>	<u>( 619.43)</u>	<u>431,476.52</u>	<u>( 911,476.52)</u>	<u>89.9</u>

## BUILDING DEPARTMENT ACTIVITIES SUMMARY

For the Month of: **June 2012**

No.	Building	Permit Fee	Plan Check Fee	Surcharge	SDC's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
0	Single Family Dwelling (SFD)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$164,880.00	5	\$1,357,866.65
1	Single Family Addition (SFA)	\$414.86	\$269.66	\$49.78	\$0.00	\$62,040.00	1	\$41,568.00	11	\$438,089.99
0	Single Family Garage-Carport (SFG)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			1	\$24,464.00
0	Two Family Residential (TFR)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
0	Multi-Family Residential Apts (MFR)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
1	Commercial New (C)	\$1,063.04	\$690.98	\$127.56	\$16,802.46	\$253,894.00	1	\$253,894.00		
0	Commercial Addition-Change (CA)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			1	\$155,536.00
0	Churches (C)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
0	School Repair-Addition (S)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
0	Building Removal (B)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			1	
3	Misc.-Retaining Wall-Fence (M,RW,F)	\$479.85	\$55.35	\$57.58	\$0.00	\$13,100.00	13	\$148,329.00	12	\$283,714.98
5	Total Building Permits	\$1,957.75	\$1,015.99	\$234.92	\$16,802.46	\$329,034.00	16	\$608,671.00	31	\$2,259,671.62
3	Mechanical Permits	\$61.14	\$0.00	\$7.34	N/A	N/A		N/A		N/A
2	Plumbing Permits	\$95.20	N/A	\$11.42		N/A		N/A		N/A
0	Mfg Home Install - Permit Fee	\$0.00	N/A	\$0.00	N/A	N/A		N/A		N/A
0	Mfg Home Install - Administrative Fee	\$0.00	N/A	\$0.00	N/A	N/A		N/A		N/A
5	TOTAL PERMITS	\$2,114.09	\$1,015.99	\$253.68	\$16,802.46	\$329,034.00	16	\$608,671.00	31	\$2,259,671.62
	Total Year to Date Calculated Fees									

**For the month of: June 2012**

**P15**

For the month of: **June 2012**[illegible]



*For: Monday, **July 23, 2012**, City Council Meeting*

## **Advance Packet Information**

Dated: Monday, July 16, 2012

Included in this packet is documentation to support the following:

### **ORDINANCES**

1. Amendments and additions to Title 2, Administration and Personnel of the Brookings Municipal Code. [City Manager, pg. 2]
  - a. Ordinance 12-O-698, amending Chapters 2.15, 2.35 and 2.40 in their entirety, and Sections 2.05.010, 2.25.050, 2.25.060, 2.55.030, 2.55.070(G), 2.55.080(C), 2.55.090 and 2.70.010. [pg. 4]
    - i. Revisions related to 12-O-698 [pg. 13]
  - b. Ordinance 12-O-699, adding Chapter 2.67, Budget Committee. [pg. 32]
  - c. Ordinance 12-O-700, adding Chapter 2.85, Sale of City Owned Property [pg. 34]

\*Obtain Public Comment Forms and view the agenda and packet information on-line at [www.brookings.or.us](http://www.brookings.or.us), or at City Hall. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

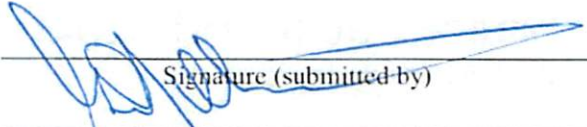
All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 541-469-1102 if you have any questions regarding this notice.

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: July 23, 2012

Originating Dept: City Manager

  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

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Subject: Amendments and additions to Brookings Municipal Code Title 2

Recommended Motion:

1. Motion to read by title only followed by a motion to adopt Ordinance 12-O-698 amending Title 2 of the Brookings Municipal Code.
2. Motion to read by title only followed by a motion to adopt Ordinance 12-O-699 adding Chapter 2.67 to the Brookings Municipal Code.
3. Motion to read by title only followed by a motion to adopt Ordinance 12-O-700 adding Chapter 2.85 to the Brookings Municipal Code.

Financial Impact:

None

Background/Discussion:

Ordinance 12-O-698 makes a number of revisions to existing provisions of Title 2 of the Brookings Municipal Code. Ordinance 12-O-699 adds a new Chapter to Title 2 providing for the organization of the Budget Committee. Ordinance 12-O-700 adds a new Chapter to Title 2 providing for a procedure for the disposal of surplus real property.

These proposed revisions were reviewed by the City council at their July 2, 2012, workshop.

REVISIONS TO TITLE 2

Following is a summary of revisions to the BMC that would be enacted through Ordinance 12-O-698:

1. The Ordinance makes a number of minor changes to Code language, removing redundant provisions and making other corrections.
2. Repeals the requirement that the City Manager be a resident of the City. Currently, the City Manager is the only City employee who is required to be a resident of the City. This provision is seen as a limiting factor in recruiting candidates for the position and the City Council discussed modifying this provision five years ago, but never proceeded with the change.
3. Removes provisions from Chapter 2.35 which are administrative in nature, such as requiring monthly fire drills.
4. Clarifies the method of appointment and duties of the Fire Marshall.
5. Modifies the City Council meeting decorum provision consistent with City Attorney and Police Chief recommendations.
6. Expands the authority of the Municipal Court Judge to include traffic court.
7. Changes language in Chapter 2.70 to bring the BMC into conformance with State Law.

#### **CHAPTER 2.67 – ORDINANCE 12-O-699**

This is a new Chapter dealing with the organization of the Budget Committee and the administration of the budget process. While the Budget Committee is provided for in State Law, staff recommends that the organization and duties of the Committee also be written into the BMC to provide a convenient reference. The new Chapter also outlines the duties of the budget officer.

#### **CHAPTER 2.85 – ORDINANCE 12-O-700**

This is a new Chapter establishing a procedure for the sale of City-owned real property. No such provision currently exists in the BMC. Staff utilized an existing provision in the Lebanon, Oregon, Municipal Code as guidance in developing this recommended procedure.

#### **Attachment(s):**

- a. Ordinance 12-O-698
  - i. Revisions
- b. Ordinance 12-O-699
- c. Ordinance 12-O-700

**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 12-O-698**

**IN THE MATTER OF ORDINANCE 12-O-698, AN ORDINANCE AMENDING BROOKINGS MUNICIPAL CODE CHAPTERS 2.15, 2.35 AND 2.40 IN THEIR ENTIRETY, AND SECTIONS 2.05.010, 2.25.050, 2.25.060, 2.55.030, 2.55.070(G), 2.55.080(C) 2.55.090, AND 2.70.010 OF TITLE 2, ADMINISTRATION AND PERSONNEL.**

Sections:

- Section 1. Ordinance Identified.
- Section 2. Amends Chapter 2.15 in its entirety
- Section 3. Amends Chapter 2.35 in its entirety
- Section 4. Amends Chapter 2.40 in its entirety
- Section 5. Amends Section 2.05.010
- Section 6. Amends Section 2.25.050 and 2.25.060
- Section 7. Amends Sections 2.55.030, 2.55.070(G), 2.55.080(C) and 2.55.090
- Section 8. Amends Section 2.70.010

The City of Brookings ordains as follows:

**Section 1. Ordinance Identified.** This ordinance amends Brookings Municipal Code Chapters 2.15, 2.35 and 2.40 in their entirety, and amends Sections 2.05.010, 2.25.050, 2.25.090, 2.55.030, 2.55.070 (G), 2.55.080 (C), 2.55.090 and 2.70.010 of Title 2, Administration and Personnel.

**Section 2. Amends Chapter 2.15.** Chapter 2.15, City Manager, is amended in its entirety to read as follows:

Chapter 2.15  
CITY MANAGER

Sections:

- 2.15.010 Purpose.
- 2.15.020 Creation of the office of city manager and procedures for appointment.
- 2.15.030 Duties, powers, responsibilities and authority of the city manager.
- 2.15.040 Legislative policy making prohibited.

**2.15.010 Purpose.**

Pursuant to Chapter III, Section 11 of the Charter of the city of Brookings, Oregon, the city council hereby deems it advisable and in the best interest of the city to create the office of city manager and to outline said officer's powers, duties, responsibilities and the procedure for appointment and removal of said officer. [Ord. 89-O-457 § 1.]

