

MINUTES
BROOKINGS COMMON COUNCIL MEETING

July 22, 1987
7:00 p.m.

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Vice Mayor Gil Batty, Councilmen Ray Nidiffer, Rick Howell, Doug Peterson Council Absent: Mayor Bob Kerr

Staff Present: City Manager Roy G. Rainey, City Attorney John Babin, City Recorder/Treasurer Beverly Shields, Engineering Technician Leo Lightle, Planning Director Richard Ullian, Communications Sergeant Cameron Lynn, Utilities Services Director Cecil Smith

Media Present: Dick Keusink, Curry Coastal Pilot; Marge Barrett, KURY

IV. CEREMONIES/APPOINTMENTS

None.

V. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. June 8, 1987 Council Meeting Minutes

Councilman Peterson made a MOTION, seconded by Councilman Nidiffer, to approve the minutes of the June 8, 1987 Council Meeting; MOTION carried unanimously.

B. Acceptance of Planning Commission Meeting Minutes

1. June 2, 1987 Regular Planning Commission Meeting Minutes

Councilman Nidiffer made a MOTION, seconded by Councilman Howell, to accept the minutes of the June 2, 1987 Planning Commission Meeting; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Bicentennial Program Presentation - Pat Cropper

Mrs. Cropper asked to be moved to a later time on the agenda.

B. Public Hearing - Preliminary Plat Approval Authority

Vice Mayor Batty opened the public hearing and turned the floor to Mr. Ullian for a presentation.

Planning Director Richard Ullian explained that this subdivision ordinance amendment was initiated by the Planning Commission on its own motion at the April 7, 1987 Planning Commission meeting. The purpose of the amendment is to give the Planning Commission additional authority to impose certain conditions as a part of their tentative plat review and approval process.

Mr. Ullian recommended that the City Council accept the favorable recommendations of the Planning Commission to amend the Subdivision Ordinance No. 217 granting authority to the Planning Commission to impose certain specific, necessary and essential conditions on preliminary plat approval for subdivisions; and, following closure of the public hearing, to indicate consensus to adopt Ordinance No. 417, to appear later on the agenda.

Vice Mayor Batty asked for testimony or comments from the audience.

Ann Ramp requested that the Council make sure that the already proposed or approved construction projects fit in with the goals of the City.

Vice Mayor Batty asked for further comments from the audience or from the Council. There being none, Vice Mayor Batty asked for a MOTION either for or against the amendment.

Councilman Peterson made a MOTION, seconded by Councilman Howell, to accept the recommendation of the Planning Commission on the proposed subdivision ordinance amendment; MOTION carried uannimousl

Vice Mayor Batty closed the public hearing.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

Vice Mayor Batty noted that Mayor Kerr is at home and recuperating following knee surgery.

Vice Mayor Batty advised that the City has requested an assignment of judgment that is against a small portion of property that is located on the Jack Creek golf course property, and it appears that it may be forthcoming. Vice Mayor Batty indicated that there is a possibility that the property on Jack Creek could be mowed and a driving range set up at the present time. He said he would like to discuss the possibility with the members of the golf board.

City Attorney John Babin and City Manager Roy Rainey further apprised the Council and the audience on the progress regarding legalities involved with the proposed golf course project property.

B. Council Announcements

Councilman Howell presented the individual community service award to Lee Ann McCurley and the organization community service award to the Brookings Elks Lodge No. 1934.

C. Planning Commission Announcements

None.

D. Manager Announcements

1. Insurance Agent of Record

Mr. Rainey indicated that there is a need to appoint a new insurance agent of record since the City has terminated its relationship with the Ross Agency as the agent of record. Mr. Rainey recommended that the City Council appoint the agency of Abel and Swank as the insurance agent of record for the 1987-88 fiscal year. Abel and Swank proposed the insurance package for the City which was accepted by the Council.

Councilman Howell made a MOTION, seconded by Councilman Nidiffer, to name Abel and Swank as the insurance agent of record for the 1987-88 fiscal year; MOTION carried unanimously.

