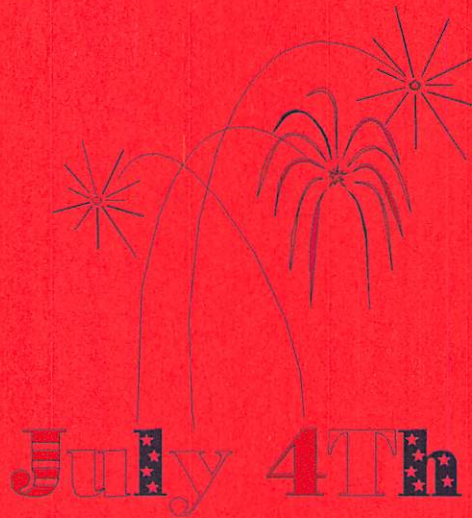


agenda  
City of Brookings's  
Common Council Meeting  
City Hall Council Chambers  
898 Elk Drive  
Brookings, Oregon, 97415 - 7:00 p.m.  
June 23, 1997



INDEPENDENCE DAY  
Friday, July 4, 1997



# agenda

CITY OF BROOKINGS  
COMMON COUNCIL MEETING  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
June 23, 1997  
7:00 p.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS
  - A. Americanism Proclamation (green)
  - B. Rotary Club Week in Brookings-Harbor Proclamation (yellow)
- V. PUBLIC HEARINGS
  - A. APP-2-97 - An appeal of conditions of approval for M3-7-97, John Zia applicant (blue)
- VI. SCHEDULED PUBLIC APPEARANCES
- VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE
- VIII. STAFF REPORTS
  - A. City Manager
    1. Wastewater System Improvements Financing Plan (no printed material)
    2. Liquor license renewals (cream)
  - B. Finance
    1. Response to Council on Audit letter recommendations (pink)
    2. Council approval for exemption from competitive bidding for the replacement of the City's computer file server under ORS 279.011 (4) (tan)

- C. Community Development
  - 1. Wastewater treatment plant Sludge Pump bids (orange)
  - 2. Paving City Hall parking lot (purple)
  - 3. Speed zone change request on 7th Street (green)

IX. CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
    - 1. Minutes of May 12, 1997 Regular Council Meeting (gold)
    - 2. Minutes of June 9, 1997 Regular Council Meeting (grey)
  - B. Acceptance of Commission/Committee Minutes
    - 1. Minutes of May 6, 1997 Planning Commission Meeting (yellow)
  - C. Acceptance of Budget Committee Minutes
    - 1. Work session Minutes of February 18, 1997 and March 20, 1997 (blue)
    - 2. Minutes of April 23, 1997 Budget Committee Meeting (cream)
- (end Consent Calendar)

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
  - 1. Ordinance No. 97-O-524 - An ordinance vacating a 0.94 acre portion of the Bridge Street right-of-way located on the South side of Bridge Street (tan)
    - a. Final Order and Findings of Fact for VAC-1-97 (orange)
  - 2. Ordinance No. 97-O-526 - An Ordinance declaring the City's election to receive state revenues; and declaring an emergency (grey)
- B. Resolutions
  - 1. Resolution No. 97-R-618 - A resolution adopting the budget, declaring tax levied, making appropriations for the 1997/98 fiscal year and to categorize the levy as provided in ORS 310.060(2) (gold)

XI. COMMITTEE & LIAISON REPORTS

- A. Planning Commission
- B. Parks & Recreation Commission
- C. Chamber of Commerce

XII. REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

B. Council

EXECUTIVE SESSION - ORS 192.660(1)(I) - Performance Evaluation of  
Public Officers and Employees

XIII. ADJOURNMENT



# JUNE 1997

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY											
	7:00pm FH-Dept drill night	8:30am Staff Mtg-Tom's ofc 12:00pm Rotary-Sandy's 1:00pm Rotary Board of Dir-Sandy's 7:00pm CC-Planning Commission Mtg	12:00pm CC-Community mtg 6:30pm CC-Citizen Academy 7:00pm FH-PD Reserves (Mike)	8:00am LAST DAY SCHOOL 9:00am CC-Crime Stoppers 10:00am Site Plan-Tom's ofc Overflow...													
1	2	3	4	5	6	7											
	1:30pm CC-Crime Stoppers 7:00pm CC-Council Mtg 7:00pm FH-Dept drill night	8:30am Staff Mtg-Tom's ofc 12:00pm Rotary-Sandy's 7:00pm CC-Soccer League Mtg	1:30pm CC-Capital Improvements Committee 5:00pm CC-CFABB 6:30pm CC-Citizen Academy Graduation Overflow...	8:15am Finance Staff Mtg 8:15am CC-CDD Staff Meeting 10:00am Site Plan-Tom's ofc 12:00pm Chamber Forum-Conf Ctr Overflow...													
8	9	10	11	12	13	14											
	2:00pm CC-Bid Opening WW Sludge Pump 7:00pm FH-Dept drill night 7:30pm School Board-Azalea Library	8:30am Staff Mtg-Tom's ofc 12:00pm Rotary-Sandy's	9:30am CC-Muni Court 1:30pm FH-Safety Comm Mtg 7:00pm CC-APF Mtg	8:15am CC-CDD Staff Meeting 10:00am Site Plan-Tom's ofc 1:30pm CC-SDC Committee (Review CIP) Overflow...		8:00am 1st DAY SUMMER											
Father's Day	15	16	17	18	19	20											
	7:00pm CC-Council Mtg 7:00pm FH-Dept drill night	8:30am Staff Mtg-Tom's ofc 12:00pm Rotary-Sandy's 1:30pm CC-SDC Committee 7:00pm CC-APF Mtg Overflow...	9:30am CC-Muni Court 1:30pm FH-Safety Committee 5:00pm CC-CFABB 6:00pm CC-Victim's Impact Panel Overflow...	8:15am CC-CDD Staff Meeting 10:00am Site Plan-Tom's ofc 7:00pm CC-Parks & Rec Comm Mtg	7:30am FH - Patrol mtg & Training												
22	23	24	25	26	27	28											
	7:00pm CC-Special Council Mtg - 1st SDC hearing 7:00pm FH-Dept drill night																
29	30																
			MAY 1997		JULY 1997												
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			18	19	20	21	22	23	24		20	21	22	23	24	25	26
			25	26	27	28	29	30	31		27	28	29	30	31		



JUNE 1997

APPOINTMENTS & SCHEDULED EVENTS

6/5/97	3:00pm	CC - 101 Refinement study TAC meeting
6/5/97	5:00pm	CC - 101 Refinement public meeting open house
6/11/97	7:00pm	Tri Cities Council-Gold Beach Chambers
6/12/97	5:00pm	Local Public Safety Coord Council-GB
6/19/97	3:00pm	CC-101 Refinement study TAC
6/19/97	5:00pm	CC-CFABB
6/19/97	6:30pm	CC-101 Refinement study TAC
6/24/97	7:00pm	CVAT-Forest Svc Bldg
6/25/97	7:00pm	Chamber Board of Directors-Conf Ctr



## JULY 1997

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		8:30am Staff Mtg-Tom's ofc <u>12:00pm Rotary-Sandy's</u> <u>1:00pm Rotary Board of Dir-Sandy's</u> <u>7:00pm CC-Planning Commission Mtg</u>	<u>12:00pm CC-Community mtg</u> <u>3:00pm CC-Homebuilders Mtg</u> <u>7:00pm FH-PD Reserves (Mike)</u>	<u>9:00am CC-Crime Stoppers</u> <u>10:00am Site Plan-Tom's ofc</u>	<u>8:00am HOLIDAY</u>	
		<small>1</small>	<small>2</small>	<small>3</small>	<small>Independence Day</small>	<small>4</small>
	<u>7:00pm FH-Dept drill night</u>	8:30am Staff Mtg-Tom's ofc <u>12:00pm Rotary-Sandy's</u>	<u>5:00pm CC-CFABB</u> <u>7:00pm CC-APF Mtg</u> <u>7:00pm Tri Cities Council-Gold Beach Chambers</u>	<u>8:15am Finance Staff Mtg</u> <u>10:00am Site Plan-Tom's ofc</u> <u>12:00pm Chamber Forum-Conf Ctr</u> <u>5:00pm Local Public Safety Coord Council-GB</u>		
<small>6</small>	<small>7</small>	<small>8</small>	<small>9</small>	<small>10</small>	<small>11</small>	<small>12</small>
	<u>7:00pm CC-Council Mtg</u> <u>7:00pm FH-Dept drill night</u>	8:30am Staff Mtg-Tom's ofc <u>12:00pm Rotary-Sandy's</u>	<u>1:30pm FH-Safety Comm Mtg</u>	<u>10:00am Site Plan-Tom's ofc</u>		<u>Boat Park Work Day</u>
<small>13</small>	<small>14</small>	<small>15</small>	<small>16</small>	<small>17</small>	<small>18</small>	<small>19</small>
	<u>7:00pm FH-Dept drill night</u> <u>7:30pm School Board-Azalea Library</u>	8:30am Staff Mtg-Tom's ofc <u>12:00pm Rotary-Sandy's</u>	<u>5:00pm CC-CFABB</u> <u>7:00pm Chamber Board of Directors-Conf Ctr</u>	<u>10:00am Site Plan-Tom's ofc</u> <u>7:00pm CC-Parks &amp; Rec Comm Mtg</u>		
<small>20</small>	<small>21</small>	<small>22</small>	<small>23</small>	<small>24</small>	<small>25</small>	<small>26</small>
	<u>7:00pm CC-Council Mtg</u> <u>7:00pm FH-Dept drill night</u>	8:30am Staff Mtg-Tom's ofc <u>12:00pm Rotary-Sandy's</u> <u>7:00pm CVAT-Forest Svc Bldg</u>		<u>10:00am Site Plan-Tom's ofc</u>		
<small>27</small>	<small>28</small>	<small>29</small>	<small>30</small>	<small>31</small>		
			JUNE 1997		AUGUST 1997	
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# PROCLAMATION

WHEREAS, the Supreme President of the Supreme Emblem Club has stated that strengthening the Unity of the United States of America is vital, that there is a need to strengthen the American Heart of Emblem, that there is a need to strengthen the beliefs of each individual and each club, and has restated the Supreme Emblem Club Citizenship Principles; and

WHEREAS, the Supreme Emblem Club has resolved;

1. That each club create an Americanism Committee.
2. That each club originate and participate with others in patriotic community endeavors.
3. That each Emblem member as an individual, finish a patriotic deed each day.
4. That each club and each member engage in assisting the Americanism Program of the Benevolent and Protective Order of Elks on every occasion when ladies are invited to participate.
5. That each club and each member give determined effort to actively fulfill the purpose to which we dedicate ourselves, to bear true allegiance to the Constitution and Flag of the United States of America.

NOW, THEREFORE, I, Nancy Brendlinger, Mayor, of the City of Brookings, Oregon do hereby proclaim the week of June 8 through June 14, 1997 as

**"Supreme Emblem Club  
Americanism Week in Brookings."**



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Nancy Brendlinger  
Mayor



# PROCLAMATION

WHEREAS, Sunday, June 29, 1997 marks the 50th Anniversary of the Brookings-Harbor Rotary Club; and

WHEREAS, Rotary Club Week affords opportunity to the entire community to direct attention to the ideals, achievements and programs of the Rotary Club of Brookings-Harbor, Oregon; and

WHEREAS, the observance will impress upon those living in our community the greater good to society that results in placing service above self; and

WHEREAS, the world would be a better place if we all tried to live by Rotary's Four-Way Test:

1. Is it the Truth?
2. Is it FAIR to all concerned?
3. Will it build GOOD WILL and BETTER FRIENDSHIPS?
4. Will it be BENEFICIAL to all concerned?

NOW, THEREFORE, I, Nancy Brendlinger, Mayor of the City of Brookings, do hereby proclaim the week beginning June 29 and ending July 5, 1997 as

## "ROTARY CLUB WEEK IN BROOKINGS HARBOR"

and do hereby call upon businesses, civic organizations, churches, schools, youth clubs and organizations, and citizens at large to join in observing Rotary Club Week.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Brookings to be hereto affixed this 23rd day of June, 1997.

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Nancy Brendlinger  
Mayor



**CITY OF BROOKINGS CITY COUNCIL**  
**STAFF AGENDA REPORT**

SUBJECT: Appeal/Minor Partition/Conditions of  
Approval

REPORT DATE: April 29, 1997

FILE NO: APP-2-97

ITEM NO: 8.4

HEARING DATE: May 6, 1997

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**GENERAL INFORMATION**

APPLICANT: John Zia.

REPRESENTATIVE: None.

TOTAL LAND AREA: 2.66 acres.

