

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
August 12, 1980

The meeting was called to order by Mayor Elmer Hitchcock at 8:05 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Members present were: Councilmen Darrell Allsup, Roy Brimm, Ralph Cheney, Robert Earle and Mayor Hitchcock.

Staff present were: City Finance Director/Recorder Steve Herman and Secretary Georgia Shirilla. Also present were City Attorney John Coutrakon and City Engineer Richard Nored. Fire Chief Tony Keeling, Librarian Anne Hicks and Building Official Marshall Ferg were in the audience.

III. APPROVAL OF MINUTES

MOTION by Councilman Brimm, seconded by Councilman Cheney that the minutes of the July 22, 1980 and July 30, 1980 meetings be approved. Motion carried unanimously.

IV. COMMUNICATIONS

1. Letter from Gerald Ross concerning City's fire program. Mayor Hitchcock and councilmen stated that they did not know what loss of the City the letter was referring to.

MOTION by Councilman Cheney, seconded by Councilman Brimm to table the matter until next meeting. The motion carried.

2. Letter from Oregon Coastal Zone Management Association, Inc. Mayor Hitchcock stated that the letter was about annual dues and that the Council had decided to postpone the payment of dues until after the budget passes.

MOTION by Councilman Cheney, seconded by Councilman Brimm to layover paying dues to organizations the City belongs to until after the budget passes.

3. Letter from Insurance Services Office. Mayor Hitchcock stated that the letter was about the recent reclassification of the City's fire protection rating. Mayor Hitchcock said he received verification yesterday the City's class number is 5, down from a 7 rating. The letter and the Mayor praised the City's fire department for its work and hard training which resulted in the lowering of the protection class number. Most residences and businesses will benefit by the lowering of their fire insurance costs and added protection.

COMMUNICATIONS (Continued)

4. Resignation of Fire Chief Keeling and recommendation on operations.

Fire Chief Keeling presented some of his recommendations for the operations of the Fire Department to the Council. In regard to the selection of a new fire chief, he suggested that the City use the assessment-lab approach to hiring. The components of this are 1) an oral interview with the Council or governing body; 2) oral interview with Fire Officers and department staff; 3) "in-basket" projects; 4) tactical fire problems; and 5) leaderless group discussions. Chief Keeling offered to assist in the lab.

Until such time as a fire chief is selected, Chief Keeling suggested that Battalion Chiefs Terry Phillips and Jim McCoy serve as co-chiefs and that Chief Keeling's present salary be divided between the two co-chiefs and the Firemen's Association, 1/3 going to the Association and 2/3 being split between the co-chiefs.

Councilman Cheney stated he wanted to discuss the matter of hiring in an executive session. The City Attorney said that since this is not a disciplinary matter, it should be discussed and decided on in a regular meeting and not an executive session. Councilman Cheney made the MOTION that the matter be discussed at an executive session, but the motion was not accepted.

MOTION by Councilman Earle, seconded by Councilman Cheney that we accept Chief Keeling's recommendations for the two co-chiefs for an interim period only until the Council has a chance to find a qualified applicant. Motion carried unanimously.

Chief Keeling added that the City would have one of the two co-chiefs on call at all times. The City wouldn't be paying their payroll taxes as they are strictly volunteers. He also made the announcement that Battalion Chief Wheeler and Fire Explorer David Elrod had been accepted to the National Fire Academy.

Bill Robinson of the Dawson Rural Fire District. His District offered to the City the use of 3 fire hydrants. Councilman Cheney, as head of the Water Department declined the offer stating that money is budgeted for new fire hydrants; and if the budget passes, the City would prefer to buy their own. He thanked the District for its offer.

The Mayor read a letter about a fire the Department was called to at Harris Beach Park, signed by Doug Jensen, Assistant Manager of the Park.

COMMUNICATIONS (Continued)

The matter of paying Chief Keeling's compensatory time and compensatory time in general was discussed at some length.

