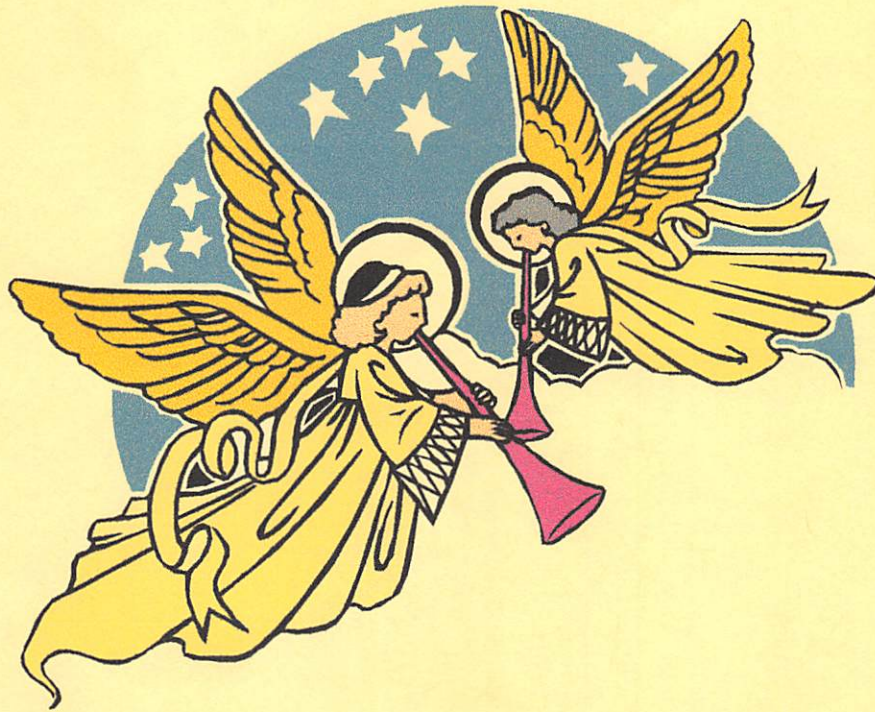


agenda
City of Brookings
Common Council Meeting
City Hall Council Chambers
898 Elk Drive
Brookings, Oregon, 97415 - 7:00 p.m.
December 14, 1998



agenda

CITY OF BROOKINGS
COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
December 14, 1998
7:00 p.m.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

- A. "Lights on For Life Day in Brookings" proclamation (pink)
- B. Employee of the Season
- C. Systems Development Charge Review Board vacancy (grey)

V. PUBLIC HEARING

- A. An appeal of the Planning Commission decision approving a request for an amendment to a conditional use permit to allow preschool through 5th grade classes, located at the Brookings-Harbor Christian Church, 777 5th Street (green)

VI. SCHEDULED PUBLIC APPEARANCES

- A. Military Valentine Mail - Sandy Calta with Girl Scouts

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

- A. Committee and Liaison reports
 - 1. Chamber of Commerce
 - 2. Planning Commission
 - 3. Council Liaisons
- B. Unscheduled

VIII. STAFF REPORTS

- A. City Manager
 - 1. Abstract of Votes for November 3, 1998 election (cream)

2. Resignation of Frances Johns from Council position No. 2 (purple)
 3. Request for additional City funding for All Events Center Feasibility Study (gold)
 4. Hiring Oregon Downtown Development Association to assist with "Downtown Core" study (tan)
 5. Council Goals Session February 6, 1999 (yellow)
- B. Community Development Department
1. Authorization to call for bids for equipment for Wastewater Treatment Plant Improvements (orange)
 2. Sole source equipment purchases for Wastewater Treatment Plant Improvements (green)
 3. Sidewalks on Ransom Avenue (pink)

IX. CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
1. Minutes of November 23, 1998 Regular Council Meeting (blue)
- B. Acceptance of Commission/Committee Minutes
1. Minutes of October 22, 1998 Regular Parks and Recreation Commission Meeting (grey)
 2. Minutes of November 10, 1998 Regular Planning Commission Meeting (purple)
 3. Minutes of December 1, 1998 Systems Development Charge Review Board Meeting (tan)
- C. Approval of Vouchers (\$827,437.73) (gold)

(end Consent Calendar)

X. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Resolutions
1. 98-R-649 - A resolution exempting from competitive bidding equipment specified for the Brookings Wastewater Treatment Plant Improvements (green)

XI. REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

B. Council

XII. ADJOURNMENT

DECEMBER 1998

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1:30pm CC-SDC Committee Mtg 7:00pm Planning Commission Meeting	7:00pm PROUD meeting at Brkgs Inn Conf Ctr 12:00pm Community Agencies Mtg			
		1	2	3	4	5
				7:00pm PROUD meeting		
6	7	8	9	10	11	12
	7:00pm CC-Council Meeting			7:00pm Parks & Rec Comm Meeting		
13	14	15	16	17	18	19
	2:00pm CC-Muni Court				8:00am HOLIDAY	
20	21	22	23	24	25	26
				Christmas		
27	28	29	30	31		
NOVEMBER 1998 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30				JANUARY 1999 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24/31 25 26 27 28 29 30		

JANUARY 1999

[illegible]

PROCLAMATION

WHEREAS, motor vehicle crashes kill over 40,000 people and injure 3 million every year, at a cost to society of some \$150 billion annually; and

WHEREAS, alcohol related crashes account for approximately 40 percent of those deaths and injuries; and

WHEREAS, the December holiday season is traditionally one of the most deadly times of the year for alcohol-impaired driving; and

WHEREAS, community-based programs involving consumer education, effective laws, and strong law enforcement have been proven to be successful in reducing impaired driving; and

WHEREAS, organizations from every state are joining together this December by supporting anti-impaired driving programs and policies; and

WHEREAS, the community of Brookings, Oregon is a partner in that effort to make our roads and streets safer;

NOW, THEREFORE, I, Nancy Brendlinger, Mayor, do hereby proclaim Friday, December 18, 1998 as

“LIGHTS ON FOR LIFE DAY IN BROOKINGS”

and I call upon all citizens in Brookings and Harbor, Oregon to promote awareness of the impaired driver problem, to support programs and policies to reduce incidents of impaired driving and promote safer and healthier behaviors regarding the use of alcohol and other drugs.

As a part of this program, the Brookings Police Department, along with the Reserve Unit and other agencies, will be targeting the impaired driving problem through the 3D PREVENTION BLITZ. Beginning at 8:00 a.m. on December 23rd and continuing through 8:00 a.m. on January 1, 1998, officers will be targeting impaired drivers through active traffic enforcement. We ask all citizens to be our partners in this program.

Nancy Brendlinger
Mayor

December 5, 1998

Nancy Brendlinger, Mayor
City of Brookings
898 Elk Drive
Brookings, OR 97415

Dear Mayor Brendlinger, Mr. Weldon, and Members of the City Council:

This letter concerns my interest in being appointed to serve on the City of Brookings Systems Development Charge Review Board.

After brief discussions with Tom Weldon, City Manager and Jim Collis, Chairman of the Systems Development Charge Review Board, it is my understanding that the Board reviews adequacy, collection, expenditure and accounting of funds received by the city as development fees and works with the City Planning Commission and City Council in developing a comprehensive Capital Improvement Plan that will facilitate long-range planning and prioritization of the City's capital projects.

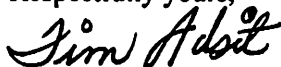
As a visionary leader with twenty-three years of successful and progressively responsible experience as a school administrator, I have served throughout my career in positions ranging from Superintendent of Schools, Director of Curriculum, Instruction, Assessment, Personnel and Planning, and Principal at all levels K-12. During this time, I have had the privilege to serve in districts ranging in size from 170 students to 10,500 students and I have been directly responsible for supervising as many as 144 certified, 120 classified, 15 administrative and 6 confidential staff members. I have also been responsible for planning, developing, implementing, managing and assisting in the internal and external auditing of budgets as large as \$15,500,000.

Skills, abilities, and areas of expertise I possess that may be of particular relevance to this appointed Board position include: Skills in reviewing adequacy, collection, expenditure and accounting of funds; Experience in budget planning, development, implementation and fiscal management; Expertise in comprehensive short and long-range planning and strategic planning processes; Direct experience in developing comprehensive capital improvement projects and plans; Communication, public speaking, and reporting skills; Good people skills and ability to relate to people from all walks of life; Organization and leadership skills; and skills in team building, problem-solving, decision-making and conflict resolution.

I possess the desire and enthusiasm for serving the public and I am very interested in seeing a positive economic future for the Brookings-Harbor area.

Thank you for considering my appointment to this Board and I would consider it an honor if allowed to serve my fellow citizens in this manner.

Respectfully yours,



Tim Adsit
845 Cameo Court
Brookings, OR 97415
Home phone: 469-3940 after 6:00 p.m.; Office phone: 469-7443

Memorandum

TO: Mayor, City Council
FROM: John Bischoff, Planning Director
THROUGH: Tom Weldon, City Manager
DATE: December 8, 1998



Issue: An appeal of the Planning Commission's approval of a conditional use permit to allow a pre-school through 5th grade private school at the Brookings Christian Church located at 777 Fifth St.

Background: In 1992 a conditional use permit was approved to allow a pre-school at the above location. This approval was conditioned to allow 8 classes of 15 children per week. Subsequently the school was purchased by another party and expanded to include grades K through 5 and with six classes a day with a maximum 12 children per class. The class arrangement would be one pre-school class, one kindergarten class and four classes of grades 1 through 5.

The morning pre-school and kindergarten class are dismissed at noon and then there is a different afternoon pre-school and kindergarten class in the afternoon. The current enrollment is 46 children and with the approval of the Planning Commission this could raise to a total of 72 children at the school at any one time.