**2.15.020 Creation of the office of city manager and procedures for appointment.**

A. The office of city manager is hereby created. The city manager shall be appointed by the city council of the city of Brookings, shall serve for an indefinite term and may be removed with or without

cause by a majority vote of the members of the city council presently holding office at the time of such vote.

- B. The city manager shall receive such compensation as the mayor and city council shall fix from time to time by motion noted in the minutes of the council.
- C. The city manager shall be required to carry a bond for the faithful performance of the duties of office in an amount to be determined by the city council. The expense of said bond shall be paid from the budget of the city manager's office. [Ord. 89-O-457 § 2.]

#### 2.15.030 Duties, powers, responsibilities and authority of the city manager.

- A. The city manager shall devote his/her entire time to the discharge of official duties, attend all meetings of the council unless excused therefrom by the council or the mayor, keep the council advised at all times of the affairs and needs of the city, and make reports annually, or more frequently if requested by the council, of all the affairs and departments of the city.
- B. The city manager shall enforce all the ordinances of the city including the provisions of all franchises, leases, contracts, permits and privileges granted by, or running to the city.
- C. The city manager shall be the chief administrative officer and head of the administrative branch of the city and have control and general supervision over all city employees and all appointive city officers except that the city manager shall not impinge on the city attorney's ethical obligations to the city council, shall have no control over the judicial activities of the municipal judge and shall have no power of appointment or removal of the municipal judge, city recorder or city attorney as such appointment and removal power is within the hands of the mayor and council pursuant to the City Charter. The city manager shall supervise the departments to the end of attaining the utmost efficiency in each of them and therefore shall have the power to employ, dismiss or transfer an employee from one department to another
- D. The city manager shall act as purchasing agent of the city. All purchases shall be made in accordance with the city of Brookings contracting rules as adopted by city council resolution and administrative policies prescribed by the city manager.
- E. The city manager shall supervise the operation of all public utilities owned and operated by the city and shall have general supervision over all city real or personal property.
- F. The city manager shall act as business agent of the city for the sale of real estate and other matters relating to franchises and leases.
- G. The city manager shall supervise the expenditures of all departments, divisions or services of the city and analyze and supervise the functions, duties and activities of the various departments, boards and services of the city, and all employees thereof, and make recommendations to the mayor and city council with reference to which in his/her judgment will result, if adopted, in greater efficiency of the overall operation of the city of Brookings government.
- H. When authorized by the city council, the city manager shall develop and organize improvement projects and programs, and aid and assist the mayor and city council in carrying the same through to a successful conclusion.

- I. The city manager shall make and keep an inventory of all personal and real property owned by the city and advise the mayor and council of the need for purchase of new machinery, equipment or supplies, which in his/her judgment the same can be obtained under the terms and conditions which are most advantageous to the city.
- J. The city manager shall make, or cause to be made, studies and surveys of the duties, responsibilities and work of the personnel employed by the city; shall inform and update the mayor and council in regards to his/her decisions on abolition, consolidation, transfer, removal of positions or personnel, or any other administrative decisions made by the city manager which in his/her judgment will increase administrative efficiency.
- K. The city manager shall endeavor at all times to exercise the highest degree of tact, patience, and professional courtesy in his/her contacts with the public, personnel employed by the city and all elected and appointed officials, to the end that the highest possible standards of public service shall be maintained.
- L. The city manager shall perform such other duties as may be required of him/her by the mayor and council, not inconsistent with the laws of the state of Oregon and the Charter and ordinances of the city of Brookings. [Ord. 08-O-601 § 2; Ord. 89-O-457 § 3.]

**2.15.040 Legislative policy making prohibited.**

The city manager shall not exercise any legislative policymaking or legislative functions, nor attempt to commit or to bind the mayor or council to any action, plan or program regarding legislative policy or legislative function, and such shall remain exclusively the province of the city council. [Ord. 89-O-457 § 4.]

**Section 3. Amends Chapter 2.35.** Chapter 2.35, Fire Department, is hereby amended in its entirety, to read as follows:

**Chapter 2.35  
FIRE DEPARTMENT**

**Sections:**

- 2.35.010 Creation of the fire department.
- 2.35.020 Definition.
- 2.35.030 Configuration of the fire department.
- 2.35.040 Fire chief – Appointment.
- 2.35.050 Powers and duties of fire chief.
- 2.35.060 Officers – Appointment.
- 2.35.070 Rules and regulations.
- 2.35.080 Composition of department.
- 2.35.090 Arson investigations.
- 2.35.100 Authority to enter buildings and premises.
- 2.35.110 Notice to abate.
- 2.35.120 Records and inventory.
- 2.35.130 Suspension and discharge.

- 2.35.140 Purchasing.
- 2.35.150 Use of fire apparatus.
- 2.35.160 Handling of fire apparatus.
- 2.35.170 Mutual aid.
- 2.35.180 Assignment of equipment.
- 2.35.190 Issuance of badges.
- 2.35.200 False alarms prohibited.
- 2.35.210 Penalties.
- 2.35.220 Special police powers.
- 2.35.230 Duties of police officers.
- 2.35.240 Social functions.
- 2.35.250 Social officers.

#### 2.35.010 Creation of the fire department.

There is hereby created a fire department to be hereinafter known as the Brookings fire department, the object of which shall be the prevention and suppression of fire and the protection of life and property within the limits of the city of Brookings, and within the limits of any area which the city of Brookings may contract to provide the services contemplated by this chapter. [Ord. 79-O-309 § 1.]

#### 2.35.020 Definition.

The term “department” as hereinafter used in this chapter shall mean the Brookings fire department. [Ord. 79-O-309 § 2.]

#### 2.35.030 Configuration of the fire department.

The department shall consist of a chief, and such other officers and members as the chief and city manager may deem necessary for the effective operation of the department. [Ord. 79-O-309 § 3.]

#### 2.35.040 Fire chief – Appointment.

The chief shall be appointed by the city manager for an indefinite period of time [Ord. 79-O-309 § 4.]

#### 2.35.050 Powers and duties of fire chief.

The chief shall be held accountable to the city manager and shall make written and verbal reports thereto at such times and in such manner as the city manager may require. All other department and company officers shall be accountable to the fire chief only. Other members of the department and any company shall be accountable to their superiors and the chief. [Ord. 79-O-309 § 5.]

#### 2.35.060 Officers – Appointment.

The assistant officers and all other department and company officers shall be appointed by the chief. Such officers shall be accountable only to the fire chief and shall be subject to removal by the fire chief or the city manager. [Ord. 79-O-309 § 6.]

#### 2.35.070 Rules and regulations.

The chief shall formulate a set of rules and regulations to govern the department and shall be responsible to the city manager for the personnel, morals and general efficiency of the department. [Ord. 79-O-309 § 7.]

#### 2.35.080 Composition of department.

The chief shall, with the advice and consent of the city manager, determine the number and kind of companies of which the department is to be composed and shall determine the response of such companies to alarms. [Ord. 79-O-309 § 8.]

#### 2.35.090 Arson investigations.

The chief is hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires. [Ord. 79-O-309 § 10.]

#### 2.35.100 Authority to enter buildings and premises.

The chief is hereby authorized to enter any and all buildings and premises during business hours for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. [Ord. 79-O-309 § 11.]

#### 2.35.110 Notice to abate.

Any person so served with a notice to abate any fire hazard or hazards shall comply therewith and promptly notify the chief. [Ord. 79-O-309 § 12.]

#### 2.35.120 Records and inventory.

The chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the department. He shall also maintain a current inventory of all city equipment along with current equipment sign-out records. [Ord. 79-O-309 § 13.]

#### 2.35.130 Suspension and discharge.

Any member of the department may be suspended or discharged from the department by the chief or the city manager at any time he may deem such action necessary for the good of the department. [Ord. 79-O-309 § 17.]

#### 2.35.140 Purchasing.

Recommendations of apparatus and equipment needed shall be made by the chief, and after approval by the city council, shall be purchased in such manner as may be designated by the council. [Ord. 79-O-309 § 18.]

#### 2.35.150 Use of fire apparatus.

No person shall use any fire apparatus or equipment belonging to the department unless so authorized member by the chief.. [Ord. 79-O-309 § 21.]



**2.35.160 Handling of fire apparatus.**

No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the department unless so authorized by the chief [Ord. 79-O-309 § 22.]

**2.35.170 Mutual aid.**

The council is hereby authorized to enter into agreement or contract with nearby agencies to provide the members of such other communities or organizations or inhabitants with fire protection or to establish a mutual aid system. [Ord. 79-O-309 § 23.]

