

agenda
City of Brookings
Common Council Meeting
City Hall Council Chambers
898 Elk Drive
Brookings, Oregon, 97415 - 7:00 p.m.
June 22, 1998



agenda

CITY OF BROOKINGS
COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
June 22, 1998
7:00 pm

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS
- V. PUBLIC HEARING
- VI. SCHEDULED PUBLIC APPEARANCES
 - A. Safety City - Dan Palicki (yellow)
- VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE
 - A. Committee and liaison reports
 - 1. Chamber of Commerce
 - 2. Planning Commission
 - 3. Council liaisons
 - B. Unscheduled
- VIII. STAFF REPORTS
 - A. City Manager
 - 1. PERS sick leave conversion for all employees (green)
 - 2. Change July 13th Council meeting to the 14th (cream)
 - 3. Council Procedures (purple)
 - B. Community Development Department
 - 1. Sole source purchase of a sampler at the Wastewater Treatment Plant (gold)
 - C. Finance Department
 - 1. Supplemental budget for 1997/98 fiscal year (blue)
 - 2. Adoption of the 1998/99 budget (pink)

3. Increasing petty cash limits (tan)
4. Set a fee for utility accounts that require a "Red tag" (orange)

IX.

CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
 1. Minutes of June 8, 1998 Regular Council Meeting (yellow)
- B. Acceptance of Commission/Committee Minutes
 1. Minutes of April 16, 1998 Budget Committee Meeting (green)
 2. Minutes of May 5, 1998 Regular Planning Commission Meeting (cream)

(end Consent Calendar)

X.

ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
 1. Ordinance No. 98-O-529 - An ordinance declaring the City's election to receive revenues; and declaring an emergency (purple)
- B. Resolutions
 1. Resolution No. 98-R-637 - A resolution adopting a supplemental budget for the 1997/98 fiscal year (tan)
 2. Resolution No. 98-R-638 - A resolution adopting the budget, declaring tax levied, making appropriations for the 1998-99 fiscal year and to categorize the levy as provided in ORS 294.435 (pink)
 3. Resolution No. 98-R-639 - A resolution authorizing the city Finance Director/Recorder to issue city vouchers to replenish the city petty cash fund (gold)
 4. Resolution No. 98-R-640 - A resolution to set a fee for processing delinquent utility accounts and issuing red tags (blue)

XI.

REMARKS FROM MAYOR AND COUNCILORS

- A. Mayor
- B. Council

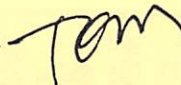
EXECUTIVE SESSION according to ORS 192.660 (1)(h) to consult with attorney regarding rights and duties in regards to current litigation or litigation that is more likely than not to be filed.

XII.

ADJOURNMENT

Memorandum

TO: Mayor, City Council

FROM: City Manager Tom Weldon 

DATE: June 16, 1998



Issue: Safety City - INFORMATION ONLY

Background: Attached is a memo from Dan Palicki (Community Policing Officer Barbara Palicki's husband) on a program I have authorized and he is developing. This program is for children entering kindergarten next school year and gives them early, safe, structured exposure to different parts of the real world they're about to enter.

This program has the support of School Superintendent Dr. Paul Prevenas and all the community agencies shown on the "Weekly Schedule" attached. Expenses will be covered through donations or the Police Department's already existing 1998/99 budget.

I have reviewed this with our new Police Chief, Ken Lewis, and he wholeheartedly supports it and other community policing programs.

-com-

Safety city



Brookings Police

TO: Mayor Nancy Bredlinger
Brookings City Council
Tom Weldon, City Manager

FROM: Daniel J. Palicki

RE: Brookings-Harbor Safety City

At this time I am presenting to the citizens of this community a chance to teach our young children safety on our streets. This is a pilot program and modeled after "Safe-T-City" of the Toledo Police Department, Toledo, Ohio. Their program has been in place for many years. It was started prior to my 31 years with the department and has continued through these many years to be a complete success.

The program is taught only to those children who are entering kindergarten. They must be 5 years old on or before September 1st. They will be taught the proper and safe way to walk using sidewalks and obeying signals/signs. They will be shown proper use of tricycles including the need to wear helmets. They are instructed through the use of a miniature city. The city will have streets, sidewalks, cars (tricycles), buildings, signs and signals. The children act as both pedestrians and drivers.

Their day begins at 9:00 am, lasting until 11:15 am - beginning on Monday and ending on Friday. Graduation be held Saturday morning. The first hour in the morning is classroom instruction and demonstrations. They will be given a break which will include a healthy snack with juice or milk. The second hour of each day will be outside instructions in the city. There will be homework each night. This week is not only safety oriented, it also helps to orient the child to the school environment. Helping to ease some of the trauma of separation from parents.

Attached is a list of the classroom sessions which are planned for the week. These will be instructed by the appropriate agency and specialists.

Enrollment will be on a first come basis. They will be required to attend all sessions to be eligible for graduation ceremonies.

The first week is scheduled for August 3rd through August 7th - Graduation on Sat. Aug. 8th. If this is successful and we have additional applications, a second class will be scheduled for August 17th to August 21st, Graduation on Sat. Aug. 22nd.

Classes will be limited to no more than 20 students. This is the optimum size found through years of experience by TPD. Besides the instructor, there will be at least one other classroom and outside assistant. There is no expense to the children, the only requirement is attendance and that each child is potty trained.

Upon graduation, each child will receive a graduation certificate, badge, a "T" Shirt, and the bike helmet they used during the week of school.



SAFETY CITY - WEEKLY SCHEDULE

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Introduction Meet a Police Officer Eddie Eagle	Review Homework 9-1-1 /Phone Safety Fire Safety - Fire Truck	Review Homework Electric Safety - Coos-Curry Truck Stranger Talk - Good/Bad Touch	Review Homework Ocean/Water Safety Coast Guard Safety in the Forest U.S. Forest Service Truck	Review Homework Animal Care and Safety - Animal Control Truck School Bus Safety - School Bus Tour	GRADUATION
Break	Break	Break	Break	Break	
Outside - Safety City Walk & Ride Homework	Outside - Safety City Walk & Ride Homework	Outside - Safety City Walk & Ride Homework	Outside - Safety City Walk & Ride Homework	Outside - Safety City Walk & Ride Homework	

SAFETY CITY - FIRST YEAR BUDGET

TRICYCLES	\$35.00 X 10	\$350.00
SHIRTS	\$6.50 X 100	\$650.00
CONSTRUCTION MATERIALS		DONATION
PRINTING		DONATION
SNACKS/MILK/JUICE (per class)		\$100.00
MISC. EXPENSES-CONTINGENCIES		<u>\$300.00</u>
		\$1,400.00

Proposed yearly maintenance budget

Repair or replacement - tricycles	\$100.00
City Repairs	\$100.00
Snacks/Milk/Juice (6 classes pr yr)	\$600.00
Shirts (savings for future printings)	\$300.00
Misc. expenses	<u>\$100.00</u>
	\$1,200.00

ALL FUNDS WILL BE MAINTAINED IN A CITY ACCOUNT AND
ADMINISTERED THROUGH PURCHASE ORDER

STORAGE OF CITY AND TRICYCLES HAS BEEN ARRANGED
THROUGH SCHOOL ADMINISTRATION.

To: PARENTS, GUARDIANS & INTERESTED CITIZENS

This summer the Brookings Police Department is sponsoring, cost-free, the **Safety-City** Program to be held at Kalmiopsis School.

SAFETY CITY

Safety City is a child pedestrian and traffic safety program combined with a life safety course. **This program is conducted for children entering kindergarten in the upcoming school year.** **Safety City** includes classroom instruction and outdoor practice in a miniature city complete with streets, sidewalks, small buildings, traffic lights and stop signs.

The children are assigned to classes (no more than 20 children per class). During the 10 hour course the children learn, through participation, in a setting of simulated real-life situations. Guest speakers from different community agencies help the children learn. The children are taught on the streets of **Safety City**. The different lessons provide an enjoyable learning experience.

**SAFETY CITY
BROOKINGS POLICE DEPARTMENT**

PLEASE PRINT

Child's Name _____ Date of Birth _____

Child's Address _____ City _____ Zip _____

Parent/Guardian _____ Home Phone _____
Business Phone _____

Child will be attending kindergarten at _____ school.