During the summer of 1998, the school operator called me and asked if the format of the school could be changed to allow through the 5th grade. At that time I did not realized that the school had changed owners and assumed that they would still operate under the provisions of the original conditional use permit for the school, that is eight classes per week with a maximum of 15 children per class. Under that assumption, and thinking that the number of children at the school would not change, I told the operator that I thought it would be ok. It was not until I received complaints about noise at the school did I learn that the number of classes and children had been increased. I then required the school operator to apply for a minor change to the original permit to allow for the new arrangement.

The Planning Commission heard the application on November 10, 1998 and approved the minor change to allow six classes with 12 children each. The approval also included conditions to fence the play area so that balls could not escape the area (this was another complaint that staff had received) and a condition stating where the children could be dropped off and picked up.

Concerns raised at the Commission meeting were for the additional traffic the school would generate on Fifth St. which is an improved but substandard in terms of width, and for noise generated by the children playing in the designated play area.

The opponents have filed an appeal based on these concerns. The staff report for the original pre-school, the current minor change, the conditions of approval, and the material submitted by the appellants are attached to this memo.

RECEIVED

NOV 19 1998

Nov. 17, 1998

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

In the matter of Planning Commission File #CUP-3-78/MC-2;

We, the applicants, oppose the Nov. 10, 1998 decision and conditions of the City Planning Commission to grant a permit expanding an existing Preschool to include Kindergarten through Fifth grades. The school is housed in a church building in an R-2 zone.

We contest that the applicants did not meet the criteria listed in Section 140 Conditional Use Permits, of the Land Development Code.

Statement of Findings:

Criterion 1: We do not contest this issue.

Criterion 2: We question adequate parking spaces for a school increasing its enrollment by 72 students while at the same time the north parking lot has been designated a playground. These spaces cannot be included in the count. There is no street parking.

Landscaping is insufficient to screen the school activity and parked vehicles from its neighbors.

Regarding fencing, in the best interest of the surrounding properties we question its material, color and potential for creating a negative visual impact on our neighborhood.

Criterion 3: The school site is bound by a substandard street, one that is unimproved and one being studied by the City Council at this time regarding pedestrian safety.

Facts stated in the Nov. 10 staff report have changed. Vehicles will now enter and exit the church parking lot from unimproved Barbara Ln. It is a graveled travelway.

The increase in traffic will not be minimal as stated. Seventy-two new students means a maximum of 154 vehicular trips a day in addition to all the trips made for the Preschoolers.

Criterion 4: We contend the approved use already has had an adverse impact on our neighborhood. Noise, traffic, flooding, mud and gravel flow, congestion, lack of safe pedestrian

areas, and more, have resulted since June of this year when the expanded school opened.

Additional conditions should have been added to the permit requiring time limitation, stop signs, crosswalks, pedestrian pathways or sidewalks and school zone signing. Without these, we the taxpayers, will have serious concerns about City liability and how that could affect us financially.

Criterion 5: Does not apply to this site location.

*Clarence Dranscomb
800 Cameo Ct.*

Brookings City Council

Dec. 14, 1998

I will not be able to attend this meeting in person but would like to register my complaint and try to overturn the Planning Commission's granting of CUP-3-78/ MC2 to permit the expansion of an existing preschool in a church building at 777 Fifth St.

I live across Ransom Ave. and overlook the parking lot which is also used for a play-ground on the corner of 5th & Ransom. I consider the approval of this application to be a travesty, caused by extreme bias on the part of at least one member of the Planning Commission and poor judgement on the part of some others.

I personally disagree with the finding of facts on this application. None of the criteria have been met. The balls continue to be kicked into a very busy intersection: noise has not been abated and traffic has not been addressed in any way.

There is not a sidewalk on any side of the church and none of the streets are up to Brookings City standards. In fact, Barbara Ln. has not been accepted into the City Street system. It is a dirt roadway with the accompanying dust and noise. Barbara Ln. has no stop signs on either end; there are no signs such as school zone, speed limits, etc. In fact, signs are completely lacking except for one stop sign on Ransom at Fifth St. This Council should consider the liability involved in granting approval of a school in an area that has already been considered an emergency area because of street width and lack of sidewalks. The infrastructure around this proposed school is totally lacking.

Having been on the Planning Commission, I hate to see a planning decision overturned by the Council, but this one really needs your attention.

December 3, 1998

To members of the Brookings City Council,

This August my wife and I noticed a dramatic increase in both auto and foot traffic on Fifth St., many more children walking, many more cars turning in at Barbara Ln. We were surprised to learn that another school had opened in the church across the street. We and none of the neighbors had been notified of this by the City.

We consider this street to be an unsafe one, especially for children walking to and from this school. We do not look forward to seeing an accident happen here but it becomes more likely every day. We have personally experienced and witnessed many "close calls", both pedestrian and auto, in the past few months.

As you well know the streets in this area are substandard in width or development. Because our street is narrow, heavily traveled and has no sidewalks I cut trees and brush back at the curbside to provide a pathway off the street for the kids. I even put a sign on my lawn telling the kids to walk on my lawn, not in the street. Now I realize that if they stepped in a gopher hole and got hurt I'd probably be sued for putting up the sign! If the City allows this school to remain open in such an unsafe area, would it not be liable in the event of an accident?

Because the school was allowed to expand prematurely the Planning Commission meeting on Nov. 10 turned into an emotional appeal from the children and their parents, which I feel influenced the vote of the Commissioners. They should have been more concerned with Criteria being met and the City's responsibility to its citizens.

I request you look into this Nov. 10, 1998 decision by the City Planning Commission. (File CUP-3-78/MC-2) I repeat, I do not believe that all the criterion required by our own City Land Use Codes have been met and I believe the school should be relocated to a safer area.

Respectfully Submitted,

Jim M. Encum

Sue C. Mencum

Jim and Sue Mencum
714 Fifth St.
Brookings

720 5th Street, Brookings, OR 97415
Phone: 541/469-2519
December 3, 1998

To: Brookings City Council
City Hall-Brookings, OR 97415

Re: File #CUP-3-78/MC-2
Planning Commission decision of 11/10/98
concerning Brookings-Harbor Christian School

From: Ted and Betty Bezzerides

We reside at 720 5th Street. We disagree with the Planning Commission decision of 11/10/98. For the reasons stated below, we believe the applicants do not meet the requirement of minimal adverse impact to the neighborhood.

1) **Traffic congestion:** 5th Street is a busy street with cars and trucks traveling at speeds excessive for a residential/school neighborhood. Additional morning, noon and afternoon traffic from the Brookings-Harbor Christian School creates congested conditions that are hazardous for pedestrians and for local residents trying to exit and enter their driveways.

2) **Mud and gravel flow:** Barbara Lane, which is adjacent to the school, enters 5th Street across from our driveway. It is an unimproved, mostly gravel street that is not maintained by the City. Increased traffic on Barbara Lane from the school creates deterioration of the gravel surface. During the rainy season, mud and gravel from Barbara Lane wash onto City-maintained 5th Street, creating hazardous road conditions and interfering with drainage.

We are also uncomfortable with the process by which decisions were made regarding the school. For example, it appears that the initial decision allowing expansion from a preschool to an elementary school was made administratively without opportunity for neighborhood input beforehand.

In addition, during the Planning Commission meeting of 11/10/98, one of the commissioners said, "I would be for all the Christian-type schools that you could possibly create to get out of the public school system. It is a horrendous system by what it teaches..." This comment reflects a bias that may have interfered with the commissioner's ability to render an impartial decision.

Thank you for the opportunity to express our opinions. We look forward to a satisfactory resolution of this matter.

Ted and Betty Bezzerides
Ted and Betty Bezzerides

DECEMBER 2, 1998

CITY OF BROOKINGS COMMON COUNCIL
CITY HALL
BROOKINGS, OREGON

RE: FILE No. CUP-3-76/MC2
PLANNING COMMISSION
DECISION OF 11-10-98

FROM: WALT AND VIOLET LOVEJOY

WE ARE RESIDENTS AT 716 - 5TH ST. AND WISH TO STATE THAT WE DISAGREE WITH THE PLANNING COMMISSION'S DECISION ON NOVEMBER 10, 1998 IN REGARD TO SECTION 140, CONDITIONAL USE PERMITS, CRITERION No. 4 - ADVERSE IMPACT TO THE NEIGHBORHOOD. IT IS FAIR TO STATE HERE THAT WHEN THE YOUNG WOMEN WHO TEACH AT THE SCHOOL APPEARED AT OUR HOME WITH A PETITION FOR SIGNATURES IN FAVOR OF INCREASING CLASSES THIS YEAR, VI LOVEJOY SIGNED IT. HOWEVER NOT BEFORE QUESTIONING THE AGES OF THE STUDENTS IN THE NEW CLASSES AND HOW LONG IT WAS INTENDED TO OPERATE AT THE CHURCH AS A SCHOOL. ONLY AFTER BEING TOLD THEY EXPECTED TO BE ELSEWHERE BY NEXT YEAR DID I SIGN THE PETITION.

SINCE 5TH STREET IS A SUBSTANDARD STREET, AS NOTED BY THE PLANNING DEPARTMENT, ALLOWING MORE TRAFFIC AND THE RESULTING HAZARDS TO ENTERING AND EXITING DRIVEWAYS SEEMS A BAD DECISION. THERE IS NO SPEED LIMIT TO SLOW TRAFFIC COMING UP FROM EASY ST. AND SOME DRIVERS SEEM TO USE LITTLE CAUTION WHEN THERE ARE PEDESTRIANS ON THE STREET, AND OF COURSE THAT IS THE ONLY PLACE TO WALK IN THIS AREA. THERE OFTEN HAVE BEEN YOUNG BOYS USING SKATEBOARDS GOING DOWN 5TH ST. TOWARD EASY ST. VEHICLES OFTEN SLIDE THROUGH THE STOP SIGN GOING EAST ON EASY ST.

PERSONS WHO USE THIS STREET SEEM NOT TO REALIZE, AS RESIDENTS DO, HOW SERIOUS THE TRAFFIC CAN BE SINCE THEY DO NOT EXPERIENCE THE TOTAL NUMBER VEHICLES USING 5TH STREET EACH DAY. IT IS A SERIOUS SITUATION THAT SHOULD NOT BE MADE WORSE THAN IT IS.