**2.35.180 Assignment of equipment.**

The officer in charge of the department shall have power to assign equipment for response to calls for outside aid in accordance with BMC 2.35.170 and in other cases only when the absence of such equipment will not jeopardize protection in the city of Brookings. [Ord. 79-O-309 § 24.]

**2.35.190 Issuance of badges.**

Each member of the department shall be issued a badge or identification card designating his rank [Ord. 79-O-309 § 25.]

**2.35.200 False alarms prohibited.**

No person shall turn in or cause to be turned in a false alarm. [Ord. 79-O-309 § 26.]

**2.35.210 Penalties.**

Any person violating the provisions of this chapter shall upon conviction pay a fine as defined under BMC 1.05, General Penalty or be imprisoned in the city jail for a term not to exceed six months or by both such fine and imprisonment. [Ord. 79-O-309 § 27.]

**2.35.220 Special police powers.**

All regularly appointed members of the department are hereby given the necessary police powers for the enforcement of the provisions of this chapter and for the enforcement of traffic ordinances relating to fires and firefighting equipment. [Ord. 79-O-309 § 28.]

**2.35.230 Duties of police officers.**

It is hereby made the special duty of the chief of police and/or other peace officers who may be on duty and available for fire duty to respond to all fire alarms and assist the department in the protection of life and property, in regulating traffic, maintaining order and in enforcing observance of all sections of this chapter. [Ord. 79-O-309 § 29.]

**2.35.240 Social functions.**

It is deemed to be in the best interest of the welfare of the department that periodically its members or such of them as are not on duty at that time hold social functions and to that end the department may elect a president, vice-president, secretary and treasurer to be known as the "social officers." Such officers may be elected in any manner and for any term the membership as a whole may decide upon; and their duties shall be to arrange for and manage any and all social functions sponsored by the department. [Ord. 79-O-309 § 30.]

2.35.250 Social officers.

The functions and duties of said social officers shall in no way interfere with those of the regular department officers who are charged with responsibility for all fire service activities of the department. The social officers shall have the duty of so arranging and managing any or all social functions sponsored by the department as to command the respect of the citizenry. [Ord. 79-O-309 § 31.]

**Section 4. Amends Chapter 2.40.** Chapter 2.40, Fire Marshal, is hereby amended in its entirety, to read as follows:

Chapter 2.40  
FIRE MARSHAL

Sections:

2.40.010 Establishment of office of fire marshal.

2.40.020 Appointment and qualifications

2.40.030 Powers and duties of fire marshal and deputy fire marshal.

2.40.010 Establishment of office of fire marshal.

There is established within the City of Brookings the office of fire marshal. [Ord. 59-O-134 § 1.]

**2.40.020 Appointment and qualifications.**

The fire marshal shall be appointed by the city manager who may also appoint deputy fire marshals. The fire marshal and deputy fire marshal shall, within six months of appointment, obtain and maintain all certifications as required by OAR 837-039-0120 for the level of inspection conducted by the appointee.

2.40.030 Powers and duties of fire marshal and deputy fire marshal.

The fire marshal or his deputy shall enforce the provisions all chapters of the BMC pertaining to the protection of the city of Brookings from fire, and all provisions of the State of Oregon fire code and standards referenced, therein. [Ord. 59-O-134 § 2.]

**Section 5. Amends Section 2.05.010.** Section 2.05.010, Maintenance of order and decorum of council meetings, is amended to read as follows:

2.05.210 Maintenance of order and decorum of council meetings.

It shall be the duty of the presiding officer to maintain order during council meetings. Any person making personal, impertinent or slanderous remarks, or becoming boisterous or otherwise disrupting or impeding the orderly conduct of the meeting shall be barred by the presiding officer from attending the remainder of the meeting. The police department shall carry out all legal orders and instructions of the presiding officer for the purpose of maintaining order and decorum in the council chambers. [Ord. 00-O-535 § 21.]

**Section 6. Amends Sections 2.25.050 & 2.25.060.** Sections 2.25.050 and 2.25.090 of Chapter 2.25, Municipal Court, are amended as follows:

2.25.050 Crime and offense jurisdiction.

The municipal judge shall exercise original and exclusive jurisdiction of all crimes and offenses defined and made punishable by ordinance of the city of Brookings and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by an ordinance of the city of Brookings. The municipal judge also has jurisdiction over traffic crimes as defined by ORS 801.545 committed within the boundaries of the city. [Ord. 51-O-008 § 5.]

2.25.060 Authority of municipal court judge.

The municipal judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city of Brookings, to commit any such person to jail or admit him to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before him, to compel obedience to such subpoenas, to issue any process necessary to carry in effect the judgments of the court, and to punish witnesses for contempt of court. [Ord. 51-O-008 § 6.]

**Section 7. Amends Sections 2.55.030, 2.55.070 (G), 2.55.080 (C) and 2.55.090.** Sections 2.55.030, 2.55.070 (G), 2.55.080 (C) and 2.55.090 of Chapter 2.55, Planning Commission.

2.55.030 Qualifications of members.

- A. The commission shall consist of seven voting members to be appointed by the mayor with the approval of the city council. At least five of the voting members shall be electors of the city of Brookings; two may be electors who reside within the city of Brookings adopted urban growth boundary. Members shall not be officials or employees of the city.
- B. No more than two of the voting members may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than two of the members shall be engaged in the same kind of business trade or profession.
- C. Membership shall be restricted pursuant to Chapter 2.01 BMC. [Ord. 11-O-680 § 2; Ord. 91-O-483 § 3.]

2.55.070 (G). New members of the commission shall receive, upon appointment, at a minimum:

- 1. The comprehensive plan;
- 2. The land development code;
- 3. Ordinance No. 91-O-483;
- 4. Resolution No. 91-R-501;
- 5. Urban growth boundary management agreement. [Ord. 91-O-483 § 7.]
- 6. Such other documents as may be useful in understanding the role of planning commission members as determined by staff and the city attorney.

2.55.080 (C). The commission shall meet at least once a month, unless there is no business to conduct, at such time and place as may be fixed. All meetings of the commission shall be open to the public.

2.55.090 Conflict of interest and disclosure.

Members of the commission shall not participate in any commission proceeding or action in which any of the following has a direct or substantial financial interest:

- A. The member or his/her spouse, brother, sister, child, parent, father-in-law, mother-in-law;
- B. Any business in which the member is then serving or has served within the previous two years;
- C. Any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.

Any actual or potential interest shall be disclosed in writing to the City Council and at the meeting of the commission where the action is being taken, and such disclosure shall be entered into the minutes of the meeting. [Ord. 91-O-483 § 9.]

**Section 8. Amends Section 2.70.010.** Section 2.70.010, Oregon PERS employee contribution, is amended to read as follows:

2.70.010 Oregon PERS employee contribution.

The required Oregon PERS employee contribution of six percent of salary is deemed to be “picked up” for purposes of Internal Revenue Code Section 414(h)(2) and is assumed and paid for purposes of ORS 238A.335(2)(b). The employee does not have the option of receiving the assumed amount directly. Employee compensation may not be reduced and the employer shall provide the additional amounts necessary to make the employee contributions. This policy is not retroactive in application. [Ord. 94-O-508 § 1.]

First Reading:	_____	Passage:	_____
Second Reading:	_____	Effective Date:	_____

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
Mayor Ron Hedenskog

\_\_\_\_\_  
City Recorder Joyce Heffington

## Chapter 2.15 CITY MANAGER

### Sections:

2.15.010 Purpose.

2.15.020 Creation of the office of city manager and procedures for appointment.

2.15.030 Duties, powers, responsibilities and authority of the city manager.

2.15.040 Legislative policy making prohibited.

~~2.15.050 Salary and benefits.~~

~~2.15.060 Repealed.~~

#### **2.15.010 Purpose.**

Pursuant to Chapter III, Section 11 of the Charter of the city of Brookings, Oregon, the city council hereby deems it advisable and in the best interest of the city to create the office of city manager and to outline said officer's powers, duties, responsibilities and the procedure for appointment and removal of said officer. [Ord. 89-O-457 § 1.]

#### **2.15.020 Creation of the office of city manager and procedures for appointment.**

A. The office of city manager is hereby created. The city manager shall be appointed by the common council of the city of Brookings, shall serve for an indefinite term and may be removed with or without cause by a majority vote of the members of the city council presently holding office at the time of such vote.

B. The city manager shall receive such compensation as the mayor and common council shall fix from time to time by motion noted in the minutes of the council.