EMERGENCY INFORMATION - Persons to be contacted if parents cannot be notified.

_____	_____	_____
Name	Relationship to Child	Phone

Child's Doctor _____ Phone _____

****If there is any medical or special information we need to know, please write it on the back of this page.****

Please be certain your child will be able to attend the entire session before making your choice.

Date of Sessions	Morning	
	9:00 to 11:15	
August 3 through August 7, 1998	_____	Graduation Sat. Aug. 8th
August 17 through August 21, 1998	_____	Graduation Sat. Aug. 22nd

EARLY RETURN OF THE REGISTRATION FORM IS ENCOURAGED DUE TO LIMITED ENROLLMENT.

ALL REGISTRATIONS WILL BE CONFIRMED

I hereby give my consent for my son _____ daughter _____ to participate in the **Safety City** Program. I understand that I am responsible for transportation to and from the K-School.

Signature: _____

Mail or delivery registration forms to:

Telephone inquiries

Safety City
Brookings Police
898 Elk Dr.
Brookings, OR 97415

Brookings Police 469-3118
Officer Barbara Palicki

If, after enrollment, your child cannot attend, Please contact us.

SAFETY CITY
898 Elk Drive
Brookings, OR 97415

Your child is registered at Safety City for the following dates and times. Please note this on your calendar as there will be no confirmation call.

SESSIONS	Morning	
	9:00 - 11:15	
August 3 through August 7, 1998	_____	Graduation Sat. Aug. 8th
August 17 through August 21, 1998	_____	Graduation Sat. Aug. 22nd

FIRST DAY Please have your child's name pinned on the front of their shirt for the first day only. Some children may cry on the first day. If your child is crying, please leave when you see your child going to their class. It's our experience the sooner you leave, the sooner tears stop and learning begins. The second day of Safety City please walk your child to their classroom.

QUESTIONS Please call the Safety City office at 469-3118 if you have any questions. **PLEASE NOTIFY us if your child cannot attend Safety City.** We have a waiting list.

PLEASE NOTE If your child does not attend Safety City the first day and you do not contact us, **we will automatically fill the space from our waiting list.**

DAILY ATTENDANCE IS IMPORTANT

SAFETY CITY
898 Elk Drive
Brookings, OR 97415

Parents of _____

Thank you for registering your child at Safety City. Unfortunately, all our sessions for the summer are filled. Your child's name is on a waiting list. In the event of a cancellation, you will be called.

If you are contacted please bring your child to K-School. On the first day please have your child's name pinned to the front of their shirt. Please leave as soon as you bring your child to us. It is our experience the sooner Mom and Dad leave the sooner tears stop and fun begins. After the first day you may walk with your child into the building.

Please call me at 469-3118 if you have any questions.


Sincerely,

Officer Barbara Palicki
Coordinator

Memorandum

TO: Mayor, City Council

FROM: City Manager Tom Weldon



DATE: June 10, 1998



Issue:

Should the Council authorize $\frac{1}{2}$ (50%) of accumulated sick leave to be added to retirement benefit calculations for all city employees

Background:

1. On May 11th Council authorized a new labor agreement with the Teamsters which allows $\frac{1}{2}$ (50%) of accumulated sick leave for Police Department employees to be added to their retirement benefit calculations.
2. The cost for this could be up to .7 of 1% of payroll when our PERS rate formula is reviewed next year. However, this rate could also go down because the city has very few retirees. Any change would be effective in 2000.

Recommendation:

Council authorize implementation of this policy for all employees.

Options: Listed below are options we have reviewed and are not recommending.

1. Council not authorize this.

Memorandum

TO: Mayor, City Council
FROM: City Manager Tom Weldon *Tom*
DATE: June 16, 1998



Issue: Change 7-13-98 Council meeting to the 14th.

Background: Our first Council meeting in July is scheduled to be held on the 13th. However, the 234th Army Band will be performing at the Stage Under the Stars on that night and I thought the Council and staff may want to attend this free concert.

If so, we will need to change the date of this Council meeting to the next evening, Tuesday the 14th.

Recommendation: Council authorize changing the Council meeting of 7-13-98 to the 14th.

-com-

Memorandum

TO: Mayor, City Council

FROM: City Manager Tom Weldon *Tom*

DATE: June 16, 1998



Issue: Changing City Council procedures.

Background:

1. The Council's official actions are governed by the City Charter which spells out some procedural matters. However, the Charter rightfully leaves most of those to the Council to prescribe in an ordinance. Attached are excerpts from the Charter which address Council procedures (Attachment #1).
2. The City Council adopted procedures in Ordinance No. 91-O-474 (Attachment #2) and amended that ordinance with Ordinances No. 92-O-474.A, No. 92-O-474.B No. 94-O-474.D and No. 95-O-474.E (there is no "C" amending ordinance).
3. It is confusing having the original ordinance and 4 amending ordinances.
4. Some of these ordinances have typos and misspelled words that should be corrected.
5. Some parts of these ordinances are not being followed and should be brought into line with what the Council is actually doing.
6. Mayor Brendlinger, Community Development Director Lightle, Finance Director Adams and I have reviewed the ordinances and made suggestions for changes which have been compiled into one ordinance which is Attachment #3.

Recommendation:

Council review the suggested changes and after discussion direct the City Manager and City Attorney to come back to you with a new ordinance incorporating the present ordinance, the 4 amending ordinances and any changes you want. This will be on your agenda for July 14th (assuming you change your next meeting from the 13th to the 14th).

Attachment #1
(Excerpts from Brookings City Charter)

CHAPTER IV

COUNCIL

Section 12. Rules. The council shall, by ordinance, prescribe rules to govern its meetings and proceedings.

Section 13. Meetings. The council shall meet in the city regularly at least once a month at a time and place designated by council's rules, and may meet at other times in accordance with the rules.

Section 14. Quorum. A majority of the council constitutes a quorum for its business.

Section 15. Record of Proceedings. A record of council proceedings shall be kept and authenticated in a manner prescribed by the council.

Section 16. Mayor's Functions at Council Meetings.

(1) When present at council meetings the mayor shall:

- (a) Preside over deliberations of the council,
- (b) Preserve order,
- (c) Enforce council rules, and
- (d) Determine the order of business under the rules.

(2) Notwithstanding subsection (1) of this section, the mayor may temporarily cease to chair a council meeting and delegate the functions described in subsection (1) to the council president or, in the president's absence, to another council member.

(3) The mayor is a voting member of the council.

Section 17. Council President.

(1) At its first meeting after this charter takes effect and at its first meeting of each odd-numbered year, the council shall appoint a president from its councilors.

(2) Except in voting on questions before the council, the president shall function as mayor when the mayor is:

- (a) Absent from a council meeting, or
- (b) Unable to function as mayor.

Section 18. Vote Required. Except as Section 31 of this charter prescribes otherwise, the express concurrence of a majority of the council members present and constituting a quorum is necessary to decide affirmatively a question before the council.

CHAPTER V

POWERS AND DUTIES OF OFFICERS

Section 21. Mayor. The mayor shall appoint the committees in adherence to the rules of the council. The mayor shall sign all approved records of proceedings of the council and countersign all checks and vouchers. The mayor shall have no veto power and shall sign all ordinances passed by the council within three days after their passing. Upon the approval of the council, the mayor shall endorse all bonds of city officers and all bonds for licenses, contracts, and proposals.

CHAPTER VIII

ORDINANCES

Section 30. Ordaining clause. The ordaining clause of an ordinance shall be "The city of Brookings ordains as follows:".

Section 31. Adoption by Council.

(1) An ordinance shall be fully and distinctly read in open council meeting on two different days before being adopted by the council, except that:

(a) The council may adopt an ordinance at a single meeting by the express unanimous votes of all council members present and entitled to vote, provided the ordinance is read first in full and then by title.

(b) Any reading of an ordinance may be by title only if no council member or member of the public present at the reading requests that the ordinance be read in full, and at least one week before the reading:

(i) A copy of the ordinance is provided for each councilor;

(ii) Three copies of the ordinance are available for public inspection in the office of the custodian of city records;

(iii) Notice of their availability is given by written notice posted at the city hall and two other public places in the city; and,

(iv) Notice of the proposed action is given to the local media for publication.