ANOTHER PROBLEM WE HAVE IS WITH THE REMARKS MADE BY ONE OF THE COMMISSIONERS WHEN EXPRESSING HIS DECISION ON THIS QUESTION. THE FOLLOWING STATEMENT IS QUOTED FROM THE AUDIO TRANSCRIPT OF THE 11-10-98 MEETING. "I WOULD BE FOR ALL THE CHRISTIAN-TYPE SCHOOLS THAT YOU COULD POSSIBLE CREATE TO GET OUT OF THE PUBLIC SCHOOL SYSTEM. IT IS A HORRENDOUS SYSTEM BY WHAT IT TEACHES AND SO. . . .".

THIS HARDLY SEEMS TO BE AN IMPARTIAL DECISION WHEN VOTING ABOUT ENLARGING THE SCHOOL AT THE CHURCH. THE COMMISSIONER MAY NOT SEE ANYTHING WRONG WITH TRAFFIC AT THE 5TH AND EASY INTERSECTION AND THE BLOCK UP TO RANSOM ST., BUT THEN HE DOES NOT LIVE ON THIS BLOCK TO SEE THE MANY TIMES CHILDREN CAN BE IN DANGER FROM THE AMOUNT OF TRAFFIC ALREADY USING THIS STREET.

WE ATTENDED THE NOVEMBER 23, 1998 MEETING OF THE CITY COUNCIL AND HEARD THE DISCUSSION ON THE PROBLEMS LOCAL IMPROVEMENT DISTRICTS AND DEFERRED IMPROVEMENT AGREEMENTS CAN CAUSE. WE REALIZE THE DILEMMA IN SOLVING SIDEWALK CONSTRUCTION ON RANSOM AND 5TH STREETS.

WE NOW RESPECTFULLY ASK THAT THE COUNCIL GIVE SERIOUS CONSIDERATION AT THE DECEMBER 14 MEETING TO RELIEVING A BAD SITUATION FOR PEDESTRIAN AND VEHICULAR TRAFFIC RATHER THAN ADDING TO IT BY ALLOWING MORE TRAFFIC IN THIS AREA FROM INCREASED SCHOOL POPULATION AT THE BROOKINGS-HARBOR CHRISTIAN CHURCH.

THANK YOU,

Walt E. Lovejoy & Violet M. Lovejoy
WALT E. LOVEJOY & VIOLET M. LOVEJOY
469-5068

To the City of Brookings Council

My name is Una Barbour and I speak for my family and I who reside at 901 Barbra Lane. Our home is located directly across from the upper parking lot exit and across from the lower exit to the school.

We are absolutely appalled with the increase of traffic this grade school has created. This traffic generates from all directions past our front door living room and bedroom windows. They drive in from 5th Street and enter from marked exits to the school. We extend an invitation to any members of the council to view this from our property any time any day as this situation is not exaggerated but a true fact.

My husband picked a day, November 20th, and counted 88 vehicles from 8:15 am till 3:30 pm pass our front window and door. We made a chart as to the number which left and arrived in each direction and entered through marked exits to the school. This chart will be available December 14th.

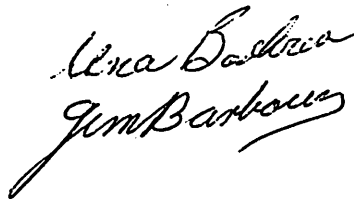
The dirt and dust in dry weather is terrible but we were aware of the road conditions when we built on this lot, but we allowed for traffic on Sunday mornings and one night during the week, not for traffic twice a day five days per week. We bought beside a church. There is no way we would have cleared land and built beside a grade school.

In wet weather the stones which the church has deposited on the top of Barbra Lane wash down towards 5th Street and all the heavy traffic has caused deep gouges and constant spinning of wheels as they try to stop before entering into the flow of traffic on 5th Street.

We feel putting this much extra amount of traffic onto an area which the City already has major concerns about is indeed asking for trouble for everybody.

Thank you all for your time and Happy Holidays.

Jim and Una Barbour

The block contains two handwritten signatures in cursive. The top signature is 'Una Barbour' and the bottom signature is 'Jim Barbour'. Both are written in dark ink.

December 2, 1994

City Council

City of Brooklyn

Re proposed enlargement of the school that is renting the facilities at the Christian Church on Fifth Street.

The street is very dangerous between Ransom Street and Barbara Lane. We have witnessed several bad accidents at the corner of Fifth Street and Ransom Avenue. We live on that corner and we hear the screaming of brakes and the collisions.

An increase in traffic could make the area even more hazardous.

Marvin Pope

To the members of the Brookings City Council:

The most important reason I have for opposing the school in the church at 5th, Ransom and Barbara Lane is that many childrens' lives are in jeopardy. Even before the school was started, Ransom St. was heavily traveled.

Every morning school children of all ages pass my home. Some walking with backpacks and hoods over their heads - some on bicycles - some on skateboards all going down the middle of the street. Now, with all the added traffic going to the church school, coming from all directions, it is even more treacherous.

I beg you to overturn the Planning Commissioners decision effective immediately - before the inevitable accident happens.

Sincerely,

Arline DeJarnett

915 Ransom St.

Brookings

A handwritten signature in cursive script, reading "Arline DeJarnett", written in dark ink.

November 27, 1998

TO: All Members of the Brookings City Council

My wife and I are in disagreement with the findings of the Staff and Planning Commission's decision to allow passage of File #CUP -3-78/MC-2 on November 10, 1998.

Right from the start, Staff made a decision without first checking permit #MC-2-92 which only allowed a preschool. This was wrong.

Using Staff's words in report dated October 30, 1998 for the City of Brookings Planning Commission Staff Agenda Report, Staff stated "Earlier this year applicant contacted Staff and inquired as to the possibility of including course work to the 5th grade level. At that time Staff stated this would be acceptable. However Staff was assuming this would be within the conditions of the approved minor change although this was not discussed." This verbal OK was not legal! Subsequently, Brookings Christian School was started the first week of September without a proper permit and was allowed to expand to include Kindergarten through 4th grade.

When my wife and I purchased this property we checked Permit #MC-2-92 before we went on with the sale. We knew this permit only allowed a preschool. We would never have purchased this home if the permit had allowed a grade school.

When this school first started, I went to Mr. Bischoff's office to see if any changes were made in Permit #MC-2-92 and was advised that no changes were made to date. I then advised him that permit #MC-2-92 was no longer in compliance with the conditions set forth by this permit and I would like him to police this matter with a letter to the Church and the School to bring them into compliance. Mr. Bischoff stated he would send such a letter to bring them in compliance within the week. I also asked for a copy of said letter to be mailed to my home. I waited a week and nothing happened. I then went back to Mr. Bischoff and he advised me the church had another permit, #CU-78-3 which allowed for a school. I asked if I could please see this other permit. Mr. Bischoff advised me that it was in the archives and he himself had not seen it yet and to return on the following Wednesday and it would be available. My wife and I stopped on Wednesday and found that permit #CU-78-3 did not allow for said school. Again, I asked that a letter be sent to bring the school into compliance. Mr. Bischoff then stated the City of Brookings felt that this would create a hardship on parents and children and no letter would be sent and that he would advise the school to apply for another minor change.

At the November 10, 1998 meeting a majority of the planners stated this was the worst location in the city to locate a school .

Now we come to the impact on the homes subjected to the school which surround the church and playground. The play area is directly below our back deck and living area. We hear this NOISE outside and inside our home even with the doors and windows closed. Our only alternative is to leave our home during the days when the children are playing outside. The

increase in traffic, and traffic noise, dust and pollution affects all of the home owners. We are all retired seniors and do not have the option or time left to start anew. Nine out of eleven families within 250 feet of the school do not want this school at subject property .

I called the real estate agent that sold me this home and asked if she would be interested in listing it . She happened to be here when the children were out playing and she hung her head and said she could not believe the city allowed this travesty to happen. She advised us that all the improvements and monies spent to improve our property have been lost. She also stated that homes that are located near schools are almost impossible to sell. Also that only about 10% of the buying market will now be available to us and we will have to adjust the selling price as only young families with children might be interested and that they would be hard pressed to qualify for a loan. She could not give us a price to start a listing at. She advised us that we will take a substantial loss in actual property value and a long wait for a sale. (See attached letter) Copy of real estate agent's letter sent to all surrounding home owners.

Our appeal states that the criteria have not been met. We feel confident that after reading the serious concerns brought forth in our appeal and the letters of personal concern from the property owners, has justified our feelings and that the decision made on November 10, 1998 by the Planning Commission needs to be reconsidered and overturned.

Thank you very much.

Mr. & Mrs. Richard Robert
910 Barbra Lane
Brookings, Or.

Richard M. Robert
Lucia Robert

November 30, 1998

Dear Dick and Lucia:

Upon visiting your home last week located at 910 Barbra Lane, I was so impressed by the wonderful improvements you have made to your lovely home. My only disappointment was learning that the church adjoining your property had developed an elementary school so near and close to your property!

There is one block that your home rests on and the only other structure on that lot besides your home is the church and their parking lot. When you bought this home, the retirement home of your dreams that I sold you and was so happy to share in that experience with you, the church was not a detriment to the value. After all, services are infrequent and the traffic is for only short periods of time. But I was terribly saddened to learn of the school. In fact when I arrived school had just recessed, so I experienced the impact first hand. Please don't misunderstand me. I have nothing against children or schools, and especially not a Christian one! It's just with my knowledge and experience of real estate in this community here for over 12 years, I know this condition adversely affects your property!