~~C. At the time of appointment the person so appointed as city manager need not be a resident of the city of Brookings, Oregon, or of the state of Oregon but within six months of the date of appointment shall reside within said city and state for the balance of the person's tenure in office.~~

D. The city manager shall be required to carry a bond for the faithful performance of the duties of office in an amount to be determined by the city council. The expense of said bond shall be paid from the budget of the city manager's office. [Ord. 89-O-457 § 2.]

#### **2.15.030 Duties, powers, responsibilities and authority of the city manager.**

A. The city manager shall devote his/her entire time to the discharge of official duties, attend all meetings of the council unless excused therefrom by the council or the mayor, keep the council advised at all times of the affairs and needs of the city, and make reports annually, or more frequently if requested by the council, of all the affairs and departments of the city.

B. The city manager shall enforce all the ordinances of the city including the provisions of all franchises, leases, contracts, permits and privileges granted by, or running to the city.



C. The city manager shall be the chief administrative officer and head of the administrative branch of the city and have control and general supervision over all city employees and all appointive city officers except that the city manager shall not impinge on the city attorney's ethical obligations to the city council, shall have no control over the judicial activities of the municipal judge and shall have no power of appointment or removal of the municipal judge, city recorder or city attorney as such appointment and removal power is within the hands of the mayor and council pursuant to the City Charter. The city manager shall supervise the departments to the end of attaining the utmost efficiency in each of them and therefore shall have the power to employ, dismiss or transfer an employee from one department to another ~~providing that prior notification is given to the city council and that any department head dismissed by the city manager may appeal that dismissal to the city council.~~

D. The city manager shall act as purchasing agent of the city. All purchases shall be made in accordance with the city of Brookings contracting rules as adopted by city council resolution and administrative policies prescribed by the city manager.

~~E. The city manager shall be responsible for preparing and submitting to the budget committee the annual budget estimates and such other reports as the city council may request. [To be covered under chapter under the Budget Committee]~~

F. The city manager shall supervise the operation of all public utilities owned and operated by the city and shall have general supervision over all city real or personal property.

G. The city manager shall act as business agent of the ~~council~~ city for the sale of real estate and other matters relating to franchises and leases.

H. The city manager shall supervise the expenditures of all departments, divisions or services of the city and analyze and supervise the functions, duties and activities of the various departments, boards and services of the city, and all employees thereof, and make recommendations to the mayor and city council with reference to which in his/her judgment will result, if adopted, in greater efficiency of the overall operation of the city of Brookings government.

I. When authorized by the city council, the city manager shall develop and organize improvement projects and programs, and aid and assist the mayor and city council in carrying the same through to a successful conclusion.

J. The city manager shall make and keep an inventory of all personal and real property owned by the city and advise the mayor and council of the need for purchase of new machinery, equipment or supplies, which in his/her judgment the same can be obtained under the terms and conditions which are most advantageous to the city.

K. The city manager shall make, or cause to be made, studies and surveys of the duties, responsibilities and work of the personnel employed by the city; shall inform and update the mayor and council in regards to his/her decisions on abolition, consolidation, transfer, removal of positions or personnel, or any other

administrative decisions made by the city manager which in his/her judgment will increase administrative efficiency.

L. The city manager shall endeavor at all times to exercise the highest degree of tact, patience, and professional courtesy in his/her contacts with the public, personnel employed by the city and all elected and appointed officials, to the end that the highest possible standards of public service shall be maintained.

M. The city manager shall perform such other duties as may be required of him/her by the mayor and council, not inconsistent with the laws of the state of Oregon and the Charter and ordinances of the city of Brookings. [Ord. 08-O-601 § 2; Ord. 89-O-457 § 3.]

#### **2.15.040 Legislative policy making prohibited.**

The city manager shall not exercise any legislative policymaking or legislative functions, nor attempt to commit or to bind the mayor or council to any action, plan or program regarding legislative policy or legislative function, and such shall remain exclusively the province of the city council. [Ord. 89-O-457 § 4.]

#### **~~2.15.050 Salary and benefits.~~**

~~The salary and benefits of the city manager shall be set by the city council within the annual budget of the city of Brookings. [Ord. 89-O-457 § 5.]~~

#### **~~2.15.060 Severance.~~**

~~Repealed by Ord. 07-O-580. [Ord. 89-O-457 § 6.]~~

## Chapter 2.35 FIRE DEPARTMENT

### Sections:

- [2.35.010](#) Creation of the fire department.
- [2.35.020](#) Definition.
- [2.35.030](#) Configuration of the fire department.
- [2.35.040](#) Fire chief – Appointment.
- [2.35.050](#) Powers and duties of fire chief.
- [2.35.060](#) Officers – Appointment.
- [2.35.070](#) Rules and regulations.
- [2.35.080](#) Composition of department.
- ~~[2.35.090](#) Drills.~~
- ~~[2.35.100](#) 2.35.090~~ Arson investigations.
- ~~[2.35.110](#) 2.35.100~~ Authority to enter buildings and premises.
- ~~[2.35.120](#) 2.35.110~~ Notice to abate.
- ~~[2.35.130](#) 2.35.120~~ Records and inventory.
- ~~[2.35.140](#) Annual reports.~~
- ~~[2.35.150](#) 2.35.130~~ Suspension and discharge.
- ~~[2.35.160](#) 2.35.140~~ Purchasing.
- ~~[2.35.170](#) Equipment housing.~~
- ~~[2.35.180](#) Alarms.~~
- ~~[2.35.190](#) 2.35.150~~ Use of fire apparatus.
- ~~[2.35.200](#) 2.35.160~~ Handling of fire apparatus.
- ~~[2.35.210](#) 2.35.170~~ Mutual aid.
- ~~[2.35.220](#) 2.35.180~~ Assignment of equipment.
- ~~[2.35.230](#) 2.35.190~~ Issuance of badges.
- ~~[2.35.240](#) 2.35.200~~ False alarms prohibited.
- ~~[2.35.250](#) 2.35.210~~ Penalties.
- ~~[2.35.260](#) 2.35.220~~ Special police powers.
- ~~[2.35.270](#) 2.35.230~~ Duties of police officers.
- ~~[2.35.280](#) 2.35.240~~ Social functions.
- ~~[2.35.290](#) 2.35.250~~ Social officers.
- ~~[2.35.300](#) Compensation.~~

### **2.35.010 Creation of the fire department.**

There is hereby created a fire department to be hereinafter known as the Brookings fire department, the object of which shall be the prevention and suppression of fire and the protection of life and property within the limits of the city of Brookings, and within the limits of any area which the city of Brookings may contract to provide the services contemplated by this chapter. [Ord. 79-O-309 § 1.]



#### **2.35.020 Definition.**

The term "department" as hereinafter used in this chapter shall mean the Brookings fire department. [Ord. 79-O-309 § 2.]

#### **2.35.030 Configuration of the fire department.**

The department shall consist of a chief, ~~a minimum of two assistant volunteer officers,~~ and such other ~~volunteer~~ officers and members as the chief and city manager may deem necessary for the effective operation of the department. [Ord. 79-O-309 § 3.]

#### **2.35.040 Fire chief – Appointment.**

The chief shall be appointed by the city manager for an indefinite period of time ~~and his tenure of office shall be technically qualified as training and experience and shall have ability to command men and hold their respect and confidence.~~ [Ord. 79-O-309 § 4.]

#### **2.35.050 Powers and duties of fire chief.**

The chief shall be held accountable to the city manager and shall make written and verbal reports thereto at such times and in such manner as the city manager may require. All other department and company officers shall be accountable to the fire chief only. Other members of the department and any company shall be accountable to their superiors and the chief. [Ord. 79-O-309 § 5.]

#### **2.35.060 Officers – Appointment.**

The assistant officers and all other department and company officers shall be appointed by the chief ~~with the prior approval of the city manager.~~ Such officers shall be accountable only to the fire chief and shall be subject to removal by ~~him the fire chief with the approval of or~~ the city manager. [Ord. 79-O-309 § 6.]

#### **2.35.070 Rules and regulations.**

The chief shall formulate a set of rules and regulations to govern the department and shall be responsible to the city manager for the personnel, morals and general efficiency of the department. [Ord. 79-O-309 § 7.]

#### **2.35.080 Composition of department.**

The chief shall, with the advice and consent of the city manager, determine the number and kind of companies of which the department is to be composed and shall determine the response of such companies to alarms. [Ord. 79-O-309 § 8.]

