

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
SPECIAL MEETING
April 21, 1980

The meeting was called to order at 7:30 p.m. by Mayor Elmer Hitchcock.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Members present were: Councilmen Darrel Allsup, Ralph C. Cheney, Roy Brimm, and Robert Earle.

Staff present were: City Manager/Recorder Frank Freeman and Praecilla Pruitt Secretary.

III. LEGISLATIVE ACTION

1. Consideration of report from Citizens Advisory Committee on Finance.

It was decided to act upon each item contained in the April 4, 1980 Memorandum from the Citizens Finance Committee.

1. Ordinance No. 145 - City Business Licenses:

MOTION by Councilman Allsup, seconded by Councilman Earle that we increase the City business licenses to \$50.00 annually. Motion carried unanimously.

2. Motel/Hotel Occupancy Tax

There were two letters read by Gerald Probanz of the Bonn Motel and Bill Hansen of the Brookings Inn protesting the motel/hotel tax. Ken MacLeod requested that Robert Earle be excluded from voting on this item since he had a conflict of interest. Councilman Earle replied that he would if the other two landlords on the Council also be excluded from voting. He contended that a motel owner was nothing more than a landlord. Louis Vierira of the Citizens Finance Committee stated that Councilman Earle did have a conflict of interest since the motel tax is not on land owners but as a part of his operation. He further stated that the Committee had been provided copies of the non-paying revenue ordinances adopted by other cities including Crescent City, Medford, Grants Pass, Ashland, Eureka, Bend, Coos Bay and others. There were occupancy tax revenues in both Washington and California and only two counties of major motel complexes in Oregon did not have occupancy tax which were Josephine and Curry Counties. It was computed that the average room rate of \$22.00 with 66% occupancy and 197 rooms in Brookings would generate \$64,500. The City taxpayers should not have to pay for costs of services for tourists for only a business minority benefit. Gerald Probanz of the Bonn Motel, Bill Hansen of the Brookings Inn, Jack Frost of the Westward Motel and Pat Longtain of the Chetco Inn Hotel all gave oral objection to the bed tax and some stated they had much less occupancy than 66%. They felt that if they were going to tax the tourists then the restaurants, service stations, hardware and other businesses should be taxed. Mr. Probanz felt that instead of looking to the motel owners for revenue the Committee look into the possibility of a sales tax and objected to having to report the tax to the City. Councilman Earle requested that Councilman Allsup and Mayor Hitchcock as landlords be disqualified from any comment or any action on this matter. Since no decision could be made Councilman Brimm and the Mayor suggested placing the issue on the ballot.

MOTION by Councilman Cheney, seconded by Councilman Brimm that the motel/hotel occupancy tax be put on the next ballot May 23, 1980 or at the next earliest election.

After discussion Councilman Cheney called for a vote. Councilman Earle abstained and the remainder of the Council voted "yes". The City Manager stated that it could be possible to vote on the issue at the special election for the budget.

3. Ordinance No. 12-A - Licensing all coin-operated machines and games of chance.

The recommendation by the Citizens Finance Committee was read. Mr. Geraghty stated that the increase from \$15.00 to \$60.00 per year on the machines was grossly unfair as the machines could not support that much tax. Mrs. Gladys Geraghty stated that they did not receive \$60.00 income in a month. Councilman Earle requested that the Committee inform them how they arrived at these figures. Ken MacLeod stated that they had contacted people in the same business from Newport to Eureka and also checked the bars in Brookings to see how many tables there were and how much play was going on. The figures were based on operators with similar business.

MOTION by Councilman Earle, seconded by Councilman Allsup that it be thrown out until we know how they derived at the figures. Councilman Allsup and Earle voted "yes" and the Councilman Brimm, Cheney and Mayor Hitchcock voted "no".

After discussion the motion was restated as follows:

MOTION by Councilman Earle, seconded by Councilman Allsup that we table Item 3 on coin-operated machines. Motion carried. Councilman Brimm voted "no".

4. Ordinance No. 22 which exempts sale or soliciting of orders for the sale of milk, dairy products, vegetables, poultry, eggs and other farm and garden produce.

The Committee was recommending that these vendors be licensed. Councilman Brimm questioned if the Green River Law would apply and the City Manager informed the Council that this law applied from house to house visitation without being invited.

MOTION by Councilman Allsup, seconded by Councilman Brimm that we approve licensing the sale or soliciting of orders for the sale of milk, dairy products, vegetables, poultry, eggs and other farm and garden produce. Motion carried unanimously.

5. Water charges - That trailer courts on one meter should be billed a minimum monthly service fee multiplied by the number of mobile home spaces.

MOTION by Councilman Cheney, seconded by Councilman Brimm that we adopt Item No. 5.

Councilman Earle questioned how we could get compliance. Mr. Freeman informed the Council that it was uncertain if it could be made retro-active, but in the future it could be enforced. This would be a decision of the City Attorney. The motion was amended as follows:

MOTION by Councilman Cheney, seconded by Councilman Brimm that we adopt Item No. 5 pertaining to trailer courts and obtain legal counsel as to the extent that it can be enforced. Motion carried unanimously.