Brookings has a unique environment consisting of over 70 % retirees. Those home buying retirees are primarily interested in a comfortable single story serene and peaceful home, preferably with a view, as you yourselves were. In fact, that's why you bought the Barbara Lane home; it has all those qualities. Unfortunately, with the addition of a school, all that changes. Now that the quiet tranquility of your home is lost. I'm afraid you have lost the retiree market completely! My experience has been that while I may have the PERFECT home for my client, if I mention it's by the schools or pull up to the home and they see it's near the schools, they won't even want to go in and see it. That means you have lost at least 70% of the viable pool of buyers that would have been interested in your home. I'm afraid the market to target for your home now consists of only a small percent of buyers that consist of first time buyers or a family with smaller children that would not mind the location near a school. (Remember, your home isn't just nearby or across the street from a school, but your home and the church/school are the only structures on the entire block!)

This actually equates to two separate issues for you. One is the loss of value in your home, in spite of all the recent improvements you have made. The second is the increase of marketing time to accomplish your sale. Not only will you have to drastically reduce your home to sell it (to allow first time and family buyers the ability to buy it) but it will take longer to sell! What would have sold in a short period of time for a premium amount now will remain on the market for a much longer time and will eventually sell for much less.

I'm not sure how this could have been allowed. A school belongs near the other schools or in the country in a rural setting, not in a residential neighborhood of retirees and in such a close proximity to a home!

Page 2 of 2

My suggestion is the church buy your home for the true market value if they are allowed to continue as a condition of that use. Or the permit should be rescinded permanently, with the school closing at the end of the school year.

At any rate, I assure you I will do my very best to help you successfully market your home, if that is your decision. I wish you both the very best in this situation. Please keep me informed and let me know if there is anything I can do to help.

God bless.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Busch".

Marilyn Busch
Broker Associate
Century 21 Agate Realty, Harbor

Dec. 1, 1998

From: Jim Conger
907 Barbra Ln.
Brookings, Oregon

To: City Council
City Hall
Brookings, Oregon

Subj: Planning Comm. File #CUP-3-78/MC-2

Honorable Mayor and Council

I go on record that I oppose the Nov. 10, 1998 decision of the Planning Commission granting a modification to the existing Conditional Use Permit which allowed the operation of only a toddler pre-school from the Brookings Harbor Christian Church.

Since June of this year the Church has also been operating without authorization a Kindergarten through Fifth grade private school. This commercial operation has caused an adverse impact on the neighborhood surrounding the school from the increase in vehicular traffic which makes over 170 trips a day for student transportation, the congestion from everyone arriving and leaving at the same time, the recess noise, and the soil erosion on Barbra Lane from the greatly increased usage.

The operation of this commercial private school in a R-2 zoned area has had a negative impact on the neighborhood and can only result in a decrease in the value of my home and property.

Respectfully



Jim Conger

907 Barbra Ln.

CITY OF BROOKINGS PLANNING COMMISSION
STAFF AGENDA REPORT

SUBJECT: Conditional Use Permit/Minor Change
FILE NO: CUP-3-78/MC-2
HEARING DATE: November 10, 1998

REPORT DATE: October 30, 1998
ITEM NO: 8.3

GENERAL INFORMATION

APPLICANT: Brookings Christian School.

REPRESENTATIVE: Robin Lathorpe.

REQUEST: A conditional use permit to expand the existing preschool to include kindergarten through 5th grade in the class.

TOTAL LAND AREA: 1.09 acres.

LOCATION: In the southwest corner of Fifth St. and Ransom Ave. 777 Fifth St.

ASSESSOR'S NUMBER: 41-13-6AB, Tax Lot 1406.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: R-2 (Two Family Residential).

PROPOSED: Same.

SURROUNDING: East of Fifth St.—R-2; West of Fifth St. north of Ransom Ave.—R-1-8 (Single Family Residential, 8,000 sq. ft. minimum lot size) and R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size); East of subject property south of Ransom Ave.—R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

COMP. PLAN: Residential.

LAND USE INFORMATION

EXISTING: Church building with an existing preschool.

PROPOSED: Expansion of the preschool to include kindergarten through 5th grade classes.

SURROUNDING: Residential uses consistent with the underlying zone.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local news paper.

BACKGROUND INFORMATION

The subject property is a "L" shaped lot that sits in the southwest corner of Fifth St. and Ransom Ave. and west of Barbra Ln. which curves between Ransom and Fifth. The lot occupies the entire area between Fifth St. and Barbra Ln. except for a lot in separate ownership which is located in the southeast corner of Barbra Ln. and Ransom Ave. (See Exhibit 1). The lot is flat and therefore, because the general area slopes downward toward the ocean, has been filled at the southerly end and probably cut at the north end. The existing church building is located in the southerly portion of the lot on the Fifth St. side of the lot. There is a paved parking area between the west side of the church building and Barbra Ln. with a driveway of about 40 feet in width that enters into the north/south section of Barbra and a second driveway that enters the east/west section of Barbra. A second paved parking area is located at the north end of the building and entered from Ransom Ave. A driveway extends from the northerly parking area along the east and south sides of the church building and combines with the driveway from the west parking area at the east/west portion of Barbra Ln. Portions of these driveways are marked with arrows and exit signs. There are approximately 65 parking space provided on the church lot.

The subject site is zoned R-2 (Two Family Residential) as is the area east of Barbra Ln. and the first tier of lots along the west side of Fifth St. (See Exhibit 1). The area west of Barbra Ln. is zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) and the area north of Ransom Ave. and west of Fifth St. on both sides of Cameo Ct., is Zoned R-1-8 (Single Family Residential, 8,000 sq. ft. minimum lot size) and then west of Cameo Ct. is R-1-6. The area surrounding the subject property is developed consistent with the underlying zone.

Fifth St. is fully improved to the extent possible in the area adjacent to the subject lot. These improvements include curbs, gutters and pavement on a somewhat reduced right-of-way width. Ransom Ave. is a paved travel way within a 40 foot right-of-way with no other improvements adjacent to the frontage of the subject lot. Barbra Ln. is a public road, improved only with gravel, except for the first 50 or 60 feet from Fifth St. which is paved. Barbra Ln. has not been accepted into the city street system because it has never been improved to a city street standard. The church building is currently being served with city water and sewer.

The church building was granted a conditional use permit, File No. CU-3-78, in July of 1978 and a minor change to that permit was granted in 1992, File No. MC-2-92, to allow a preschool to operate out of the church building. The conditions of approval for that permit contained four conditions including the following:

2. The school shall conduct no more than eight classes per week (Monday through Friday) and shall not contain more than 15 students per class.
3. The applicant or the preschool operator shall require that only the paved parking area shall be used to deliver and pickup children and for other functions related to the operation of the preschool.
4. The city retains the right to review the provisions of this minor change in regard to complaints about the school facility and to take appropriate action to resolve any issue which arises.

Since the approval of the minor change in 1992 the ownership of the preschool has changed to the current applicant. This year the school was expanded to include K thru 5th grade. Earlier this year the applicant contacted the city staff and inquired as to the possibility of including course work at the 5th grade level. At that time staff, stated that this would be acceptable, however, staff was assuming that this would be within the conditions of the approved minor change, although this was not discussed.

Subsequently, staff has received complaints about the noise generated during the recess periods and concern for the safety of both the children and for drivers on Fifth St. because balls have rolled or bounced into the street from the play yard. The play yard is the lower parking area to the north of the church building. Upon investigating these complaints, staff has learned that there are apparently more than eight classes being held during the week and advised that the school operator apply for another minor change.

PROPOSED MINOR CHANGE

The applicant is requesting a minor change to the original conditional use permit to operate a preschool, Cotton Patch Christian Preschool, and a kindergarten through fifth grade elementary school, Brookings Christian School. Grades 1 through 5 will be taught in four classes each day (the applicant has stated that at least two of the grades will be combined into one classroom) from 8:30 a.m. to 3:00 p.m. The preschool and kindergarten will be taught in two sessions per day, one in the morning and one in the after noon. This would be six classes per day with a maximum of 12 children in each class. The northerly parking area is used as the playground for the school and the applicant installed a temporary fence around the play area to catch stray balls and there is a portable basketball hoop on the playground.

The applicant has also stated that the use of this building is considered to be temporary and that they are looking for a building for a permanent facility and does not expect to be in the subject building beyond the next school year.

ANALYSIS

In order to grant any conditional use, the planning commission must find that the application meets the requirements of the following criteria, which is listed in Section 140 Conditional Use Permits, of the Land Development Code.

1. The proposal is in compliance with the Comprehensive Plan.
2. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this code.
3. The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.
4. The proposed use will have minimal adverse impact upon adjoining properties and the improvements thereon. In making this determination, the commission shall consider, but not be limited to, the proposed location of the improvements on the site, vehicular egress/ingress

and internal circulation, pedestrian access, setbacks, height and bulk of buildings, walls and fences, landscaping, screening, exterior lighting and signing.

5. In areas designated as requiring preservation of historic, scenic or cultural attributes, proposed structures will be of a design complimentary to the surrounding area.

Since the first criterion includes the requirements of all of the others it will be discussed after the last four.

Criterion 2. Adequate Size And Shape. The physical attributes of the subject property will not be changed by the requested minor change to the original conditional use permit. The primary difference between what is there to day and what the requested permit will allow is the number of children on the site and the ages of those children. Since there are more children on the site there will probably be more staff at the facility. The proposed staff for the subject facility is 6 people, however, the number of staff for the earlier preschool use is not known.

The existing church building has been inspected by both the City Building Official and the Fire Chief and found to meet the code requirements for the proposed occupancy.

Criterion 3. Relation of Streets. The proposed facility will have the potential to generate 72 vehicular trips twice each day, based on six classes with 12 children each day, plus 24 additional trips twice a day for the two kindergarten and preschool sessions. These figures are based on full enrollment of 12 children per class and one vehicular trip per child for delivery and pickup. This traffic would be concentrated for a short period in the morning and again in the afternoon for the grade school with another pick up/drop off period for the morning and afternoon preschool and kindergarten sessions. The traffic may never reach this maximum level. The school is not a full enrollment at this time and may never reach that point.