#### **~~2.35.090 Drills.~~**

~~The chief shall, at least once each month, conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the city of Brookings and any such area which the city of Brookings ordinances, fire prevention, water supplies and all other matters generally considered essential to good firemanship and safety of life and property from fire. [Ord. 79-O-309 § 9.]~~

**2.35.~~400-090~~ Arson investigations.**

The chief is hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires. [Ord. 79-O-309 § 10.]

**2.35.~~410-100~~ Authority to enter buildings and premises.**

The chief is hereby authorized to enter any and all buildings and premises during business hours for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. [Ord. 79-O-309 § 11.]

**2.35.~~420-110~~ Notice to abate.**

Any person so served with a notice to abate any fire hazard or hazards shall comply therewith and promptly notify the chief. [Ord. 79-O-309 § 12.]

**2.35.~~430-120~~ Records and inventory.**

The chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the department. He shall also maintain a current inventory of all city equipment along with current equipment sign-out records. [Ord. 79-O-309 § 13.]

**~~2.35.140 Annual reports.~~**

~~The chief shall make a complete annual report to the city manager within one month after the close of the fiscal year, such report to include the information specified in BMC 2.35.140, together with comparative data for previous years and recommendations for improving the effectiveness of the department. [Ord. 79-O-309 § 15.]~~

**2.35.~~450-130~~ Suspension and discharge.**

Any member of the department may be suspended or discharged from the department by the chief or the city manager at any time he may deem such action necessary for the good of the department. [Ord. 79-O-309 § 17.]

**2.35.~~460-140~~ Purchasing.**

Recommendations of apparatus and equipment needed shall be made by the chief, and after approval by the city council, shall be purchased in such manner as may be designated by the council. [Ord. 79-O-309 § 18.]

**~~2.35.170 Equipment housing.~~**

~~All equipment of the department shall be safely and conveniently housed in such a place as may be designated by the council. [Ord. 79-O-309 § 19.]~~

**~~2.35.180 Alarms.~~**

~~Suitable arrangements or equipment shall be provided for citizens to turn in an alarm for notifying all members of the department so that they may promptly respond. [Ord. 79-O-309 § 20.]~~



#### **2.35.190 Use of fire apparatus.**

No person shall use any fire apparatus or equipment belonging to the department unless ~~accompanied by or having the special permission of an officer or so~~ authorized member ~~by the chief of the department~~.  
[Ord. 79-O-309 § 21.]

#### **2.35.200 Handling of fire apparatus.**

No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the department unless ~~accompanied by or having the special permission of an officer or so~~ authorized ~~by the chief member of the department~~. [Ord. 79-O-309 § 22.]

#### **2.35.210 Mutual aid.**

The council is hereby authorized to enter into agreement or contract with nearby ~~agencies incorporated communities or governing bodies of other organizations or the inhabitants of nearby areas~~ to provide the members of such other communities or organizations or inhabitants with fire protection or to establish a mutual aid system. [Ord. 79-O-309 § 23.]

#### **2.35.220 Assignment of equipment.**

The officer in charge of the department shall have power to assign equipment for response to calls for outside aid in accordance with BMC 2.35.210 and in other cases only when the absence of such equipment will not jeopardize protection in the city of Brookings. [Ord. 79-O-309 § 24.]

#### **2.35.230 Issuance of badges.**

Each member of the department shall be issued a badge or identification card designating his rank ~~or an identification card~~. [Ord. 79-O-309 § 25.]

#### **2.35.240 False alarms prohibited.**

No person shall turn in or cause to be turned in a false alarm. [Ord. 79-O-309 § 26.]

#### **2.35.250 Penalties.**

Any person violating the provisions of this chapter shall upon conviction pay a fine ~~of not more than \$500.00~~ as defined under BMC 1.05, General Penalty or be imprisoned in the city jail for a term not to exceed six months or by both such fine and imprisonment. [Ord. 79-O-309 § 27.]

#### **2.35.260 Special police powers.**

All regularly appointed members of the department are hereby given the necessary ~~special~~ police powers for the enforcement of the provisions of this chapter and for the enforcement of traffic ordinances relating to fires and fire fighting equipment. [Ord. 79-O-309 § 28.]

#### **2.35.270 Duties of police officers.**

It is hereby made the special duty of the chief of police and/or other peace officers who may be on duty and available for fire duty to respond to all fire alarms and assist the department in the protection of life and property, in regulating traffic, maintaining order and in enforcing observance of all sections of this chapter. [Ord. 79-O-309 § 29.]

#### **2.35.280 Social functions.**

It is deemed to be in the best interest of the welfare of the department that periodically its members or such of them as are not on duty at that time hold social functions and to that end the department may elect a president, vice-president, secretary and treasurer to be known as the "social officers." Such officers may be elected in any manner and for any term the membership as a whole may decide upon; and their duties shall be to arrange for and manage any and all social functions sponsored by the department. [Ord. 79-O-309 § 30.]

#### **2.35.290 Social officers.**

The functions and duties of said social officers shall in no way interfere with those of the regular department officers who are charged with responsibility for all fire service activities of the department. The social officers shall have the duty of so arranging and managing any or all social functions sponsored by the department as to command the respect of the citizenry. [Ord. 79-O-309 § 31.]

#### **~~2.35.300 Compensation.~~**

~~The fire chief's compensation shall be established consistent with other department heads and legal budgetary practices. [Ord. 79-O-309 § 32.]~~

## Chapter 2.40

### FIRE MARSHAL

#### Sections:

[2.40.010](#) Establishment of office of fire marshal.

[2.40.020](#) Appointment and qualifications

[2.40.020030](#) Powers and duties of fire marshal and deputy fire marshal.

#### **2.40.010 Establishment of office of fire marshal.**

~~The chief of the fire department of the city of Brookings shall be ex-officio fire marshal. He shall receive no compensation therefor other than his salary as fire chief. There is established within the City of Brookings the office of fire marshal.~~ [Ord. 59-O-134 § 1.]

#### **2.40.020 Appointment and qualifications.**

~~The fire marshal shall be appointed by the city manager who may also appoint deputy fire marshals. The fire marshal and deputy fire marshal shall, within six months of appointment, obtain and maintain all certifications as required by OAR 837-039-0120 for the level of inspection conducted by the appointee.~~

#### **2.40.020030 Powers and duties of fire marshal and deputy fire marshal.**

~~The fire marshal shall have the power, with the consent of the city council, to appoint a deputy to serve without compensation and act in the place and stead of the fire marshal. The fire marshal and the deputy shall be subject to removal from office upon charges preferred by vote of the city council at any regular meeting. The fire marshal or his deputy shall enforce the provisions of this chapter and all other chapters of the BMC pertaining to the protection of the city of Brookings from fire, and all provisions of the State of Oregon fire code and standards referenced, therein.~~ [Ord. 59-O-134 § 2.]

## Chapter 2.05 COUNCIL PROCEDURES

### 2.05.210 Maintenance of order and decorum of council meetings.

It shall be the duty of the presiding officer to maintain order during council meetings. ~~Harsh or abusive language shall not be permitted. In the event of circumstances beyond the ability of the presiding officer to control, that officer is empowered to instruct the police department to preserve order. Any person making personal, impertinent or slanderous remarks, or becoming boisterous or otherwise disrupting or impeding the orderly conduct of the meeting shall be barred by the presiding officer from attending the remainder of the meeting. The police department shall carry out all legal orders and instructions of the presiding officer for the purpose of maintaining order and decorum in the council chambers.~~ [Ord. 00-O-535 § 21.]



## Chapter 2.25 MUNICIPAL COURT

### Sections:

- [2.25.010](#) Creation of municipal court.
- [2.25.020](#) Creation of office of municipal judge.
- [2.25.030](#) Judicial officer of the city.
- [2.25.040](#) Territorial jurisdiction.
- [2.25.050](#) Crime and offense jurisdiction.
- [2.25.060](#) Authority of municipal court judge.
- [2.25.070](#) Creation of office of municipal judge pro tem.
- [2.25.080](#) Applicability of Oregon laws.
- [2.25.090](#) Municipal court rules.
- [2.25.100](#) Municipal court schedule.

#### **2.25.010 Creation of municipal court.**

There is hereby created a court for the city of Brookings to be known as “the municipal court for the city of Brookings.” [Ord. 51-O-008 § 1.]

#### **2.25.020 Creation of office of municipal judge.**

There is hereby created the office of municipal judge. [Ord. 51-O-008 § 2.]

#### **2.25.030 Judicial officer of the city.**

The municipal judge shall be the judicial officer of the city of Brookings and shall preside over the municipal court of the city of Brookings. [Ord. 51-O-008 § 3.]