MOTION by Councilman Allsup, seconded by Councilman Earle that the payment of Chief Keeling's compensatory time and the payment and use of other City employee's compensatory time be tabled until the next meeting by which time the City Attorney will review prior minutes and correspondence. Motion carried unanimously.

Chief Keeling also suggested that Engine #2, which is 20 years old be replaced. He suggested that the City present a B Ballot to the taxpayers for new fire engine and a fire station expansion project.

Mayor Hitchcock read Chief Keeling's letter of resignation and added his personal regrets that Tony was leaving.

MOTION by Councilman Earle, seconded by Councilman Allsup that the City accept Chief Keeling's resignation with deep regrets and that they wished him well in his new position. Motion carried unanimously.

The Council praised Chief Keeling for a job well done. The Fire Explorers, their parents and schools were also commended for their work and support.

The new Finance Director/Recorder, Steve Herman, was introduced. Mr. Herman, from the City of Reedsport, reported for duty on August 12, 1980.

V. CITY ATTORNEY REPORTS

1. Special Assessment District for the Iowa Tract/Tanbark Problem
The City Attorney stated that he has received correspondence from both the attorney for the Van Duzees and the attorney for Mrs. Stanhurst. He proposes to interchange the correspondence between the attorney and suggested that the matter be placed on the agenda at the next regular council meeting, August 26, 1980. Both parties and their attorneys are to be advised.
2. An Ordinance Governing the Disposal of Unclaimed, Bailed, Lost and Stolen Property and Declaring an Emergency.
The City Attorney distributed copies of the proposed ordinance to the Council and news media. He stated that there is an urgency in the need for the ordinance and suggested that it be an agenda item at the next Council meeting. Citizens can pick up copies of the draft ordinance at City Hall.

CITY ATTORNEY REPORTS (Continued)

3. Preliminary draft of the ordinances the City needs to create the Office of the Financial Director and establish the powers and duties related to that office and to create the Office of the City Administrator and establish the powers and duties related to that office.

The City Attorney distributed the preliminary drafts of the two ordinances to the Council members and asked them to review them by the next council meeting. At that time, he would like the Council to give him direction as to what the Council desires to be in each ordinance. The City Attorney would then have a final draft prepared for their consideration and action at the September 9, 1980 meeting of the City Council. Copies of the proposed ordinances will be made available to the public at City Hall.

MOTION was made by Councilman Earle, seconded by Councilman Brimm that the Mayor continue as City Administrator until the Council develops the organizational layout. Motion carried unanimously.

VI. CITY ENGINEER REPORTS

1. At the direction of Councilman Allsup, the City Engineer drafted a recommendation on a proposed systems-development charge. He reported that it would create a sinking fund that would not tax the people that are living in the City at the present time but would allow the City to expand its water-sewer systems and facilities. He suggested that the Council hold the proposal in abeyance until we have a new city administrator.

2. Pressure last year from the Department of Environmental Quality (DEQ) that the City improve our sewage system.
The City Engineer reported that the City completed a \$50,000 project, done by Mike Cremarosa, on integration inflow. He commented that DEQ wanted the City to invest \$75,000-\$80,000 a year into our sewage system which would be a financial hardship to the City. The City Engineer added that some preliminary grant application work had been done, and it appears that the City will be successful in obtaining grant funds. The City needs to file a formal grant application, which if done by H.G.E. would cost between \$500-\$1500. If successful, the City could receive up to a million dollars for its sewage system and plant.

MOTION by Councilman Cheney, seconded by Councilman Allsup, that we give the City Engineer the authority to proceed with the grant application. Motion carried unanimously.

*See - Approval of
Minutes - 8/24/80
City Council meeting
minutes*

VII LEGISLATIVE ACTION

1. Request for abandonment of easement by Mr. Don Keslar.

After some discussion, the City Engineer suggested that the City was not in a position to grant a variance of this easement since first, the title report indicated that the easement was owned by Elmer Bankus (Estate) and secondly, the title report showed that a non-exclusive easement for road purposes was given to Earl Coche.