REQUEST: An appeal of a condition of approval applied by the City Planning Commission for a Minor Partition (M3-7-97) for the inclusion of curbs, gutters and sidewalk on Ransom Ave.

LOCATION: Between Ransom Ave. on the south and Hassett St. on the north, approximately 330 feet east of Fifth St.

ASSESSOR'S NUMBER: 41-13-6AB, 200.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: R-2 (Two-Family Residential).

PROPOSED: Same.

SURROUNDING: South, East and West-R-2; North of Hassett St.-R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

COMP. PLAN: Residential.

**LAND USE INFORMATION**

EXISTING: One single family house under construction.

PROPOSED: Residential use.

SURROUNDING: Residential uses of either single family or duplex units.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local news paper.



## **BACKGROUND**

At their May 6, 1997 meeting the Planning Commission considered and approved a minor partition on a 2.66 acre lot located between Hassett St. on the north and Ransom Ave. on the south and approximately 330 feet east of Fifth St. The Staff Report prepared for the Planning Commission is attached to provide analysis of the partition. Since the partition created the fourth lot from the same parent lot and by the same applicant, as a condition of approval staff recommended that full street improvements be made on Hassett St. and Ransom Ave. The subject parent lot and the two lots created previously are subject to a recorded Deferred Improvement Agreement.

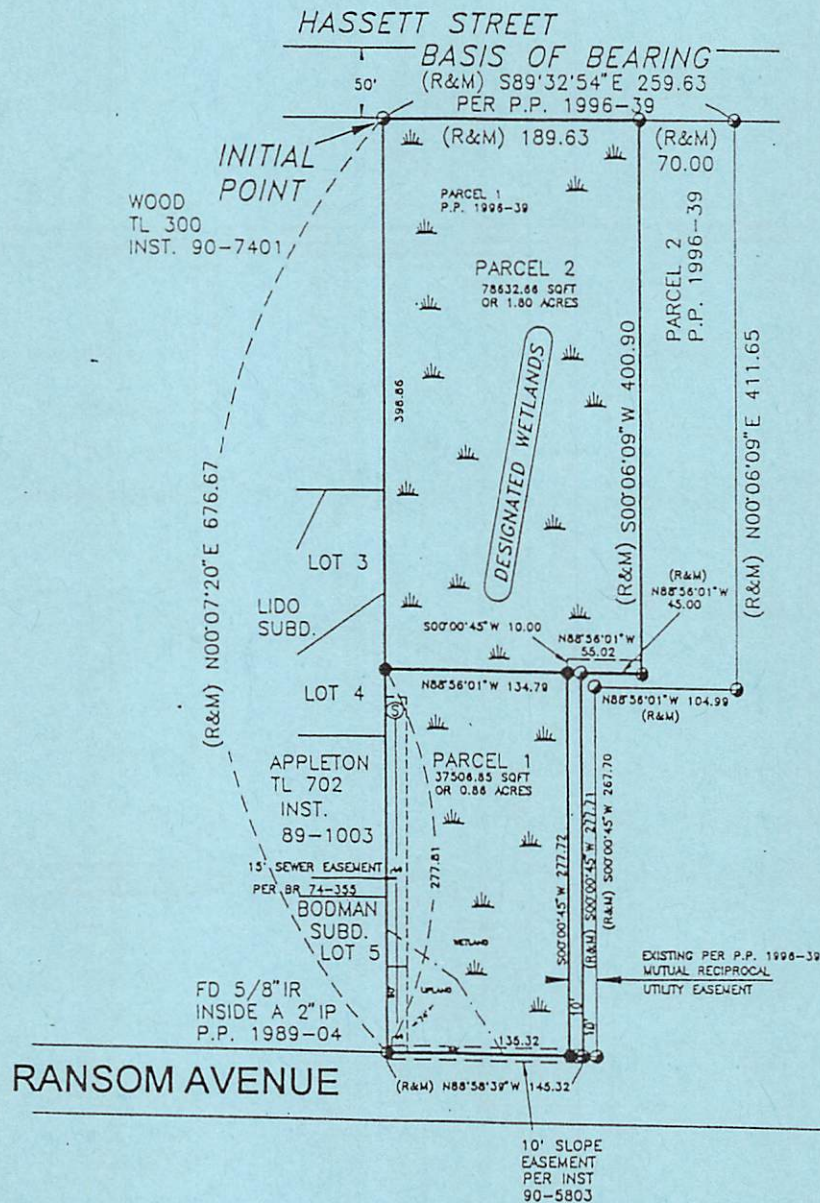
At the Commission hearing there was discussion that the south side of the Hassett St. right-of-way actually extended over the bank along the northerly boundary of the subject property. Accordingly the Commission waived the requirement for street improvements on Hassett St. The applicant also requested that the requirement for curb, gutter and sidewalk along Ransom Ave. be waived, stating that he would widen the street to improve the walkway. After further discussion the applicant agreed to improve the drainage by placing a larger culvert under Ransom Ave. if the curb, gutter and sidewalk were waived. After closing the hearing and discussing the matter, the commission approved the partition with the requirement for curb, gutter and sidewalk on Ransom Ave. and for the larger culvert.

The applicant is now appealing the requirement for curb, gutter and sidewalk along the Ransom St. frontage of the subject property.

## **RECOMMENDATION**

The Planning Commission has conditioned the partition for curb, gutter and sidewalk and staff cannot recommend in opposition to the Commission's requirement.





APPLICANT: John S. Zia

ASSESSOR'S NO: 41-13-6AB Tax Lot 200

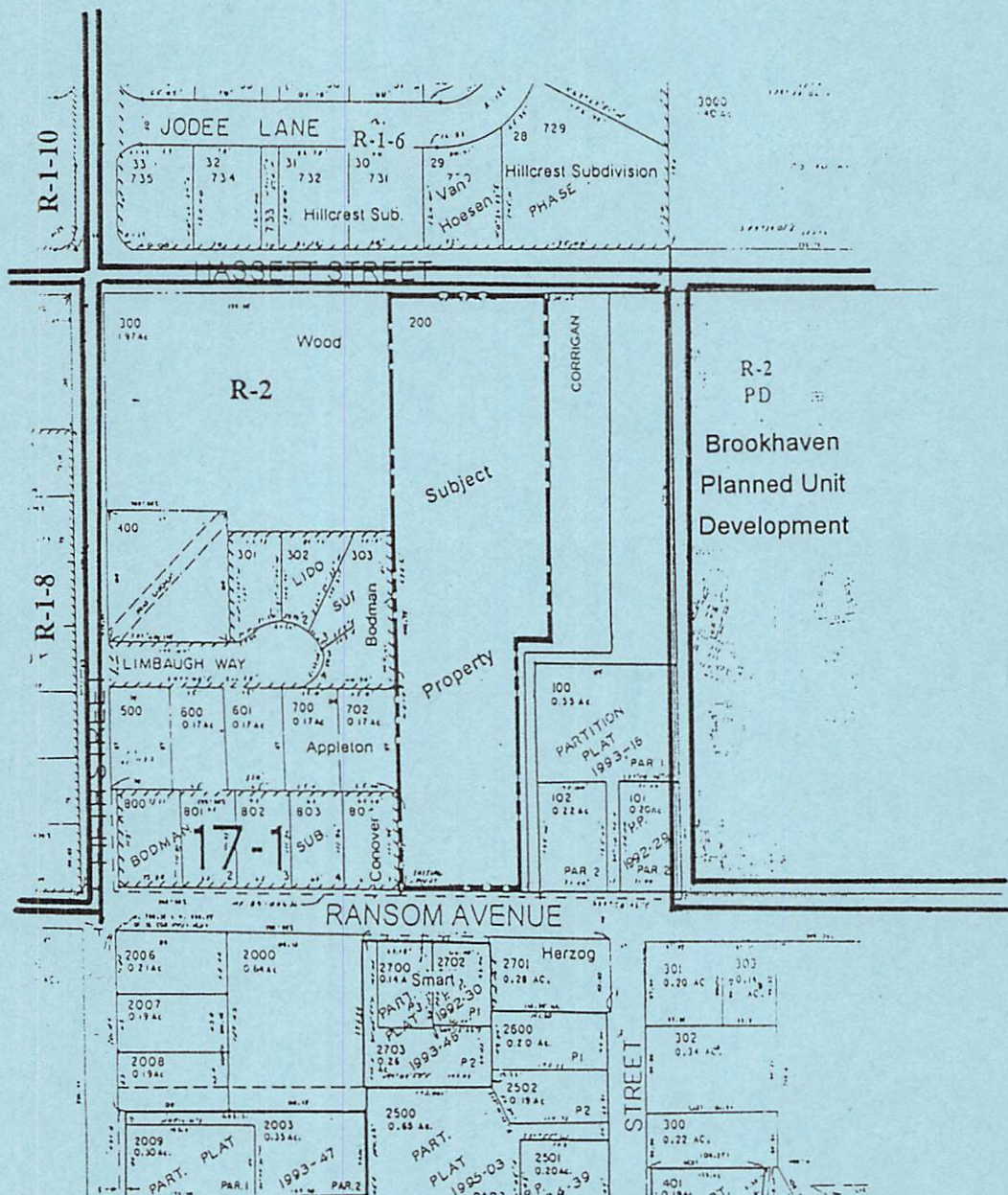
LOCATION: Between Hassett St. &amp; Ransom Ave., 330 feet east of Fifth St.

SIZE: 2.66 Acres

ZONE: R-2 (Two Family Residential)







APPLICANT: John S. Zia

ASSESSOR'S NO: 41-13-6AB Tax Lot 200

LOCATION: Between Hassett St. &amp; Ransom Ave., 330 feet east of Fifth St.

SIZE: 2.66 Acres

ZONE: R-2 (Two Family Residential)



**CITY OF BROOKINGS PLANNING COMMISSION**  
**STAFF AGENDA REPORT**

SUBJECT: Minor Partition  
FILE NO: M3-7-97  
HEARING DATE: May 6, 1997

REPORT DATE: April 29, 1997  
ITEM NO: 8.4

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**GENERAL INFORMATION**

APPLICANT: John Zia.

REPRESENTATIVE: None.

TOTAL LAND AREA: 2.66 acres.

REQUEST: An appeal of a condition of approval applied by the City Planning Commission for a Minor Partition (M3-7-97) for the inclusion of curbs, gutters and sidewalk on Ransom Ave.

LOCATION: Between Ransom Ave. on the south and Hassett St. on the north, approximately 330 feet east of Fifth St.

ASSESSOR'S NUMBER: 41-13-6AB, 200.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: R-2 (Two-Family Residential).

PROPOSED: Same.

SURROUNDING: South, East and West-R-2; North of Hassett St.-R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

COMP. PLAN: Residential.

**LAND USE INFORMATION**

EXISTING: One single family house under construction.

PROPOSED: Residential use.

SURROUNDING: Residential uses of either single family or duplex units.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local news paper.



## **BACKGROUND INFORMATION**

The subject property is a 2.66 acre parcel of land located between Hassett St. on the north and Ransom Ave. on the south and approximately 330 feet east of Fifth St. The property currently contains one single family house, under construction, located in the northeasterly corner of the lot. The subject parcel has 189.63 feet of frontage on Hassett St. and 135.32 feet of frontage on Ransom Ave. The westerly boundary is 676.67 feet and the easterly boundary extends south from Hassett St. 400.90 feet, jogs west for 45 feet then south again for 277.71 feet. There is a 15 foot wide sewer easement along the westerly boundary of the subject parcel that extends approximately 257 feet north from Ransom Ave. and a slope easement of 10 feet along the Ransom Ave. frontage.

The property is essentially flat except for a steep downward slope from Hassett St. for about 30 feet then the property flattens to a gentle slope to Ransom Ave. There is a natural north to south drainage that causes much of the property to be delineated as a wetland by the Oregon Division of State Lands, and as such the delineated area is not buildable. There are areas on the subject parcel that is considered to be buildable, one of which is the site of the existing house that is under construction. There is another area located in the southwest corner that is the subject of this partition.

The subject lot is one lot of a three lot minor partition that was approved in September of 1996. One of the original three lots has been sold and thus there is no other property in the applicant's ownership that is contiguous to the subject property.

There is a water main but no sewer main adjacent to the subject property in Hassett St. There is a water and sewer main located in Ransom Ave., however the city cannot guarantee that sewer service will be available for future construction. When the earlier partition was approved, two of the lots were allowed to access the sewer main on Ransom Ave. via 10 foot wide utility strips and a reciprocal maintenance access agreement.