How this traffic would relate to the surrounding streets depends upon which of the two parking areas will provide the drop off/pickup location. The parking area on the west side of the church building has one driveway about 40 feet wide onto the north/south section of Barbra Ln. and another drive that exits the south end of the area to enter Barbra on its east/west segment. If this parking area were used the children would enter the building on the west side and descend to the class rooms below. The short distance from these driveways to either Fifth St. or Ransom Ave. and the fact that there is a stop sign at each intersection, precludes any amount of speed on Barbra Ln. The parking area to the north of the building has an ingress/egress on both Ransom Ave. and on the east/west portion of Barbra Ln. If this arrangement were used, the children would enter the building on the east side and on the same level as the class rooms. Both of the driveways using the east/west portion of Barbra Ln. have arrows and pavement markings indicating that this is an exit only.

It is staff's opinion that the entrance on the west side of the building would be the safest and most practical location to drop off and pick up the children, for two reasons. First, all of the ingress and egress is from Barbra Ln. which carries very little traffic and thus less potential for conflict with street traffic. Second, the parking lot is wide enough to reduce any hazard of cars traveling in different directions. On the other hand the parking lot on the north side of the building is access, and/or exited onto Ransom Ave. which carries much more traffic than Barbra Ln. and the entrance is very near the corner of Ransom and Fifth which could create additional hazard with cars turning onto Ransom from Fifth. Also the driveway along the east side of the church building is only 27 feet wide and thus creates a greater hazard if cars enter this driveway from opposite directions. The

conditions of approval for the minor change approved in 1992 required that the children be dropped off and picked up at the "paved" parking area (the west lot was the only paved parking area at that time) for the same reasons stated above.

The conditions at the subject site can accommodate the traffic generated by the proposed school and Barbra Ln. will do a better job of accepting and distributing this traffic in a safe and efficient manner. For this reason the conditions of approval will require that the children will be dropped off and picked up in the west parking lot.

Criterion 4, Neighborhood Impact. The impact the proposed school will have on the surrounding neighborhood has already been expressed through the complaints of noise and hazard presented by balls leaving the play area into the street. The neighbors have informed staff that the preschool children did not create a noise problem. It has only been since the older children have been on the site that noise and stray balls have become a problem, which was the beginning of this school year. The applicant has stated that the older children have a ½ hour play period in the morning, another ½ hour at lunch and a third ½ hour in the afternoon. Noise generated during these play periods is the major impact the proposed school will have on the surrounding neighborhood and possibly the hardest to mitigate. There are some built in mitigating factors, however, such as weather which will keep the children indoors for much of the school year and the fact that there are only three ½ hour play periods during a day. This does not mean to imply that noise is not an impact, particularly during good weather which is also the time when neighbors want to enjoy their decks and other outdoor areas around their home. Noise impacts must be mitigated and the conditions of approval will require a noise mitigation plan.

Staff has not received complaints concerning traffic generated by the school at today's enrollment level. The traffic numbers discussed in Criterion 3 above, are based on full enrollment which may never be reached. Using only the Barbra Ln. accesses will accommodate generated traffic safely and efficiently.

The school has placed a temporary fence around the play area to stop balls from ending up in the street. This fence, however, is of the orange fabric construction site fence and is rather unsightly and apparently has not totally succeeded in stopping balls from entering the street. The conditions of approval will require mitigation plans, to be approved by staff. One other complaint received by staff is that the basketball hoop in the play ground is used by neighborhood children during the weekends and in the evenings, again causing noise. To mitigate this the conditions of approval will require that this feature be stored indoors or made unusable during weekends.

Criterion 5, Historic, Scenic Or Cultural Attributes. There are no historic, scenic or cultural attributes on or within the vicinity of the subject site and thus this criterion does not apply.

Criterion 1, Compliance With Comprehensive Plan. With the conditions of approval, the proposed use would meet the requirements of the criteria addressed above. Noise mitigation, however, may be very difficult and is a critical factor. The proposed school meets the other requirements of the Land Development Code and city's Comprehensive Plan does not provide specific goals or policies for schools.

FINDINGS

1. The applicant is requesting a second minor change to the original conditional use permit to allow a school facility with grades preschool through 5 to operate from the existing church building on a 1.09 acre parcel of land.
2. The subject site is zoned R-2 (Two Family Residential) and is designated as residential by the Comprehensive Plan.
3. Schools are allowed as a conditional use in the R-2 Zone.
4. The existing church was granted a conditional use permit, File No. CU-3-78 in 1978.
5. A minor change to the original condition use was granted in 1992 to allow a preschool to operate from the church building. The conditions of approval for that approval included the following conditions:
 - The school shall conduct no more than eight classes per week (Monday through Friday) and shall not contain more than 15 students per class.
 - The applicant or the preschool operator shall require that only the paved parking area shall be used to deliver and pickup children and for other functions related to the operation of the preschool.
 - The city retains the right to review the provisions of this minor change in regard to complaints about the school facility and to take appropriate action to resolve any issue which arises.
6. The proposed school will have a total of six classes a day, including four class for grades 1 thru 5 and one class each for preschool and kindergarten with a maximum of 12 children per class. The preschool and kindergarten will have a morning session and an afternoon session. The school will have a staff of 6 people.
7. At full enrollment the proposed school has the potential to generate 72 vehicular trips twice a day plus 24 trips twice a day for the preschool and kindergarten classes.
8. The subject site has two parking areas, one on the west side of the church building with a 40 foot wide driveway entering the north/south segment of Barbra Ln. and a second drive entering the east/west segment Barbra Ln. The second parking area is on the north side of the church building with an entrance from Ransom Ave. and an exit into the east/west segment of Barbra Ln. which is combined with the drive from the west parking area.
9. Ransom Ave. is on the north boundary of the subject property and is a paved travel way within a 40 foot wide right-of-way with no other improvements. Fifth St. is on the east boundary and is a paved travel way within a non-standard right-of-way width with curb and gutter on both sides. Fifth St. is considered to be improved to the extent possible at this time. Barbra Ln. is on the west and south boundary of the subject property and is a gravel travel way with not other improvements within a 40 foot wide right-of-way.

10. The school facility is currently operating with grades preschool thru 4.
11. The city has received complaints about noise and hazards created by balls leaving the play area and entering Fifth St.

CONCLUSIONS

1. The proposed school will not change the physical attributes of the subject site since it will be occupying the classrooms in the existing church building. The only parking required would be for the school staff and two or three spaces for visiting parents. The church has two parking areas with approximately 65 parking spaces. The City Building Official and Fire Chief have inspected the facility and found that it meets the occupancy, building and fire codes for the proposed school facility.
2. The proposed school facility will generate approximately 96 vehicular trips twice a day if full enrollment is realized. This traffic would be during four periods during the day with 76 trips in the morning, 24 trips when the morning preschool and kindergarten class lets out, 24 when the afternoon preschool and kindergarten class starts, and 76 at 3:30 p.m. when school lets out.

If the west parking area is used to drop off and pick up the children before and after school the subject site will handle the traffic generated by the proposed school. Entering and exiting to and from Barbra Ln., which carries very little traffic, will provide the safest and most efficient handling of the traffic generated by the school.

3. The greatest impact the proposed school will have on the surrounding neighbors will be noise generated by the children during the three ½ hour play periods. The conditions of approval require that the applicant address this issue in a mitigation plan submitted to the city staff for review and approval. The conditions will require the applicant to provide a plan to show how, with either a fence or by other means, the incidence of balls or other play ground items will be prevented. The conditions of approval will also provide the city the opportunity to review the operation of the school should more complaints be received.
4. There are no historical, cultural or scenic attributes on or within the vicinity of the subject site.
5. With the conditions of approval, the proposed use would meet the requirements of the criteria addressed above. Noise mitigation, however, may be very difficult and is a critical factor. The proposed school meets the other requirements of the Land Development Code and city's Comprehensive Plan does not provide specific goals or policies for schools.

CONDITIONS OF APPROVAL

The proposed conditions of approval are attached to and made a part of this report.

