

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
May 12, 1981

I. CALL TO ORDER

The meeting was called to order at 8:01 p.m. by Mayor Robert Kerr.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Those present were: Mayor Kerr; Councilman Walt Lovejoy, Ray Nidiffer and John Geraghty.

Staff present were: City Manager Lynn Stuart, City Attorney John Coutrakon, City Engineer Dick Nored and Secretary Praecilla Pruitt.

IV. MINUTES FOR APPROVAL/ACCEPTANCE

- A. MOTION by Councilman Nidiffer, seconded by Councilman Lovejoy that we approve the minutes of the April 21st Comprehensive Plan Workstudy Session and the April 28, 1981 regular Council meeting. Motion carried unanimously.
- B. MOTION by Councilman Geraghty, seconded by Councilman Lovejoy that we approve the minutes of the April 2nd regular meeting and the April 16, 1981 special meeting of the Parks and Recreation Commission. Motion carried unanimously.

V. COMMUNICATION/ANNOUNCEMENTS

Mayor Announcements

1. Public Hearing - Zoning Code amendment

Mayor Kerr requested that proposed Ordinance No. 351 be read in its entirety. After the Ordinance was read Mayor Kerr invited comments from the audience. Rod Draheim stated that he felt there should be 5' sideyard setbacks on each side rather than the proposed 5' and 10' setbacks. Mayor Kerr mentioned that since there are buildings being placed on steep lots it is necessary to have decks for access, and it would save the City problems as the builders must get a variance to put a deck into the setbacks. Councilman Nidiffer stated that he couldn't see any problem with anyone obtaining a variance if such a condition exists, and felt that we should go ahead with the ordinance. Dick Barton stated that in the maximum residential density areas that the 5' setbacks were working, and that it would also work in low density areas and that additional setbacks would be a waste of valuable land. Mary Jane Brimm stated that 5' was a very minimal width and would be hard to get through on one side if necessary. Cliff Misener, a lot owner objected to the proposed setback and felt that it should be 20'. He strongly objected to reducing it to 5'. There were no further comments and the Mayor felt that they should proceed with the proposed ordinance as recommended by the Planning Commission. Councilman Lovejoy suggested that the setbacks be 10% of the front yard width.

MOTION by Councilman Nidiffer that we adopt Ordinance No. 351. The motion failed due to a lack of a second.

The City Manager asked the Council for further direction concerning the sideyard setbacks.

MOTION by Councilman Lovejoy, seconded by Councilman Geraghty that the City Manager be directed to refer back to the Planning Commission the side yard setbacks for their further review. Motion carried unanimously.

2. Letter from Mayor of Salem.

Mayor Kerr announced that in a letter from the Mayor of Salem, he referred to House Bill 3159 which would increase the State fuel tax and weight mile tax paid by truckers. This Bill would benefit the City and it was the Council consensus that the matter be referred to the City Manager to respond with a favorable comment.

3. Letter from local news media.

Mayor Kerr announced that there was a letter from the local news media requesting a change in voting so that people living outside the City and own property in the City would be able to vote in our elections. The Mayor questioned the legal points under the home rule type of government. He desired that the City Manager contact the Attorney General for a rule on the intent of this law, and that further action be taken at a later date. Councilman Nidiffer agreed and added that if these people were allowed to vote perhaps they should also be allowed to run for office. The City Manager stated he would research the matter.

4. Bonnie Litty resignation

MOTION by Councilman Geraghty, seconded by Councilman Lovejoy that we accept the resignation of Bonnie Litty from the Parks and Recreation Commission. Motion carried unanimously.

Mayor Kerr invited anyone interested in serving in this capacity to turn in a request to the City Manager and it would be referred to the Parks & Recreation Commission for their recommendation.

5. May 19th budget election

Mayor Kerr urged everyone to come out and vote on May 19th on the City budget election. He mentioned that it was \$48,000 less than last year's budget.

Manager Announcements

1. L.I.D. presentations

The City Manager announced that the City Engineer would give a review of the proposed districts and he was requesting direction from the City Council if they desired to proceed further and to state their priorities. The City Engineer stated that all districts would average in the range of \$100.00 per side foot. He gave a list of the projects in order of their priority as he saw them: 1. Fifth Street from Easy to U.S. 101; 2. Fifth Street from Easy to Pioneer Road; 3. Mill Beach project from U.S. 101 to Zwagg Rock Subdivision; 4. Fern Street from Elk Drive to Ransom and Ransom to Sundown Subdivision; 5. Elk Drive from Fern to City Hall. The City Engineer mentioned that there was an off systems grant program available in the amount of \$50,000 a year. He suggested setting up public hearings on all the projects 4 or 5 days apart and using City Staff if acceptable with the Council. Mayor Kerr felt there were three projects that were high priority which would be Fifth Street and the two Easy Street projects. He expressed desire that as a Council we get the support from the total community as everyone uses these streets.

MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer that we direct Staff to conduct the hearings to find out the property owners' reaction to all of these proposed projects. Motion carried unanimously.

The City Engineer requested Council decision on which projects they desired to apply for a grant. He recommended either priority No. 1 or 2. Mayor Kerr mentioned that he had been contacted by property owners on Fifth Street concerning

an L.I.D. project. After discussion the following motion was made:

MOTION by Councilman Nidiffer, seconded by Councilman Lovejoy that we direct the City Engineer to apply for the off systems grant fund on Fifth Street from Easy to U.S. 101 and Fifth Street from Easy to Pioneer Road. Motion carried unanimously.

2. Parking survey

The Mayor stated that a survey had been made on Chetco Avenue on the parking situation, and he directed the City Manager to place this on the next Council Agenda and that either Staff or the City Engineer submit drawings of the area.

3. Insurance review

The City Manager stated that at a previous workstudy session concerning insurance he had been directed to place the insurance review on this Agenda.

MOTION by Councilman Nidiffer, seconded by Councilman Lovejoy that we cut expenses and delete the earthquake insurance and leave the umbrella insurance policy at \$1,000,000; that we should add punitive damages to the false arrests, and disallow Council members from being covered by Blue Cross insurance. Motion carried unanimously.

4. Cathodic protection agreement

The City Manager stated that this was a request for Council authorization for the City Manager to enter into a cathodic protection agreement on our 1.5 million gallon reservoir with a cost of \$225.00 per year which would be renegotiated yearly.

MOTION by Councilman Nidiffer seconded by Councilman Lovejoy that we authorize the City Manager to enter into a cathodic protection agreement. Motion carried unanimously.

5. Septic tank dumping

The City Manager reported that because of septic tank dumping into the Wastewater Treatment Plant facility it was causing an extremely heavy load on the facility and as requested by the Treatment Plant Supervisor that Council authorization be given to stop the dumping and it be phased out over a 60 day period. After discussion about the problem the following motion was made:

MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer that we follow the recommendation of the Treatment Plant Supervisor and Engineer and phase out the septic tank dumping over a 60 day period. Motion carried unanimously.

6. Summer Youth Employment Program

The City Manager informed the Council that he was requesting authorization to sign the necessary papers for seven young people to participate in the Youth Employment Program sponsored by the Coos-Curry Manpower Consortium from June 16 to August 14, 1981. There would be no cost to the City.

MOTION by Councilman Nidiffer, seconded by Councilman Geraghty that we give the City Manager authority to sign the necessary papers to participate in the summer Youth Employment Program. Motion carried unanimously.

7. Liquor license renewals

The City Manager stated that the Police Department had made recommendation for renewal of liquor licenses for Azalea Lanes, Nan-El's Treasure Trove and Flying Gull Restaurant.

MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer that we approve the renewal of the three liquor license renewals. Motion carried unanimously.

Attorney Announcements

The City Attorney reported that he had been instrumental in keeping the Easy Manor Park from being foreclosed this week. The deeds had previously been incorrectly recorded and the heirs had been unable to be found. If they cannot find the relatives they were to solve the problem differently.

VI. RESOLUTIONS

Resolution No. 272 for Library appropriations was read in its entirety.

MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer that we adopt Resolution No. 272. Motion carried unanimously.

VII. UNSCHEDULED APPEARANCES

Earl Chandler appeared before the Council requesting approval of a new liquor license application for the Coast House which he was buying and would begin operations on June 1, 1981.

MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer that we approve the liquor license application for the Coast House. Motion carried unanimously.

VIII. PAYMENT OF VOUCHERS

The City Manager requested that \$505 to Municipal Judge Olds be added to the vouchers.

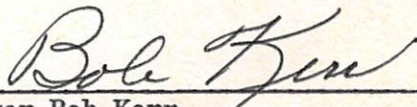
MOTION by Councilman Nidiffer, seconded by Councilman Lovejoy that we approve the vouchers in the sum of \$35,333.37. Motion carried unanimously.