(v) An ordinance read by title only which differs from its terms as it was filed and noticed prior to the reading shall have all the differing terms and changes read fully and distinctly in open council meeting before the council adopts the ordinance.

(2) Upon the adoption of an ordinance, the ayes and nays of the council members shall be entered in the record of council proceedings.

- (3) After adoption of an ordinance and upon its being signed by the mayor, the custodian of city records shall endorse it with its date of adoption and the endorser's name and title of office.

Section 32. Effective date. A nonemergency ordinance takes effect on the thirtieth day after its adoption or on a later day the ordinance prescribes. An ordinance adopted to meet an emergency may take effect as soon as adopted.

ORDINANCE NO. 91-O-474**AN ORDINANCE GOVERNING THE PROCEDURES OF THE BROOKINGS
COMMON COUNCIL.****Sections:**

- | | |
|-------------|---|
| Section 1. | Regular monthly council meeting date. |
| Section 2. | Regular monthly study session date. |
| Section 3. | Special meetings. |
| Section 4. | Continuance of meeting. |
| Section 5. | Quorum. |
| Section 6. | Public notice required for meetings. |
| Section 7. | Written minutes required. |
| Section 8. | Agenda. |
| Section 9. | Regular or special meetings to be public. |
| Section 10. | Executive sessions permitted on certain matters. |
| Section 11. | Presiding officer at council meetings. |
| Section 12. | Order of business of council. |
| Section 13. | Consent Calendar. |
| Section 14. | Council debate. |
| Section 15. | Addressing council. |
| Section 16. | Voting by council. |
| Section 17. | Conflicts of interest. |
| Section 18. | Council-administration relations. |
| Section 19. | Boards and Commissions. |
| Section 20. | Appointments to boards, commissions, and committees. |
| Section 21. | Maintenance of order and decorum of council meetings. |
| Section 22. | Indoctrination of new council members. |
| Section 23. | Council Member Communications. |
| Section 24. | Evaluation of Council Appointive Officers. |
| Section 25. | Employees Attendance at Meetings. |
| Section 26. | Severability. |

The city of Brookings ordains as follows:

Section 1. Regular council meeting dates. The common council of the city of Brookings shall have as its regular meeting dates the second and fourth Mondays of each month of the calendar year and further, said meetings shall be held within the council chambers of the Brookings city hall, 898 Elk Drive, Brookings, Curry County, Oregon; EXCEPTING ONLY, however, that should said regular meeting date fall on a legal holiday, then the city council shall meet in the same place on the day following such legal holiday or such other date as may be chosen by the city council. [Section 1 as amended by Ordinance No. 92-O-474.B, effective August 11, 1992]

Section 2. Work sessions. Upon legal notice duly given, the Brookings Common Council shall have the power to schedule work sessions of the Common Council of the City of Brookings pursuant to Section 13 of the City Charter, which work sessions may be called by the Mayor or a majority of the members of the Council. Each work session shall be devoted exclusively to matters regarding which the interchange of information preliminary to taking action thereon is deemed to be essential. At a work session no formal vote shall be taken on any matter under discussion, nor shall any member enter into a commitment with another respecting a vote to be taken subsequently in a formal meeting. [Section 2 as amended by Ordinance No. 95-O-474.E, effective January 10, 1995]

Section 3. Special meetings. Upon legal notice duly given, the city council shall have and retain all due powers to set other dates and times for special meetings of the common council of the City of Brookings pursuant to Section 13 of the Brookings Charter.

Section 4. Continuance of meetings. Any meetings of the city council may be continued from day to day, or for more than one day, but no continuance shall extend beyond the next regular meeting thereafter.

Section 5. Quorum. For the transaction of business by the city council, there shall be present a majority of the members of the council currently holding office. If a quorum is not present, the council clerk shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required to enable the council to proceed. If the absent member or members do not appear after the notice, the members present shall adjourn until a specific time or until the next regular meeting.

Section 6. Public notice required for meetings. Public notice of the time, place, and the principal subjects anticipated to be covered at the council's regular or special meetings, including those for executive session only shall be provided as required in ORS 192. Interested persons and the news media which have stipulated in writing that they wish to be notified of every meeting must be so notified. Such persons, other than those representing the news media, shall be required to express an interest in remaining on the notification list every six (6) months.

Section 7. Written minutes. The council shall provide for the taking of written minutes of all its meetings under the provisions of ORS 192. A summary report of all actions taken by the city council at each of its meetings shall be prepared by the city manager as soon after each meeting as is practicable and shall be distributed to such interested parties as may be determined by the council.

Section 8. Agenda. The city manager shall prepare an agenda of the business to be presented at a regular council meeting, which shall be published in the Curry Coastal Pilot prior to the meeting. Council members shall be given copies of this agenda on the day it is delivered to the newspaper. Additions to the published preliminary agenda are not encouraged but may be permitted based on proven need. Non-agenda items brought before the council during a meeting shall normally be for informational purposes only. Unanimous approval of all council members present is a prerequisite for any non-agenda item to be considered for action.

Section 9. Regular or special meetings to be public. All regular or special meetings and all study sessions of the city council shall be public meetings and open to the public and all persons shall be permitted to attend any meeting.

Section 10. Executive sessions permitted on certain matters. The city council may conduct an executive session during a regular, special or emergency meeting, or study session so long as appropriate statutory limitations are met.

Section 11. Presiding officer at council meetings; calling of roll. The mayor, or in his/her absence, the council president, shall take the chair of city council meetings at the hour appointed and shall immediately call the council to order. The roll shall then be called by the council clerk who shall enter in the minutes of the meeting the names of the councilors present. In the absence of the mayor and the council president, the council clerk shall call the council to order whereupon a temporary chairman shall be elected by the members of the council present. Upon arrival of the mayor at the meeting, the council president, if then presiding, shall relinquish the chair upon the conclusion of the business immediately before the council. If a temporary chairman is presiding he/she shall relinquish the chair upon the conclusion of the business immediately before the council to the mayor or council president upon the arrival of either.

The council has an obligation to be clear and simple in its procedures and the consideration of the questions coming before it. It should avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues and arouse the suspicion of the audience and of the citizens of the city in general.

[Section 11 as amended by Ordinance No. 92-0-474.A, Effective March 10, 1992]

Section 12. Order of business of council. The order of business at regular council meetings shall be as follows except the Chair may revise the order of business in response to special circumstances:

- | | |
|-------|--|
| I. | Call to order |
| II. | Pledge of allegiance |
| III. | Roll call |
| IV. | Ceremonies/Appointments/Announcements |
| V. | Public hearings |
| VI. | Scheduled public appearances |
| VII. | Oral requests and communications from the audience |
| VIII. | Staff reports |
| IX. | Consent Calendar |
| X. | Ordinances/Resolutions/Final Orders |
| XI. | Committee reports |
| XII. | Remarks from mayor and councilors |
| XIII. | Adjournment |

[Section 12 as amended by Ordinance No. 94-O-474.D, effective March 16, 1994]

Section 13. Consent calendar. To make more efficient use of meeting time, the manager shall place all routine items which are routine in nature and concerning which no debate is expected on a "Consent Calendar" to be considered at the council's regular monthly meeting. Any item placed on the consent calendar shall be removed at the request of the mayor or a councilor prior to the time a vote is taken on the Consent Calendar items. All remaining items on the Consent Calendar shall be disposed of by a single motion "to adopt the Consent Calendar", which shall not be debatable. Adoption of the Consent Calendar shall be by the affirmative vote of all councilors present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are dissenting votes, each item shall be voted on separately in the usual manner.

Section 14. Council debate. Debate by the city council shall be conducted as follows:

A. The mayor, or such other member of council as may be presiding, may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and the presiding officer shall not be deprived of any privileges of a councilor by reason of his/her acting as the presiding officer.

B. Every councilor desiring to speak shall address the chair and upon recognition by the presiding officer, shall confine him/herself to the question under debate.

C. A councilor, once recognized, shall not be interrupted while speaking unless it be to call him/her to order or as herein otherwise provided. If a member of the council, while speaking, be called to order, he/she shall cease speaking on the point until the question of order be determined and if in order, he/she shall be permitted to proceed.

D. The mayor or any councilor shall have the privilege of having an abstract of his/her statement on any subject under consideration by the council entered in the minutes.

Section 15. Addressing council.