Hassett St. is a paved travel way within a 50 foot wide right-of-way with curb, gutter and sidewalk on the north side and no improvements on the south side. Ransom Ave. is a paved travel way within a 50 foot right-of-way with no improvements on either side of the street adjacent to the subject property. There is a sidewalk on the north side of Ransom Ave. that extends east from Fifth St. to the west boundary of the subject property.

## **PROPOSED PARTITION**

The applicant is requesting a minor partition to divide the subject parcel into two lots of 37,506.85 and 78,632.66 sq. ft. or 0.86 and 1.80 acres in size. Parcel 1 of the proposed partition would have 135.32 feet of frontage on Ransom Ave. and a westerly boundary of 277.81 feet. The northerly boundary would be 134.79 feet and a easterly boundary of 277.72 feet. The sewer easement along the west boundary will be entirely within this Parcel 1. Parcel 2 will have 189.63 feet of frontage on Hassett St. and a easterly boundary of 400.90 feet which then jogs west for 55.02 feet and then south again 277.71 feet to Ransom Ave. where 10 feet of frontage provides frontage for sewer purposes. From the 10 foot frontage the Parcel 2 boundary extends north for 277.72 feet, west for 134.79 feet and north 398.86 feet to Hassett St. (See Exhibit 2).



Parcel 1 has about 4640 sq. ft. of buildable area located in the southwest corner of the lot. Parcel 2 has a similar buildable area where a house is currently under construction. The remainder of both lots is delineated wetland and is not buildable.

## ANALYSIS

The Planning Commission must consider the following criteria when deciding on applications for a Minor Partition:

1. Conformance with the comprehensive plan, and applicable development standards of this code, and state and federal laws.
2. Development of any remainder of property under the same ownership, if any, can be accomplished in accordance with this code.
3. Adjoining property under separate ownership can either be developed or be provided access that will allow its development in accordance with this code.
4. The ability to take access from the frontage road pursuant to the provisions of Section 132.060 of this code.
5. Conditions necessary to satisfy the intent of the land development code and comprehensive plan can be satisfied prior to final approval.

The following is staff's analysis of the proposed partition in relation to the criteria cited above. Since all of the criteria relates to the requirements of the Land Development Code, the first criterion encompasses all of the others and will therefore be discussed after criterion number 5.

Criterion 2, Remainder Lots. Both of the lots created by the proposed partition are greater than twice the size of the minimum lots allowed by the R-2 Zone which is 6,000 sq. ft. However, both lots only contain a small amount of area that is not defined as a wet land and are buildable and thus cannot be divided further.

Criterion 3, Surrounding Property. All of the lots surrounding the subject property have frontage on a public street and are either currently developed or can be accessed from a public street. The proposed partition will not prevent any of the surrounding lots from being accessed or developed.

Criterion 4, Access. Both of the lots created by the proposed partition have frontage on a public street and can take access from the that street. Parcel 2 currently has a driveway access from Hassett St.

Criterion 5, Conditions of Approval. There is currently a Deferred Improvement Agreement on the subject parcel that was applies when the original partition was approve. The conditions of approval of the subject partition will require street improvements on Ransom Ave. and Hassett St. by recommendation of the Site Plan Committee because this is the fourth lot from the original parent parcel. However, full improvements on Hassett St. may be difficult or impossible because of the



topography along the Hassett frontage which drops off rather rapidly for a few feet. The Commission may want to defer to the City Engineer as to what is feasible in this location. The conditions of approval will also require a fire hydrant to be located on Hassett St. in a position to be determined by the City Fire Chief

Criterion 1, Comprehensive Plan. The proposed partition is consistent with the provisions of the R-2 Zone in regard to size and shape and is consistent with the criteria listed above. The partition is also consistent with the policies of Goal 10, Housing, of the comprehensive plan in that it does not place undue restrictions on the development of land and is making very efficient use of land within the city.

## FINDINGS

1. The applicant is requesting a minor partition to divide a 2.66 acre parcel of land into two parcels of 37,506.85 and 78,632.66 sq. ft. or 0.86 and 1.80 acres in size.
2. The subject property is zoned R-2 (Two Family Residential) and designated as Residential by the Comprehensive Plan.
3. Except for two small areas, the subject property has been delineated as a wetland by the Oregon Division of State Lands. One of the non designated areas is located in each of the proposed lots.
4. There is currently a house under construction on the buildable area within proposed Parcel 2.
5. The subject partition is the second partition of the same parent parcel by the same applicant. The earlier partition was approved in September of 1996 and created three lots, of which the subject property is Parcel 1. This would be the fourth lot created by the applicant from the same parent parcel.
6. The subject property has frontage on both Hassett St. and Ransom Ave. Parcel 1 of the proposed partition will have 135.32 feet of frontage on Ransom Ave. Parcel 2 will have 10 feet of frontage on Ransom Ave. and 189.63 feet of frontage on Hassett St.
7. All of the lots surrounding the subject property have frontage on a public street.
8. Hassett St. is a paved travel way within a 50 foot right-of-way with curb, gutter and sidewalk on the north side and no improvements on the south side adjacent to the subject property. Ransom Ave. is a paved travel way within a 50 foot right-of-way with no improvements on either side adjacent to the subject property. There is curb, gutter and sidewalk on the north side of Ransom Ave. extending from Fifth St. to the westerly property boundary of the subject property.
9. There is a water main but no sewer main in Hassett St. adjacent to the subject property. There is both a water main and sewer main located in Ransom Ave. adjacent to the subject property, however, the City of Brookings has identified a limited maximum capacity in its wastewater treatment plant. This land use approval does not constitute a representation or commitment



that capacity will exist in the wastewater treatment system of the City of Brookings to serve the development proposed. The availability of connection approvals to the wastewater treatment system are on a first come-first serve basis and regulated under the provisions of Ordinance No. 88-0-430.

## CONCLUSIONS

1. The proposed partition meets the size and design requirements of the underlying R-2 Zone and although both of the proposed lots are greater than twice the minimum 6,000 sq. ft. allowed by the R-2 Zone, each has only a small buildable area that is not designated as a wetland. Due to the wetland designation, neither of the proposed lots can be divided further.
2. All of the lots that surrounding the subject lot have frontage on a public street and can be accessed from that street. The proposed partition will not prevent and of the surrounding property from being accessed or developed. Both of the lots created by the proposed partition have frontage on a public street and can be accessed from that street. Parcel 2 is currently has a house under construction with an existing driveway.
3. Since this is the fourth lot created by the same applicant from the same parent parcel, the conditions of approval will require that street improvements be made on both Hassett St. and on Ransom Ave. The conditions will also require a fire hydrant to be placed on Hassett St. at a location to be determined by the City Fire Chief. Both of these conditions can be satisfied prior to the recordation of the final plat map.
4. The proposed partition meets the requirements of the criteria discussed above and with all other applicable requirements of the Land Development Code. The proposed partition makes efficient use of the buildable areas within a larger area delineated as a wetland and thus is consistent with the overall goal of the Comprehensive Plan for the efficient use of land within the city. The partition is also consistent with the Goal 10, Housing, of not placing undue restrictions on the development of land.

## CONDITIONS OF APPROVAL

### A. Prior To Recordation

1. The applicant shall construct Ransom Ave. and Hassett St. with curb, gutter and sidewalk plus paving to be determined by the City Engineer, along the frontage of the subject property. The applicant may bond for such improvements pursuant to the provisions of Section 80.080 of the Land Development Code.
2. The applicant shall cause a fire hydrant to be installed on Hassett St. at a location to be determined by the City Fire Chief.
3. Prior to any construction, the applicant shall submit complete construction plans to the City Engineer for review and approval.



B. Recordation Procedures

1. Within 90 days of the Planning Commission's approval the applicant shall record the partition plat with the County Recorder. Prior to recordation the applicant must submit two (2) Mylar copies of the partition plat to be signed by the Planning Commission Chairman. Failure to submit the Mylar copies within the allotted time will render this approval null and void.
2. With in ten (10) days of recordation the applicant shall submit three (3) blueline copies of the recorded partition map to the City Planning Department.

**RECOMMENDATION**

Staff recommends **APPROVAL** of Case File No. M3-7-97, based on the findings and conclusions stated in the staff report and subject to the conditions of approval listed above.

Staff has prepared a Final ORDER to be considered at this meeting.



Jack McDonald  
Chief of Police

**POLICE DEPARTMENT**  
**City of Brookings**  
898 Elk Drive  
Brookings, Oregon 97415  
(541) 469-3118 - Fax (541) 412-0253



TO: Mayor  
City Council

THROUGH: Tom Weldon, City Manager

FROM: Jack McDonald, Chief of Police

SUBJECT: LIQUOR LICENSE RENEWAL

DATE: June 12, 1997

*[Handwritten signature]*  
271

Attached for your consideration are copies of a liquor license renewal from:

Trade name: Pizza Hut  
835 Chetco Ave.

The Police Department has reviewed the request and has no objections to the granting of the renewal.



<b>RECEIVED/LAW</b> <b>APR 16 1997</b>	<b>Oregon Liquor Control Commission</b> PO Box 22297, Milwaukie, OR 97269 1-800-452-6522 <b>License Renewal Application</b>	<div style="border: 1px solid black; border-radius: 50%; width: 60px; height: 60px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <b>NEED SVED</b> </div>
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**IMPORTANT:** Failure to fully disclose any information requested, or providing false or misleading information on this form is grounds to refuse to renew the license. Your license expires June 30, 1997

License Type: Restaurant	District: 3	County/City: 0805	RO#: R18720A	119/205
--------------------------	-------------	-------------------	--------------	---------

PIZZA HUT OF OREGON INC.  
 PIZZA HUT OF OREGON INC.  
 PO BOX 783186  
 WICHITA OR 67278

Licensee(s) PIZZA HUT OF OREGON INC.

Server Education Designee(s)  
 CRAWFORD KATHY

Tradename PIZZA HUT # 102020  
 835 CHETCO AVE.  
 BROOKINGS OR 97415

**Instructions:**

1. Answer all questions completely on the renewal application.
2. Have each partner or an authorized corporate officer sign the renewal application.
3. Have the local governing body endorse the renewal application.
4. Return completed renewal application along with the appropriate license fee due before June 10, 1997 to avoid late fees.

\*\*

Operational Questions:	Responses:										
(1) Is there a change in your Server Education Designee? If yes, please list their name and Social Security Number. Server #44489	Name <u>William Porter Bennett</u> SS# <u>573-82-7687</u>										
(2) Please list a daytime phone number.	Phone Number: <u>1-800-835-0934 ext 9547</u>										
(3) Please list all <u>arrests or convictions</u> for any crime, violation, or infraction of any law during the last year even if they are <u>not liquor</u> related for anyone who holds a financial interest in the licensed business. Attach additional sheet of paper to back of form if needed.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Name</th> <th>Offense</th> <th>Date</th> <th>City/State</th> <th>Result</th> </tr> </thead> <tbody> <tr> <td colspan="5">None</td> </tr> </tbody> </table>	Name	Offense	Date	City/State	Result	None				
Name	Offense	Date	City/State	Result							
None											
(4) Will anyone share in the profits who is not a licensee? If yes, please give name(s) and explain.	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> EXPLAIN:										
(5) Were there any changes of ownership (ie: add/drop partners, change to corporations, etc.) not reported to the OLCC in the last year?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> EXPLAIN:										
(6) Did you make any significant changes in operation during the past year that you have not reported to the OLCC, such as changes in menu, hours of operation, or remodeling?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> EXPLAIN:										

<b>Endorsement - Please take this form to your local governing body that is listed below before you return it to the OLCC.</b>	
The City of BROOKINGS recommends that this license be GRANTED _____ REFUSED _____ on (date) _____	
Signed: _____	Title of Signer _____

License Fees and Late Fee Schedule & Amounts - Do not mail cash.	Dollar Amount (\$)
License Fee for Restaurant	200.00
Server Education student fee	2.60
TOTAL FEE TO PAY >>>>PLEASE PAY THIS AMOUNT <<<<	202.60
<b>Late Fees</b>	
IF Renewal Application Is Received After June 10, 1997 but before July 01, 1997	Add 50.00 To Total Due
IF Renewal Application Is Received On or After July 01, 1997.	Add 80.00 To Total Due

Print Name	Signature	Date	Social Security #	Date of Birth
PIZZA HUT OF OREGON, INC.				
Teresa J. Roll, President		6/2/97	514-60-6520	11/14/52





Jack McDonald  
Chief of Police

**POLICE DEPARTMENT**  
**City of Brookings**  
898 Elk Drive  
Brookings, Oregon 97415  
(541) 469-3118 - Fax (541) 412-0253



TO: Mayor  
City Council

THROUGH: Tom Weldon, City Manager

FROM: Jack McDonald, Chief of Police

A handwritten signature in black ink, appearing to be "J. McDonald", with the date "6/20/97" written below it.

