

**MINUTES  
CITY OF BROOKINGS  
COMMON COUNCIL MEETING  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
May 11, 1992  
7:00 p.m.**

**I. CALL TO ORDER**

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

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**Council Present:** Mayor Fred Hummel, Councilors Nancy Brendlinger, Mary Jane Brimm, Larry Curry, Tom Davis

**Staff Present:** City Manager Dennis Cluff, Finance Director/Recorder Beverly Shields, City Attorney Mike Gillespie

**Media Present:** Bill Schlichting, Curry Coastal Pilot; Larry Goodman, KCRE; Marge Barrett, KURY

**IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS**

1. Proclamation - Buddy Poppy Day - May 22, 1992

**Mayor Hummel proclaimed Friday, May 22, 1992 as Buddy Poppy Day.**

2. Meetings

Mayor Hummel announced May meetings as follows:

May 13 - Town Hall Meeting regarding bond election;  
May 20 - Special Planning Commission Meeting; and  
May 21 - Bonded Indebtedness meeting.

**V. PUBLIC HEARINGS**

**1. 1992-93 Budget**

**Mayor Hummel opened the public hearing at 7:07 p.m.**

**Comments from Council: None**

**Comments from audience: Clarence Branscomb, representing Ransom Avenue property owners, requested that the Ransom Avenue improvements be done in this budget year.**

**Councilor Brimm moved to place the request from Clarence Branscomb for funding of the Ransom Avenue improvements during fiscal year 1992-93, on the City Council Work Session agenda for May 18, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:**

**Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel**

**Nays: None**

**Motion carried; request from Clarence Branscomb for funding of the Ransom Avenue improvements during fiscal year 1992-93, placed on the City Council Work Session agenda for May 18.**

**Mayor Hummel closed the public hearing at 7:12 p.m.**

**No formal action required or taken.**

**2. State Revenue Sharing**

**Mayor Hummel opened the public hearing at 7:12 p.m.**

**Comments from Council: None**

**Comments from audience: None**

**Mayor Hummel closed the public hearing at 7:13 p.m.**

**No formal action required or taken.**

**VI. SCHEDULED PUBLIC APPEARANCES**

**1. Request for sub-meter at school football field - Utili-Chek**

**Carmen Nukala of Utili-Chek presented council with a request to sub-meter Account No. 6-551/573.**

**City Manager Dennis Cluff advised that Ms. Nukala feels the school could save great amounts of sewer charges if the irrigation numbers were removed from the school's sewer calculation. That would be true if the current rate were to remain after the diversion of the irrigation waters. But the current school sewer rates were based on all water usage at the school, including irrigation. This is why the rate is lower than the commercial and industrial rates. Mr. Cluff recommended that council uphold the city manager's response of March 17, 1992, which denied the request.**

**Councilor Davis moved to deny the request for a sub-meter for the football field at School District 17C, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:**

**Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel**

**Nays: None**

**Motion carried; request for a sub-meter for the football field at School District 17C denied.**

**2. Review of proposed County Solid Waste Management Plan**

**Robin Kordik of Cascade Pacific Engineering presented the proposed County Solid Waste Management Plan. The CCSWAC (Curry County Solid Waste Advisory Committee) has been involved with the plan formation from day one. This management plan is being paid by a grant from DEQ to Curry County. No formal action required or taken.**

**VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE**

**None**

**VIII. CONSENT CALENDAR**

**A. Approval of Council Meeting Minutes**

1. April 27, 1992 Regular Council Meeting
2. April 14, 1992 Budget Committee Meeting

**B. Acceptance of Planning Commission Meeting Minutes**

1. April 7, 1992 Regular Planning Commission Meeting

**C. Approval of vouchers**

(end Consent Calendar)

The Council requested corrections to the April 27, 1992 minutes on page 14.

Councilor Curry moved to approve the Consent Calendar, with correction, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

**Motion carried; Consent Calendar consisting of:**

**A. Approval of Council Meeting Minutes**

1. April 27, 1992 Regular Council Meeting
2. April 14, 1992 Budget Committee Meeting

**B. Acceptance of Planning Commission Meeting Minutes**

1. April 7, 1992 Regular Planning Commission Meeting

**C. Approval of vouchers**

**approved.**

**IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS**

- 1. Ordinance No. 92-O-489 - An ordinance of the City of Brookings, Oregon, authorizing the issuance and sale of limited tax improvement bonds, Series 1992, in an amount of \$2,427,553.60 for the purpose of financing the water distribution improvements and the sanitary sewer improvements within the Dawson Tract, Oregon Driftwood Shores and West Harris Heights areas; prescribing the form and detail of said bonds and the covenants and agreements made by the city to facilitate and protect the payment thereof; authorizing negotiation of the bond sale; and designating a paying agent and bond registrar, an underwriter and bond council, and declaring an emergency.**

**Administrative Assistant Donna Van Nest read Ordinance No. 92-O-489 into the record in its entirety, through a pre-recorded tape.**

**Councilor Davis moved to adopt Ordinance No. 92-O-489 by first reading, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:**

**Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel**

**Nays: None**

**Motion carried; Ordinance No. 92-O-489 adopted unanimously by first reading.**

**Administrative Assistant Donna Van Nest read Ordinance No. 92-O-489 into the record by title only, through a pre-recorded tape.**

**Councilor Curry moved to adopt Ordinance No. 92-O-489 by second reading, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:**

**Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel**

**Nays: None**

**Motion carried; Ordinance No. 92-O-489 - An ordinance of the City of Brookings, Oregon, authorizing the issuance and sale of limited tax improvement bonds, Series 1992, in an amount of \$2,427,553.60 for the purpose of financing the water distribution improvements and the sanitary sewer improvements within the Dawson Tract, Oregon Driftwood Shores and West Harris Heights areas; prescribing the form and detail of said bonds and the covenants and agreements made by the city to facilitate and protect the payment thereof; authorizing negotiation of the bond sale; and designating a paying agent and bond registrar, an underwriter and bond council, and declaring an emergency. - adopted by second reading. [Effective May 11, 1992]**

**X. COMMITTEE REPORTS**

- A. Planning Commission None
- B. Parks and Recreation Commission None
- C. Golf Board

There was a discussion between the city attorney and the city council concerning the latest golf lease revisions. **No formal action required or taken.**

- D. Chamber of Commerce None

**XI. STAFF REPORTS**

- A. City Manager None

**B. Community Development Director**

**1. Request for water service outside city limits - Eastwood Lane**

Community Development Director Leo Lightle explained that JoAnn Freeman's property is located in an approved subdivision in which the developers installed the water system. Each lot in the original subdivision, by the acceptance of the subdivision, can have one water meter if sufficient water is available. Currently water is available.

This property already has one water meter on the property. This request is for a second meter. Therefore, in accordance with Ordinance No. 66-O-190, Section 16C, the city council must authorize the connection.

Staff recommended that this water connection be authorized subject to Ordinance No. 66-O-190.

Councilor Davis moved to accept the hookup of water for property owned by JoAnn Freeman on Eastwood Lane, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis,  
Mayor Hummel

Nays: None

**Motion carried; water connection approved for Lot No. 900 on Eastwood Lane owned by JoAnn Freeman, subject to the provisions of Ordinance No. 66-O-190.**

**XII. REMARKS FROM MAYOR AND COUNCILORS**

**A. Mayor None**

**B. Council**

**1. Animal control**

**This item was placed on the agenda at the direction of council, following the work session on May 4. Discussion at the work session centered around the licensing of dogs, and potential dog control program revenue source licensing would provide.**

**Councilor Curry suggested to the committee dealing with animal control that the dog license fee should be enough to pay for legitimate dog control.**

**This item (animal control) referred to Curry Tri-City Council for discussion. No formal action required or taken.**

**2. Traffic Safety Committee**

**Mayor Hummel requested that council approve the report and forward it to ODOT and the State Speed Control Board.**

**Councilor Brendlinger moved to adopt the final draft of the Traffic Safety Committee Report, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:**

**Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel**

**Nays: None**

**Motion carried; final draft of the Traffic Safety Committee Report adopted.**

**3. Parks and Recreation Commission Report and Recommendations**

**The city manager responded in writing to the Parks and Recreation Commission's recommendations, and requested that council review the response and forward it to the Parks and Recreation Commission. No formal action required.**



**EXECUTIVE SESSION ORS 192.660 (1)(h)**

**RECESS**

Mayor Hummel recessed the council meeting at 9:55 p.m. to convene an Executive Session under ORS 192-660(1)(h) - To Consult with Legal Counsel.

**RECONVENE**

Mayor Hummel reconvened the council meeting at 10:34 p.m.

**1. Harbor Sanitary District**

Councilor Curry moved to authorize settlement with Harbor Sanitary District by August 3, 1992, after verification of numbers, which motion was seconded by Councilor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

**Motion carried; settlement with Harbor Sanitary District by August 3, 1992 authorized, after verification of numbers.**

**2. Urban Reserve Area**

Councilor Curry moved to authorize staff to investigate a land use appeal with Josephine County concerning the Urban Reserve Area and to get cost and success estimates, which motion was seconded by Councilor Brimm. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

**Motion carried; staff authorized to investigate a land use appeal with Josephine County concerning the Urban Reserve Area and to get cost and success estimates.**

3. Pending Litigation from members of Dawson Tract LID

Councilor Brendlinger moved to direct staff to prepare the defense and to check on insurance coverage, and to direct the city attorney to follow up on involvement of the opposing attorney, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Brimm, Curry, Davis, Mayor Hummel

Nays: None

**Motion carried; staff directed to prepare the defense in the matter concerning pending litigation from members of the Dawson Tract LID and to check on insurance coverage, and the city attorney directed to follow up on involvement of the opposing attorney.**

**XIII. ADJOURNMENT**

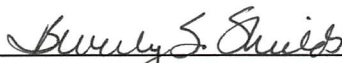
Councilor Davis moved to adjourn, which motion was seconded by Councilor Curry; **motion carried unanimously.**

Mayor Hummel adjourned the meeting at 10:38 p.m.



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Fred Hummel  
Mayor

**ATTEST:**



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Beverly S. Shields  
City Recorder