#### **2.25.040 Territorial jurisdiction.**

All of the incorporated area, now or hereafter, within the city of Brookings shall be within the territorial jurisdiction of the municipal court and the municipal judge. [Ord. 51-O-008 § 4.]

#### **2.25.050 Crime and offense jurisdiction.**

The municipal judge shall exercise original and exclusive jurisdiction of all crimes and offenses defined and made punishable by ordinance of the city of Brookings and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by an ordinance of the city of Brookings. The municipal judge also has jurisdiction over traffic crimes as defined by ORS 801.545 committed within the boundaries of the city. [Ord. 51-O-008 § 5.]

#### **2.25.060 Authority of municipal court judge.**

The municipal judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city of Brookings, to commit any such person to jail or admit him to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before him, to compel obedience to such subpoenas, to issue any process necessary to carry in effect the judgments of the court, and to punish witnesses for contempt of court. [Ord. 51-O-008 § 6.]

**2.25.070 Creation of office of municipal judge pro tem.**

The office of municipal judge pro tem is hereby created. The municipal judge pro tem shall be appointed in the same manner as the municipal judge. The municipal judge pro tem shall serve as municipal judge pro tem when the municipal court judge is absent from the city, incapacitated, or otherwise unable to discharge the duties of municipal judge. When occupying the office of municipal judge, the municipal judge pro tem shall have all the powers and authority of the municipal judge. [Ord. 64-O-175; Ord. 51-O-008 § 7.]

**2.25.080 Applicability of Oregon laws.**

When not governed by ordinance or by Charter of the city of Brookings, all proceedings in the municipal court for the city of Brookings for the violation of a city ordinance shall be governed by the applicable general laws of the state of Oregon governing justices of the peace and justice courts. [Ord. 51-O-008 § 8.]

**2.25.090 Municipal court rules.**

The municipal judge shall have authority to form and adopt such reasonable rules for the conduct of the business of the municipal court for the city of Brookings; provided, however, that he/she shall not form or adopt any rule which is in contravention with the Constitution of the United States, the Constitution of the state of Oregon, the laws of the state of Oregon or any ordinance of the city of Brookings. The rules shall be made readily assessable to the public. [Ord. 51-O-008 § 10.]

**2.25.100 Municipal court schedule.**

The municipal court shall be in session only for such length of time as may be necessary to complete the judicial business of the city of Brookings. [Ord. 97-O-525 § 2; Ord. 51-O-008 § 11.]



## Chapter 2.55 PLANNING COMMISSION

### Sections:

[2.55.010](#) Creation of city planning commission.

[2.55.020](#) Definition.

[2.55.030](#) Qualifications of members.

[2.55.040](#) Terms of office.

[2.55.050](#) Removal/vacancies.

[2.55.060](#) Election of chairperson and vice-chairperson.

[2.55.070](#) Staffing, training, expenses and compensation.

[2.55.080](#) Quorum, rules, meetings.

[2.55.090](#) Conflict of interest and disclosure.

[2.55.100](#) General duties and responsibilities of the commission.

[2.55.110](#) Particular duties of the commission.

[2.55.120](#) Submittal of all maps, plats and replats of land within the city limits to be submitted to the commission.

[2.55.130](#) Renaming of streets or roads.

[2.55.140](#) Ordinances and petitions pertaining to land use to be submitted to planning commission.

[2.55.150](#) Receiving of gifts, bequests, or devises of property.

### **2.55.010 Creation of city planning commission.**

There is hereby created a city planning commission for the city of Brookings which shall henceforth be known as the Brookings city planning commission. [Ord. 91-O-483 § 1.]

### **2.55.020 Definition.**

The term "commission" as used in this chapter shall mean and be the Brookings city planning commission. [Ord. 91-O-483 § 2.]

### **2.55.030 Qualifications of members.**

A. The commission shall consist of seven voting members to be appointed by the mayor with the approval of the city council. At least five of the voting members shall be electors of the city of Brookings; two may be electors who reside within the city of Brookings adopted urban growth boundary. ~~These members shall not be officials or employees of the city. In addition to the members appointed by the mayor, the city planning director shall serve as ex-officio nonvoting member of the commission.~~

B. No more than two of the voting members may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than two of the members ~~appointed by the city council~~ shall be engaged in the same kind of business trade or profession.

C. Membership shall be restricted pursuant to Chapter [2.01](#) BMC. [Ord. 11-O-680 § 2; Ord. 91-O-483 § 3.]

**2.55.040 Terms of office.**

At the first meeting of the commission, which shall be not later than 30 days after all appointments to the commission have been made and accepted, the seven appointed members shall choose their term of office by lot, as follows:

- A. One for one year;
- B. Two for two years;
- C. Two for three years;
- D. Two for four years;

and they shall immediately thereafter notify the mayor and the city council in writing of such allotment. Their successors shall hold office for four years. Any vacancy shall be filled by the mayor with the approval of the council for the unexpired portion of the term. [Ord. 91-O-483 § 4.]

**2.55.050 Removal/vacancies.**

A member may be removed by the city council, after hearing, for misconduct or nonperformance of duty. A member who is absent from two consecutive meetings without the permission of the commission chairperson is rebuttably presumed to be in nonperformance of duty, and the city council shall declare the position vacant unless finding otherwise following the hearing. All vacancies on the commission shall be filled by appointment by the mayor with the approval of the council, for the unexpired term. [Ord. 91-O-483 § 5.]

**2.55.060 Election of chairperson and vice-chairperson.**

At its last meeting of each calendar year, the commission shall elect a chairperson and vice-chairperson to serve a one-year term. The chairperson and vice-chairperson shall be eligible for re-election and shall be elected from among the voting members of the commission. The newly elected officers will take their seat at the first meeting of the next calendar year. [Ord. 98-O-483.A § 2; Ord. 91-O-483 § 6.]

**2.55.070 Staffing, training, expenses and compensation.**

A. The city manager shall provide the commission with a secretary who shall keep an accurate record of planning commission proceedings.

B. The city shall provide the commission with such other staff and consultation service as is deemed necessary by the commission and city council.

C. The expenses of the commission and those incurred by staff and consultants to the commission shall be met by such funds as are budgeted by the city council for such purposes.

D. Members of the commission shall receive no compensation but shall be reimbursed for duly authorized expenses.

E. Training sessions for the continuing education of commission members shall be provided at least annually.

F. Prior to the first regularly scheduled meeting of the planning commission following the new members' appointment, said member shall be entitled to at least a one-hour orientation meeting with the city's planning director.

G. New members of the commission shall receive, upon appointment, at a minimum:

1. The comprehensive plan;

2. The land development code;

~~3. "Land Use Planning in Oregon" by Mitch Rohse;~~

~~3. 4.~~ Ordinance No. 91-O-483;

~~5. Ethics Guide for Public Officials;~~

~~4. 6.~~ Resolution No. 91-R-501;

~~7. Current zoning map;~~

~~8. Current city budget;~~

~~5. 9.~~ Urban growth boundary management agreement. [Ord. 91-O-483 § 7.]

6. Such other documents as may be useful in understanding the role of planning commission Members as determined by staff and the city attorney.

#### **2.55.080 Quorum, rules, meetings.**

A. Four voting members of the commission shall constitute a quorum.

B. The commission may make and alter rules and regulations for its government and procedure consistent with the laws of the state of Oregon and with the Charter and ordinances of the city of Brookings.

C. The commission shall meet at least once a month, unless there is no business to conduct, at such time and place as may be fixed. All meetings of the commission shall be open to the public.

D. Meetings other than at regularly scheduled times may be announced at a prior meeting and thereby be made a part of the meeting records. Special meetings may be called at any time by the chairperson or by



three members, by notice served upon each member of the commission at least 24 hours before the time specified for the proposed meeting. Notice of a special meeting shall be provided in accordance with State Public Meeting Law (Chapter 192 ORS). [Ord. 91-O-483 § 8.]

**2.55.090 Conflict of interest and disclosure.**

A member of the commission shall not participate in any commission proceeding or action in which any of the following has a direct or substantial financial interest:

- A. The member or his/her spouse, brother, sister, child, parent, father-in-law, mother-in-law;
- B. Any business in which the member is then serving or has served within the previous two years;
- C. Any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.

Any actual or potential interest shall be disclosed in writing to the City Council and at the meeting of the commission where the action is being taken, and such disclosure shall be entered into the minutes of the meeting. [Ord. 91-O-483 § 9.]