SUBJECT: LIQUOR LICENSE RENEWAL

DATE: June 18, 1997

Attached for your consideration are copies of a liquor license renewal from:

Trade name: Rubio's  
1136 Chetco Ave.

The Police Department has reviewed the request and has no objections to the granting of the renewal.



**Oregon Liquor Control Commission**  
PO Box 22297, Milwaukie, OR 97269 1-800-452-6522  
**License Renewal Application**

**IMPORTANT: Failure to fully disclose any information requested, or providing false or misleading information on this form is grounds to refuse to renew the license. Your license expires June 30, 1997**

License Type: <b>Dispenser Class C</b>	District: <b>3</b>	County/City: <b>0805</b>	RO#: <b>R07880A</b>	<b>119/118</b>
--	--------------------	--------------------------	---------------------	----------------

DC-94-0425  
RUBIO'S INC  
1136 CHETCO AVE  
PO BOX 877  
BROOKINGS OR 97415

Licensee(s) RUBIO'S INC

Server Education Designee(s)  
GORDON EILEEN

Tradename RUBIO'S  
1136 CHETCO AVE  
PO BOX 877  
BROOKINGS OR 97415



**Instructions:**

1. Answer all questions completely on the renewal application.
2. Have each partner or an authorized corporate officer sign the renewal application.
3. Have the local governing body endorse the renewal application.
4. Return completed renewal application along with the appropriate license fee due before June 10, 1997 to avoid late fees.

\*\*

Operational Questions:	Responses:
(1) Is there a change in your Server Education Designee? If yes, please list their name and Social Security Number. <i>No</i>	Name _____ SS# _____
(2) Please list a daytime phone number.	Phone Number: <i>541-469-4919</i>
(3) Please list all <u>arrests or convictions</u> for any crime, violation, or infraction of any law during the last year even if they are <u>not liquor</u> related for anyone who holds a financial interest in the licensed business. Attach additional sheet of paper to back of form if needed.	Name _____ Offense _____ Date _____ City/State _____ Result _____
(4) Will anyone share in the profits who is not a licensee? If yes, please give name(s) and explain.	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES & EXPLAIN:
(5) Were there any changes of ownership (ie. add/drop partners, change to corporations, etc.) not reported to the OLCC in the last year?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES & EXPLAIN.
(6) Did you make any significant changes in operation during the past year that you have not reported to the OLCC, such as changes in menu, hours of operation, or remodeling?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES & EXPLAIN:

<i>Food &amp; Liquor Sales - Report below the average monthly sales figures to the nearest dollar for the 12 month period ending March 31, 1997</i>		Amount
A	Average Monthly Alcoholic Beverage Sales (Include Beer, Wine & Distilled Spirits)	\$ <i>2820.00</i>
B	Average Monthly Food Sales	\$ <i>18,852.00</i>
C	Average Monthly Total Sales (Add A + B):	\$ <i>21,672.00</i>
D	Percent of Food To Total Sales (Divide B By C):	% <i>87</i>

**Endorsement - Please take this form to your local governing body that is listed below before you return it to the OLCC.**

The City of BROOKINGS recommends that this license be GRANTED \_\_\_\_\_ REFUSED \_\_\_\_\_ on (date) \_\_\_\_\_

Signed: \_\_\_\_\_ Title of Signer \_\_\_\_\_

License Fees and Late Fee Schedule & Amounts - Do not mail cash.	Dollar Amount (\$)
License Fee for Dispenser Class C	300.00
Server Education student fee	2.60
TOTAL FEE TO PAY >>>>PLEASE PAY THIS AMOUNT<<<<	302.60
<b>Late Fees</b>	
IF Renewal Application Is Received After June 10, 1997 but before July 01, 1997	Add 75.00 To Total Due
IF Renewal Application Is Received On or After July 01, 1997.	Add 120.00 To Total Due

Print Name	Signature	Date	Social Security #	Date of Birth
JOHN F. DOERING	<i>John F. Doering</i>	6/11/97	535-60-1150	07/14/45



# Memorandum



**TO:** Mayor, City Council

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

**DATE:** June 18, 1997

**RE:** Audit management letter recommendations

**Issue:**

In the 1995/96 Audit letter were three issues listed under "Other Matters" for which the City Auditor made recommendation for changes. The following are the issues and what staff will do to implement these changes:

- 1) "The City's drug-free workplace policy does not require employees to notify the City upon a drug related conviction entered against the employee. The Drug-Free Workplace Act requires that employees be told that they must notify the City of any drug related conviction entered against them in any court within five days of the conviction. The City must comply with the Act in any year that the City receives more than \$25,000 in federal grants, loans, or awards." We recommend that the policy be amended to incorporate the required notification.

This policy change will be reflected in the next update of the employee handbook. Hopefully, review and revision of the handbook will take place before the next audit process is complete (December 1997).

- 2) "The City substantially complied with its procurement policy during the year, however, there were several occasions where the policy standards were not met. The policy is quite complex and ambiguous in some areas which lends to confusion about the application of policy guidelines." We recommend that the policy be updated, to simplify and clarify the requirements, and communicated to each staff member who is expected to comply with its provisions.

The review of the procurement policy will be done in the 1997/98 fiscal year, and needed changes in the policy brought to the Council for adoption.



- 3) "Oregon law requires City Council approval for establishing, maintaining, and closing all bank accounts held by the City. There have been two instances of employees opening bank accounts without Council approval." We recommend the employees, as well as the financial institutions the City deposits its funds with, be educated about the law in regard to establishing accounts for the City.

Recommendation so noted; City staff will be informed of this law by memo and closer attention will be given to possible financial activity taking place with projects outside the normal financial operations of the City.

**Recommendation:**

Informational only; no action necessary.



# MEMO

**To:** Mayor and Council  
**From:** Beverly Adams, Finance Director/Recorder  
**Subject:** Approval for purchase of computer file server under exemption from competitive bid process  
**Date:** June 18, 1997

Issue:

Replacement of the City's computer network file server.

Synopsis:

The file server which supports the all the networked computers for City Hall needs to be replaced. Last Monday afternoon the computer system began to shut down due to equipment failure and memory space problem. This file server was planned to be upgraded in the next fiscal year since it was apparent that the City's needs would by that time outgrow the memory capacity available. However, the equipment instability and the memory space problem make it necessary to replace the file server. Under ORS 279.011(4) the Council has the authority to approve the replacement of this equipment as exempt from the competitive bid process. (A copy of the price quote for the file server is attached) The funding of this purchase will come from Finance Department; line items Equipment Operation/Maintenance and Computer System Operation Supplies.

Recommendation:

That Council move to approve the purchase of a file server under ORS 279.011(h) which exempts the purchase from the formal competitive bidding process.

Rationale:

To allow normal daily operations to proceed without interruption of services.





# BECCO, Inc.

COMPUTER, Division  
607 RAILROAD STREET  
P.O. BOX 1220, BROOKINGS, OREGON 97415

(541) 469-2113  
1-800-228-3198  
Fax: (541) 469-6397  
E-mail becco@mail.coos.or.us

06/18/97

CITY OF BROOKINGS  
SERVER

PENT-PRO/200 MHZ PCI COMPUTER (256K CACHE)  
INTELL BOXTC440XU-ATX UNIVERSAL SERIAL BUSS  
64mb EDO RAM (72 PIN) (LIFETIME WARRANTY)

4.55GB HARD DRIVE SCSI  
2940 ADAPTIC SCSI CONTROLLER  
ATI 3D XPRESSION VIDEO CARD W/2MB EDO PCI  
H.P. DAT TAPE B/U SYSTEM 4-8GB  
TAPES 8GB W/COMPRESSION (5PAK X 2)  
ATX MID TOWER CASE

QTY

1  
1  
1  
1  
2  
1  
1  
1  
2  
1

WILL NEED SVGA MONITOR

SYSTEM TOTAL 5750.40

DUAL PROCESSORS ADD 1275.00

SYSTEMS COME WITH A 1 YEAR WARRANTY  
LOCALLY BUILT AND SERVICED



# Memorandum

TO: Mayor, City Council  
FROM: Leo Lightle, Community Development Director  
THROUGH: Tom Weldon, City Manager  
DATE: June 16, 1997



Issue: Awarding bid on field pump, motor and trailer for Wastewater Treatment Division.

Synopsis: The proposed 1997-1998 budget includes \$32,000 in Wastewater Treatment for a field pump, motor and trailer. The pump is needed to disburse biosolids produced at the treatment plant. Permission to advertise for bids for the pump unit was given by the City Council at its May 12, 1997 meeting. A Request for Bids was advertised in the Curry Coastal Pilot and bids were opened June 16, 1997.

Bid packets were sent to six pump manufacturers:

Paco Pumps	Cornell Pump Co.	Queen Pump
Stettler Supply Co.	Cascade Machinery	Neely's Machine

One bid was received:

Cascade Machinery and Electric, Clackamas Oregon      \$29,462.00

Recommendation: The City Council award the bid to Cascade Machinery and Electric for \$29,462.00.



**Minimum Specifications for Field Pump, Motor & Trailer  
For City of Brookings  
May, 1997**

**RECEIVED**  
JUN 16 1997

CITY OF BROOKINGS  
COMMUNITY DEVELOPMENT

220  
100  
1997

**GENERAL SPECIFICATIONS**

It is the intent of these specifications to describe a field pump, motor and trailer with all necessary controls and attachments to make a complete unit, delivered with start-up. All parts not specifically mentioned, which are necessary to provide a complete pump, motor and trailer unit shall be included in the bid and shall conform in strength and quality of material and workmanship to what is usually provided the trade in general.

Quotes are to be FOB Brookings, Oregon. Delivery to be within 60 days of notice of award of the bid.

The City of Brookings reserves the right to reject any and all bids.

Bid Submitted by Don Carlisle for Cascade Machinery & Elec. Inc.  
Signature of Representative Company Name

**SPECIFICATIONS:**

Specification as follows for a redi-prime sewage pump powered by a 300 C.I.D. engine and mounted on a road-ready trailer:

		<u>Included in Bid</u>	
		Yes	No
<u>Cornell 4NHDP pump</u>			
1. Pump constructed for run dry, self priming utility or solids handling application.			
-ASTM A48 Class 30 Grey Iron construction.		X	
-Dual plane dynamically balanced delta impeller.		X	
-Minimum of 3" diameter sphere solids handling ability.		X	
-Back pumpout vanes to reduce seal failure due to abrasion.		X	
-Single type 1, John Crane run dry mechanical shaft seal of noted size, Tungsten Carbide vs. Silicon Carbide seal mating faces.		X	
-Oil bath seal lubrication reservoir.		X	
-Modified seal box with oil lip seal for positive, continuous mechanical seal lubrication.		X	
-Patented "Cycloseal" backplate design.		X	
-AISI 416 Stainless Steel shaft sleeve.		X	
-SAE 1144 Stressproof Steel pump shaft.		X	
-Enclosed grease lubricated bearing frame.		X	
-Minimum B-10 bearing life of 20,000 hours.		X	
-Average calculated bearing life of 100,000 hours.		X	
-Priming system consisting of diaphragm type vacuum pump driven from pump shaft and suction/discharge valves to provide approx. 50 CFM of air removal capacity.		X	
-Guaranteed for run dry operation.		X	
-Cast Iron flanged discharge swing type priming valve with Buna-n flapper.		X	
-2-year or better warranty.		X	
2. 300 C.I.D. industrial motor consisting of the following:			
-300 C.I.D. base engine & skid w/hard faced valves & inserts.		X	
-Draincock.		X	
-Adapter-carburetor for mech. Gov. (use w/nat. gas appl).		X	
-SAE #3 flywheel hsg. w/feet and rear plate.		X	



Page 2 of Specifications for Field Pump, Motor and Trailer  
For the City of Brookings Bid opening June 16, 1997.

	Included in Bid	
	Yes	No
-Flywheel for 11.5 in. O.C. clutch.	X	
-Starter motor.	X	
-Fan-18.6 in. 6 blade suction.	X	
-Fan spacer 2.18 in.	X	
-Alternator-37 amp w/3 groove pulley.	X	
-Mechanical governor (variable speed).	X	
-Front engine & radiator support.	X	
-Oil level indicator & tube.	X	
-PCV valve & hose.	X	
-Water pump pulley (3 groove low fan).	X	
-Water outlet connection & thermostat (low fan).	X	
-Instruments & wiring w/voltmeter (3 gauge safety switches).	X	
-Radiator, shroud, hoses, & braces (suction fan).	X	
-Rear panel, hoodtop & radiator shell (rear mtd inst).	X	
-Exhaust pipes	X	
-Air cleaner-dry remote.	X	
-Throttle control assembly.	X	
-Carburetor, Impco-125 CFM natural gas or better.	X	
-Impco air cleaner adapter-125 series-2-7/32" or better.	X	
-Converter LP (140/300 C.I.D.).	X	
-Muffler, Donaldson (2.00") - 140 & 300 C.I.D. or better.	X	
-Exhaust clamp-2.00".	X	
-Rain cap - 2-1/4" 7/16th.	X	
-Antifreeze-1 gallon container.	X	
-Side panels	X	
-Owners literature.	X	
-Nameplate & warning tag.	X	

3. All of the aforementioned to be mounted on a heavy duty fabricated steel frame trailer with a 25-gallon LPG fuel tank D.O.T. approved, mounted 6,000 lb. torsional axial w/700 X 15 LT tires, wheels, a lifting bale, D.O.T. light package, and diamond plate fenders and painted with a heavy duty equipment enamel.