2. Lathrop - Request for Exemption

Mr. Rainey indicated that he had received a letter from Mr. Bill Lathrop, 720 Third Street, requesting that his property be exempted from the requirement of keeping the brush and weeds trimmed down.

Mr. Bill Lathrop, 720 Third Street, read a statement to the Council concerning his property at 720 Third Street. (A copy of the letter is attached to these minutes.)

Vice Mayor Batty indicated that he saw no way to exempt one person from the requirements of a law. He also advised Mr. Lathrop that no action would or could be taken against his property until he had been properly notified and given the opportunity to comply with the law.

3. Oregon Highway Division - Sidewalk Signs, Banners; Rules and Regulations

Mr. Rainey indicated that he had received a letter from Stan Hobbs of the Oregon Department of Transportation, Highway Division, commenting on his concern for some of the sandwich type signs that exist in Brookings. Mr. Hobbs stated in his letter that not only are the signs illegal but they are also hazardous to the public. Mrs. Shields read the letter into the record. (A copy of the letter is attached to these minutes.)

D. Manager Announcements

Mr. Rainey reported that he and Vice Mayor Batty attended a meeting with the Harbor Sanitary District last week to begin negotiations with Harbor Sanitary District to amend the sewage treatment agreement which now exists. Mr. Rainey requested that the City Council set a work session to further discuss this matter. Vice Mayor Batty set Friday, July 24, 1987 at 7:00 p.m. for the work session.

Mr. Rainey announced that he would be leaving for Soda Springs, Idaho on Tuesday, July 28, to assist in pre-trial preparation proceedings. This matter concerns a court case which began during the time he was City Manager at Soda Springs.

4. Liquor License Application - Casa Del Mar Restaurant

Mr. Rainey indicated that this is an application for a new liquor license by Gary and Charlotte Sherwood, owners of the Casa Del Mar Restaurant on Railroad Avenue. Mr. Rainey pointed out that the police department has reviewed the application and has no objection to the granting of this liquor license.

Councilman Nidiffer made a MOTION, seconded by Councilman Howell, to grant the liquor license application for the Casa Del Mar Restaurant; MOTION carried unanimously.

CONTINUED FROM VI.A. - SCHEDULED PUBLIC APPEARANCES

Bi-Centennial Program Presentation - Pat Cropper

Pat Cropper, Chairman of the Brookings Bicentennial Commission, gave a presentation outlining the activities planned for the week of September 13 thru 20, 1987, Bicentennial Week.

Chuck Carfrey, Activities Director for the proposed parade, set for Thursday, September 17, outlined proposed plans for that event. Mr. Carfrey requested assistance from the City Council in coordinating the events.

Councilman Nidiffer made a MOTION, seconded by Councilman Howell, to authorize staff to proceed with an application to the State for a full parade permit down Chetco Avenue on September 17; MOTION carried unanimously.

E. Attorney Announcements

City Attorney John Babin announced that he had appeared before the Land Use Board of Appeals concerning the appeal of the Agnew Property rezoning. Mr. Babin stated that he expects a decision from LUBA by August 4.

F. Contract Review Board

1. Computer Purchase

Mr. Rainey advised that staff had requested proposals for the purchase of a computer system for the City, as was authorized by the City Council at the June Council meeting. At the suggestion of the City auditor, Gerald Burns, the City engaged the services of Bill Little of Advanced Business Management System to assist in determining the needs of the City.

Mr. Little presented his recommendation to the City Council for their review. Mr. Little explained that two separate systems were considered, one being Compaq and the other IBM. Mr. Little recommended the purchase of the Compaq based microcomputer system at a total cost of \$16,925.82.

Mr. Jim Collis, Creative Data Planning Corporation, read a statement to the Council (attached to these minutes) objecting to the method used to select the computer system. Mr. Collis explained that he did not feel that the City was being fair to local businesses.

Mr. Rainey explained the process which the City used to request proposals for the computer system.

