

MINUTES  
BROOKINGS COMMON COUNCIL  
CITY OF BROOKINGS  
December 13, 1983  
7:00 p.m.

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Bob Kerr, Vice Mayor Gil Batty, Councilman John Geraghty, Councilman Ray Nidiffer.

Council Absent: Councilman Walt Lovejoy.

City Recorder announced a quorum present with which to conduct business.

Staff Present: City Manager Lynn Stuart, Administrative Assistant Georgia Shirilla, City Recorder Naomi Bradfield, Public Works Supervisor Cecil Smith, Assistant Public Works Supervisor Dennis Barlow.

Media Present: Marge Barrett, KURY Radio.

IV. CEREMONIES/APPOINTMENTS

None.

V. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. November 10, 1983 Regular Council Meeting Minutes

There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to approve the November 10, 1983 Regular Council meeting minutes; motion carried unanimously.

B. Acceptance of Commission/Board Minutes

1. November 1, 1983 Planning Commission Meeting Minutes

There was a MOTION by Councilman Batty, seconded by Councilman Nidiffer, to accept the November 1, 1983 Planning Commission minutes; motion carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

1. Goal 16 & 17 Hearing

City Manager Lynn Stuart informed Council of the recommendation by the Planning Commission to approve the proposed amendments to the Comprehensive Plan on Zoning Ordinances for the City of Brookings. He then asked that Ordinance No. 382 be read into the record at this point.

The City Recorder then read Ordinance No. 382 into the record.

Mayor Kerr then asked if there were any points to be made or questions to be asked from the audience.

Fred Hummel, 202 Alder Street, he asked if he could speak to the plan or just to the ordinance.

Mayor Kerr stated that the plan could be discussed. Mr. Hummel read a statement in opposition to the proposal, which is attached and made a part hereof. He felt the extensive upriver development called for in the plan would be detrimental to the water supply, fish would be affected and the impact of channelization of the river on a long term security of this area.

Mayor Kerr then asked for any further comments or questions.

The Administrative Assistant informed Council of a letter received by the Planning Commission from A.E. Burnhart, P.O. Box 1796, Brookings. Mr. Burnhart's letter was read into the record. Mr. Burnhart is in opposition to the lower Chetco River development and feels it will have many ill effects on not only the quality of the water for future salmon fishing but also on the quality of life in the Brookings-Harbor area for its residents.

Mayor Kerr then asked for any other comments. There being none, he closed the formal hearing on Goals 16 and 17.

Mayor Kerr then asked for any questions from the Council on Ordinance 382. He then asked for any comments from the audience. There being none, there was a MOTION by Councilman Batty, seconded by Councilman Nidiffer to accept Ordinance No. 382 at the first reading; motion carried unanimously.

Mayor Kerr then asked that Ordinance No. 382 be read by title only.

There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to adopt Ordinance No. 382 at the second reading; motion carried unanimously.

## 2. Property Tax Relief Hearing

Mayor Kerr then opened the hearing on Property Tax Relief. He then turned the floor over to Dick Townsend from the League of Oregon Cities.

Mr. Dick Townsend then proceeded to brief the Council on the property tax relief program and whether or not the City would choose to refer a tax relief package to the voters within our City.

He went on to explain that a majority of Cities, counties and school districts within the State of Oregon must be in favor of this program before it can be put on the ballot and enable the people to vote on it.

He then explained that the tax relief package is two-fold, there are two Constitutional measures. One is an expenditure limitation, a lid on local and state government spending and the other is a 4% sales tax. Both of these measures would have to

pass for the other to become effective.

Lynn Stuart, City Manager, asked about the League of Oregon Cities challenge to the legality of the approach taken by the legislature in the courts. He wanted to know when that decision would come down and what are they asking, how that would effect the City with this major decision.

Dick Townsend stated that the League of Oregon Cities is a third party in the court case. The suit was filed by a private party. The League feels that this is not constitutional, the way they went about getting this issue before the voters.