6. Late Penalties - City license fee doubled if it is not purchased by due date and doubled again if not purchased within 90 days and business operations suspended after 6 months.

MOTION by Councilman Allsup, seconded by Councilman Cheney that we adopt Item No. 6 on late penalties on license fees with the addition that \$100 penalty be imposed upon anyone that does not obtain a license prior to opening business. Motion carried unanimously.

7. Yard/Garage Sales - Issue garage sale permits for the sum of \$10.00 for a 12 month period and to be conducted not more than 3 consecutive days between the hours of 7:00 a.m. and 9:00 p.m. only. Purchasing merchandise for the purpose of resale at a garage sale is prohibited and the sale should not cause inconvenience or annoyance to the residents of the neighborhood nor block adjacent driveways.

John Hoskinson questioned how much revenue would be obtained. Councilman Cheney stated that the Committee was trying to control the garage sales and was not for the purpose of revenue. Mayor Hitchcock stated that there was stolen merchandise being sold and the Police could inspect any garage sale.

MOTION by Councilman Cheney that we pass Item No. 7.

After discussion the motion was amended as follows:

MOTION by Councilman Cheney, seconded by Councilman Brimm that we pass Item No. 7 with the garage sale permit fee set at \$1.00. Motion carried. Councilman Earle voted "no".

The City Manager brought up the fact that the Council had not set any prescribed number of sales to be held at a residence per year. This was to be decided when the Ordinance was drawn up.

8. Systems Development Charge Ordinance for the purpose of recovering the fair share of the cost of street, water, sewer and park facilities for those new properties which use and create a need for those facilities, excluding existing structures.

Mr. Freeman informed the Council that it was a system whereby new development coming into the City would have to buy into the existing system. It is not a charge against construction costs. The subdivider is not required to pay the charges as it is a charge over and above the water, sewer, street and storm drainage system. The new citizens coming into the area creates an impact to our service delivery system. The formula is derived from a charge for a new development based on the floor space area of the new structure and upon the area of the land. The money is distributed into the various funds. It is a trust fund that can be used only on that particular system and the Council sets the formula.

MOTION by Councilman Brimm, seconded by Councilman Cheney that we accept Item No. 8. Motion carried. Councilman Earle voted "no".

2. Approval of Liquor License renewals for B.P.O. Elks # 1934, Ray's Sentry Market No. 1, McKay's Market, Ken's Tavern and Coast House.

MOTION by Councilman Cheney, seconded by Councilman Brimm that we approve the Liquor Licenses which were submitted. Motion carried unanimously.

IV. CITY MANAGER'S REPORTS

1. Library Department request to hire two summer youth employees under CETA program.

Anne Hicks, Librarian stated that the Library does not pay for the program but it is paid for by the Coos-Curry Manpower Consortium. Pauline Hoskinson of Coos-Curry Manpower Consortium stated that during the summer of 1979 the Library employed three youths that worked 32 hours per week for 10 weeks and received the minimum wage. The savings to the Library was \$3,000 in wages.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we accept this request to hire two summer youth employees under the CETA program, and more if needed. Motion carried unanimously.

2. Request from Mr. Clifford Banick and Charles P. Saylor for on-the-job training at the City's Water and Sewer Treatment Plants at no cost to the City.

Mr. Freeman informed the Council that the only cost would be for State Compensation. The letters were read to the Council submitted by Mr. Banick and Mr. Saylor.

MOTION by Councilman Earle, seconded by Councilman Brimm to approve this request. Motion carried unanimously.

3. Proposals for purchasing heater for Municipal Swimming Pool.

There was a question if the new heater would be necessary since it was working well. It was decided to wait until June 1 for a trial period to see how it was working.

MOTION by Councilman Cheney, seconded by Councilman Earle that the purchase of a heater be tabled until further notice. Motion carried unanimously.

4. Mardon Court Subdivision street plan review.

MOTION by Councilman Allsup, seconded by Councilman Cheney that we accept the Mardon Court Subdivision with the changes of 34' asphalt from curb to curb, 3' greenway from curb to edge of sidewalk and 5' sidewalk. Motion carried unanimously.

5. Mr. Freeman informed the Council that the total amount owed to the Engineering firm was \$26,400.56, and the request for payment was \$10,468.80, which was the City's portion.

MOTION by Councilman Cheney, seconded by Councilman Allsup that the amount of \$10,468.80 be paid to H.G.E. Motion carried unanimously.

V. OTHER BUSINESS

1. MOTION by Councilman Cheney, seconded by Councilman Earle that two time clocks be purchased; one for the office and one at the Public Works Department; that a sign be posted that anyone punching the timeclock for another person both persons will be immediately discharged; that all compensatory time should be

used within a 30 day period or they lose it. Motion carried unanimously.

Councilman Cheney made a request that the timeclocks be purchased at Brookings Office Supplies. It was the concurrence of the Council that the Library, Police and Fire Department be excluded from using the time clock, but they would be required to have a special system. The compensatory time was to be computed daily and turned in weekly and must be used within thirty days.