4. Factory authorized personnel shall be available for 1-day operational instruction and test run at jobsite, upon owner's request after delivery.

Total bid price for above specified pump, motor and trailer \$ 29,462.00

Bidders Name, Address, Phone and Contact Person

Cascade Machinery + Elec Inc  
10792 S.E. Highway 212  
Clackamas, Oregon 97015  
Don Carlisle

Date 6/4/97



# Memorandum

**TO:** Mayor, City Councilors  
**FROM:** Leo Lightle, Community Development Dir.  
**THROUGH:** Tom Weldon, City Manager *Tom*  
**DATE:** June 18, 1997  
**ISSUE:** City Hall Parking Lot



Synopsis:

The last expansion to City Hall currently underway is eliminating parking and causing drainage problems. To improve the drainage and re-establish adequate parking it is necessary to reconfigure, regrade, put in a base and pave the City Hall parking lot. The project would be funded out of the Street Fund.

Recommendation:

That the City Council authorize the expenditure of \$25,000 from the Street Fund to regrade, reconstruct and repave the City Hall parking lot.

Rationale:

The new improvement eliminates parking, creates drainage and traffic flow problems. This project will alleviate those problems.

Background:

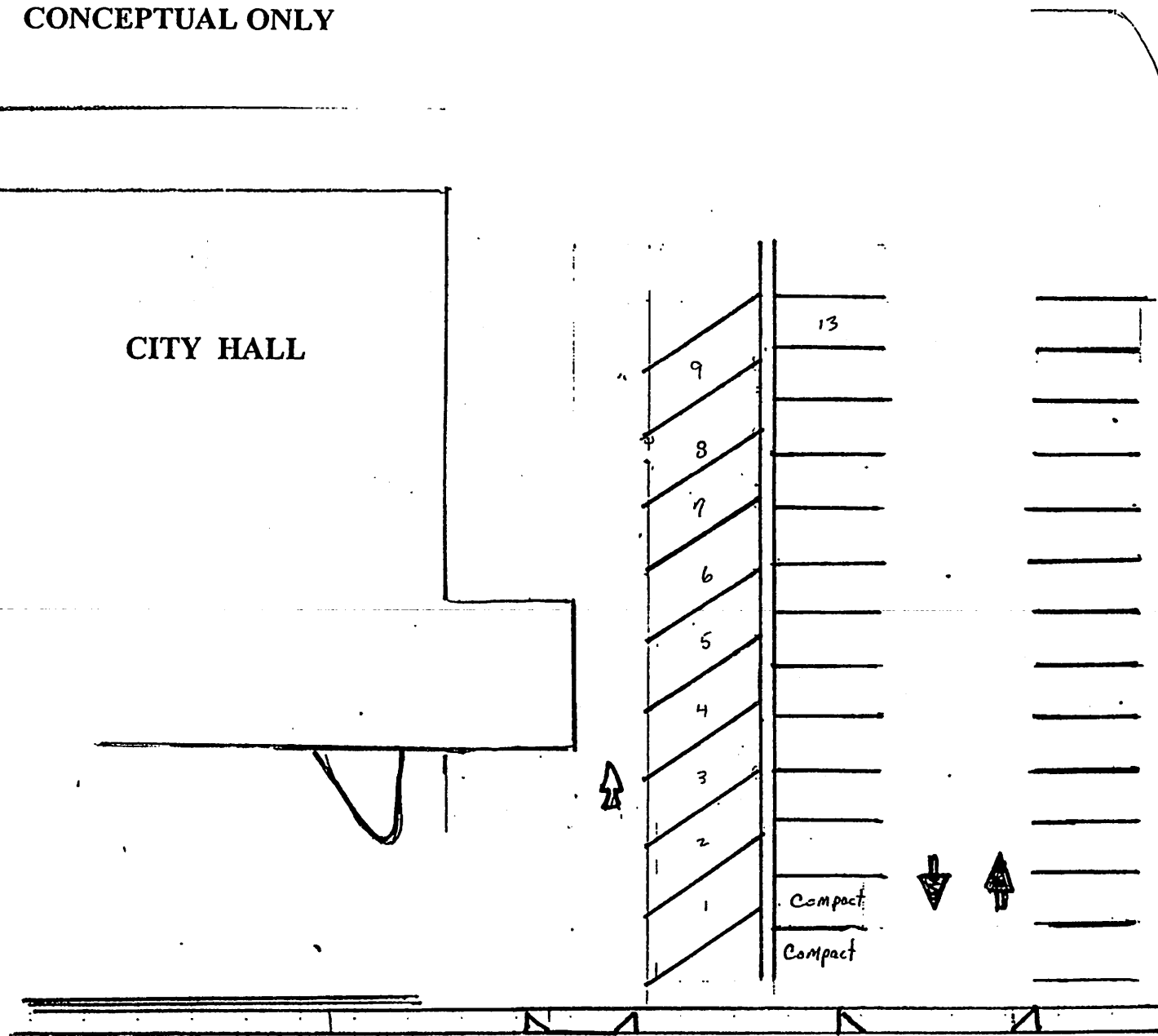
The City of Brookings is beginning the third expansion to City Hall, two of which will or have significantly reduced parking. This last expansion will require significant work to insure proper drainage. The past practice of paving or graveling without site prep work has left us with inadequate parking and drainage.

The least costly method is to remove some existing asphalt, level the parking area, put in a new base and pave the parking area. The City Hall parking lot paving is listed in the City of Brookings Capitol Improvements/Expenditure Plan (see attached sheet). The expenditure is being updated in this years CIP Plan and is to be funded from the Street Fund.



PARKING LOT RECONSTRUCTION  
CONCEPTUAL ONLY

CITY HALL





# Memorandum

TO: Mayor, City Council

FROM: Leo Lightle, Community Development Dir.  
and Jack Mc Donald, Police Chief

THROUGH: Tom Weldon, City Manager

DATE: June 18, 1997

ISSUE: Speed Reduction Request

*LL*



Synopsis:

This request is to make this street a safer place to play (see attached letter). While no one wants anyone to be hurt on a city street, we also should not encourage or do anything that implies it is safe to play in a city street.

Recommendation:

That the City Council not act on this request until our Volunteers in Police Service (VIPS) can do a study of this situation and, then staff make a recommendation. This should be done within one month.

Rationale:

City streets are to convey traffic; pedestrian and vehicular and are not a playground. Therefore the City should not normally lower the generally accepted speed limit in residential areas. This area does not have any overly significant features that would justify reducing the speed limit.

Background:

The accepted safe speed is 25 miles per hour in residential areas and is reflected in the Department of Motor Vehicles Manual. The street systems are to carry pedestrian and vehicular traffic. The streets are not designed for a place for children to play.

Lowering the speed limit to 15 miles per hour and posting a Children Playing sign implies that this street is a safe place to play. By its nature, narrow, downhill with an abrupt left turn, this street should be self-limiting in speed.



To Mr. Ligthle,

5 -14 -97

*I 'm writing this letter in the hope that I can have the speed limit changed on 7th street. When cars come up the hill off of Hassett St. to 7th. People are driving 30 mph or faster and the same going down. I have asked for more police patrol up here but they can not be there all the time. I my self have three children that play out front , and if one of the speeders could not stop in time I would hate to see what would happen. All I'm asking is to lower the speed limit to 15 mph and post a sign saying children playing.*

*I have tried to be nice to the people who drive this way ,but after a year and half it is getting old.*

*You can contact me at 469-6506*

*Thank you*

*David D. Pettigrew Jr.*



# MINUTES

## CITY OF BROOKINGS

### Council Meeting

Brookings City Hall Council Chambers

898 Elk Drive, Brookings, Oregon

May 12, 1997

7:00 p.m.

#### I. CALL TO ORDER

Mayor Brendlinger called the meeting to order at 7:00 p.m.

#### II. ROLL CALL

Council Present: Mayor Nancy Brendlinger, Councilor Bob Hagbom, Councilor Larry Curry, Councilor Dave Ham, Councilor Julie Cartwright, Councilor Ex-Officio Kevin Blank

Staff Present: City Manager Tom Weldon, Community Development Director Leo Lightle, City Planner John Bischoff

Media Present: Anita Rainey, Curry Coastal Pilot; Martin Kelly, KCRE;

#### III. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

Mayor Brendlinger asked for a moment of silence in memory of Austin Bertelson, recent BHHS graduate and reporter for KURY who passed away .

Mayor Brendlinger read a proclamation declaring May 19, 1997 "Veterinarian Appreciation Day in Brookings-Harbor".

Police Communications Officer Shirley Smith was awarded a "Certificate of Appreciation" for 5 years employment with the City.

#### IV. PUBLIC HEARINGS

- A. Hearing to vacate a 0.94 acre portion of the Bridge Street right-of-way located on the south side of Bridge Street.

Mayor Brendlinger opened the public hearing. City Attorney Martin Stone gave criteria for deciding the hearing. No member of the public objected to any member of the Council participating in the hearing. No member of the Council declared a conflict of



interest. Mayor Brendlinger declared she had driven by the property and looked at it in conjunction with this hearing. No other Councilor declared ex parte contact. Planning Director John Bischoff presented the request for the zone change. Planning Commission and staff both gave unanimous recommendation for approval.

Following input from the public and staff, and discussion from the Council, Mayor Brendlinger closed the public hearing at 7:38 p.m. All parties waived the opportunity to have an additional seven (7) days to submit additional argument.

*Motion made by Councilor Ham to approve the vacation of the 0.94 acre portion of the Bridge Street right-of-way with an amendment to require a slope easement and drainage deed restriction; seconded by Councilor Curry; and Council voted 3-2 to approve (Councilors Curry, Ham and Hagbom for; Councilor Cartwright and Mayor Brendlinger against).*

Mayor Brendlinger stated that since the ordinance contained in the packet approving the street vacation had not been advertised in the newspaper under the Resolutions and Ordinances section of the agenda, it will be held over, along with the Final Order, which had to be changed to reflect the slope easement and drainage deed restrictions, until the next Council meeting.

#### V. SCHEDULED PUBLIC APPEARANCES

- A. Parks and Recreation Committee member Lee Rogers presented information regarding suggestions for Chetco Point improvements by priority.

*Councilor Ham moved to approve the Parks & Recreation Committee to proceed with the Chetco Point improvement plan; Councilor Curry seconded the motion; motion carried unanimously.*

- B. Bob Hatla from South Coast Business Employment Corporation reported to the Council on the programs his agency offers.
- C. Victoria Donovan and Dan Nelson of Free Air Community Television gave a presentation on their cable TV access non-profit business.



VI. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

Police officer Barbara Palicki reported on Crime Stoppers and presented the Council with a certificate from Crime Stoppers International; the Bicycle Safety Fair (79 children registered); and that the Citizens Academy program is going great.

Four other citizens reported on the need for a Skateboard Park.

Council took a 10 minute recess at approximately 9:00 p.m.

VII. COMMITTEE & LIAISON REPORTS

Chamber of Commerce -

City Manager, Agenda Item # 2

*Motion made by Councilor Ham to permit the serving of alcohol at Azalea Park for an RV Park Mixer and the waiver of park fees; seconded by Councilor Cartwright; motion passed unanimously.*

City Manager, Agenda Item #6

*Motion made by Councilor Ham to approve the Coastal Policy Advisor Committee on Transportation (CPACT) for Pacific Coast Scenic Byway's local decision making process; the process for updating and making changes to the management plan; the memorandum of understanding; and for CPACT to include the area specifically from Pistol River to Rainbow Rock View Point on the west side only in the scenic by-way; seconded by Mayor Brendlinger; motion carried unanimously.*

VIII. ORDINANCES/RESOLUTIONS/FINAL ORDERS

*After Taxicab Ordinance No. 97-O-387.D was read into the record, Councilor Hagbom made the motion to adopt Ordinance No. 97-O-387.D; Councilor Curry seconded the motion; motion carried unanimously.*

*Following the second reading of Ordinance No. 97-O-387.D by title only, Councilor Hagbom moved to adopt; Councilor Curry seconded the motion; motion carried unanimously.*



IX.