Vice Mayor Batty closed the Contract Review Board and turned the matter back to the Council for consideration. Councilman Howell made a MOTION, seconded by Councilman Nidiffer, to accept the recommendation to purchase the Compaq microcomputer system. Councilman Peterson stated that he did not feel that enough information had been presented and he felt that a work session should be held to go over the entire program. After a brief discussion, Vice Mayor Batty called for a vote on the motion on the floor. Councilmen Howell and Nidiffer voted aye and Councilman Peterson abstained; MOTION carried.

VIII. CALL FOR BIDS

None.

IX. REPORT ON BIDS

1. Roof Repairs

Mr. Lightle explained that as authorized by the Council at the June 8, 1987 Council Meeting, staff called for bids for repairs on the roof of City Hall. Bids were opened on July 9, 1987. Only one bid was received, that being from Lawless Roofing in the amount of \$4,110 (\$1,660 for Council Chambers, \$2,200 for Fire Hall and \$250 for hose tower).

Mr. Nidiffer expressed concern that only one bid was received, and said he felt that the bid should be rejected and bids called for again.

Councilman Peterson made a MOTION, seconded by Councilman Howell, to reject all bids and start a new bid process; MOTION carried unanimously.

2. Janitorial Services

Mr. Rainey explained that it has been at least five years since bids had been requested for janitorial services. The bids received are at least \$100 over the present monthly salary. Mr. Rainey recommended that all bids be rejected and the janitorial services be continued with the present service.

Councilman Nidiffer made a MOTION, seconded by Councilman Peterson, to reject all janitorial bids; MOTION carried unanimously.

X. ORDINANCES

1. Ordinance No. 417 - Preliminary Plat Approval Authority

Mrs. Shields read Ordinance No. 417 into the record. Councilman Peterson made a MOTION, seconded by Councilman Howell, to adopt Ordinance No. 417 by first reading; MOTION carried unanimously.

Mrs. Shields read Ordinance No. 417 into the record by title only. Councilman Peterson made a MOTION, seconded by Councilman Howell, to adopt Ordinance No. 417 by second reading; MOTION carried unanimously.

XI. RESOLUTIONS

1. Resolution No. 410 - Authorization of Preapplication for Section 306A Coastal Zone Management Act Funds

Mr. Rainey explained that this Resolution concerns funds which the City may apply for to improve coastal beautification. The City staff wishes to apply for funds with which to improve the public access to the cliff at Tanbark Point by constructing a gazebo.

Mrs. Shields read Resolution No. 410 into the record by title. Councilman Nidiffer made a MOTION, seconded by Councilman Peterson, to adopt Resolution No. 410; MOTION carried unanimously.

XII. UNSCHEDULED PUBLIC APPEARANCES

None.

XIII. PAYMENT OF VOUCHERS

Councilman Nidiffer made a MOTION, seconded by Councilman Peterson, to pay the vouchers in the amount of \$41,012.16; MOTION carried unanimously.

XIV. ADJOURNMENT


Councilman Peterson made a MOTION, seconded by Councilman Nidiffer, to recess the July 22, 1987 Council Meeting to the work session on July 24; MOTION carried unanimously.

Vice Mayor Batty recessed the meeting at 9:44 p.m.



Gil Batty
Vice Mayor

ATTEST:



Beverly S. Shields
City Recorder



Department of Transportation
HIGHWAY DIVISION

District 7

1155 S 5th, COOS BAY, OREGON 97420 PHONE 269-9121

RECEIVED

JUL 2 1987

CITY OF BROOKINGS

July 2 1987

In Reply Refer to
File No.:

City Manager
City Hall
898 Elk Dr.
Brookings, OR 97415

RE: Sidewalk signs, banners, etc.
Oregon Coast Highway
Curry County

We would like to take this opportunity to make you aware of an ever-increasing problem in your city. Sandwich-type sidewalk signs are not only illegal, they are hazardous to the public.

We understand that on-premise signs within your city limits are under your jurisdiction; we are still very concerned with the public safety. Cyclists and pedestrians are forced to dodge these signs. If they end up on the highway, then they do become our liability and concern.

With tourist season coming into full swing, pedestrian and bike traffic is on the increase. Now is the time to correct the problems. Thank you in advance for your cooperation.