A. Administrative staff and city employees addressing council or Public. Members of the city's administrative staff and other city employees desiring to address the council or members of the public shall first be recognized by the chair and shall address such remarks to the chair. The staff may respond to questions or comments by the council or members of the public with permission of the chair, but shall always do so in a polite, tactful manner.

B. Public members addressing the council,

1. Any public member desiring to address the council shall wait to be recognized by the presiding officer. After recognition, the person's name and address shall be stated for the record and the remarks shall be limited to the question under discussion. All remarks and questions shall be addressed to the presiding officer and not to any individual councilor, staff member or other person. No person shall enter into any discussion without being recognized by the presiding officer.

2. Any public member addressing the council shall be limited to five minutes unless further time is granted by the presiding officer. No public member shall be allowed to speak more than once upon any one subject until every other public member choosing to speak thereon has spoken.

3. After a motion has been made or after a public hearing has been dosed, no public member shall address the council without securing permission from the majority of the council.

Section 16. Voting by council. Voting by the council on all matters shall be as follows:

A. The council clerk shall call the name of each councilor in attendance and the "aye" or "nay" of each shall be recorded in the minutes of the records of the council proceedings. Any member may change his/her vote prior to the next order of business.

B. Except as otherwise provided in the charter of the city of Brookings, Oregon, a motion shall be deemed carried if a quorum is present and a majority of those voting vote "aye".

C. Every member of the council, when present, has a responsibility to vote upon all matters before the council. Should a council member abstain from voting on a particular matter, he or she shall give a clear and concise reason for the abstention which shall be listed in the written minutes of the meeting.

D. Any member who voted with the majority may move for a reconsideration of an action at the same or the next following regular meeting. Once a matter has been reconsidered, no motion for further reconsideration thereof shall be made without unanimous consent of the council.

Section 17. Conflicts of interest. Members of the council and all other persons who serve the city in any capacity (e.g., officer, employee, agent, or otherwise) shall perform their duties in accordance with Oregon's ethics laws as provided in ORS Chapter 244.

A. During the regular council meeting in the month of April each year the city attorney shall review the latest edition of the Ethics Guide for Public Officials with council and staff.

B. Each newly elected or appointed member of the council shall be given a copy of the latest edition of the Ethics Guide for Public Officials prior to the member's participation in any decision making process. It shag be the duty of the mayor, or in the mayor's absence the council president, to distribute the guide in timely order.

C. Elected officials, appointed officers or employees of the city who have a potential conflict as deemed by ORS 244.020(8) relative to any matter or ordinance coming before the City Council shall declare such conflict immediately upon introduction of the item to the City Council by the presiding officer. Disclosure of such potential conflict shall be made a part of the record of the proceedings. Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so.

Section 18. Council-administration relations. Members of the council shall have the authority to closely scrutinize, by questions and personal observations, all aspects of city government operations so as to obtain independent information to assist the members in the formulation of sound policies to be considered by the council. Members shall have the authority to discuss any aspect of city government with city officers or employees, however, members are not authorized to issue orders or directives to city officers and employees because the supervision of said officers and employees is the responsibility of the city manager under Ordinance No. 89-0-457. In order to assist the manager in coordinating efforts of all city departments so as to achieve the greatest possible savings through the most efficient and sound means available, recommendations for improvement in city government operations should be made to and through the city manager.

Section 19. Boards and Commissions. The council may establish boards and commissions and provide for their powers and duties, and the council may consolidate, merge, or abolish any of the said boards or commissions. The establishment, consolidation, merger, or abolishment of any boards or commissions shall be accomplished only by ordinance. Unless otherwise required by law or the city charter, all board and commission members shall be appointed by the mayor with the approval of the council. Initial appointments shall specify the term of office of each individual in order to achieve overlapping tenure. All members shall be subject to removal by the appointing authority. Appointments to fill vacancies for unexpired terms shall also be made by the mayor with the approval of the council. Except as otherwise provided in this ordinance, each board and commission shall choose its own chairman and vice-chairman from its members and operate in accordance with the rules of procedures set forth in this ordinance, unless inconsistent with the provisions of the ordinance establishing the board or commission.

Section 20. Appointments to boards, commissions, and committees.

A. All appointments to city boards, commissions and lay committees shall be made in accordance with the Oregon Revised Statutes, the city charter and Section 19 of this ordinance. Appointees shall not be appointed to more than one board or commission at a time.

B. Upon the expiration of the term of office for any board, commission or lay committee member, public notice of that expiration of term shall be made in the media. The person whose term of office has so expired may, if he/she chooses, apply for reappointment.

C. Upon the start of each calendar year the city manager shall provide to all members of the city council a listing of all board, commission and committee terms due to expire in that year. The city manager shall further give written notice to all members of the city council of the expiration of the term of office of all members of boards, commissions and lay committees appointed by the mayor or council at least thirty (30) days prior to expiration date of said term of office. All appointments shall be presented by the mayor and confirmed by a majority vote of the councilors present and voting. In all appointments the mayor shall endeavor to submit to the council the names of persons nominated for appointment as far in advance as practicable to the date of the meeting wherein said appointment shall be considered.

Section 21. Maintenance of order and decorum of council meetings. It shall be the duty of the presiding officer to maintain order during council meetings. Vituperative language shall not be permitted. In the event of circumstances beyond the ability of the presiding officer to control, the officer is empowered to instruct the police department to preserve order

Section 22. Indoctrination of new council members. To ensure an orderly transition or continuance of legislative authority, all newly elected or appointed council members shall be formally advised of current council affairs and procedures.

A. Immediately upon election or appointment to the council, new members shall thenceforth be given copies of all printed materials which are distributed to other members of the council.

B. Within 14 days of election or upon appointment to the council of any new member, the mayor, or in the mayor's absence the council president, or in the absence of both the city manager, shall schedule at least two work study sessions for the sole purpose of the indoctrination of the new member.

C. Within 14 days of election or upon appointment to the council, new members shall be given:

1. The city charter
2. Ethics Guide for Public Officials
3. Brookings Comprehensive Plan and Land Development Code
4. Selected ordinances and resolutions
5. L.O.C. Handbook for Oregon City Councilors
6. Current city budget and Chart of Accounts
7. Land Use Planning in Oregon, Rohse
8. Roster of city officials and standing committees

Section 23. Council Member Communications. Unless authorized by a majority vote of the City Council to speak on their behalf, any written or oral communication by the Mayor or any City Council member which could be interpreted as being representative of a position of the City Council in general, must contain a disclosure that the communication is solely that of the sender.

Section 24. Evaluation of Council Appointive Officers. Council appointed officers of the city shall have their job performance evaluated at regular intervals. The results of each evaluation shall be reviewed and discussed with the officer and shall be filed in the officer personnel record.

A. City Manager. The city manager shall be evaluated by the city council using council adopted criteria at least semi-annually. Upon initial employment the manager may be evaluated after his/her third and sixth months of service.

B. Municipal Judge and City Attorney. An annual evaluation of these offices shall be performed by the council in the month of March.

C. City Recorder. The recorder shall be evaluated by the city manager annually and the results of these evaluations shall be presented to the council.

Section 25. Employee Attendance at Meetings.

A. City Manager. The city manager shall attend all meetings of the council unless excused by the mayor and the council. The manager may take part in all discussions concerning the welfare of the city. He/she shall have the authority to make recommendations to the council and when doing so shall present all reasonable alternatives for council consideration.

B. City Attorney. The city attorney, either in person or by deputy, shall attend all regular monthly meetings of the council unless excused by the mayor and the council and shall attend all other special meetings, work study sessions and events as may be directed by the city manager, mayor or the council.

C. Officers and Employees. Any member of the council may request that the city manager direct any employee to attend any regular, special or executive meeting to confer with the council on matters relating to the city.

Section 26. Severability clause.