STAFF REPORTS

A. Community Development

2. Establishing System Development Charge rate change calendar

*Motion made by Councilor Hagbom to approve the System Development Charge rate change calendar; seconded by Councilor Ham; motion carried unanimously.*

1. Authorization of call for bids; portable pump for Wastewater

*Motion made by Councilor Curry to authorize staff to call for bids for a portable pump for the Wastewater operations; seconded by Councilor Ham; motion carried unanimously.*

X.

RECESS

Council decided to recess the meeting due to the lateness of the hour and that there still remained several items on the agenda to be covered.

*Motion made by Councilor Hagbom to recess the Council meeting until May 19, 1997; seconded by Councilor Curry; motion carried unanimously.*

Meeting recessed at 10:15 p.m.

Meeting reconvened on May 19, 1997 at 7:04 p.m.

Councilor Julie Cartwright was not in attendance.

XI.

STAFF REPORTS

B. City Manager

1. Liquor license renewals

*Motion made by Councilor Ham to approve liquor license renewals for Lee's Dragon Gate and Chives; seconded by Councilor Hagbom; motion carried unanimously.*

3. Agreement for Municipal Court Judge



*Motion made by Councilor Ham to accept the Municipal Court Judge agreement as amended by City Attorney in his memo to the Council dated May 19, 1997; seconded by Councilor Curry; motion passed unanimously.*

*Motion made by Councilor Ham to direct staff to advertise for the Municipal Court Judge contract service position; seconded by Councilor Curry; motion carried unanimously.*

Council set the following dates for the process of filling the Municipal Judge position; Ad to appear in the 5/24/97 edition of the Curry Coastal Pilot; Deadline for accepting applications is 6/4/97; Applications to be included in packet for Council review on 6/5/97; Interviews to be held and selection made 6/9/97.

## **XII. ORDINANCES/RESOLUTIONS/FINAL ORDERS**

### **B. Municipal Court Ordinance Amendment No. 97-O-525**

Finance Director/Recorder Bev Adams read Ordinance No. 97-O-525 into the record in it's entirety.

*Motion made by Councilor Hagbom to accept Ordinance No. 97-O-525; seconded by Councilor Ham; motion carried unanimously.*

Ordinance No. 97-O-525 was then entered into the record by title only for second reading.

*Motion made by Councilor Hagbom to accept Ordinance No. 97-O-525 by title only for second reading; seconded by Councilor Ham; motion carried unanimously.*

*Following Council discussion of the current Municipal Court Judge position, the Motion was made by Councilor Hagbom to terminate employment as of May 30, 1997; seconded by Councilor Ham; motion passed unanimously.*

### **City Manager; Agenda Item #5**

*Motion made by Councilor Ham to accept Staff's recommendation to develop the "Boat Park" as presented; seconded by Councilor Curry; motion carried unanimously.*



City Manager; Agenda Item #7

*Motion made by Councilor Ham to approve Internet services for the Police Department, Fire Department, Administrative Department, the construction of a Web Page for the City; and E-Mail addresses for each of the Council members; seconded by Councilor Curry; motion passed unanimously.*

XIII. CONSENT CALENDAR

*Motion made by Councilor Curry to approve the Consent Calendar as presented; seconded by Councilor Hagbom; motion carried unanimously.*

XIV. COMMITTEE & LIAISON REPORTS

Councilor Curry stated that he would be attending a CCD meeting on Thursday.

Councilor Hagbom has been attending the Watershed Council meetings and noted that recently a new Watershed Coordinator had been appointed.

Mayor Brendlinger recently attended the System Development Charge review committee meeting; the TGM town hall meeting; and will attend the next Citizens for Better Brookings meeting to be held on May 28, 1997; also attended Harbor Sanitary District meeting; and spoke with Falcon Cable regarding the televising of Council meetings at no cost to the City.

XV. REMARKS FROM MAYOR AND COUNCIL

- A. Mayor Brendlinger suggested that the Council evaluate the City Finance Director/Recorder in executive session at the June 23, 1997 meeting. Council was in agreement.
- B. Council Curry stated that he had volunteered for the CCD committee and had contacted the Council individually since the form had to be returned prior to the Council meeting date.



XVI. ADJOURNMENT

*Motion made to adjourn the meeting at 9:00 p.m. by Councilor Ham;  
seconded by Councilor Hagbom; motion passed unanimously.*

---

Nancy Brendlinger  
Mayor

ATTEST:

---

Beverly Adams  
Finance Director/Recorder



# **MINUTES**

**CITY OF BROOKINGS  
COMMON COUNCIL MEETING  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
June 9, 1997  
7:00 p.m.**

**I. CALL TO ORDER**

**Mayor Brendlinger called the meeting to order at 7:00 p.m.**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**Council Present: Mayor Nancy Brendlinger, Councilors Bob Hagbom, Larry Curry, Dave Ham, and Ex-Officio Kevin Blank**

**Absent: Councilor Julie Cartwright**

**Staff Present: Community Development Director Leo Lightle, Finance Director/Recorder Bev Adams, City Attorney Martin Stone**

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

**IV. EXECUTIVE SESSION: ORS 192.006 1 (h)**

**At 7:02 p.m. Mayor Brendlinger announced that the Council and City Attorney would retire from the regular Council meeting to meet for an Executive Session under ORS 192.006 1(h) to discuss possible litigation and that the regular meeting would reconvene in approximately 15 minutes.**

**Mayor Brendlinger reconvened the meeting at 7:20 p.m.**



**V. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS**

**None**

**VI. PUBLIC HEARINGS**

**None**

**VII. SCHEDULED PUBLIC APPEARANCES**

**None**

**VIII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE**

**None**

**IX. STAFF REPORTS**

**A. City Manager**

**1. Lease with Library District for "Boat Park"**

**Motion made by Councilor Ham to accept the agreement with the Library for a "Boat Park" with the amendment to place the park in a more "southerly" position on the property; seconded by Councilor Hagbom; motion carried unanimously.**

**2. Liquor license renewals**

**Motion made by Councilor Hagbom to approve liquor license renewals for the Flying Gull restaurant and City Grill restaurant; seconded by Councilor Curry; motion carried unanimously.**

**B. Finance Department**

**1. Ballot title language for September 16, 1997 election**

**Following discussion on the ballot title language and amendments agreed upon by the Council and City Attorney, Motion made by Councilor Hagbom to approve the ballot title language; seconded by Councilor Curry; motion carried unanimously.**



**C. Community Development Department**

**1. Wastewater System Improvements:**

**Motion made by Councilor Ham to approve addition to agreement with Brown & Caldwell Engineers for additional work needed per their June 4, 1997 letter to Leo Lightle; seconded by Councilor Hagbom; motion carried unanimously.**

**Council held discussion on the options available for financing the Wastewater System Improvements.**

**Following the discussion for financing the Wastewater System Improvements, Mayor Brendlinger called for a break for City Attorney Martin Stone to review an ORS pertaining the hearing process to revise the System Development Charges. Meeting was reconvened at 8:34 p.m.**

**Motion made by Councilor Hagbom that Council's preferred methodology for the Wastewater system improvement financing be Option #2 as proposed by Brown & Caldwell Engineering; seconded by Councilor Ham; motion carried unanimously.**

**Motion made by Councilor Hagbom to adopt revised calendar for System Development Charges ordinance change; seconded by Councilor Curry; motion carried unanimously.**

**2. Continuation of Oak Street Project**

**Motion made by Councilor Hagbom to accept staff's recommendation for continuation of the Oak Street project, 1996 Special Cities Allotment request; seconded by Councilor Curry; motion passed unanimously.**

**X. CONSENT CALENDAR**

**Motion made by Councilor Hagbom to accept the consent calendar as presented; seconded by Councilor Ham; motion carried unanimously.**

**XI. ORDINANCES/RESOLUTIONS/FINAL ORDERS**

- 1. Ordinance No. 97-O-524; An ordinance vacating a 0.94 acre portion of the Bridge Street right-of-way**



**a. Final Order and Findings of Fact for VAC-1-97**

**Consideration of both the above Ordinance No. 97-O-524 and Final Order and Findings of Fact has been tabled until a later date.**

**b. Resolution No. 97-R-617, a resolution electing to participate in the Special Cities Allotment program.**

**Motion made by Councilor Hagbom to approve Resolution No. 97-R-617; seconded by Councilor Curry; motion passed unanimously.**

**XII. COMMITTEE & LIAISON REPORTS**

**None**

**XIII. MUNICIPAL JUDGE INTERVIEWS**

**Mayor Brendlinger announced that Council would begin interviews for the Municipal Court Judge position and stated that this position is a contractual position with the City and not an employee relationship.**

**City Attorney Martin Stone proposed that Council may wish to conduct the Municipal Court Judge interviews by asking all applicants to leave the Council Chambers, retaining only one applicant at a time to be interviewed; then for Council to recess into Executive Session to review and discuss the applicants interviewed, returning to public session to make the selection.**

**Motion made by Councilor Ham to accept the interview process proposed by City Attorney Martin Stone; seconded by Councilor Hagbom; motion carried unanimously.**

**Following the interviews, the Mayor and Council adjourned to Executive Session (ORS 192.6601.a) to discuss the candidates for Municipal Court Judge at 9:48 p.m.**

**Council reconvened the Council meeting at 10:26 p.m.**

**Motion made by Councilor Ham to appoint Richard Harper as Municipal Court Judge; seconded by Councilor Hagbom; motion carried unanimously.**



**XIV. REMARKS FROM MAYOR AND COUNCILORS**

**Councilor Curry reported that the OCXMA is currently working on their budget and would like to get an idea from the Council if the City will participating in paying the usual annual dues in the amount of \$500.**

**XV. ADJOURNMENT**

**Meeting was adjourned at 10:43 p.m.**

\_\_\_\_\_  
**Nancy Brendlinger**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Beverly Adams**  
**Finance Director/Recorder**



**MINUTES  
BROOKINGS PLANNING COMMISSION  
REGULAR MEETING  
May 6, 1997**

The regular meeting of the Brookings Planning Commission was called to order by Chair George Ciapusci at 7:01 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

George Ciapusci  
Earl Breuer  
Judi Krebs

Keith Pepper  
Marv Lindsey  
Ted Freeman

Jessica Babin  
John Bischoff, Planning Director  
Linda Barker, Secretary

Commissioner Dentino was absent. At the time of the roll call Commissioner Freeman was not present. He joined the meeting at 7:06 p.m.

**MINUTES**

The minutes from the March 4, 1997 meeting were presented. Commissioner Krebs moved and Commissioner Pepper seconded a motion to approve the minutes as written. The motion died as there was not a sufficient number of Commissioners in attendance at this meeting who had attended the March meeting. The minutes will be carried forward to the June regular meeting.

By a 4-0 vote (motion: Commissioner Breuer, second: Commissioner Freeman; Commissioners Pepper and Krebs abstaining as they were not present at the April meeting) the Planning Commission approved the minutes of the April 1, 1997 meeting as written. This vote took place following the hearing on SUB-1-97/FIN.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS**  
None

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

By a 6-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved (File No. SUB-1-76/FIN) a request for final map approval for a six-lot subdivision approved in February, 1997 known as the Williams Subdivision; located on the west side of Passley Road approximately 132 feet south of Dawson Road; zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size); Vic and Susan Williams, applicants.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS**

1. By a 5-1 vote, (motion: Commissioner Krebs, second: Commissioner Breuer; voting for: Commissioners Breuer, Krebs, Freeman, Ciapusci and Pepper; voting against: Commissioner Lindsey) the Planning Commission approved (File No. CUP-5-97-97) a request for a conditional use permit to allow the use of an existing building as a kindergarten classroom; located on the west side of Fern Avenue approximately 155 feet south of Easy Street; Brookings-Harbor School District, applicant; Dr. Paul Prevenas, representative. The motion included the condition that the permit and all uses allowed by it will expire on June 30, 2000.







Avenue; zoned R-3 (Multiple-Family Residential); Gene Chickinell DDS, applicant. The motion reduced the required public parking spaces in the conditions of approval from seven to five.

This action was taken following questions or comments regarding the request from the following people:

- |                    |                       |              |
|--------------------|-----------------------|--------------|
| a) Gene Chickinell | 15822 Oceanview Drive | Brookings OR |
| b) Bart Kast       | 740B Pioneer Road     | Brookings OR |

The applicant waived his right to seven (7) additional days in which to submit written argument.