Mayor Kerr then asked for any comments regarding this issue from either the audience or the Council. There being none, he closed the hearing.

There was a MOTION by Councilman Batty, seconded by Councilman Nidiffer, to approve the opportunity for the people to vote on the property tax relief package; motion carried. The Mayor is in opposition to this issue and voted in a negative.

## VII. COMMUNICATIONS/ANNOUNCEMENTS

### A. Mayor Announcements

Mayor Kerr suggested that a Charter Committee be appointed to take a look at the City's Charter and make recommendations, to have on the ballot for the May primary, which will change our City Charter so that it gives the City Council the opportunity to function. He stated that he would be making recommendations to the Council regarding people for this committee in the next week or so.

### B. Council Announcements

None.

### C. Manager Announcements

#### 1. 1984 Special Cities Allotment Program

City Manager Lynn Stuart briefed the Council that our application with the Special Cities Allotment Program for a connection of Fifth Street to Highway 101 through Bankus Fountain Park was again not funded.

#### 2. State License - City Swimming Pool

Mr. Stuart informed Council that starting in 1984 the City of Brookings will be charged \$100.00 for the swimming pool license which the city is required to obtain every year. Previously there had been no charge for this license.

#### 3. Hassett & Ransom LID

Mr. Stuart presented the details of the Hassett & Ransom LID to the Council. He stated that the City had received responses from the majority of the people in the area. There was 794,000 sq. ft. of property with its owners op-

posed to the project, 150,000 sq. ft. that gave the City an unqualified 'yes' and another 320,000 sq. ft. that gave the City a qualified 'yes'. He then added the last two together and came up with 477,000 sq. ft. which was still less than the amount in opposition. He then stated that with that amount of opposition, it is not logical to refer this project to the City Engineer. He stated that he felt the project should not proceed at this point. He then asked for any questions.

Mayor Kerr asked if there was any possibility that the project could get a majority if the people regrouped and were in favor of the project.

Mr. Stuart stated that he believed the project could not get a majority in favor because of the cost to the large property owners.

There was a MOTION by Councilman Geraghty, seconded by Councilman Nidiffer, not to proceed with the Hassett and Ransom LID; motion carried unanimously.

4. Nachazel Findings V-83-4

Mr. Stuart then asked Administrative Assistant Georgia Shirilla to read the Findings Document to Council. He then decided to give a brief summary of the Findings Document to Council. The Planning Commission did deny Mr. Nachazel's request to do a minor partition. Mr. Nachazel did appeal their decision to the City Council at the last regular Council meeting. The City Council officially upheld the Planning Commission's position.

There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to accept the Findings of Fact; motion carried unanimously.

5. Deleted

6. Deleted

7. 9-1-1 Agreement

Mr. Stuart briefed the Council on the 9-1-1 Emergency Services Fund that had been set-up in January of 1982. He also informed Council of the Inter-Agency Agreement which basically stated that all the agencies that sign are in agreement with the participation and the local jurisdiction program. He then went on to identify those agencies within the 469 prefix area.

There was a MOTION by Councilman Geraghty, seconded by Councilman Batty, to adopt the 9-1-1 Emergency Services Inter-Agency Agreement and authorize the Mayor to sign it; motion carried unanimously.

8. Planning Commission (Agenda Review)

Mr. Stuart turned the floor over to the Administrative Assistant Georgia Shirilla. She gave a brief detail of those items covered by the Planning Commission at

their meeting on November 1, 1983.

9. Reserve Officer Training Information

Mr. Stuart added this item at the meeting to inform Council that information regarding the Police Department Reserve Officer Training Program would be included in their packets from now on.

D. Attorney Announcements

None.

E. Engineer Announcements

None.

VIII. CALL FOR BIDS

1. Fire Equipment - New Pumper

Mr. Stuart briefed the Council on the need for a new piece of Fire Department equipment. The City Manager then asked for Council's authorization to call for bids for this piece of equipment.

Mayor Kerr added that the addition of this new piece of equipment to our Fire Department would allow the retiring of a 30 year old piece of equipment.