[Effective October 18, 1991]

Attachment #3
Proposed changes to Ordinance No. 91-O-474

1. Section 1 - **Add:**
 - a. Authorization for Council to have only one meeting in any month - the Charter requires you to meet at least once a month.
 - b. Authorization to set a meeting on a day other than the day immediately following a Monday legal holiday.
 - c. Authorization to move your regular Council meeting for reasons other than that meeting falls on a legal holiday. For example, the LOC annual meeting dates might make it inconvenient to have your regular meeting on a Monday.
2. Section 12 - **Change to read as follows:**

Order of business of council. The order of business at regular council meetings shall be as follows, except City Manager may delete items IV, V, VI, VIII, IX and X if there is no need for any specific item to be on the agenda, and the Chair may revise the order of business in response to special circumstances:

 - I. Call to order
 - II. Pledge of allegiance
 - III. Roll call
 - IV. Ceremonies/Appointments/Announcements
 - V. Public hearings
 - VI. Scheduled public appearances
 - VII. Oral requests and communications from the audience
 - VIII. Staff reports
 - IX. Consent calendar
 - X. Ordinances/Resolutions/Final Orders
 - XI. Remarks from mayor and councilors
 - XII. Adjournment
3. Section 15.A -
 - a. First sentence - replace capital "P" with small "p".
 - b. Third sentence - replace "shag" with "shall".
4. Section 15.B.3 -
 - a. First sentence - replace "dosed" with "closed".
5. Section 17.B -
 - a. Second sentence - replace in it's entirety with the following: "It shall be the duty of the City Manager to distribute the guide in a timely manner".
6. Section 19 -
 - a. 10th line - replace "rill" with "fill".
7. Section 21 -
 - a. Replace first word of second sentence, "Vituperative", with "Harsh or abusive language".
8. Section 22.B -
 - a. Replace present sentence with this sentence: "Within 7 days".
9. Section 22.C -
 - a. First sentence - change "14" to "7".
 - b. In "6" change "Chart of Accounts" to "the most recent audit".

10. Section 24.A -

- a. First sentence - Eliminate "semi-".

11. Section 25.B -

- a. Change sentence to read as follows: "The City Attorney, either in person or by deputy, shall attend at least one regular monthly meeting of the council unless excused by the mayor and council and shall attend all other regular or special meetings, executive sessions, work study sessions, and events as may be directed by the City Manager, mayor or the council".

Memorandum

TO: Mayor, City Council
FROM: Leo Lightle, Community Development Director
THROUGH: Tom Weldon, City Manager
DATE: June 17, 1998



Issue: Purchase of equipment for the Wastewater Treatment Plant, exempting said purchase from competitive bidding.

Recommendation: The City Council adopt Resolution No. 98-R-636 and authorize staff to purchase a composite sampler from Isco, Inc. in the amount of \$3,795 delivered.

Background: Staff is seeking authorization to purchase an Isco composite sampler through Whitney Equipment, Seattle WA. To provide redundancy with our two existing composite samplers for wastewater compliance sampling we are requesting a sole source purchase.

This unit needs to be compatible with existing installations to exchange parts or to quickly install this unit as a replacement.

We had this item on the June 8, 1998 Council meeting. We pulled it because our attorney had a concern and with the expectation that we would update the purchase limits, the process of the sole source purchase would be easier to accomplish. The attorney has resolved his concern and the equipment is very much needed now so we are bringing this purchase request back to the Council.

-EOM-

RESOLUTION NO. 98-R-636

A RESOLUTION EXEMPTING FROM COMPETITIVE BIDDING THE PURCHASE OF AN ISCO COMPOSITE SAMPLER FROM WHITNEY EQUIPMENT, SEATTLE, WA.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BROOKINGS THAT:

1. The City of Brookings has determined that there is a need for a composite sampler.
2. To provide redundancy with our two existing composite samples for wastewater compliance sampling, the City of Brookings has determined that it is in the best interest of the City of Brookings to purchase an Isco composite sampler from Whitney Equipment, Seattle, Washington, which is the same brand of equipment as currently being used.
3. The purchase of the equipment for the wastewater compliance sampling is therefore exempted from the competitive bidding set out in ORS Chapter 279 and the City's Resolution No. 92-R-539.
4. It is unlikely that such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts. The awarding of a public contract pursuant to this exemption will result in substantial cost savings to the City.

Passed by the Council and signed by the Mayor this 22nd day of June, 1998.

Nancy Brendlinger
Mayor

ATTEST:

Beverly Adams
City Recorder

Memorandum

TO: Mayor, City Council
FROM: Bev Adams, Finance Director/Recorder *BA*
THRU: Tom Weldon, City Manager *TW*
DATE: June 17, 1998
RE: Resolution No. 98-R-637



Issue: A resolution to adopt a supplemental budget for fiscal year 1997/98.

Background

There were two projects funded this budget year that could not be anticipated. Because of a policy decision from the County to discontinue the information network to the Police department, the City had to purchase a new AIRS program and equipment to service the departments needs. In addition, software updates made it necessary to upgrade certain computer equipment in order to keep the network system compatible and running efficiently. The computer changes were billed primarily to the Finance department.

Recommendation

That Council adopt Resolution No. 98-R-637.

Memorandum

TO: Mayor, City Council

FROM: Bev Adams, Finance Director/Recorder *BA*

THRU: Tom Weldon, City Manager *Tom*

DATE: June 17, 1998

RE: Resolution No. 98-R-638



Issue: A resolution to adopt the budget, make appropriations, and certify a tax levy to the County assessor.

Background Before the City can implement the 1998/99 budget and receive tax money for operations, this resolution has to be adopted by the Council.

Recommendation

That Council adopt Resolution No. 98-R-638, *please*.

Memorandum



TO: Mayor, City Council

FROM: Bev Adams, Finance Director/Recorder *BA*

THRU: Tom Weldon, City Manager *tom*

DATE: June 17, 1998

RE: Increase petty cash fund and limit on individual purchases

Issue: Should the Council authorize increasing the petty cash fund to \$300 and the individual cash purchasing limit to \$25.

Background

1. The petty cash limit of \$125 and \$20 individual cash purchases has not been updated since 1982. Considering the administrative cost to process checks, we encourage the reimbursement of small purchases from the petty cash fund. However, with the limit of the petty cash fund being \$125, it is often depleted and thus has to be replenished frequently.
2. The increase from \$20 to \$25 for individual purchases will allow more opportunity to use the petty cash fund for small items. An example of the use of petty cash may be: postage to send or receive water & other samples; costs associated with travel or meetings such as meal or gas reimbursement; small ticket items needed in emergencies such as tire repairs; cleaning supplies; film or film processing; small equipment parts; special meeting supplies or refreshments; office supply items, etc.

Recommendation

Council authorize increasing the limit of the petty cash fund to \$300 with individual cash purchases not to exceed \$25 by passing Resolution No. 98-R-639.

Memorandum

TO: Mayor, City Council

FROM: Bev Adams, Finance Director/Recorder *BA*

THRU: Tom Weldon, City Manager *Tom*

DATE: June 16, 1998



Issue: Should Council implement a fee to charge for administrative resources used in the collection of delinquent utility accounts.

Background

1. The costs that should be reimbursed to the City are those that are incurred after reminder notices are sent and up through the delivery of red tags. Currently, *all* utility customers are covering the costs of the few who are delinquent in paying their bill. This month there were 110 red tags delivered. For the meter reader to deliver the red tags took approximately one day, plus the office staff time necessary to process the accounts to the point of issuing the red tags. We estimate total employee costs for each red tag delivered to be approximately \$15.00.
2. Despite the additional time we now allow for collection of delinquent accounts (as Council directed several months ago), there are customers who are habitually late payers, and, the number of delinquent customers is not decreasing.
3. Several months ago (Feb. 1997) a notice was printed (in error) on the utility bills stating that there would be a fee for red tag delivery. As a result of this notice (the fee was *not* charged) red tags decreased by 50 from the month before, and the number of customers that actually had water turned off went from the usual 20-25 to 6 ➡ a substantial improvement from prior months!
4. This fee is not restricted by Measure 47 or 50; since this is a utility system fee and is not replacing lost tax revenue. The water and wastewater funds do not receive tax money. (This fee is not to be confused with the \$25.00 delinquency charge found in Resolution No. 92-R-534, which is imposed when water service is discontinued as a result of nonpayment.)

Recommendation

That Council authorize a \$15.00 fee for processing delinquent accounts and issuing red tags by adopting Resolution No. 98-R-640.