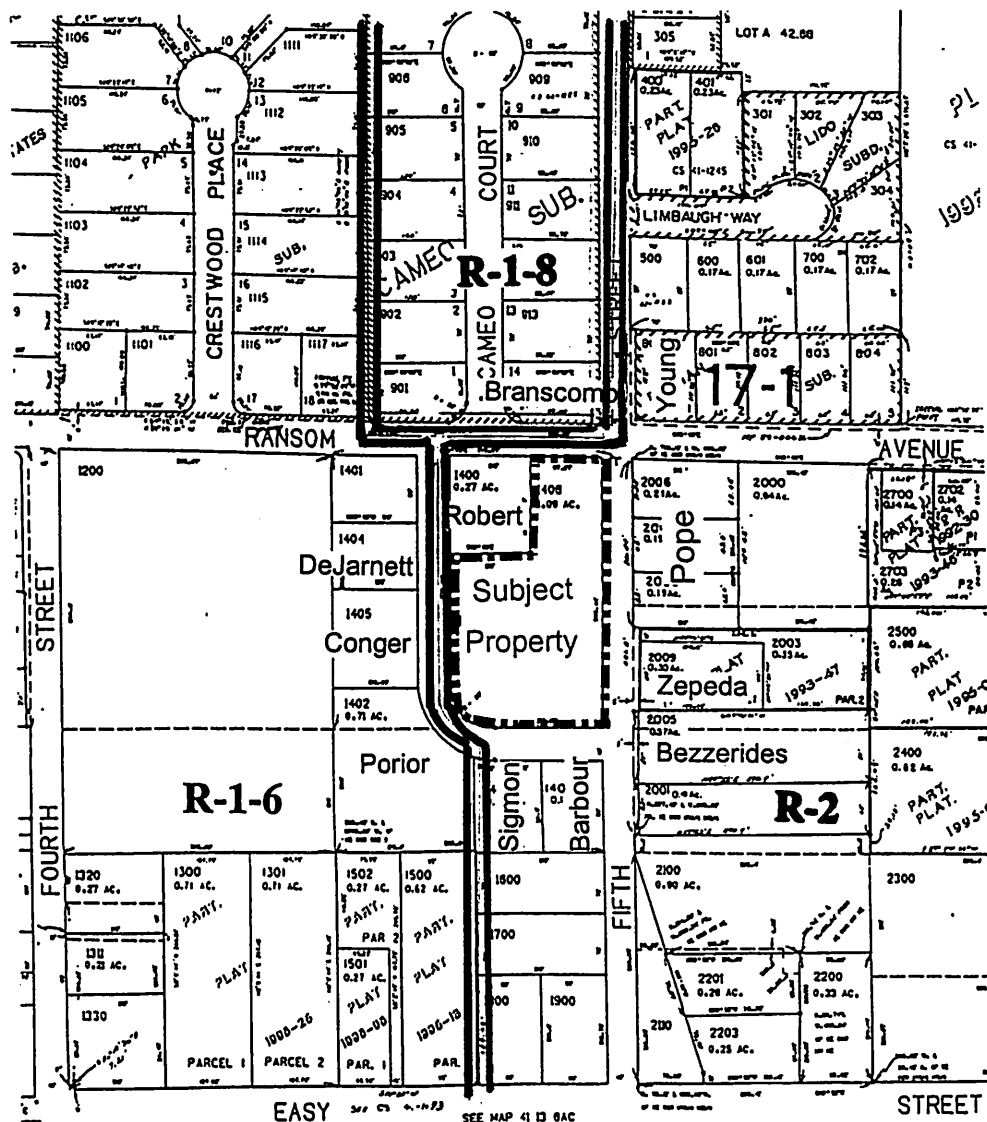
RECOMMENDATION

Staff recommends **APPROVAL** of Case File No. CUP-3-78/MC-2, based on the findings and conclusions stated in the staff report and subject to the conditions of approval listed above.

Staff has prepared a Final ORDER to be considered at this meeting.

Statement of findings

- A. Our amendment to change from preschool to Christian preschool and private Christian elementary school is fulfilling a demand in the Brookings-Harbor area. We will be operating under the names of Cotton Patch Christian Preschool and Brookings Christian School. These two names are registered in Curry County through the state of Oregon. Our desire is to teach Christian education in a private elementary school setting. We are requesting 12 children in a room with one teacher, grade pre-k through 5th grade. Preschool and Kindergarten runs two sessions, AM and PM. Grades 1 through 5 will run 8:30 a.m. to 3:00 p.m. Monday through Friday, late August through early June.
- B. This site is more than adequate in size to accommodate said use. The building we are operating in is Brookings Harbor Christian Church. The building is in compliance with all city codes. In the bylaws of this church, it is stated that this building is for Christian education. **INDOORS** At this time, we are occupying four of the available classrooms, which all have operating windows, heaters, and smoke detectors, there is a large banquet room that is used for activity time and rainy day play. There are a total of ten bathroom facilities, two drinking fountains, a complete kitchen, several fire extinguishers, a storage room, a sick room with bedding, there are five exit and entrance doors (all clearly marked) and there are more than adequate parking spaces for staff members and parents. Fire routes are clearly posted in all classrooms and hallways where children travel. **OUTDOORS** Staff parks on the West Side of the church. At this time, we are using the lower level parking lot for our playground. We have a small fenced area for equipment play. There is a hedge along the Fifth Street, a hill parallel with Barbra Lane, and on Ransom Avenue we have put up a temporary fence to keep children from running into the streets and balls from straying. At this time there is no landscaping requirements.
- C. Vehicles are entering on Ransom, with a width of approximately 40 feet and exiting on Barbra Lane down to Fifth Street. This is a paved entrance, a paved parking lot, with clearly marked parking spaces, and a paved exit. Parents are not using the gravel part of Barbra Lane, which the church maintains. The increase in traffic is minimal.
- D. The traffic generated from the school does not affect the adjoining properties, as the church maintains both the parking lot and Barbra Lane. Per our original Conditional Use Permit, traffic must enter on Ransom Lane and exit on Barbra Lane to Fifth Street. We received permission from the Church to put a basketball hoop on the North side of parking lot, paint a four square, hopscotch, and play equipment. The church has exterior lighting, sidewalks, and pedestrian access.
- E. This does not apply to this site location.



APPLICANT: Brookings Christian School/Cotton Patch Christian Preschool

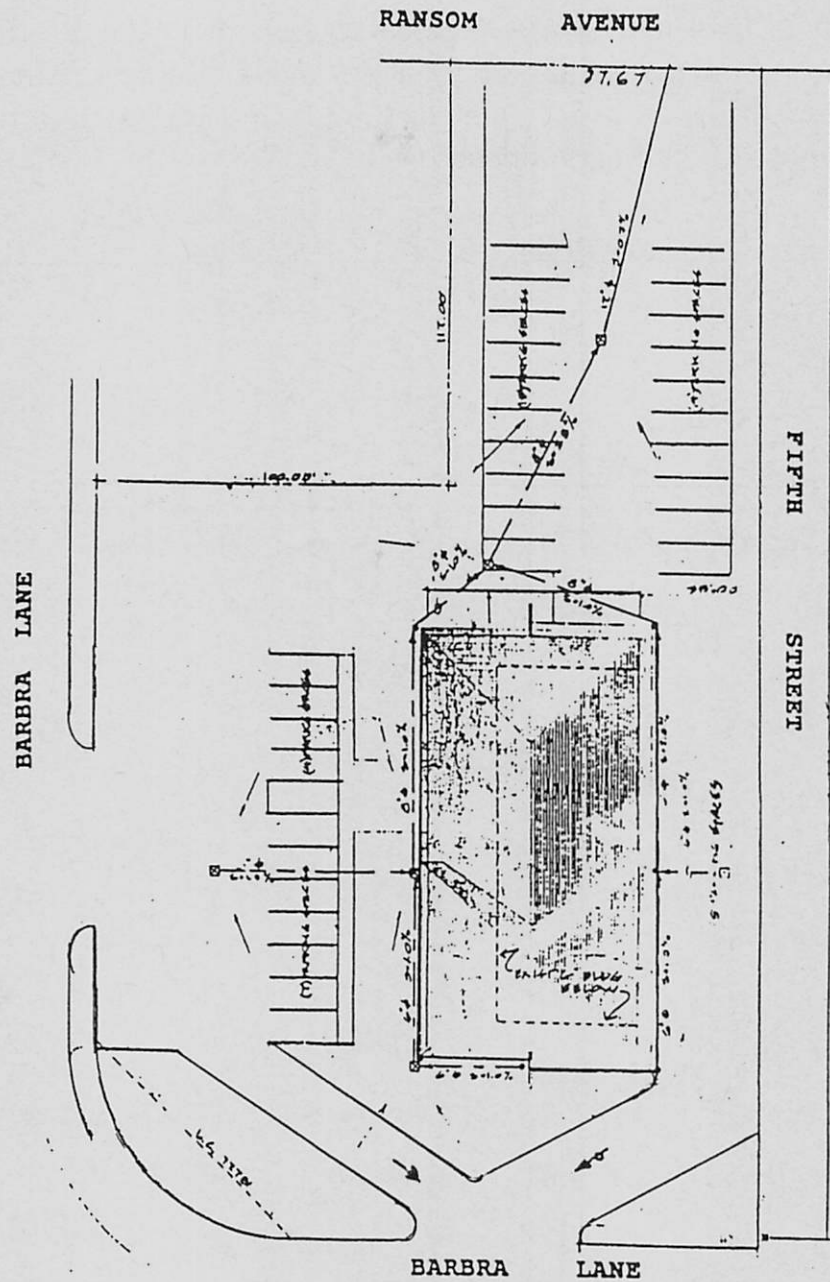
ASSESSOR'S NO: 41-13-6AB Tax Lot 1406

LOCATION: west side of Fifth St. between Barbra Lane and Ransom Ave.

SIZE: 1.09 acres

ZONE: R-2 (Two-family Residential)





APPLICANT: Brookings Christian School/Cotton Patch Christian Preschool

ASSESSOR'S NO: 41-13-6AB Tax Lot 1406

LOCATION: west side of Fifth St. between Barbra Lane and Ransom Ave.

SIZE: 1.09 acres

ZONE: R-2 (Two-family Residential)



School Petition

We, the surrounding residence, understand that Brookings Christian School is operating a preschool and private elementary school in the Brookings-Harbor Christian Church on the corner of Ransom and 5th Streets, Monday through Friday, between the hours of 8:30 a.m. and 3:00 p.m. We support the school and in **no way oppose** of their daily operations.

Name	Address	Date	Phone #
Julianne Zepeda	730 5 th St	10/8/98	412-3602
Julianne Zepeda			
Don Zeller	742 5 th St	10-8-98	412-8607
Bob Egan	746 " "	" "	469-4343
Karla & Jeff Lawton	826 A Ransom	10-8-98	412-8725
Joyce Nichols	828 B Ransom	10/9/98	469-3547
Lyla Mearns	826 RANSOM	10/8/98	469-0664
A R Hughes	830 "B" Ransom	10/8/98	469-5265
Virlet M. Longo	716-5 th St	10/8/98	469-5068
Olivia C. Bled	713 5 th St	10-08-98	469-0157
Gloria Holloway	709 5 th St	10-08-98	469-2573
Norman K. Kynard	828 Sembrich Hwy	10-08-98	2671
Cheryl K. Kynard	734-5 th St.	10-8-98	99650

(5)
(2)

School Petition

We, the surrounding residence, understand that Brookings Christian School is operating a preschool and private elementary school in the Brookings-Harbor Christian Church on the corner of Ransom and 5th Streets, Monday through Friday, between the hours of 8:30 a.m. and 3:00 p.m. We support the school and in **no way oppose** of their daily operations.