There was a MOTION by Councilman Batty, seconded by Councilman Nidiffer, to authorize the call for bids for a new Fire Department pumper; motion carried unanimously.

IX. REPORT ON BIDS

1. WWTP Boiler

Mr. Stuart briefed Council on the one bid that was received for the boiler. The budgeted amount for the boiler was \$7,800 and the one bid received was for \$8,930. The City Manager requested Council to deny all bids and direct the City Staff to look into some other way of acquiring a boiler the would be more cost effective.

There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to reject the bid; motion carried unanimously.

X. ORDINANCES

1. Ordinance No. 382 - (Amendments to the Zoning Ordinance - Chetco Estuary Shoreland Element)

Ordinance No. 382 was adopted earlier in the meeting under Item VI 1.

XI. RESOLUTIONS

1. Resolution No. 340 - Community Promotion Grant

Mayor Kerr asked the City Recorder to read Resolution No. 340 into the record.

Mr. Stuart briefed the Council on this grant which was acquired through South Coast Business Employment Corp.

Mayor Kerr then asked the City Recorder to read Resolution No. 340 into the record. Mayor Kerr then asked for a brief explanation of how the \$5,910 would be spent for the Brookings-Harbor Community Promotion Campaign. This resolution was authorizing the appropriation of said funds.

Mr. Stuart explained how the funds were to be spent for two 'Welcome to Brookings' signs and advertising for the City, including brochures and radio and TV advertising.

There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to adopt Resolution No. 340; motion carried unanimously.

2. Resolution No. 342 - Chetco Estuary/Shoreland Plan

Mr. Stuart explained that this resolution would actually adopt the Plan which identifies the Shallow Draft Development and the other items that were discussed earlier in the meeting when the ordinance was passed.

Mayor Kerr asked the City Recorder to read Resolution No. 342 into the record.

There was a MOTION by Councilman Nidiffer, seconded by Councilman Batty, to adopt Resolution No. 342; motion carried unanimously.

XII. UNSCHEDULED PUBLIC APPEARANCES

None.

XIII. PAYMENT OF VOUCHERS

There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to pay the vouchers in the amount of \$19,072.91; motion carried unanimously.

Mayor Kerr and Mr. Stuart discussed the fact that they may both be gone on January 10th which is the regularly scheduled date for the Council meeting. There was a suggestion that the meeting be changed to January 17th. It was decided that the meeting would be postponed until January 17, 1984.


XIV. ADJOURNMENT

Mayor Kerr adjourned the meeting at 9:55 p.m.

EXECUTIVE SESSION ORS 192.660 (1) ( )

  
\_\_\_\_\_  
Mayor Bob Kerr

ATTEST:

  
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Naomi Bradfield, City Recorder