CITY OF BROOKINGS
COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
June 8, 1998
7:00 pm

I. CALL TO ORDER

Mayor Brendlinger called the meeting to order at 7:05 pm.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Nancy Brendlinger, Councilors Larry Curry, Bob Hagbom, Keith Pepper, Dave Ham

Council Absent: Ex-Officio Councilor Shiloh Thom

Staff Present: City Manager Tom Weldon, Community Development Director Leo Lightle, City Attorney John Trew, Public Works Utility Worker Keith Chavez, Administrative Secretary Denise Bottoms

Media Present: Chuck Hayward, Curry Coastal Pilot; Martin Kelley, KCRE; Connie Wilson, League of Women Voters; Joyce Tromblee, KURY

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

Mayor Brendlinger asked for a moment of silence for Roy Brimm, a former Mayor of the City of Brookings (1955/56 and 1964/65) who passed away this last week.

A. “Supreme Emblem Club Americanism Week in Brookings” Proclamation

Mayor Brendlinger proclaimed the week of June 14-June 20, 1998 as Supreme Emblem Club Americanism Week in Brookings and presented Emblem Club members with a proclamation. Shirley Ardagna was recognized as having been recently elected as the fourth Vice President of the State Emblem Club which means she will serve as the State Emblem Club President in five years.

B. Employee of the Season - Summer

A proclamation was read by Mayor Brendlinger recognizing Keith Chavez, Public Works Utility Worker, as Employee of the Season for the Summer, 1998.

V. PUBLIC HEARINGS

None

VI.

SCHEDULED PUBLIC APPEARANCES

None

VII.

ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

A. Committee and Liaison Reports

1. Planning Commission - None
2. Parks and Recreation Commission - None
3. Chamber of Commerce - None
4. Council Liaisons

Councilor Hagbom reported that the League of Oregon Cities Board meeting covered many topics including continued conversation regarding franchise fees. He requested a leadership class be held Friday morning of the League of Oregon Cities Annual Conference in November for those not registered for a scheduled workshop.

Councilor Hagbom will also be attending an LOC Government Standing committee meeting on the 26th and is looking forward to Councilor Ham being appointed to serve on this committee next year.

Mayor Brendlinger attended a Transportation System Plan meeting which is funded by ODOT, and reported on it's progress. The next meeting will be regarding access, both locally and out of the area.

She also attended the Planning Commission meeting and the regional meeting of the Vietnam Veterans Association. She was also involved in a conference call with DEQ regarding reducing our fines for the spills, but we have not heard of the outcome of this request.

B. Unscheduled

Troy Claveran of The Claveran Group updated the Council and public on the progress of the golf course. He said the performance bond, which has been worked on for the last two months should be here in the next two weeks and the insurance policy will be in effect tomorrow. They are looking forward to breaking ground very soon. Troy introduced Felix Claveran, general partner, and Lorraine Burkowitz who will be manager of the club. The course is anticipated to be completed by May 1, 1999.

VIII.

STAFF REPORTS

A. City Manager

1. Temporary skateboard park lease - School District 17-C

Heather Weckler of the Brookings-Harbor Youth Association and some of their youth were in the audience and thanked the Council for their help. Mayor Brendlinger asked about #5 of the lease

which states there is an attachment to the lease. Weldon reported that the document is being reviewed by the City Attorney and will be attached before the park is turned over to the Youth Association.

Councilor Ham moved, Councilor Pepper seconded, and the Council voted unanimously to authorize the Mayor to sign the property lease for the temporary skateboard park.

2. Council Rules

This was an informational item, no action necessary.

B. Community Development Department

1. Authorization to prepare plans and specifications and call for bids for street overlay projects

Councilor Pepper moved, Councilor Curry seconded, and the Council voted unanimously to authorize the preparation of plans and specifications for street overlay projects.

2. Sole source purchase of a sampler at the Wastewater Treatment Plant

Discussion on this item was held over to the next Council meeting.

3. Intergovernmental Agreement for Building Official services between the City of Brookings and Curry County

Councilor Curry moved, Councilor Ham seconded and the Council voted unanimously to authorize the Mayor to sign the Intergovernmental Agreement for Building Official services between the City of Brookings and Curry County.

IX.

CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
1. Minutes of May 26, 1998 Regular Council Meeting
- B. Acceptance of Commission/Committee Minutes
1. Minutes of April 14, 1998 Regular Parks and Recreation Commission Meeting
- C. Approval of Vouchers (\$216,916.31)

(end Consent Calendar)

Councilor Pepper moved, Councilor Hagbom seconded and the Council voted unanimously to approve the consent calendar as amended.

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Resolution No. 98-R-635 - A resolution approving rates for sanitation services to be charged by Curry Transfer and Recycling to customers in the City of Brookings.

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to approve Resolution No. 98-R-635.

XI. REMARKS FROM MAYOR AND COUNCILORS

- A. Mayor

There will be no Planning Commission meeting in July and no more Tri-Cities meetings unless otherwise notified and there will be a downtown improvement meeting on June 11. Also, a few months ago the Council asked the City Attorney about awarding bids to local bidders who are very close to the lowest bid if it is not a local company. The City Manager responded that purchasing issues will be on an upcoming Council meeting agenda.

The OSU extension office in Coos Bay is holding a Salmon Biology 101 class on Thursday, June 11 at 7:00 pm, and the second class will be held on Saturday, June 13.

- B. Council

Councilor Pepper reported that a Canopy Scoping session will be held Tuesday and Wednesday, June 9 and 10. This will be held at the Brookings Inn Best-Western Conference Center from 8:00 am to 5:00 pm.

XII. ADJOURNMENT

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to adjourn at 8:03 pm.

ATTEST:

Nancy Brendlinger
Mayor

Beverly Adams
Finance Director/Recorder

MINUTES

CITY OF BROOKINGS
BUDGET COMMITTEE MEETING
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
April 16, 1998
7:00 p.m.

CALL TO ORDER

Mayor Brendlinger called the meeting to order at 7:02 p.m.

ROLL CALL

Budget Committee Present: Mayor Nancy Brendlinger, Councilor Larry Curry, Councilor Dave Ham

Appointed members, Reily Smith, Lorraine Kuhn, Keith Hislop, Harold Thiesen, Lee Rogers

Absent: Councilors Bob Hagbom & Keith Pepper

Staff Present: City Manager Tom Weldon, Budget Officer Beverly Adams, Fire Chief Bill Sharp, Interim Police Chief Wayne Sheffel, Accounting Assistant Nancy Corrigan, Community Development Director Leo Lightle, Police Sergeant Mike Cooper, Treatment Plants Chief Operator Joe Ingwersen

Media Present: Chuck Hayward, Curry Coastal Pilot, Martin Kelly, KCRE

SELECTION OF OFFICERS

Motion made by Councilor Larry Curry nominating Harold Thiesen to serve as Budget Committee Chair for the 1998/99 fiscal year; motion seconded by Councilor Dave Ham; motion passed unanimously.

Motion made by Lorraine Kuhn nominating Lee Rogers to serve as Budget Committee Secretary for the 1998/99 fiscal year; motion seconded by Councilor Larry Curry; motion passed unanimously.

BUDGET PRESENTATION

Budget Committee Chair Harold Thiesen asked Budget Officer Beverly Adams to begin presentation of the budget by reading the budget message into the record, and opened the budget discussions for public and committee input.

BUDGET APPROVAL

The Budget Committee began budget review of the proposed capital outlay items first; then proceeded to review the individual funds.

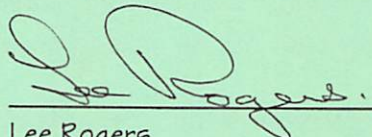
During the review of the proposed budget, Budget Chairman Harold Thiesen accepted comments and discussion from the staff, audience and budget committee.

Motion made by Councilor Dave Ham directing an amendment be made to the proposed budget by a transfer in the amount of \$5,000 to be made from the Street, Water Distribution and Wastewater Collection Funds into the General Reserve Fund for the purpose of beginning a reserve for future construction of a public works shop building. Motion seconded by Lee Rogers; motion passed unanimously.

Motion made by Councilor Ham to recommend approval of the 1998/99 proposed budget as amended, seconded by Lee Rogers; motion passed unanimously.

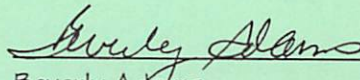
ADJOURNMENT

The budget meeting was adjourned at 9:18 p.m.