**2.55.100 General duties and responsibilities of the commission.**

A. It shall be the duty of the commission and they shall have the responsibility to prepare, adopt and maintain a comprehensive general plan for the future growth and development of the city of Brookings. The commission shall base its decisions relating to land use, public facilities, transportation, housing and related matters on the Brookings comprehensive general plan as now or hereafter constituted. The commission shall conduct an overall review of the Brookings comprehensive general plan that may be proposed from time to time by the public, the commission, or the city council. Said amendments shall be based upon further studies or changed community priorities or conditions. The commission shall formulate and recommend to the city council various programs, policies and ordinances intended to implement the Brookings comprehensive general plan.

B. The commission shall review annually any capital improvement program.

C. The commission may review and submit recommendations to the city council regarding the city boundary changes or any public program for the acquisition and development of public facilities and transportation.

D. The commission's duties and responsibilities are further defined in the city's land development code.

E. At the request of the city council, the planning commission shall perform such other duties relating to some aspect of community planning and development.

F. The commission shall submit a written annual report to the city council by the first day of January of each year, to be presented orally at the January council meeting.

G. The commission shall forward copies of the minutes of its proceedings to the city council on a monthly basis.

H. The commission shall perform any and all other acts and things necessary or proper to carry out the provisions of this chapter; and in general to study and to propose such measures as may be advisable for the promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the city of Brookings, and the urban growth area and the area of mutual interest.

I. The commission shall also have all the powers which are now, or may hereafter be given to it, under the general laws of the state of Oregon or the Charter or ordinances of the city of Brookings. [Ord. 91-O-483 § 10.]

**2.55.110 Particular duties of the commission.**

It shall be the particular duty of the commission and they shall have the power, except as otherwise provided by law, to recommend and make suggestions to the city council and to all other public authorities concerning:

A. The laying out, widening, extending, location of streets, parking, sidewalks, and the relief of traffic congestion;

B. Housing and sanitary conditions;

C. The establishment of zones and districts;

D. Limitations on the use, height, area, and bulk of buildings and structures;

E. Plans for the regulation of the future growth, development, and beautification in respect to its public and private buildings, works, streets, grounds, and vacant lots;

F. Plans consistent with the projected growth and development of the city in order to secure to the city and its inhabitants sanitation, proper service of all public utilities, harbor, shipping, and transportation;

G. Plans for the promotion, development, and regulation of the industrial and economic needs of the community in respect to private and public enterprises. [Ord. 91-O-483 § 11.]

**2.55.120 Submittal of all maps, plats and replats of land within the city limits to be submitted to the commission.**

All maps, plats and replats of land laid out in building lots and streets, alleys, or other portions of the same intended to be dedicated for public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto, and located within the city limits of the city of Brookings shall be submitted to the commission for its approval and all plans for plats for vacating or laying out, widening, extending, and locating streets, or plans for public buildings may be submitted to the commission. [Ord. 91-O-483 § 12.]

**2.55.130 Renaming of streets or roads.**

A. It shall be the duty of the commission to recommend to the city council the renaming of any existing street, highway or road if, in the judgment of said commission, such renaming is in the public interest.

B. Within the urban growth area and area of mutual interest outside the city limits of the city of Brookings the commission shall have the authority to recommend to the county planning commission the renaming of streets, highways or roads. [Ord. 91-O-483 § 13.]

**2.55.140 Ordinances and petitions pertaining to land use to be submitted to planning commission.**

Copies of all proposed ordinances or petitions for the establishment or alteration of the boundaries of any zone or district contemplated or referred to by this chapter, and copies of all ordinances or petitions relating to the city's land development code and the city's comprehensive plan, shall be first submitted by staff to the commission for recommendation, and staff shall immediately so notify the city council, and said commission shall make the recommendation thereon in writing to the city council; provided, however, the commission shall first hold a public hearing on said ordinances or petitions. [Ord. 91-O-483 § 14.]

**2.55.150 Receiving of gifts, bequests, or devises of property.**

The commission may receive gifts, bequests, or devises of property to carry out any of the purposes of this chapter, which property shall be set over to the city of Brookings to be used by it in furtherance of the purposes of this chapter, pursuant to the recommendation of the commission. It is further provided that the commission shall have the power and authority to recommend and make suggestions to the city council and other public authorities concerning the acceptance from the United States of America or any of its agencies, such funds as may be made available to municipalities for any of the purposes contemplated by this chapter. [Ord. 91-O-483 § 15.]

## Chapter 2.70 EMPLOYEE CONTRIBUTIONS TO PERS

Sections:

[2.70.010](#) Oregon PERS employee contribution.

### **2.70.010 Oregon PERS employee contribution.**

The required Oregon PERS employee contribution of six percent of salary is deemed to be “picked up” for purposes of Internal Revenue Code Section 414(h)(2) and is assumed and paid for purposes of ORS 238A.335(2)(b). The employee does not have the option of receiving the assumed amount directly. Employee compensation may not be reduced and the employer shall provide the additional amounts necessary to make the employee contributions. This policy is not retroactive in application. as the city will make the actual payment to PERS out of the employee's pay; the employee not having the option of receiving his or her full salary and then making the PERS contribution themselves directly. In addition, the employees shall have their reported salary on the W-2 form be reduced by the amount of the employee contributions. [Ord. 94-O-508 § 1.]

**IN AND FOR THE CITY OF BROOKINGS  
STATE OF OREGON  
ORDINANCE 12-O-699**

**IN THE MATTER OF ORDINANCE 12-O-699, AN ORDINANCE ADDING CHAPTER 2.67, BUDGET COMMITTEE, TO TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE BROOKINGS MUNICIPAL CODE.**

Sections:

- Section 1. Ordinance identified.
- Section 2. Adds Chapter 2.67

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance adds Chapter 2.67, Budget Committee, to Title 2, Administration and Personnel of the Brookings Municipal Code.

Section 2. Adds Chapter 2.67: Chapter 2.67 is hereby added to read as follows:

**Chapter 2.67  
BUDGET COMMITTEE**

Sections:

- 2.67.010 Purpose
- 2.67.020 Definitions
- 2.67.030 Organization of budget committee
- 2.67.040 Qualification and term of appointed members
- 2.67.050 Term of appointed members
- 2.67.060 No compensation
- 2.67.070 Election of presiding officer
- 2.67.080 Power and duties of the budget committee
- 2.67.090 Duties and responsibilities of the budget officer
- 2.67.100 Meetings and notice
- 2.67.110 Removal/vacancies of citizen members

**2.67.010 Purpose**

The purpose of the budget committee is to review the budget message and budget document as prepared by the budget officer.

**2.67.020 Definitions**

The term "committee" as used in this chapter shall mean the city of Brookings budget committee.

**2.67.030 Organization of the budget committee**

ORS 294.414 requires that each local government establish a budget committee. The committee is made up of the city council and an equal number of appointed, citizen members. The director of finance and human resources shall serve as the committee's budget officer.

**2.67.040 Qualifications and terms of appointed members**

Appointments to the committee are made by the mayor with consent of the city council after an application is filed with the city recorder. Appointed members:

- A. Must reside inside the city limits;
- B. May not be officers or employees of the city; and
- C. Must be qualified voters of the City.



**2.67.050 Term of appointed members**

Appointed members serve staggered three year terms, such that approximately one-third of the terms of appointed members end each year. Members may apply for reappointment.

**2.67.060 No compensation**

Appointed members shall not receive compensation for serving in this capacity as proscribed under ORS 297.414(3)

**2.67.070 Election of presiding officer**

At its first budget meeting of the calendar year, the committee shall elect a presiding officer for a one year term.

**2.67.080 Power and duties of the budget committee**

The committee shall be responsible for reviewing the budget document. The committee may request and receive any information it requires for the revision and preparation of the budget document and may compel the attendance of any such officer or employee at its meeting as provided under ORS 294.428. Once satisfied with the budget document, the committee will approve the document and forward it to the city council for public hearing and adoption.

**2.67.090 Duties and responsibilities of the budget officer**

The budget officer shall be responsible for preparing and submitting the annual budget estimates and other such estimates as the city council may request and for presenting the budget document and budget message to the committee. The budget officer shall prepare budget estimates, the budget message and budget document under the direction of the City Manager.

**2.67.100 Meetings and notice**

The committee shall hold one or more meetings to review and approve the budget document as provided under ORS 294.426. The budget committee may also meet at other times at its discretion. Budget committee meetings shall be open to the public and noticed as required under Oregon budget law.