VOUCHERS PAYABLE

December 13, 1983

Vouchered in November - Payable in December

<u>VOUCHER NO.</u>	<u>CHECK NO.</u>	<u>VENDOR</u>	<u>AMOUNT</u>
2596	7662	A&W DRIVE-IN OF BROOKINGS	\$ 36.70
2613	7663	AMERICAN PLANNING ASSOC.	100.00
2610	7664	AMERICAN SCIENTIFIC PRODUCTS	86.87
2636	7665	BEN ARNDT	13.84
2642	7666	DENNIS BARLOW	13.70
2660	7667	BECCO, INC.	533.85
2606, 2641, 2645	7668	BLUE STAR GAS, NORTHWEST	418.83
2655	7669	BRITE-SPOT JANITORIAL	175.00
2654	7670	BRODART, INC.	10.15
2586	7671	BROOKINGS INN/FLYING GULL REST.	9.80
2657	7672	BROOKINGS SANITARY SERVICE	55.00
2675	7673	BROOKINGS SUPPLY INC.	37.98
2670	7674	BROOKINGS VOLUNTEER FIREFIGHTERS ASSOCIATION	1,005.00
2635	7675	GOLDIA BROWN	19.09
2598	7676	BUDGE-McHUGH SUPPLY CO.	290.63
2663	7677	CARPETLAND	132.25
2591, 2619	7678	CHETCO REXALL DRUGS, INC.	39.95
2583, 2652, 2677	7679	JERRY CONANT BUSINESS MACHINE REPAIR	131.50
2653	7680	JERRY CONANT JANITORIAL	475.00
2630	7681	MICHAEL J. COOPER	11.31
2669	7682	COUTRAKON & BABIN	948.50
2617	7683	W.S. DARLEY & CO.	40.01
2593	7684	CY DeCOSSE	95.59
2590	7685	DICK'S CHETCO SAW SHOP	19.20
2597	7686	DOYLE ELECTRIC	100.00
2632	7714	GEORGE DOMINY	18.95
2627	7688	SAMUEL W. DOTSON	9.84
2608	7689	EXECUTIVE DEPARTMENT	322.00
2661	7690	F&C CONSTRUCTION	480.00
2631	7691	CURTIS FOX	24.25
2674	7692	FREEMAN ROCK ENTERPRISES	478.62
2659	7693	GALE RESEARCH CO.	44.85
2637	7694	DAVE GILBERT	10.70
2681	7695	GRANTS PASS WATER LABORATORY	39.00
2585, 2639	7696	HGE, INC.	3,124.00
2609	7697	HACH CHEMICAL CO.	34.27
2626, 2667	7698	HIND SUPPLY CO.	165.06
2638	7699	JEAN HOOK	7.95
2673	7700	INDUSTRIAL ELECTRIC	348.90
2607	7701	INDUSTRIAL STEEL & SUPPLY CO.	589.20
2602	7702	JKA SYSTEMS	510.00
2600, 2640	7703	RED JORDAN FOODS, INC.	68.25
2580, 2664	7704	KERR ACE HARDWARE	217.21
2644	7705	THE KNAPP PRESS	32.45

<u>VOUCHER NO.</u>	<u>CHECK NO.</u>	<u>VENDOR</u>	<u>AMOUNT</u>
2579, 2647, 2665	7706	LITTRELL PARTS OF BROOKINGS	\$ 175.65
2578	7707	LORING'S LIGHTHOUSE SPORTING GOODS	304.15
2634	7708	CAMERON LYNN	16.65
2587, 2658	7709	MORY'S ARTS	170.83
2622	7710	MARTIN BROS NEON SIGNS, INC.	105.00
2649	7711	NADING PLUMBING & HEATING	30.00
2623	7712	NORTH COAST PAVING & ROCK CO.	172.12
2604	7713	NORTHWEST COMPUTER RIBBON	50.54
2680	7715	NORTHWEST LAW ENFORCEMENT EQUIPMENT	11.58
2643	7716	O'NEALE SUPPLY, INC.	44.80
2616	7718	OREGONIAN-OREGON JOURNAL	7.50
2671	7717	OREGON FIRE CHIEFS ASSOCIATION	35.00
2650	7719	OREGON STATE HEALTH DIVISION	100.00
2628	7720	KENT OWENS	12.22
2592, 2599, 2601	7721	PACIFIC WATER WORKS SUPPLY CO.	1,066.15
2588, 2611	7722	PARAMOUNT PEST CONTROL	217.00
2648	7723	QUILL CORPORATION	95.20
2678	7724	QUINLAN PUBLISHING CO.	36.00
2615, 2614	7725	RAY'S SENTRY MARKET	97.48
2646	7726	RON'S STARTER & ALTERNATOR SERV.	32.95
2625	7727	GERALD ROSS AGENCY, INC.	50.00
2603	7728	SCRANTON-GILLETTE COMMUNICATIONS	19.00
2629	7729	WAYNE SHEFFEL	13.25
2581	7730	CECIL SMITH	32.05
2612	7731	SOUTHCOAST MEDICAL CENTER	35.00
2584, 2666	7732	SQUARE DEAL BUILDERS SUPPLY	82.41
2582	7733	STAMPERS'S J&J TIRE CO.	5.50
2618, 2662	7734	STEINER CORP.	600.75
2624	7735	U.S. LEASING CORP.	200.00
2668	7736	U.S. NATIONAL BANK OF OREGON	1,603.17
2565, 2676	7737	U.S. POSTMASTER	200.00
2633	7738	DONNA VAN NEST	14.36
2589, 2605, 2679	7739	WILSON TIRE SERVICE	2,094.11
2672	7740	THE WORLD	2.25
2595	7741	B & E DEPARTMENT STORE	14.99
TOTAL			\$19,072.91