Lee Rogers
Secretary, Budget Committee

ATTEST:



Beverly Adams
Budget Officer

**MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
May 5, 1998**

The regular meeting of the Brookings Planning Commission was called to order by Chair Judi Krebs at 7 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

Judi Krebs	Earl Breuer	George Ciapusci	John Bischoff, Planning Director
Marv Lindsey	Rick Dentino		Linda Barker, Secretary
Mary Ball	Sandy Hislop		

Commissioner Freeman was not in attendance.

CHAIRPERSON ANNOUNCEMENTS

Chair Krebs welcomed Sandy Hislop. This was Commissioner Hislop's first meeting since her appointment to the Commission.

MINUTES

1. By a 5-0 vote (motion: Commissioner Breuer, second: Commissioner Ciapusci; Commissioner Hislop abstaining; Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved the minutes of the April 7, 1998, meeting with corrections.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 5-0 vote (motion: Commissioner Ciapusci, second: Commissioner Breuer; Commissioner Hislop abstaining, Ex Officio Commissioner Ball gave an affirmative advisory-only vote;) the Planning Commission denied (File No. VAR-2-98) a request for a variance for a 15-foot front yard setback instead of the required 20-foot setback to permit the construction of a single-family dwelling; located on the northeasterly corner of Homestead Road and View Court; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); Jim Zastrow, applicant; Stan Zastrow, representative. This hearing was continued from April 7, 1998, when the applicant exercised his right to seven (7) additional days in which to submit written argument. No new written argument had been submitted.
2. By a 5-0 vote (motion: Commissioner Breuer, second: Commissioner Ciapusci; Commissioner Hislop abstaining; Ex Officio Commissioner Ball gave an affirmative advisory-only vote;) the Planning Commission approved the Final ORDER and Findings of Fact for File No. VAR-2-98, denying the request.
3. By a 6-0 vote (motion: Commissioner Breuer, second: Commissioner Lindsey; Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission will send a

favorable recommendation to the City Council in the matter of LDC-2-98 a change to Sections 16, Suburban Residential (SR) District; 20, Single-Family Residential (R-1) District; 24, Two-Family Residential (R-2) District; 28, Multiple-Family Residential (R-3) District; 32, Mobile Home Residential (R-MH) District; 36, Professional Office (PO-1) District; and 40, Public Open Space (P/OS) District of the Land Development Code to amend the maximum building height provisions. The amendment is to remove the two or three story provision and keep the existing height in feet provision of each zoning district. City initiated.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

1. By a 6-0 vote (motion: Commissioner Breuer, second: Commissioner Lindsey) the Commissioner will send a favorable recommendation to Curry County in the matter of CR-P-9802, a request for a minor partition to create three parcels from a parent parcel located on the west side of Parkview Drive approximately 320 feet south of Dodge Avenue; zoned County R-1; Kenneth and Melody Gossard, applicants. The favorable recommendation includes conditions of approval as follows:
 - a. The applicant shall dedicate to the county for right-of-way purposes 2 ½ feet of additional right-of-way along the south side of the unnamed right-of-way along the northerly side of the subject parent parcel.
 - b. The applicant shall dedicate to the county for right-of-way purposes sufficient additional land along Parkview Drive to provide 25 feet of right-of-way on the westerly side of the street center line.
 - c. A note be placed on the recorded partition map stating that further division of Parcel 3 as shown on the approved preliminary plat map, through the use of a subdivision or major partition, required street improvements on Parkview Drive and the unnamed street will include the frontage of Parcels 1 and 2 of this approved partition.

Before the hearing began Ex Officio Commissioner Ball declared bias and did not participate in the hearing. Commissioner Ciapusci declared he has had a business relationship with the applicant and that this did not cause bias. Commissioners Ball, Krebs, Ciapusci and Lindsey declared ex parte contact as a result of a site visit. No member of the audience challenged any Commissioner for bias or conflict of interest.

Speaking to the Commission on this request was Kenneth Gossard, PO Box 2641, Harbor OR.

2. By a 6-0 vote (motion: Commissioner Dentino, second: Commissioner Ciapusci; Commissioner Ball gave an affirmative advisory-only vote) the Commissioner will send a favorable recommendation to Curry County in the matter of CR-AD-9806, a request for a conditional use permit to allow a water tank to be sited on the property for a future water system that will provide water to the surrounding area, located on the east side of Crown Terrace Road, approximately 1,000 feet beyond 16925 Crown Terrace; zoned County R-3 (Residential-Three) and FG (Forest Grazing); Randall and Janet Gerlach, applicants.

Before the hearing began Commissioners Ball, Krebs, and Lindsey declared ex parte contact as a result of a site visit. No member of the audience challenged any Planning Commission member for bias or conflict of interest.

UNSCHEDULED PUBLIC APPEARANCES

None

REPORT OF THE CITIZENS ADVISORY COMMITTEE

Director Bischoff reported that Hillside Standards Committee met on May 1 and have nearly finalized their recommendations. These recommendations may be brought before the Planning Commission in July.

MESSAGES AND PAPERS FROM THE CITY MANAGER

None

MESSAGES AND PAPERS FROM THE MAYOR

None

REPORT OF THE PLANNING DIRECTOR

The Planning Director gave a report on items that had been brought to his attention at the April Planning Commission meeting. His report is attached and made a part of these minutes.

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

Commissioner Ball reported the Brookings-Harbor High School girls softball team won their game this evening by 5 runs. She attended the Planning Commission meeting in her uniform as she didn't have time to change between events.

Commissioner Ciapusci also welcomed Commissioner Hislop to the bench.

Commissioner Breuer said that a resolution to the DIA question could make Planning Commission decisions easier and encouraged setting a date for the DIA committee meeting.

Commissioner Dentino gave a report on the training session for persons involved in land use issues that was given in North Bend in April. He and Commissioner Breuer attended.

Commissioner Hislop asked when Brookings and Harbor will annex.

Commissioner Krebs questioned the Planning Director whether the July meeting will be held. Director Bischoff will report his vacation schedule to the Commissioners as soon as it is set. She also noted stacks of tires at a location which is visible from both the A & W and Chives Restaurants and behind the Home Port Bagel shop. She noted the fire danger involved with this condition. She also asked for and received clarification on the Urban Growth Boundary status. Director Bischoff explained that at this time the county and city planning offices are working under the new UGB Agreement so land use requests for areas in the new boundary will be brought before the city Planning Commission for recommendation. Rezoning applications in the new boundary areas will not be accepted until the Public Facilities and Services Plan is completed.

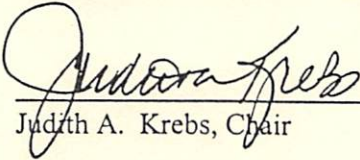
Commissioner Breuer asked, with the approved sewer bond in place, how long before DEQ allows unlimited sewer connections. Secretary Barker related that the city was allowed 644 additional sewer hook-ups when the Mutual Agreement and Orders was signed in August, 1996. This allotment allows hook-ups while the treatment plant is being expanded. It is not known what DEQ's course of action will be if the allotment is used before the expansion work is finished.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

BROOKINGS PLANNING COMMISSION



Judith A. Krebs, Chair

ORDINANCE NO. 98-O-529

AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES; AND DECLARING AN EMERGENCY.

Sections:

- Section 1. Election to receive State Revenues.
Section 2. Emergency clause.

The City of Brookings ordains as follows:

Section 1. Election to receive State Revenues. Pursuant to ORS 221.770, the City of Brookings hereby elects to receive state revenues for fiscal year 1998-99.

Section 2. Emergency clause. It is hereby determined that it is the interest of public health, safety and welfare that immediate action be taken. Therefore, an emergency is declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the city council and signing by the mayor.

First Reading: _____

Second Reading: _____

Passage: _____

Effective Date: _____

Signed by me in authentication of its passage this 22nd day of June, 1998.

I certify that a public hearing before the Budget Committee was held on April 16, 1998 and a public hearing before the City Council was held on May 26, 1998, giving citizens an opportunity to comment on the use of State Revenue Sharing.

Nancy Brendlinger
Mayor

ATTEST:

Beverly S. Adams
City Finance Director/Recorder

Resolution No. 98-R-637

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 1997/98 FISCAL YEAR.