Cordially,

Stan Hobbs
Asst. District Maintenance Supervisor

SH/ks

cc: Dale Young

I am presenting 2 copy of this letter to your secretary 7-22-87
Mr. Mayor, Councilmen, Mr. City Manager, and the rest of you.

My name is Bill Lathrop, (William H. legally) and I have lived at 720
Third St. for some 12 years or more.

I am not strong on oratory and the cliches, I am reading this.

May I again thank Councilman Rick Howell and your City Manager Roy Rainey
for taking time off on that lousy day to appear at the senior center
Inspection.

Now, as to my letter to you:

1. I stated that blackberries are a major crop by our local citizens,
and our tourists. Any edict to eradicate them must come from a
sick mind.

Explanation: Eradication of blackberries in this area will require
sifting the earth to a depth of 18" and removing all bulbs, and roots.
We did that, and our garden area is free of the blackberries.

3. I referred to our illustrious Mayor's place of business as an eye-
sore. Your letter stated that the ordinance does not permit me,
a taxpayer, to denote his property as such. Your Ordinance, 406,
Section 1, paragraph E. in describing a public nuisance precisely
states "conditions and objects ---do, in one or more particulars,
promote blight, deterioration, unsightliness,---etc." If you wish
to ~~xxxxxxx~~ consider the side views of his store as "sightly" a post-
card showing same might be used to advertise brookings to the world.
4. I stated that I would take a dim view to some city Laddie moving onto
my property to destroy my Biota. Apparently I sent several ~~xxxxxxx~~ scurrying
for a dictionary. My 1944 Webster's defined Biota as the fauna and
flora of a region. Not an esoteric word.
5. I contract, annually with Allen Smith to cut a fire brake of 10' about
my property.
6. Poison Oak, I also consider noxious, but it has been cleared.
7. I would appreciate having my property saved from your edict.

Bill Lathrop



CREATIVE DATA PLANNING CORP.

P.O. BOX 2915 HARBOR, ORE. 97415 [503] 469-3678

STATEMENT OF MR. JAMES COLLIS , CREATIVE DATA PLANNING, INC BEFORE
THE BROOKINGS CITY COUNCIL, JULY 22, 1987

Mr Mayor - Members of the City Council

My name is Jim Collis - I am here representing our company - Creative Data Planning Corporation. We have been a Brookings entity since early 1982. Unfortunately not a too well known entity despite having advertised more or less continuously .

The city of Brookings has over the past several years spent a lot of money trying to automate their data handling capabilities. A few months ago they recognized that the course they were following was futile and elected to proceed in another direction.

I am here tonight because we feel

#1-- The City is setting itself up to repeat the mistakes they made with the previous computer system.

#2--- We feel the methods that are being followed are not in the best interests of the City or it's taxpayers, and

#3-- The City has not been fair to local business's who have products and capabilities in the data processing field.

I have some comments in support of these general observations:

Let me say up front -- I am not questioning the capabilities, the honesty, or the good intentions of anyone involved in this process. I simply feel there are some critical matters that have not been given adequate attention.

1. Regarding the repeating of prior mistakes.

a. I don't have a detailed chronology of events surrounding the procurement and attempt to turn the Burroughs computer into a viable data processing capability, but it appears that the city started out committing themselves to the care and feeding of a free computer without a clear idea of what it was going to cost to turn that computer into a data handling capability.

b. This second time around - the City has [we understand] committed funds for three IBM computers and some software - but does the City have a clear plan - with an attached price tag - for integrating these pieces into an existant - long

term capability. the RFQ addresses only hardware and software procurement- there are no provisions for installation, training, maintenance. in other words, accomplishing all the things needed to turn a bunch of components into an integrated, functioning system.

c. Based on what we can extrapolate from the RFQ there appear to be some major flaws in the selections of hardware and software. First hardware:

d. It looks like the City is taking a short range approach to their data processing needs - an approach that could require another change in direction [at great expense] in just a few years. There are other city departments and functions which should be included in data automation plans. such as the Police Department, Road Department, Sewer and Water Department, building permits, zoning, Library, etc. We recognize that the City probably cannot afford to bring all these other departments under the ADP blanket at this time - but they can start out with a skeletal system, priced within an allotted budget, that has the reserve capability to cover these other departments or functions at a later date, without major changes in direction.