COMMENTS ON THE PROPOSED ESTUARY, SHORELANDS, AND BEACHES ELEMENTS OF  
THE CITY OF BROOKINGS COMPREHENSIVE LAND USE PLAN

Submitted by..Fred C Hummel, 202 Alder St, Brookings OR....13 Dec 1983

Honorable Mayor and Councilmen of the City of Brookings:

I've had the opportunity to read these newly proposed elements of the Brookings Comprehensive Land Use Plan as well as their supporting argument. Although a great deal of effort has been spent to produce these reports, I'm convinced the plan that was the product of these efforts, despite the best of intentions, simply will not benefit our community as a whole.

Clearly, the major thrust of the new elements is a call for extensive upriver development. While statewide Goal 16 calls for a major emphasis on the protection and maintenance of existing economic values, the proposed elements offer little of substance in this area. I am concerned that the major economic values of the Chetco river - its ability to supply us with potable water and valuable crop of salmon and steelhead - could very well be severely impacted if the development called for by this proposal is permitted.

You don't have to be a scientist to be able to foresee some of the problems that could result either directly or indirectly from this upriver development.

1. Calling for annual channel dredging at a time when juvenile fish are present in the area.
2. Channelization of the river which would destroy natural protective habitat for young fish.
3. The impact the projected boat traffic might have on young salmon and steelhead.
4. The chances of water pollution resulting from the presence of a large number of boats upriver.
5. The impact of channelization on the long term security of the city's water supply.

I have questions about the soundness and validity of much of the data used in an attempt to prove the need for extensive upriver development.

1. The prediction of future boating demand through the use of a straight line projection over the years of our most rapid population growth and an increase of the result by 20%.
2. Citing waiting list rationing at the Port of Brookings, for sport boat moorage, when that condition has not existed for two years.
3. The use of isolated statements from Department of Fish and Wildlife reports as supportive materials while fully aware that the Department of Fish and Wildlife opposes the proposed elements as written.
4. The absolute lack of a data base, or yardstick, that could be used to measure the severity of any impact the proposed upriver development might have on juvenile salmon and steelhead.

To list more questions is to simply belabor the issue. I'd like to offer some suggestions in a more constructive vein.

1. The Port of Brookings has ample physical capacity to accommodate increased sport boat moorage demand. It can, at the least:
  - A. enlarge the sport boat basin
  - B. construct dry land storage
  - C. construct seasonal river moorage
  - D. provide a river boat launching area.

2. Private property within the Port of Brookings is suitable for dry land storage of sport boats and has been considered for such use by the present owners. While such use is not economically feasible today, it could well become so if boating activity ever reaches previous levels.

3. The unused capacity for boat moorage, storage, and launching within the Port of Brookings would <sup>pose</sup> neither a real, nor an implied, threat to the economic resources of the Chetco River estuary.

4. Economic horsensense tells me it is unwise to set up private development which would be in competition with, and would undoubtedly weaken, a fine community supported and funded public facility like the Port of Brookings.

Let me conclude by recalling some of the words the City put in the estuary element of the current comprehensive land use plan:

"by utilizing the concept of a shallow draft study unit, Brookings hopes to gain the time necessary...(to) expand the data base to include vital information necessary for sound policy decision making and appropriate utilization of estuarine resources."

The data base expansion has just begun. Shallow Draft Study designation does not bar development. Your words are as true today as they were a year ago, I urge you to stand by your original approach.

*Fred C. Hammel*