WHEREAS, the Police department incurred unanticipated expenses for facility and computer equipment improvements necessary to support the emergency communications services; *and*

WHEREAS, the Finance department incurred unanticipated costs to update computer equipment compatible with software necessary to support the daily operations of the City; *and*

WHEREAS, the general fund carryover from the prior fiscal year was in excess of anticipated funds;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that the City Finance Director/Recorder be authorized and directed to add and appropriate funds totaling \$45,000 into the 1997/98 fiscal year budget as follows:

General Fund - Revenues

Unanticipated carryover \$ 45,000

General Fund-Expenditures

Police Department -	Capital Outlay	
	Improvements	\$ 40,000
Finance Department -	Materials & Services	
	Computer Maint/Update	<u>5,000</u>
		\$ <u>45,000</u>

PASSED BY the Council and signed by the Mayor this 22nd day of June, 1998.

Nancy Brendlinger
Mayor

ATTEST

Beverly S. Adams
Finance Director/Recorder

RESOLUTION NO. 98-R-638

A RESOLUTION ADOPTING THE BUDGET, DECLARING TAX LEVIED, MAKING APPROPRIATIONS FOR THE 1998-99 FISCAL YEAR AND TO CATEGORIZE THE LEVY AS PROVIDED IN ORS 294.435.

BE IT RESOLVED that the City Council of the City of Brookings hereby adopts the budget for fiscal year 1998-99 in the sum of \$11,199,600 now on file in the office of the City Finance Director/Recorder.

BE IT FURTHER RESOLVED that the City Council of the City of Brookings hereby imposes the taxes provided for in the adopted budget at the rate of \$3.7631 per \$1,000 of assessed value for operations; and in the amount of \$50,270 for bonds; and that these taxes are hereby imposed and categorized for tax year 1998-1999 upon the assessed value of all taxable property within the district.

	General Government	Excluded from Limitation
General Fund	\$3.7631/1000	
Debt Service Fund		\$50,270

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 1998, and for the purposes shown below are hereby appropriated as follows:

GENERAL FUND

Appropriation

Judicial	\$ 6,500
Legislative/Administrative	190,300
Police	998,400
Fire	175,900
Community Development	259,100
Parks & Recreation	195,800
Finance	177,900
Non-Departmental	<u>125,000</u>

<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 2,128,900</u>
-------------------------------------	---------------------

STREET FUND

Personal Services	\$ 97,100
Materials & Services	109,500
Capital Outlay	110,800
Interfund Transfer	<u>23,300</u>

<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 340,700</u>
-------------------------------------	-------------------

WATER FUND

Distribution	\$ 390,500
Treatment	284,000
Interfund Transfers	<u>87,500</u>

<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 762,000</u>
-------------------------------------	-------------------

WASTEWATER FUND

Collection	\$ 272,500
Treatment	470,500
Interfund Transfers	<u>600,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$1,343,000</u>

9-1-1 FUND

Materials & Services	\$ 38,000
Capital Outlay	198,300
Interfund Transfers	30,000
Operating Contingency	<u>50,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 316,300</u>

BANCROFT BOND FUND

Materials & Services	\$ 1,100
Transfers Out	<u>8,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 9,100</u>

DAWSON BANCROFT BOND FUND

Principal Payments	\$ 120,000
Interest Payments	102,840
Materials & Services	4,000
Transfers Out	<u>20,000</u>
<u>TOTAL APPROPRIATION</u>	<u>\$ 246,840</u>
<u>Unappropriated Ending Fund Balance</u>	<u>\$ 408,960</u>
<u>TOTAL FUND</u>	<u>\$ 655,800</u>

DEBT SERVICE FUND

Transfers Out	\$ 119,200
Materials and Services	<u>2,500</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 121,700</u>

DEBT SERVICE 1993 SERIES FUND

Principal Payments	\$ 265,000
Interest Payments	251,490
Materials and Services	<u>3,500</u>
<u>TOTAL APPROPRIATION</u>	<u>\$519,990</u>
<u>Unappropriated Ending Fund Balance</u>	<u>\$ 19,590</u>
<u>TOTAL FUND</u>	<u>\$ 539,580</u>

GENERAL RESERVE FUND

Equipment	<u>\$ 53,000</u>
<u>TOTAL APPROPRIATION</u>	<u>\$ 53,000</u>
<u>Unappropriated Ending Fund Balance</u>	<u>\$ 545,200</u>
<u>TOTAL FUND</u>	<u>\$ 598,200</u>

STOUT PARK TRUST FUND

Materials and Services	\$ 37,600
Interfund Transfer	<u>10,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 47,600</u>

WATER BOND FUND

Materials and Services	\$ 3,500
Transfers Out	<u>142,280</u>
<u>TOTAL APPROPRIATION</u>	<u>\$ 145,780</u>
<u>Unappropriated Ending Fund Balance</u>	<u>\$ 818,920</u>
<u>TOTAL FUND</u>	<u>\$ 964,700</u>

WASTEWATER CONSTRUCTION FUND

Principal and Interest Payments	\$ 56,000
Capital Outlay	<u>2,050,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$2,106,000</u>

SEWER AGENCY FUND

Materials and Services	\$ 76,000
Transfers Out	<u>344,300</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 420,300</u>

DARE RESERVE FUND

Materials & Services	<u>\$ 3,700</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 3,700</u>

SYSTEM REPLACEMENT FUND

Street - Capital Outlay	\$ 117,500
Water - Capital Outlay	400,000
Transfers Out	300,000
Wastewater - Capital Outlay	<u>180,400</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$997,900</u>

SYSTEM DEVELOPMENT FUND

Street - Capital Outlay	\$ 192,100
Water - Capital Outlay	452,500
Wastewater - Capital Outlay	704,100
Parks & Recreation - Capital Outlay	131,800
Storm Drain - Capital Outlay	<u>97,900</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$1,578,400</u>

BE IT FURTHER RESOLVED that the Brookings City Finance Director/Recorder certify to the County Assessor the tax levy made by this Resolution and shall file with the County Assessor a copy of the budget as finally determined.

PASSED by the City Council of the City of Brookings and signed by the Mayor this 22nd day of June, 1998.

Nancy Brendlinger
Mayor

ATTEST:

Beverly S. Adams
Finance Director/Recorder

Resolution No. 98-R-639

A RESOLUTION AUTHORIZING THE CITY FINANCE DIRECTOR/RECORDER TO ISSUE CITY VOUCHERS TO REPLENISH THE CITY PETTY CASH FUND.

WHEREAS, the City of Brookings currently has a petty cash fund in the amount of \$125.00 for the purpose of financing individual expenditures of the City in an amount of \$20.00 or less; and

WHEREAS, it is financially favorable to reimburse small expenditures from petty cash rather than issue city warrants; and

WHEREAS, it is necessary to increase the petty cash fund to have funds available for timely reimbursements for small purchases; and

WHEREAS, the City Finance Director/Recorder oversees the petty cash fund and administers it in accordance with the laws of the State of Oregon and the City of Brookings charter; and

WHEREAS, it is necessary to frequently replenish the petty cash fund from time to time;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that the City Finance Director/Recorder be authorized to issue city vouchers to replenish the petty cash fund in an amount not to exceed \$300.00 and the limit for individual purchases not to exceed \$25.00.

Resolution No. 301 is hereby repealed in its entirety.

PASSED BY the Council and signed by the Mayor this 22nd day of June, 1998.

Nancy Brendlinger
Mayor

ATTEST

Beverly S. Adams
Finance Director/Recorder

Resolution No. 98-R-640

A RESOLUTION TO SET A FEE FOR PROCESSING DELINQUENT UTILITY ACCOUNTS AND ISSUING RED TAGS.

WHEREAS, utility customers in the City of Brookings are allowed more than a reasonable amount of time to pay their utility bill; and

WHEREAS, the cost of processing delinquent utility accounts is currently supported by all rate payers; and

WHEREAS, the cost of administrative time lost in collection of delinquent accounts is estimated at \$15.00 per customer; and

WHEREAS, the number of delinquent accounts is increasing; and

WHEREAS, many of the customers that will be impacted by this charge are habitually delinquent;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, that a fee be imposed in the amount of \$15.00 per customer receiving a "red tag" to cover the administrative cost of processing the delinquent account and issuing a red tag.

PASSED BY the Council and signed by the Mayor this 22nd day of June, 1998.

Nancy Brendlinger
Mayor

ATTEST

Beverly S. Adams
Finance Director/Recorder