Name	Address	Date	Phone #
Larry Eros	928 Ransom	10/7	469-0220
Cheryl + Tom Jewell	815 Cornu Ct	10/7/98	469-23
James + Dana Bowman	820 Cornu Ct	10/7/98	469-279
William DeJarnett	915 Ransom	10/8/98	9-3426
James Archer	828 B. Ransom	10/8/98	469-3577
John White		10/10/98	469-5453

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
D.W. Gallian Butler	710 4TH ST. BROOKINGS	10/20/98	469/1212
Janice Gallian	710 4TH St.	"	"
A. Whaley	Winchuck	10/20/98	469-938
L. H. H. H.	Cape Foxville	10-20-98	412-0501
L. H. H. H.	1032 Marina Hts Rd	10-20-98	469-938
L. Bickley	P.O. Box 1701 Brookings	10/20/98	412 3926
Rosemary Garrison	16233 Ivy Lane Brookings	10/20/98	412-0717
What Bickley	17206-A Rosewood Lane Brookings	10/20/98	412 3926
Dawn V. Crawford ^{Mailing Address} _{Box 1486}	96743E Harris Hgts Rd. Brookings	11-10-98	4693632
George A. Crawford	" " " " "	"	"
David Lakey	15444 Morrison Ln BROOKINGS	11/10/98	469-623

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location. Brookings-Harbor Christian Church
5th + Ransom

Name	Address	Date	Phone #
Stephanie Hawkins	212 Cedar St.	10/20	469-4522
Barbara J. Pearce	209 B Cedar St	10/20	412-1637
Krusty Smith	211 CEDAR ST	10/20	469-8048
Paulyn Lile	213 Cedar St	10/20	412-9018
Lon M. Moore	207 Cedar St	10/21	412-0596
JOHN D. APOLONIO	208 CEDAR ST	10/21	412-0368
Amy Hoyle	210 Cedar St.	10/21	469-8887
Valerie Cowan	618 Easy St.	10/22	469-9238
Cathy Roberts	18016 Rainbow Rd	10/22	469-5217
Dan Callaway	20625 No Bank Chetco Rd Brookings	10/22	670-5238
Jim Callaway	20625 No Bank Chetco Rd Brookings	10/22	670-5238
Susan Brady	P.O. Box 2579 Harbor, Ore	10/22	541-469-8835
Amanda Cooper	P.O. Box 712 Brookings, OR 97415		469-8855

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
Valerie M. Hoodwin	20389 Whaleshead Rd.	Oct. 21, 98	469-7782
Tracee Jefferies	534 Spruce St	Oct 21, 98	469-8881
Sherril Jefferies	749 2nd St	Oct 21, 98	412-3502
Michael Jefferies	216 Del Norte Ln.	Oct. 21, 98	412-1501
Jason Jefferies	749 2nd St	Oct 21 98	412-3502
Melvin Jefferies	534 Spruce St	Oct. 21/98	469-8881
Roy Jefferies	216 Del Norte	Oct 21/98	412-1501
Mark G. Ford	20389 WHALESHEAD RD.	10/24/98	469-7782

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name Frankie Watterson Address Bunker Lane 98041 Date 10/21/98 Phone # 469-4947

Patricia E. Herring 539 Fern Ave BR. OR 10/20/98 469-517
Minda Haynes 917 1st Street, Brookings, OR 10/20/98 469-5505
C. T. (Connie Tigert) 448 Pine Street #C-16 Brookings OR 10/27/98 469-2250
Gale Lakey 15446 Morrison Ln, BRKS 10/27/98 469-6230
Jeanne Hamilton P.O. Box 6412 Brookings Or. 11/9/98 469-9746
Johnie L. Watterson P.O. Box 6412 - Brookings, OR. 11/9/98 469-9746

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location. 5th + Ramson.

Name	Address	Date	Phone #
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* Kathleen A. Spratt	PO Box 1344 Brookings OR	10/20/98	469-4119
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Peter C. Spratt	PO Box 1344 Brookings, OR	10/20/98	469-4119
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Laren J Smith	864 Jodie Ln	10/20/98	469-9166
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Sara Clements	511 Pine St	10/20/98	N/A
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Mary Anderson

Mary Anderson	18943 Pacific Crest Dr.	10/20/98	469-6356
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Shannon Quinn	214 Cypress St Brookings, OR		469-9207
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John Zia	97848 Titus Ln. Brookings, OR		469-5285
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Diana Ayres	1335 CRISPER CIRCLE Brookings, OR		469-6557
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John (Shannon)	876 Jodie Ln Brookings, OR.		469-0872
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Amel Rosewell	P.O. BOX 1091, Brookings, OR		469-3777
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Virginia Byrnes	P.O. Box 1, Brookings, Ore.		469-6616
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Lucky Hodges	96978 Park Lane Brookings, OR		469-4527
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Glyn McCann	95918 Cape Drive, Brookings OR		469-3538
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Bobbi Shinn	96605 W. Harris Heights. Brookings		469-9609
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Linn Dunn	PO Box 6848, Brookings		469-6316
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Carol Chuado	15520 Hwy 101 So., Brookings		469-9136
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Penny Wallace	15167 McVay Ln. Brookings		469-6629
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Lila Moore	PO Box 3125 Harbor, OR		469-6208
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Beth Ann	Box 2878 Harbor OR		469-7803 OVER
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Judy Smith PO Box 847 Brookings 469-6225
Louaine Gordon 21159 Carpenterville Rd Brookings 469-3975

Victoria Nuss, CPA PO Box 1581 Bkgs 412-0244
Chris Downard P.O. Box 7797 Brookings 469-6862

E. Gorman, Box 2282, Harbort, OR 97415

Marilyn Wood 609 Meadow Ln Brookings 469-3019

Dorothy K. Beck 15768 Napa Ln Brookings

Betty Jean Bishop 16063 Driftwood Ln. Brookings

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
Patricia Rae dePuglia	P.O. Box 8098	10-23-98	469-9078
Jason D. dePuglia	P.O. Box 8098	10-24-98	469-9078
Paige R. Lindsey	16225 Chapman Ln.	10-25-98	469-0972
Annanda Brookfield	209 Kindell St.	10-25-98	469-7989
Pat Brookfield	209 Kindell St.	10/25/98	469-7989
Olin C. Hardy	17744 Hwy 101 No.	10/25/98	469-0408
Betty Pebbles	P.O. Box 2516	Harbor	412-3305
Shirley Reppin	16063 Driftwood Ln #49	Harbor	469-9450
Melvin Pebbles	P.O. Box 2516	HARBOR	412-3305
Lavonne S. Hardy	17744 Hwy 101 N	10/25/98	469-0406
Kimberly Davis	15924 Bay View	10/25/98	469-3214
Donald R. McDaniel	P.O. Box 1216, Brookings, OR.		469-6302
Myra Anniston	808 Paradise Ln	10/25/98	412-7115

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
Kathy & Bradshaw	PO Box 926 Brookings, OR	10-22-98	467-5706
Christina Miller	1595 Vista Hill Dr Brookings, OR	10-22-98	467-1132
Michael and Beverly Hall	1045 Ransom Ave. Brookings, OR	10-22-98	412-8527
Spike & Melody Buggeman	17364 Hickman St	10-22-98	412-0141
Paige Lindley	16225 Chapman	10-23-98	469-0972
John & Tracy Ender	PO Box 1749 Brookings, OR 97415	10-23-98	
Sandra Olsen	PO Box 1763 Brookings	10-24-98	465-3250
Dore & Rachel Nelson	1745B Gardner Ridge Rd Brookings	10-25-98	464-4633
John & Fay Mathison	PO Box 2992 Brookings	10-25-98	467-6930
MAHLON & VIKTORIA SCHNITZER		10-25-98	
GENE PEARE	PO. BOX 1873	10-25-98	469-2200

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name Address Date Phone #

Selina Patton	PO Box 7161	10-23-98	
Terri Poponi	Brookings		
	17744 Hwy. 101 N.	10/23/98	
Maria L. Garillo	9567 Eggen	10-23-98	
Ann Christensen	15865 Hwy. 101	10-23-98	
Janya Morgan	208 Cypress St	10-23-98	
Jody Scherer	214 Cypress St	10/23/98	
April Gerhard	212 Cypress St	10/23/98	
Daniel Inc	220 Cypress	10/25/98	
Jerry Williamson	97953 Covert St	10/25/98	
Jackie Cotner	PO Box 3012 Harbor	10/25/98	
Rarla Short	16502 English Dr.	10/25/98	
Wickey Smith	97936 Payne Rd.	10/27/98	
Jusan Cotner	PO. Box 3012 Harbor	11/7/98	
Liz Dosty	15703 Oceanview Dr.	11/7/98	
Adrian	P.O. Box 72412	11/7/98	
John Darn	96465 Covert Hill #23	11-7-98	
Chris Boots	1218 Collis	11-7-98	
Graben Mapher	96465 Covert Hill #32	11-7-98	
Cecelia Zue	220 Cypress St	11-8-98	

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
Gene Smith	PO Box 1915	10/27/98	469 5215
Jan Smith	"	"	"
Michelle Tidwell	Box 363	11/9/98	469-4992
Mary Woods	Box 3042 Harbor	11/9/98	469-4992
Arnold K. Smith	Box H, Brookings	11/9/98	469-3977
Rick Tidwell	P.O. Box 363	11/9/98	469-5127
Dale Moore	9910 Grandview Dr	11-9-98	468-9430
Johnnie Watterson Sr.	98041 W. Benham Ln.		469-4947
Dorothy Watterson	Box 304 Brookings		469-2184
Walter E. Beeble	15963 Wenbourne Ln. Harbor		469-3886
Steph Buckalov	P.O. Box 2623, Harbor		469-3886
Jan L. Buckalov	P.O. Box 2623 Harbor Cr.		469-3886
Ernest E. Beeble	P.O. Box 28653 Harbor On		469-3886
Bill Zick	P.O. Box 926 Brookings	11/9/98	469-5706
Jan Yush	443 Pine St. Brookings	11/9/98	469-3307
Kim Scruggs	414 Arnold Ln. Brookings	11-9-98	469-6668
Carol Long	620 Hassett St. Brookings	11/9/98	
Oliver Green	16221 Dixie St Brookings		469-0111
Hanna McKee	1021 1st St	11-9-98	469-7077