we have

e. we understand the City is buying an IBM-AT and 2 IBM-XT computers. If the plan is to expand the future system around the "AT" you don't have enough capacity. If the plan is to use the "AT" as a work station in a larger system it's probably more than you need.

f. One of the spectacular achievements of the computer industry in the past few years has been the development of IBM compatible equipment. IBM, because of their prestige and marketing position, has set standards for the industry. But countless other companies have challenged IBM by meeting and exceeding IBM standards, and at considerably lower prices. For instance there are two dealers right here in Brookings who sell computers rated better than the IBM-AT, for about \$1000.00 less

g. The computer industry is highly volatile and rapidly

changing. If you are going to commit to premium priced hardware you should at least get as close to the current state of the art as possible. otherwise, you may very well opt yourself out of very desirable capabilities that are just around the corner. The IBM-XT is no longer being produced. The IBM-AT is now three years old. IBM recently announced a whole new new series of personal computers which will probably include a replacement for the AT.

H. Regarding software - - The RFQ lists different brands of software for the utility billing and financial applications. This could pose monumental problems in getting automatic data transfer between the utility package and the accounting package. There should be particular concern - because you will not have access to the source code for the utility package. Thus making changes to the utility package could be expensive - If company selling the utility package goes out of business, changes might be impossible.

2. In regard to acting in the best interests of the taxpayers. It appears that the City has made little or no attempt to use what is almost an American institution, Business Competition, to get the highest return on the money you spend and to get the best solution to your data processing needs.

a. So far as we are aware, there was no attempt made to get competitive bids for doing a study of the City's data handling needs. We understand the City simply contacted ABMS and had them proceed with the study.

b. The product of this study should have been a set of specifications or characteristics of a system that would satisfy the City's needs over a stated period of time. Instead the City got a specific make, model list of hardware and software .

c. Not having defined what they really needed, there was no way to generate a competition for the best [best meaning the most cost effective] solution to the needs identified.

d. Finally, even the very narrow request for quotations for

specific hardware and software [specific as to brand name, and model or version] was circulated to only a limited number of companies. It was sent to us by our request - we had assumed we would receive a request for systems proposals - not an RFQ for specific name brand hardware and software. We recently learned that at the time we received the RFQ, the City was perhaps already committed to buy IBM computers from COMPUTERLAND in Medford.

e. I grant you that competitive bidding takes some preparation - you have to know your requirements in terms of capabilities and specifications, not equipment make & model. It involves some expense. It is sometimes a pain having to deal with bidders, and it causes delays. But it has been widely proven to be the most effective way to get the best return on the taxpayer's dollars.

3. We are concerned that the City felt no need to offer local Brookings and Curry County business's with expertise and products in the computer field a chance to participate in this project. Please don't infer that I am criticising ABMS or Computerland- they are no doubt competent firms - They might have won the contract even if there had been competitive bidding. But the way things have been handled, we'll never know.

a. There are two computer consulting firms here in the immediate Brookings area and there are at least two in Gold Beach, one nationally known. There are two computer hardware dealers in Brookings. I think there are at least four members of the City Council who would agree that local companies should have an equal chance to compete with outside firms particularly when City projects are involved.

If we had had a chance to make suggestions before the City became committed to the RFQ equipment / OR IF in fact the City is not committed to buy the equipment from Computerland, we would recommend the following:

a. That the City instruct their present consultant to develop a comprehensive description of the City's data processing needs, projected in incremental steps over the next 5 to 10 years.

B. We assume that ABMS already has substantial familiarity

with the City's needs and that they could develop such a plan without too much added expense.

c. That the City then invite interested consultants and computer firms to submit proposals for your consideration. I'm sure the county would share their bidder list with you. Be assured our company, Creative Data Planning, would welcome the chance to compete in such a competition.

Thank You.