6. By a 5-1 vote (motion: Commissioner Pepper, second: Commissioner Breuer; voting for: Commissioners Freeman, Ciapusci, Breuer, Pepper and Lindsey; voting against: Commissioner Krebs) the Planning Commission approved the Final ORDER and Findings of Fact for File Document No. CUP-4-97 as amended.

The Commission recessed from 8:53 p.m. to 9:00 p.m.

7. By a 4-2 vote (motion: Commissioner Lindsey, second: Commissioner Freeman, voting for: Commissioners Freeman, Breuer, Pepper and Lindsey; voting against: Commissioners Krebs and Ciapusci) the Planning Commission approved (File No. M3-7-97); a request for a minor partition to divide a 2.66 acre parcel of land into two parcels of 37,506.85 and 78,632.66 sq. ft. in size; located between Ransom Avenue on the south and Hassett Street on the north, approximately 330 feet east of Fifth Street; zoned R-2 (Two Family Residential); John Zia, applicant. The motion retained the requirement for curb, gutter, sidewalk and paving on Ransom Street; deleted the requirement for curb, gutter and sidewalk plus street paving on Hassett Street and included improvements to the culvert under Ransom Street (the DIA on the property stays in effect for improvements to Hassett Street frontage). Also the motion stipulated that a protective easement be established over the wetland portion of both parcels created by this partition and that a fire hydrant be installed on Hassett Street at a location to be determined by the city Fire Chief.

This action was taken following questions or comments regarding the request from the following people:

- |                  |                  |              |
|------------------|------------------|--------------|
| a) John Zia      | 97848 Titus Lane | Brookings OR |
| b) Leslie Wood   | PO Box 3021      | Harbor OR    |
| c) Wayne Baker   | PO Box 687       | Brookings OR |
| d) Dee Stringham | PO Box 561       | Brookings OR |

The applicant waived his right to seven (7) additional days in which to submit written argument.

Commissioner Babin excused herself from the bench and left the meeting at 10:00 p.m.



8. By a 4-2 vote (motion: Commissioner Lindsey, second: Commissioner Freeman; voting for: Commissioners Freeman, Breuer, Pepper and Lindsey; voting against: Commissioners Ciapusci and Krebs) the Planning Commission approved the Final ORDER and Findings of Fact for File Document No. M3-7-97 as amended.

#### **THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS**

By a 6-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission will send a favorable recommendation to Curry County in the matter of CR-P9703 a request for a minor partition to create two lots of 9,188 and 24,125 sq. ft. and a 50-foot wide street right-of way over an existing road; located on the north side of East Benham Lane approximately 500 feet east of Highway 101, within the Brookings Urban Growth Boundary; zoned County R-2 (Residential Two); George Hannan, applicant. The favorable recommendation will include suggestions that: (1) the applicant consult with Harbor Water PUD to determine if a fire hydrant is required on Hannan Lane; (2) the County Road Department address the letter dated April 28, 1997 from Jack E. Loffmark; and (3) the applicant shall dedicate sufficient right-of-way along the Benham Lane frontage of the subject property to ensure that future construction can be to full county standards.

This action was taken following questions or comments regarding the request from the following people:

a) Larry Hannan

PO Box 340

Brookings OR

Before the referral was heard Chair Ciapusci gave a recap of the April 22 meeting between county officials, city staff and the Chair and Vice-chair of the Planning Commission. County referral procedures were clarified at this meeting. To be included in each month's Planning Commission packets will be the completed application form and full application materials for each referral. Each Commissioner will also be sent a full copy of the Urban Growth Boundary Joint Management Agreement.

#### **UNSCHEDULED PUBLIC APPEARANCES**

None

#### **REPORT OF THE CITIZENS ADVISORY COMMITTEE**

The TGM committee held an open house at the Senior Center last month. Only committee members the consultants and two members of the public attended. The first Highway Couplet Refinement meeting was also held last month and it was well attended.

#### **MESSAGES AND PAPERS FROM THE CITY MANAGER**

None

#### **MESSAGES AND PAPERS FROM THE MAYOR**

None

#### **REPORT OF THE PLANNING DIRECTOR**

The RV at 828 Railroad is now gone. The owner was cited and fined \$100. Mike Mahar has been contacted regarding the street-lighting at Harris Beach Estates and a meeting has been set up with city staff to address his concerns for both property owners at the subdivision and Harris Beach State Park



sign for the tropical fish store on Wharf has reappeared. He has contacted them about the needed sign permit.

#### **PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS**

Commissioner Krebs reported on a RV located on a lot at Spruce and Oak Streets which appears to have people living in it. She also asked for feedback on county referrals. Staff related that the mission conditional use permit application heard at our last meeting was approved by the county. Commissioner Krebs was in attendance at the county meeting so she was able to brief the Commission on the conditions the county applied. It was the best attended meeting she had seen at the county level and she was glad to see the amount of citizen involvement the application generated.

Commissioner Pepper remarked on two signs that are hanging below the minimum sign clearance requirement in Section 88 of the Land Development Code. They are located at Boomerangs and the Thrift Shoppe, both in the 500 block of Chetco Avenue. He also made note of abandoned signs reading Seventh Heaven and Pat Foley, attorney-at-law; the unused sign pole at Loring's and part of a sign frame on the State Farm Building.

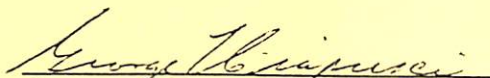
City Attorney Marty Stone's April 28 talk on ethics for public officials was brought to the Commission's attention by Chair Ciapusci. Ex parte contact by Commissioners includes site visits so any Commissioner who visits an application site must declare this before the hearing commences. Chair Ciapusci made sure each Commissioner received a copy of the Oregon Government Standards and Practices Law, A Guide for Public Officials.

#### **ADJOURNMENT**

There being no further business before the Planning Commission, the meeting was adjourned at 10:54 p.m.

Respectfully submitted,

**BROOKINGS PLANNING COMMISSION**

  
George L. Ciapusci, Chairman



# MINUTES

CITY OF BROOKINGS  
BUDGET COMMITTEE WORK SESSION  
City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
February 18, 1997  
7:00 p.m.

I. CALL TO ORDER

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

II. ROLL CALL

Budget Committee Present: Mayor Nancy Brendlinger, Larry Curry, Bob Hagbom, Julie Cartwright, Reily Smith, Gail Hampton, Kathy Leach, Keith Hislop, Lorraine Kuhn

Absent: Dave Ham

Staff Present: City Manager Tom Weldon, Finance Director/Recorder Bev Adams, Fire Chief Bill Sharp, Police Chief Jack McDonald, Accounting Assistant Nancy Corrigan, Judge William Cowley

Media Present: Anita Rainey, Curry Coastal Pilot

III. PRESENTATION

City Manager Tom Weldon verbally presented the Budget Committee meeting packet information to the Budget Committee and public present. (Packet attached as information item)

Following discussion of the items presented by the Budget Committee and members of the public, members of the Council decided to recess this budget meeting until March to allow staff to bring budget cuts totaling \$238,000 for consideration.

IV. MEETING SCHEDULE

Mayor Brendlinger recessed the budget work session at 8:35 p.m., to



be continued on March 20, 1997 at 7:00 p.m. in the Council chambers.

#### MEETING RECONVENED

The budget work session meeting was reconvened on March 20, 1997 at 7:04 p.m.

#### DISCUSSION ON MEASURE 47 CUTS

After discussion of proposed Measure 47 cuts, the general consensus of the Budget Committee was that Staff could use the following cuts as a guideline in preparing the 1997-98 proposed budget:

From the General Fund, it was agreed that these cuts would be incorporated into the budget:

Decrease Contract services; elimination of the Annual Report; decrease Fire Department Materials/Disaster Emergency Plan line item; decrease the Council/Community Relations line item; decrease Park Maintenance expenditure; decrease the travel/training line item for all departments; eliminate City Hall janitorial services and park restroom maintenance services and have the Parks/Public Works employees assume this responsibility; and not to budget for the City Manager secretarial position that is currently vacant.

Following considerable discussion on the proposed downsizing of the Municipal Court, it was generally the consensus of the Budget Committee that not enough information was available to make a decision at this time.

#### ADJOURNMENT

Meeting was adjourned at 8:48 p.m.

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Nancy Brendlinger  
Mayor

ATTEST:

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Beverly Adams  
Finance Director/Recorder



# **MINUTES**

## **CITY OF BROOKINGS**

### **BUDGET COMMITTEE MEETING**

**City Hall Council Chambers**  
**898 Elk Drive, Brookings, Oregon**  
**April 23, 1997**  
**7:00 p.m.**

#### **CALL TO ORDER**

**Mayor Brendlinger called the meeting to order at 7:03 p.m.**

#### **ROLL CALL**

**Budget Committee Present: Mayor Nancy Brendlinger, Councilor Bob Hagbom, Councilor Larry Curry, Appointed members, Reily Smith, Gail Hampton, Kathy Leach, Lorraine Kuhn, Keith Hislop**

**Absent: Councilors Dave Ham & Julie Cartwright**

**Staff Present: City Manager Tom Weldon, Budget Officer Bev Adams, Fire Chief Bill Sharp, Police Chief Jack McDonald, Accounting Assistant Nancy Corrigan, Community Development Director Leo Lightle, Police Sergeant Mike Cooper, Judge William Cowley**

**Media Present: Anita Rainey, Curry Coastal Pilot, Martin Kelly, KCRE**

#### **SELECTION OF OFFICERS**

**Motion made by Reily Smith nominating Councilor Bob Hagbom to serve as Budget Committee Chair for the 1997/98 fiscal year; motion seconded by Keith Hislop; motion passed unanimously.**

**Motion made by Lorraine Kuhn nominating Gail Hampton to serve as Budget Committee Secretary for the 1997/98 fiscal year; motion seconded by Councilor Larry Curry; motion passed unanimously.**



## **BUDGET PRESENTATION**

Budget Committee Chair Bob Hagbom asked Budget Officer Beverly Adams to begin the presentation of the budget. After the budget message was read into the record, the Budget Committee held a public hearing on the proposed use of the State Revenue Sharing funds.

## **PUBLIC HEARING**

Budget Committee Chair Bob Hagbom opened the public hearing at 7:23 p.m. After a brief description of the use of State Revenue Sharing funds, the public hearing was closed at 7:25 p.m. with no public comment.

## **BUDGET APPROVAL**

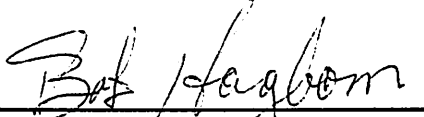
Following the review of each fund and discussion as desired by the Budget Committee on each, the following motions were made:

Motion made by Mayor Brendlinger directing an amendment be made to the proposed budget by showing the Municipal Court cost of operation under the department title of Judicial as previously budgeted; motion seconded by Lorraine Kuhn; motion passed with one dissenting vote from Budget Committee member Kathy Leach.

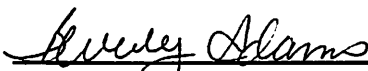
Motion made by Mayor Brendlinger to recommend approval of the 1997/98 proposed budget with amendments to the City Council, seconded by Lorraine Kuhn; motion passed unanimously.

## **ADJOURNMENT**

The budget meeting was adjourned at 9:30 p.m.