IX. ADJOURNMENT TO WORKSTUDY SESSION FOR IDENTIFICATION OF ORDINANCES (ZONING AND SUB-DIVISION) AND URBAN GROWTH BOUNDARY MANAGEMENT AGREEMENT CHANGES.

MOTION by Councilman Nidiffer, seconded by Councilman Lovejoy that we adjourn to a workstudy session to discuss the Comprehensive land use Plan. Motion carried unanimously.

The meeting was adjourned at 9:25 p.m.

This meeting is recorded on tape and is on file in the City Recorder's office.



Mayor Bob Kerr

ATTEST:



George Hiatt, City Recorder

MINUTES
CITY COUNCIL/PLANNING COMMISSION
JOINT WORKSTUDY SESSION
CITY OF BROOKINGS
May 12, 1981

Mayor Bob Kerr called the meeting to order at 9:40 p.m. immediately following the regular Council meeting to address the Comprehensive Plan.

Those present were: Mayor Robert Kerr; Councilmen Walt Lovejoy, Ray Nidiffer and John Geraghty. Planning Commission Vice Chairman Mary Jane Brinna.

Staff present were Lynn Stuart City Manager, and Praecilla Pruitt Secretary. Also present was Mark Beam from CCOG and Robert Highbie from the Curry County Planning Department.

The City Manager stated that Mark Beam from CCOG was present to discuss the Zoning Ordinance, Subdivision Ordinance and the Urban Growth Boundary Management Agreement. Mr. Beam stated that he had outlined recommendations to satisfy the comments of L.C.D.C. and suggested that the ordinance being proposed should be reviewed by the City Attorney. He read through the proposed ordinance section by section.

In the Subdivision Ordinance, Mr. Beam had made certain changes concerning major and minor partitions. He stated that whoever is designated to sign the final plat approval must develop a written findings of fact so that a comparison can be made on future proposals. Mayor Kerr felt that the Council should have the consensus of the Planning Commission concerning who would review the final plat. Mr. Beam also submitted proposed changes in the street widths and flag lots.

In the Zoning Ordinance Mr. Beam suggested adding two additional zones in order to comply with the Goal 8 requirement of the Comprehensive Plan. Under Section 4.010 he suggested adding additional language in the conditional use permit section. He also suggested adding a historic cultural overlay zone to comply with part of the Goal 5 requirements. Under Goal 12 there was need of protection of the airport approach zone, and the airport approach district was discussed since it included the area almost to the river. The Council expressed concern about the limitations under Section 4.010 (6) (a) which stated that "no place of public assembly shall be permitted in the approach district". It was suggested that an aviation easement be included in the building permit procedure. There was one section that was identified by the State as being in violation of the St. Helen's Housing Policy which states that the City shall not set up procedures for approval, denial, etc. of any type of needed housing developments that are vague and discretionary. Mr. Beam stated that Section 7.010 (1) concerning authorization to grant or deny conditional uses was vague and he suggested eliminating this section.

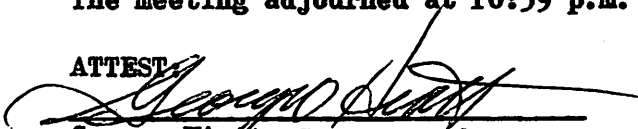
Under the Urban Growth Boundary Management Agreement, Mr. Beam stated that L.C.D.C. had felt that we need control of the land use in the Urban Growth Boundary and there is not language and consistency between land use designations and the zoning that the County has applied. He read the proposed changes and deletions.

Mr. Beam announced that on June 9th the changes in the Plan itself would be submitted at this workstudy session prior to the public hearing to identify the issues.

Rick Sterry appeared before the Council and presented the Council with a request for a proposed extension of the Brookings Urban Growth Boundary to include an additional 1,000 acres in the Harbor Hills area. The Harbor Hills PUD was being submitted by Dr. Leonard Hayes and Mr. Tom Vallejo. Rick Sterry and Mr. Vallejo, who also was in attendance, both requested that the Council review the matter at a later date. Mayor Kerr felt that we would be going back into the same situation that we were previously. Councilman Nidiffer mentioned that at the last workstudy session Sandra Dietrich had advised the City to cut the Urban Growth Boundary and definitely not to take in any agricultural land. Mayor Kerr stated that the matter should be reviewed by Staff, CCOG and the County Planning Department and referred back to the City.

The meeting adjourned at 10:59 p.m.

ATTEST


George Hiatt, City Recorder


Mayor Bob Kerr