2. Councilman Cheney stated that there were bills being submitted without requisition for small amounts and under \$1.00, and being signed by unknown persons.

MOTION by Councilman Cheney, seconded by Councilman Allsup that the Department Heads or their authorized representative only, make any purchases. Motion carried unanimously.

3. Mayor Hitchcock stated that there was a HUD grant available for Senior Citizens units. It would be a 100% HUD grant up to \$200,000 with no cost to the City. The City would only be a HUD agency to give them the authority to go ahead and present it.

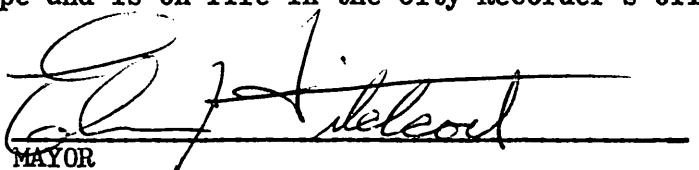
MOTION by Councilman Allsup, seconded by Councilman Cheney that we apply for a grant for the Senior Citizens Units. Motion carried. Councilman Earle voted "no".

4. Mr. Freeman was directed by the Council to give the City Attorney authority to review all the City's deeds and holdings so that we will know what property the City actually owns.

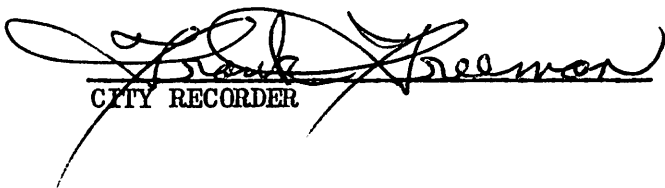
MOTION by Councilman Cheney, seconded by Councilman Allsup that the meeting be adjourned.

The meeting was adjourned at 10:20 p.m.

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


MAYOR

ATTEST:


CITY RECORDER

MEMORANDUM

TO: Honorable Mayor and Councilmen
FROM: Ron Ratisseau, Committee Chairman
SUBJECT: Recommendations by the Citizens Advisory Committee
on Finance for Increasing City Revenues
DATE: April 4, 1980

Please find below those recommendations submitted to the City Council by the Citizens Advisory Committee on Finance which the Committee feels will increase revenues to the City without increasing property taxes:

1. Ordinance No. 145 - City Business Licenses

Regardless of the number of employees employed by a business, increase the business license fee from \$35.00 annually to \$75.00 annually.

2. Motel/Hotel Occupancy Tax

Enact a motel/hotel occupancy tax ordinance based upon 6% of the room fee to be paid quarterly.

3. Ordinance No. 12-A - An ordinance regulating and licensing coin-operated music boxes.

Increase Section 4, annual license fee, from \$15.00 per year per machine to \$60.00 per year per machine.

Section 20, subsections 1 & 2, of Ordinance 12A pertain to pinball machines (currently \$60.00 per year per machine); all mechanical bowling, hockey, basketball, shuffleboard, skill pool; and other amusement devices not specifically stated (currently \$15.00 per year per machine). The Committee recommends a charge of \$125.00 per year for each machine.

Also, games of chance, namely poker tables, blackjack tables and other similar facsimiles should be added to the ordinance at a fee of \$250.00 per year.

4. Ordinance No. 22 - An ordinance regulating solicitors, peddlers, hawkers, itinerant merchants or transient vendors.

Section 3 of Ordinance 22 exempts the "sale or soliciting of orders for the sale of milk, dairy products, vegetables, poultry, eggs and other farm and garden produce." The Committee recommends that these vendors be licensed.

(IV.)

5. Water Charges

Trailer courts on one meter should be billed a minimum monthly service fee multiplied by the number of mobile home spaces. Any use over the minimum flow would be an additional fee.

6. Late Penalties

The Committee recommends that appropriate license fees be doubled if it is not purchased by the due date. If the fee is not paid within ninety (90) days it is doubled again. If it is not paid within six (6) months business operations will be suspended. The Council should insure sufficient public notices/announcements of the due dates.

7. Yard/Garage Sales


Issue garage sale permits for \$10.00 which are valid for a 12-month period. A resident should be restricted from holding more than a prescribed number of garage sales within the 12-month period, and the number of sales held at a residence should not exceed the prescribed number within a 12-month period. The sale should not be conducted more than 3 consecutive days and should be held between the hours of 7:00 a.m. and 9:00 p.m. only.

Purchasing merchandise for the specific purpose of resale at a garage sale is prohibited. The sale should not cause inconvenience or annoyance to the residents of the neighborhood nor block any adjacent driveways.

8. Systems Development Charge Ordinance

Enact a systems development charge ordinance for the purpose of recovering the fair share of the cost of street, water sewer and park facilities for those new properties which use and create a need for those facilities, excluding existing structures.

The Committee has completed a great deal of the assignment given to it by the City Council during the past few months. However, the Committee is still meeting and will file another report with the Council in the very near future.



Ronald Ratisseau, Chairperson
Citizens Advisory Committee
on Finance