MOTION by Councilman Earle, seconded by Councilman Cheney that the Council deny Mr. Keslar's request with the recommendation that Mr. Keslar approach the record title holders for abandonment. Motion carried.

Councilman Earle added that if we find out that the estate of Elmer Bankus did in fact dedicate the easement to the City then Council would have to reconsider the request. The City Attorney said that he would check the title out. He added that Transamerica Title Company has completed their title search on properties owned by the City and that he would get with the Council at a later date about some questions he has on the findings of the title company.

2. Request for variance on street width for 35-foot street right-of-way by Donald Hintzman.

Mr. Hintzman presented his reasons for requesting the variance to allow a 35-foot street to Tax Lot 2200 (parcel 2) from Highway 101, Tax Map 41-13-6AC. Mr. Hintzman said that the location of a real estate office on one side and underground tanks of a service station on the other side prohibits widening the street from its juncture with Highway 101 to more than 35 feet. On July 15, 1980 the Planning Commission approved the 35-foot right-of-way to allow Mr. Hintzman to partition 2 lots with the stipulation that parking will be allowed.

Council discussed the requirements of the State Fire Marshall and the need for a turnaround/cul-de-sac. Councilman Cheney expressed concern that Mr. Hintzman's proposal did not include widening the street to 35 feet through Tax Lot 2200, parcel 1.

MOTION by Councilman Cheney, seconded by Councilman Allsup that the Council table the request until such time that Mr. Hintzman brings to the Council a map that shows the location of a cul-de-sac and road width. Motion carried.

3. Decision on tax base for November election

MOTION made by Councilman Brimm, seconded by Councilman Cheney that this matter be tabled until next meeting. Motion carried unanimously.

LEGISLATIVE ACTION (Continued)

4. Request by Terry Phillips concerning tennis court lights
Terry Phillips presented the following recommendations of the Parks and Recreation Commission; 1) Move one of the good light fixtures from the bad court (west) to the good court; and 2) turn on the lights from 8 to 10:00 p.m., June 1, to November 1.

Councilman Cheney expressed concern that due to power outages the City would have problems with the timer on the lights.

MOTION by Councilman Allsup, seconded by Councilman Earle that the lights be turned on between 8 and 10:00 p.m., starting next week to November 1, 1980. Councilman opposed the motion. Motion carried.

Terry Phillips was given permission to have Mr. Dan Bloomer move one of the lights from the bad court to the good court at his own expense.

5. Decision on Mike Steevens' request for a 2" water meter outside City limits

Mrs. Steevens presented their request for a 2" water meter to be used for a trailer park on tax lot 505, tax map 40-13-34. Councilman Cheney and the City Attorney disagreed on a city ordinance which addresses the requirement of separate water meters for trailer houses and residences.

MOTION by Councilman Brimm, seconded by Councilman Earle that the City give the Steevens' money back since the property is outside the City limits, outside the urban growth boundary and the City needs to find out from the Land Conservation and Development Commission on how to proceed. Councilman Allsup opposed the motion but the motion was carried.

Mayor Hitchcock and Councilman Cheney added that they wanted to see something in writing from the Department of Environmental Quality on the Steevens' request.

6. Resolution No. 259 setting time and place for public hearing on Subdivision Ordinance amendments

MOTION by Councilman Earle, seconded by Councilman Cheney that the matter be tabled for the legal counsel's further scrutiny. Motion carried unanimously.

7. Correspondence from H.G.E. concerning Subdivision Plan Reviews for decision and/or direction

The City Engineer stated it was difficult for H.G.E. to back

LEGISLATIVE ACTION (Continued)

in time to resurrect an hour of time in relation to each job that they have done on the subdivisions. The Council, Planning Official, City Attorney and City Engineer discussed the types of work (engineering, legal, etc.) and the costs that should be charged to the developers and those that should be assumed by the City. The possibility of increasing the deposit for the subdivision plan review was also discussed.

MOTION by Councilman Cheney, seconded by Councilman Brimm that the matter be referred to the City Attorney and City Engineer. Motion carried.