  
\_\_\_\_\_  
Bob Hagbom  
Budget Committee Chair

ATTEST:

  
\_\_\_\_\_  
Beverly Adams  
Budget Officer



**ORDINANCE NO. 97-O-524**

**AN ORDINANCE VACATING A 0.94 ACRE PORTION OF THE BRIDGE STREET RIGHT-OF-WAY LOCATED ON THE SOUTH SIDE OF BRIDGE STREET.**

**Sections:**

- |                   |                                    |
|-------------------|------------------------------------|
| <b>Section 1.</b> | <b>Findings and determination.</b> |
| <b>Section 2.</b> | <b>Vacation.</b>                   |
| <b>Section 3.</b> | <b>Certification of ordinance.</b> |

**The City of Brookings ordains as follows:**

**Section 1.                      Findings and determination.    The Council of the City of Brookings hereby finds it appropriate to consider vacation of the following described parcel of land:**

**0.94 acre portion of the Bridge Street right-of-way located on the south side of Bridge Street as described in Exhibit A.**

**That the Recorder of the City of Brookings gave due notice of public hearing to be held before the Council at the hour of 7:00 o'clock, May 12, 1997 in the Council Chambers in the City Hall in the City of Brookings, at which time any persons whomsoever having any objections or remonstrance to said parcel vacation or any part thereof, should file written objection or remonstrance with the City Recorder. That it appears to the satisfaction of the Council that the proposed vacation is in the best interests of the City. That the public interest will not be prejudiced by the vacation and that the vacation will not substantially affect the market value of abutting property.**

**Section 2.                      Vacation.        The City of Brookings does hereby vacate a certain parcel of land described above.**

**Section 3.                      Certification of ordinance.        The City Recorder is hereby instructed to forthwith record and file certified copies of this Ordinance with the County Clerk, County Assessor and**



County Surveyor of Curry County, Oregon.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Passage: \_\_\_\_\_

Effective Date: \_\_\_\_\_

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

\_\_\_\_\_  
Nancy A. Brendlinger  
Mayor

ATTEST:

\_\_\_\_\_  
Beverly S. Shields  
City Recorder



Exhibit "A"  
Description of Proposed Area of Vacation  
Bendickson/Sullivan Vacation Application  
Tax Lot 6200

A parcel of land being part of the SW  $\frac{1}{4}$  of Section 5, Township 41 South, Range 13 West, Willamette Meridian, City of Brookings, Curry County, Oregon, also being a portion of the former US Highway 101 right of way, said right of way having been relinquished to the City of Brookings by the State of Oregon Department of Transportation as described in Book 37 of Records, Page 26, Curry County Records, more particularly described as follows:

Beginning at the northeast corner of Tract 1 as described in Deed recorded in Book 24 of Records, Page 644, Curry County Records, said point lying N  $48^{\circ}58'43''$  W, 3544.22 feet from the southeast corner of said Section 5; thence along the east line of said Tract 1 S  $30^{\circ}23'00''$  W, 25.41 feet to the southerly line of said former highway right of way line; thence along said southerly right of way line N  $69^{\circ}46'18''$  W, 16.53 feet; thence continuing along said right of way line along a spiral curve to the left having a theta angle of  $08^{\circ}00'00''$ , a chord bearing and distance of N  $72^{\circ}23'23''$  W 385.71 feet, a spiral distance of 386.04 feet; thence continuing along said right of way line along a tangent curve to the left, having a radius of 1332.39 feet, a central angle of  $00^{\circ}51'21''$  and a chord bearing and distance of N  $78^{\circ}11'59''$  W 19.90 feet, an arc distance of 19.90 feet; thence continuing along said right of way line S  $31^{\circ}13'00''$  W, 10.64 feet; thence continuing along said right of way line along a non-tangent curve to the left, having a radius of 1322.39 feet, a central angle of  $04^{\circ}25'54''$  and a chord bearing and distance of N  $80^{\circ}59'59''$  W 102.26 feet, an arc distance of 102.28 feet; thence continuing along said right of way line N  $06^{\circ}47'04''$  E, 40.00 feet; thence continuing along said right of way line along a non-tangent curve to the left, having a radius of 1362.39 feet, a central angle of  $05^{\circ}44'39''$  and a chord bearing and distance of N  $86^{\circ}05'16''$  W 136.53 feet, an arc distance of 136.59 feet to the northwest corner of Tract 2 as described in Deed recorded in Book 24 of Records, Page 644, Curry County Records; thence departing from said right of way line N  $86^{\circ}24'09''$  E, 264.54 feet; thence S  $75^{\circ}22'35''$  E, 145.64 feet; thence S  $70^{\circ}25'04''$  E, 281.23 feet; thence S  $19^{\circ}34'56''$  W, 48.91 feet to the point of beginning. Containing 0.94 Acres, more or less.



BEFORE THE COMMON COUNCIL  
CITY OF BROOKINGS, COUNTY OF CURRY  
STATE OF OREGON

In the matter of Planning Commission File No.	)	Final ORDER
VAC-1-97; application for approval of a right-of-way	)	and Findings of
vacation Lloyd Bendickson and Dennis Sullivan,	)	Fact
<u>applicant.</u>	)	

**ORDER** approving an application for a vacation of 0.94 acres of excess right-of-way located on the south side of Bridge St.; Adjacent to the north side of Assessor's Map 41-13-5CA, Tax Lot 6200; R-3 (Multiple-Family Residential).

**WHEREAS:**

1. The Planning Commission duly accepted the application filed in accordance with Section 152, Vacations, of the Land Development Code; and,

2. Such application is required to show evidence that all of the following criteria has been met:

A. Compliance with the comprehensive plan, circulation element or other applicable sections of the document.

B. If initiated by petition pursuant to ORS 271.080, the council shall make the determinations pursuant to ORS 271.120 based upon evidence provided by the petitioner(s) in the written findings.

C. If initiated upon a recommendation of the Planning Commission and/or by the City Council on its own motion pursuant to ORS 271.130, a determination shall be made that the vacation will not substantially affect the market value of all such abutting property to the area proposed to be vacated, unless the City Council proposes to provide for paying such damages.

3. The Brookings Planning Commission duly considered the above described application on the agenda of its regularly scheduled public hearing on April 1, 1997; and

4. Recommendations were presented by the Planning Director in the form of a written Staff Agenda Report dated March 25, 1997, and by oral presentation, and evidence and testimony was presented by the applicant and the public at the public hearing; and,

5. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the Planning Commission, upon a motion duly seconded, accepted the Staff Agenda Report and recommended that the City Council approve the request, and



6. The Brookings City Council duly considered the above described application in a public hearing at a regularly scheduled public meeting held on May 12, 1997, and is a matter of record; and

7. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the City Council, upon a motion duly seconded, accepted the Planning Commissions recommendation; and

**THEREFORE, LET IT BE HEREBY ORDERED** that the application for an vacation of the subject right-of-way is approved. This approval is supported by the following findings and conclusions:

### **FINDINGS**

1. Pursuant to the provisions of Section 152, Vacations, of the Land Development Code, the applicant has filed a petition to vacate a 75 foot wide portion of the Bridge St. right-of-way the extends 691.11 feet along the northerly boundary of the applicant's property. The total area of the vacation is 0.94 acres.
2. The area to be vacated only abuts the applicant's property and the remaining portion of the Bridge St. right-of-way.
3. The proposed vacation does not involve the vacation of Bridge St. itself, just a portion of the right-of-way on the south side of the street.
4. The area to be vacated is located on a steep hillside that drops from the travel way onto the applicant's property.
5. The proposed vacation will leave at least 25 feet of remaining right-of-way along the south side of the existing 28 foot wide paved travel way.
6. The applicant has agreed to provide the city with a slope easement over the area to be vacated from the top of the slope to the bottom of the drainage ditch and also to record a document of agreement to maintain the drainage ditch and to accept any additional flows within the ditch resulting from upstream development.

### **CONCLUSIONS**

1. The proposed vacation is over an area of excess right-of-way that in some places extends more than 100 feet beyond the southerly edge of the paved travel way of Bridge St. The area to be vacated is on a steep slope that drops from the existing road bed and thus cannot be used for any future improvement for Bridge St. The proposed vacation will leave at least 25 feet of right-of-way along the south side of the paved travel way which is sufficient to provide full standard street improvements for Bridge St. if required in the future. Prior to passing the



required ordinance to vacate the street the city will ensure that any required slope easements and drainage maintenance agreements are submitted by the applicant.

2. The applicant has submitted the required number of notarized consent letters agreeing to the street vacation. Since the entire area to be vacated is located adjacent to the applicant's property, the proposed vacation will not impact any of the surrounding properties nor prevent any of them from having access.
3. The proposed vacation will not have an adverse affect on the goals or policies of the city's Comprehensive Plan.

Dated this **12th** day of **MAY**, 1997

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Nancy A. Brendlinger, Mayor

ATTEST:

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John C. Bischoff, Planning Director



**ORDINANCE NO. 97-O-526**

**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 1997-98.

**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 23rd day of June, 1997.**

**I certify that a public hearing before the Budget Committee was held on April 23, 1997 and a public hearing before the City Council was held on May 27, 1997, giving citizens an opportunity to comment on the use of State Revenue Sharing.**

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**Nancy Brendlinger**  
**Mayor**

**ATTEST:**

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**Beverly S. Adams**  
**City Finance Director/Recorder**



**RESOLUTION NO. 97-R-618**

**A RESOLUTION ADOPTING THE BUDGET, DECLARING TAX LEVIED, MAKING APPROPRIATIONS FOR THE 1997-98 FISCAL YEAR AND TO CATEGORIZE THE LEVY AS PROVIDED IN ORS 310.060(2).**

**BE IT RESOLVED** that the City Council of the City of Brookings hereby adopts the budget approved by the Budget Committee for fiscal year 1997-98, which is now on file in the office of the City Finance Director/Recorder.

**BE IT FURTHER RESOLVED** that the Brookings City Council of the City of Brookings hereby levies the taxes provided for in the adopted budget in the aggregate amount of \$ 1,441,580 and that these taxes are levied upon all taxable property within the district as of 1:00 a.m. July 1, 1997. The following allocation and categorization subject to the limits of section 11b, Article XI of the Oregon Constitution make up the above aggregate levy:

	Subject to the General Gov. Limitation	Excluded from the Limitation	Total Levy
General Fund	\$1,379,196	\$ -0-	
Debt Service Fund	<u>-0-</u>	<u>62,384</u>	
	<u>\$1,379,196</u>	<u>\$ 62,384</u>	<u>\$ 1,441,580</u>

**BE IT FURTHER RESOLVED** that the amounts for the fiscal year beginning July 1, 1997, and for the purposes shown below are hereby appropriated as follows:



### GENERAL FUND

	<u>Appropriation</u>
Judicial	\$ 7,500
Legislative/Administrative	164,750
Police	978,400
Fire	173,450
Community Development	248,800
Parks & Recreation	196,000
Finance	162,000
Non-Departmental	119,300
Contingency	<u>10,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 2,060,200</u>

### STREET FUND

Personal Services	\$ 169,900
Materials & Services	82,300
Capital Outlay	194,500
Interfund Transfer	<u>4,500</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 451,200</u>

### WATER FUND

Distribution	\$ 382,000
Treatment	357,200
Interfund Transfers	<u>28,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 767,200</u>



WASTEWATER FUND

Collection	\$ 235,600
Treatment	536,600
Interfund Transfers	<u>237,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$1,009,200</u>

9-1-1 FUND

Materials & Services	\$ 38,000
Capital Outlay	134,900
Interfund Transfers	23,100
Operating Contingency	<u>31,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 227,000</u>

BANCROFT BOND FUND

Future Years	\$ 6,900
Materials & Services	1,100
Transfers Out	<u>40,000</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 48,000</u>

DAWSON BANCROFT BOND FUND

Principal Payments	\$ 120,000
Interest Payments	109,320
Materials & Services	4,000
Transfers Out	<u>20,000</u>
<u>TOTAL APPROPRIATION</u>	<u>\$ 253,320</u>



<u>Unappropriated Ending Fund Balance</u>	<u>\$ 368,680</u>
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<u>TOTAL FUND</u>	<u>\$ 622,000</u>
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DEBT SERVICE FUND

Transfers Out	\$ 99,700
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Materials and Services	2,500
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<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 102,200</u>
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DEBT SERVICE 1993 SERIES FUND

Principal Payments	\$ 180,000
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Interest Payments	259,910
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Materials and Services	3,000
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Future Years	25,490
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<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 468,400</u>
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GENERAL RESERVE FUND

Reserve for Future Expenditures	\$ 161,800
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<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 161,800</u>
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STOUT PARK TRUST FUND

Materials and Services	\$ 170,300
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Interfund Transfer	36,800
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Reserve for Future Expenditures	15,000
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<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 222,100</u>
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WATER BOND FUND

Transfers Out	\$ 101,900
Materials and Services	<u>2,500</u>
<u>TOTAL APPROPRIATION</u>	<u>\$ 104,400</u>
 <u>Unappropriated Ending Fund Balance</u>	 <u>\$ 711,600</u>
 <u>TOTAL FUND</u>	 <u>\$ 816,000</u>

SEWER AGENCY FUND

Materials and Services	\$ 76,000
Capital Outlay	<u>84,300</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 160,300</u>

DARE RESERVE FUND

Materials & Services	\$ <u>3,300</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$ 3,300</u>

SYSTEM REPLACEMENT FUND

Street - Capital Outlay	\$ 163,000
Water - Capital Outlay	\$ 750,000
Wastewater - Capital Outlay	<u>\$ 161,800</u>
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$1,074,800</u>



SYSTEM DEVELOPMENT FUND

Street - Capital Outlay	\$ 169,000
Water - Capital Outlay	\$ 313,500
Wastewater - Capital Outlay	\$ 360,000
Parks & Recreation - Capital Outlay	\$ 111,500
Storm Drain - Capital Outlay	\$ 80,000
<u>TOTAL FUND AND APPROPRIATION</u>	<u>\$1,034,000</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 23th day of June, 1997.

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Nancy Brendlinger  
Mayor

ATTEST:

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Beverly S. Adams  
Finance Director/Recorder