**2.67.110 Removal/vacancies of citizen members**

Following a hearing, the city council may remove a citizen member for misconduct or nonperformance of duty. A member who is absent from two consecutive meetings without the permission of the presiding officer is rebuttably presumed to be in nonperformance of duty, and the city council shall declare the position vacant unless finding otherwise following the hearing. All committee vacancies shall be filled by appointment by the mayor with the approval of the council, for the unexpired term.

First Reading:	_____	Passage:	_____
Second Reading:	_____	Effective Date:	_____

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
Mayor Ron Hedenskog

\_\_\_\_\_  
City Recorder Joyce Heffington

**IN AND FOR THE CITY OF BROOKINGS  
STATE OF OREGON  
ORDINANCE 12-O-700**

**IN THE MATTER OF ORDINANCE 12-O-700, AN ORDINANCE ADDING CHAPTER 2.85, SALE OF CITY OWNED PROPERTY, TO TITLE 2, ADMINISTRATION AND PERSONNEL OF THE BROOKINGS MUNICIPAL CODE.**

Sections:

- Section 1. Ordinance identified.
- Section 2. Adds Chapter 2.85

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance adds Chapter 2.85, Sale of City Owned Property, to Title 2, Administration and Personnel of the Brookings Municipal Code.

Section 2. Adds Chapter 2.85 : Chapter 2.85 is added to read as follows:

**Chapter 2.85  
SALE OF CITY OWNED REAL PROPERTY**

**Sections:**

- 2.85.010 Purpose.
- 2.85.020 Decision to sell real property.
- 2.85.030 Procedure to sell real property.
- 2.85.040 Proposals for purchase of property.
- 2.85.050 Opening of proposals.
- 2.85.060 Negotiations.
- 2.85.070 Public hearing.
- 2.85.080 Rejection of all proposals.
- 2.85.090 Continued marketing of real property interest after rejection of all proposals.
- 2.85.100 Application of this chapter.

**2.85.010 Purpose.**

This chapter is created to provide a procedure by which the city sells real property owned by the city which has been determined to no longer have public need. This chapter may be known as "Procedures to Sell City Owned Real Property." It is intended that the provisions of this chapter shall supplement the requirements of Oregon law in the sale of city owned real property. In the event that any provision of this chapter shall conflict with state law, state law shall control.

**2.85.020 Decision to sell real property.**

In the event that the city council should decide that a parcel or parcels of real property owned by the city is no longer needed for a public use, the council may order that the property be sold pursuant to the procedures of this chapter. The decision of the council to order the property sold shall be made at a regular or special meeting of the city council, and shall be based upon evidence and recommendations gathered by city staff. Unless otherwise required by the council, no public hearing shall be required for the council to make a determination that the real property is not needed for public use or to decide to sell the real property, subject to the public hearing procedures required by Oregon law and this chapter.

### **2.85.030 Procedure to sell real property.**

If the city council decides to sell real property pursuant to this chapter, the city administrator, or the city administrator's designee, shall prepare a request for bids to buy the subject real property. A notice shall be published of the proposed disposition of city real property interest. Such notice shall be published in one or more newspapers of general circulation in Linn County, and in any other publication which the city administrator deems advisable, considering any unique circumstance surrounding the subject real property. The notice shall be published not less than once a week, for three successive weeks. The published notification shall include the following:

- A. A general description of the city real property interest subject to disposition, including a legal description;
- B. The minimum asking price. The minimum asking price shall be determined after considering an appraisal of the real property or other information which the city administrator deems appropriate, including a consideration of the costs of sale of the property;
- C. The name and address of the person to contact to obtain any additional information concerning the city real property interest;
- D. A request for proposals, including the address to which the proposal must be delivered and the date and time the proposal is due, which shall not be less than thirty (30) days from the date of the first notice;
- E. A requirement that a security deposit in the amount and form required by this chapter be submitted with the proposal;
- F. A reservation of the right of the city to accept or reject any proposal; and
- G. Any other information the city administrator deems desirable to include in the notice.

In addition to the above notice requirements, the city administrator shall also cause notices to be sent, containing the same information as required above, to the owners of real property directly adjoining the city owned real property proposed to be sold. Such notices shall be sent by regular mail to the person, persons or entity listed in the records of Linn County, Oregon purporting to be the owner in fee title to the real property directly adjoining the city owned property to be sold. Failure of any person or entity with an ownership interest in said adjoining real property to receive the notice of the proposed sale of the subject city owned real property shall not invalidate or impede any subsequent sale of the city owned real property.

### **2.85.040 Proposals for purchase of property.**

- A. All proposals submitted in response to the published notice described in Section 2.85.030 of this chapter above, shall be accompanied by a deposit, in the form of:
  - 1. A certified check; or
  - 2. Sufficient bond furnished by a surety company authorized to do business in this State, in favor of the city of Lebanon, in a sum not less than ten percent (10%) of the total amount of the value of the proposal.
- B. Deposits will be refunded to all unsuccessful proposers after:
  - 1. The closing of the sale to a successful proposer; or
  - 2. Rejection of all proposals.
- C. Each proposal shall clearly set forth the amount offered for the purchase of the city owned real property, and shall include the following additional matters:
  - 1. Any conditions upon the proposer's offer to acquire the city's real property interest; and
  - 2. Any other information the proposer believes is relevant to its proposal.

- D. If the city administrator finds any proposal to be ambiguous, the city administrator may request that the proposer submit further information in order to clarify the proposer's proposal. If the city administrator does not request any such clarification, the ambiguous proposal may be rejected.

**2.85.050 Opening of proposals.**

After the date and time for submitting proposals has passed, the city administrator shall open all proposals that have been timely delivered and that have the required deposit. All responsive proposals shall be evaluated by the city administrator, or his designate, in order to determine the proposal most advantageous to the city. The city administrator may make recommendations to the city council concerning the transfer of the city's interest in the subject real property. The city council, as provided in this chapter, after public notice and hearing may determine if the proposal is most advantageous to the city. The determination of the most advantageous proposal by the city council shall be final and conclusive and shall not be subject to review by any court.

**2.85.060 Negotiations.**

The city administrator shall notify the apparent successful proposer and may negotiate to determine if the transfer can be consummated, subject to the final approval of the city council. If such negotiations are unsuccessful, the city administrator shall notify the next highest ranking acceptable proposer and may similarly attempt to negotiate the disposition of the city real property interest.

**2.85.070 Public hearing.**

The city council shall hold a public hearing on the proposed disposition of the city real property interest prior to the sale. Notice of the proposed sale shall be published in a newspaper of general circulation in the city.

- A. The notice shall be published at least once during the week prior to the public hearing required in this section. The notice shall comply with the provisions of ORS 221.725 and shall state the time and place of the public hearing, a description of the property or interest to be sold, the proposed uses for the property and the reasons why the city council considers it necessary or convenient to sell the property. Proof of publication of the notice may be made or provided by ORS 193.070.
- B. Not earlier than five days after publication of the notice, the public hearing concerning the sale shall be held at the time and place stated in the notice. Nothing herein prevents the city council from holding the hearing at any regular or special meeting of the city council as part of its regular agenda.
- C. The nature of the proposed sale and the general terms thereof, including an appraisal or other evidence of the market value of the property, shall be fully disclosed by the city council at the public hearing. Any resident of the city shall be given an opportunity to present written or oral testimony at the hearing.
- D. Nothing in this section shall prevent the city council from adopting an alternative procedure for the sale of city real property, after public notice and hearing, as provided by ORS 221.727.

**2.85.080 Rejection of all proposals.**

The city council, in its sole discretion, may reject any or all proposals.

**2.85.090 Continued marketing of real property interest after rejection of all proposals.**

If all proposals are rejected, the city may market and sell the real property interest in any manner the city council deems appropriate, subject to the public hearing provisions of Section 2.85.070, including by and through a real estate licensee, provided that:

- A. Any resulting agreement of sale must be approved by the city council as required by state law.
- B. If no agreement of sale is executed within eighteen (18) months of the publication of the first public notice of sale described in Section 2.85.030 of this chapter, no agreement of sale may be

accepted without again first publishing a public notice of sale and complying with the provisions of this chapter.

**2.85.100 Application of this chapter.**

This chapter shall apply to sales and leases of city owned real property, only, after the effective date of this chapter.

First Reading: \_\_\_\_\_ Passage: \_\_\_\_\_  
Second Reading: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
Mayor Ron Hedenskog

\_\_\_\_\_  
City Recorder Joyce Heffington