8. Request for Riviera Heights Council approval of specific items. Mayor Hitchcock read the Building Official's memorandum dated August 8, 1980. The items listed in the memorandum were decided upon as follows:

- (1) Office and watchman trailer.
(2) Approval of holding tank for trailer.

MOTION by Councilman Allsup, seconded by Councilman Brimm that the City allow the developers to keep a trailer on the site for one person only (watchman) and that the holding tank be denied since they can use a Dexter toilet. Councilman Cheney and Earle opposed the motion. The decision was then based on the Mayor's vote who added the stipulation that if the trailer to be used is the one that is presently on the site (too large) then his vote was no. Motion did not carry.

- (3) Blasting permit

After some discussion, the City Attorney reminded the Council that the ordinance states that a blasting permit must be obtained from City Hall.

- (4) Water meter installation - action required per Ordinance 325

MOTION by Councilman Earle, seconded by Councilman Brimm that the City approve the installation of a meter on the construction site if it complies with the City Ordinance. Motion carried.

- (5) Inspection and Engineering fees deposit (Section 2.060, Ordinance 325)

MOTION by Councilman Allsup, seconded by Councilman Earle that the developers of Riviera Heights deposit \$20,000 with the City as a deposit for inspection and all fees and costs under Section 2.060, Ordinance 325. Motion carried. The City Attorney and Mr. Nelson, Attorney for the developers, are working out the details of the security bond required under section 2.110, Ordinance 325.

9. Request by Michael J. Cremarosa for payment of Stormwater Separation.

LEGISLATIVE ACTION (Continued)

The City Engineer said that Mr. Cremarosa did a fine job and that he would have the necessary paperwork together by next Council meeting.
MOTION made by Councilman Earle and seconded by Councilman Cheney that the Council table the matter until the next Council meeting. Motion carried.

VIII

OTHER BUSINESS

1. Letter/contract from Yergen and Meyer
MOTION made by Councilman Earle, seconded by Councilman Cheney that the Finance Director/Recorder and the City Attorney get together to work out the details of the audit contract and to present their recommendations at the next Council meeting. Motion carried.
2. Request by the Librarian to close the Library to the Public on Mondays due to the shortage of staff
Librarian Anne Hicks requested that the "open" hours be cut until additional staff can be hired.
MOTION by Councilman Brimm, seconded by Councilman Cheney, that the Library be closed to the public on Mondays. Motion carried.
Pauline Olsen from the Library Board thanked the Council for their decision.
3. Physical Exams for City Employees
Mayor Hitchcock stated that he had received a letter from the Southcoast Medical Center wherein the Center offered to do pre-employment physicals of City employees for \$35.00.
MOTION by Councilman Cheney, seconded by Councilman Allsup, that new City employees are required to have a physical examination within 7 days after they begin employment and have an annual physical from then on; that each City employee under the present structure must have an annual physical; that the physicals can be done by the employee's choice of doctors; that the City will pay for the physicals, up to \$35.00; and that the employees are to pick up their physical examination forms at City Hall. Motion carried.

IX

PAYMENT OF VOUCHERS

Councilman Cheney stated that the City has received bills related the North Brookings Sewer District and Wharf Street Projects, amounting to approximately \$35,000 which apparently were not included in the project costs assessment proceedings. The bills were given to the Finance Director/Recorder for his review.

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PAYMENT OF VOUCHERS (Continued)

The Council discussed some of the vouchers on the bills list.

MOTION by Councilman Earle, seconded by Councilman Cheney that the City pay the bills, excluding the payment of the Yergen and Meyer bill at this time. Motion carried.

MOTION by Councilman Cheney, seconded by Councilman Earle to adjourn the meeting. Motion carried unanimously.

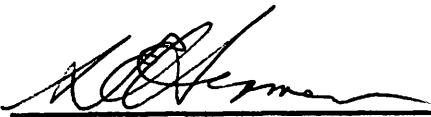
The meeting was adjourned at 11:06 p.m.

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



Mayor

ATTEST:



City Recorder