Cindi Olds P.O. Box 1482
Brookings, Or 97415

Salvonne Zimmerman P.O. Box 53
Brookings, Or, 97415

Victor Haskins PO Box 1764 Brookings

Thom Green 16221 Dixie Brookings

469-0579

469-4574

469-7077

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
Alfred Robey Jr	808 Kevin	10-20-98	469-6421
Pam Robinson	808 Kevin	10-20-98	469-642
Jim Swift	101 Schooner Bay Drive	10-20-98	469-5936
Charma Freeman	1215 Hub St.	10-20-98	412-0316
Cheryl Howell	815 Cimmo Ct.	10/20/98	469-233
Marsha Givaghty	921 Helen Ln	10-20-98	469-4931
Don Freeman	99151 S. Bond	10-20-98	469-4553
Debbie Boardman	97906 Payne Rd.	10-20-98	469-3465
Patsy Reynolds	97900 Payne Rd.	10-20-98	469-0852

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
Angela Dubler	97938 Klamath Ave. Brks	10/20/98	412-1716
Sandra Kappelen	208 Cedar Street Brookings	10/20/98	412-0368
Richard Gyuro	276 Allen Lane	10/20/98	469-7535
Ann Fontana	99138 Hartman	10/20/98	469-9123
Star Wendha	17523 HARDY RD	10/20/98	469-3368
James S. Mome	6003 EASY ST	10/20/98	469-0744
ALLEN Combs	PO Box 6185 Brookings	10-20-98	469-0908
John Paul Goble	PO Box 1646 Brookings OR	10-20-98	469-5580
Larry Hawk	Brookings	10-20-98	469-0849
Mike Hege	Brookings	10/20/98	-
Jerry Postma	Brookings	10/20/98	392-26-960
William M. Smith	Brookings	10/22/98	469-7366
Rosaleen Donaghy	1216 Collins Brookings, OR	10/23/98	469-9572
Mary R. Smith	PO Box 6458 Brookings, OR	10/29/98	469-8092
Ron & BETTY Reed	PO BOX 6534 BROOKINGS OR	11-4-98	469-7132

Copy

Susan Dodgen
905 Barbra Lane
PO Box 1628
Brookings, OR 97415
November 9, 1998

John C. Bischoff
Brookings City Planning Director
898 Elk Drive
Brookings, OR 97415

RE: File No. CUP-3-78/MC-2

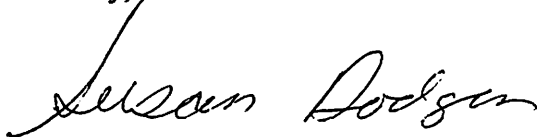
Dear Mr. Bischoff:

I am writing regarding the permit to allow a school at 777 Fifth street. I recently purchased and moved to the home at 905 Barbra Lane, adjacent to the subject property. The school at 777 Fifth street has not adversely effected the environment surrounding my home. I have not noticed excessive traffic on the lane or any irritating noise in relation to the school.

I have noticed that the public schools in Brookings are in residential areas where neighboring homes are potentially impacted by traffic and the sound of children playing. I see no reason why a private school should not be allowed in a residential area as well. Using the church building to house a school during the week is a good multiple use of the facility, similar to the public middle school using a church facility to accommodate overflow classes.

Additionally, Brookings Christian School fills a need in our community for choices in education for our children. I am in favor of the school's current use of the property at 777 Fifth street.

Sincerely,



Susan Dodgen

PETITION FOR SUPPORT

We, the residence of Brookings-Harbor area, realize the importance and the desire for a Christian school. We wish to show our support and request that the Brookings Christian School and Cotton Patch Christian Preschool remain in operation at their current location.

Name	Address	Date	Phone #
Cindy Peane	PO Box 595 Brookings, OR.	10/20/98	469-5299
Dan McKee		10/20/98	469-6062
Dynelle Lentz	PO BOX 6611, Brookings, OR	10/20/98	412-8531
Angel L	742 B PIONEER OR	10-20-98	469-6106
Paul Eichen	96465 Couvett Rd #30	10-20-98	469-2243
Nancy R. Reed	860 Highland Ave	10-20-98	469-5612
Barla D. Miller	325 5th ST. BROOKINGS, OR 97415	10/20/98	469-11043
[Signature]	P.O. Box 7668	10/20/98	412-0256
Robyn Murray	P.O. Box 6291	10/20/98	469-248-
Mary Orendine	1393 Glenwood Dr.	10/20/98	469-5249
Sue Caldwell	95987 N. Brookside Dr.	10/20/98	469-8896
Virginia Peane	PO Box 1873	10/21/98	469-2285
Amy Myrah	PO Box 1199	10/22	469-0269
Kathy Froehlich	box 613	10-23	469-0423
Jeannette Law	P.O. Box 6788	10/24	469-2383

BEFORE THE PLANNING COMMISSION
CITY OF BROOKINGS, COUNTY OF CURRY
STATE OF OREGON

In the matter of Planning Commission File No.)	Final ORDER
CUP-3-78/MC-2; a request for a conditional use)	and Findings of
permit; Brookings Christian School, applicant)	Fact
)	

ORDER approving of an application for a Conditional Use Permit to operate a school with grades preschool through 5, in an existing church building located in the southwest corner of Fifth St. and Ransom Ave.; Assessor's Map 41-13-6AB, Tax Lot 1406; R-2 (Two Family Residential).

WHEREAS:

1. The Planning Commission duly accepted the application filed in accordance with the Brookings Land Development Code pursuant to Section 140 Conditional Use Permits; and
2. Such application is required to show evidence that all of the following criteria has been met:
 - A. The proposal is in compliance with the Comprehensive Plan.
 - B. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this code.
 - C. The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.
 - D. The proposed use will have minimal adverse impact upon adjoining properties and the improvements thereon. In making this determination, the commission shall consider, but not be limited to, the proposed location of the improvements on the site, vehicular egress/ingress and internal circulation, pedestrian access, setbacks, height and bulk of buildings, walls and fences, landscaping, screening, exterior lighting and signing.
 - E. In areas designated as requiring preservation of historic, scenic or cultural attributes, proposed structures will be of a design complimentary to the surrounding area.
3. The Brookings Planning Commission duly set this matter upon the agenda of a public meeting and considered the above described application with the public hearing a matter of record of the Planning Commission meeting of November 10, 1998; and
4. At the public meeting on said conditional use permit application, evidence and testimony was presented by the applicant and recommendations were received from and presented by the Planning Director in the form of a Staff Agenda Report, dated October 30, 1998 and oral presentation of same; and

5. At the conclusion of the presentation of the applicant, Planning Director and the public, after consideration and discussion the Brookings Planning Commission, upon a motion duly seconded, approve the request for the subject conditional use permit and directed staff to prepare a Final ORDER with the findings set forth therein for the approval of said application.

THEREFORE, LET IT BE HEREBY ORDERED that the application of the conditional use permit on the subject parcel is approved. This approval is supported by the following findings and conclusions:

FINDINGS

1. The applicant is requesting a second minor change to the original conditional use permit to allow a school facility with grades preschool through 5 to operate from the existing church building on a 1.09 acre parcel of land.
2. The subject site is zoned R-2 (Two Family Residential) and is designated as residential by the Comprehensive Plan.
3. Schools are allowed as a conditional use in the R-2 Zone.
4. The existing church was granted a conditional use permit, File No. CU-3-78 in 1978.
5. A minor change to the original condition use was granted in 1992 to allow a preschool to operate from the church building. The conditions of approval for that approval included the following conditions:
 - The school shall conduct no more than eight classes per week (Monday through Friday) and shall not contain more than 15 students per class.
 - The applicant or the preschool operator shall require that only the paved parking area shall be used to deliver and pickup children and for other functions related to the operation of the preschool.
 - The city retains the right to review the provisions of this minor change in regard to complaints about the school facility and to take appropriate action to resolve any issue which arises.
6. The proposed school will have a total of six classes a day, including four class for grades 1 thru 5 and one class each for preschool and kindergarten with a maximum of 12 children per class. The preschool and kindergarten will have a morning session and an afternoon session. The school will have a staff of 6 people.
7. At full enrollment the proposed school has the potential to generate 72 vehicular trips twice a day plus 24 trips twice a day for the preschool and kindergarten classes.
8. The subject site has two parking areas, one on the west side of the church building with a 40 foot wide driveway entering the north/south segment of Barbra Ln. and a second drive entering the

east/west segment Barbra Ln. The second parking area is on the north side of the church building with an entrance from Ransom Ave. and an exit into the east/west segment of Barbra Ln. which is combined with the drive from the west parking area.

9. Ransom Ave. is on the north boundary of the subject property and is a paved travel way within a 40 foot wide right-of-way with no other improvements. Fifth St. is on the east boundary and is a paved travel way within a non-standard right-of-way width with curb and gutter on both sides. Fifth St. is considered to be improved to the extent possible at this time. Barbra Ln. is on the west and south boundary of the subject property and is a gravel travel way with not other improvements within a 40 foot wide right-of-way.
10. The school facility is currently operating with grades preschool thru 4.
11. The city has received complaints about noise and hazards created by balls leaving the play area and entering Fifth St.

CONCLUSIONS

1. The proposed school will not change the physical attributes of the subject site since it will be occupying the classrooms in the existing church building. The only parking required would be for the school staff and two or three spaces for visiting parents. The church has two parking areas with approximately 65 parking spaces. The City Building Official and Fire Chief have inspected the facility and found that it meets the occupancy, building and fire codes for the proposed school facility.
2. The proposed school facility will generate approximately 96 vehicular trips twice a day if full enrollment is realized. This traffic would be during four periods during the day with 76 trips in the morning, 24 trips when the morning preschool and kindergarten class lets out, 24 when the afternoon preschool and kindergarten class starts, and 76 at 3:30 p.m. when school lets out.

If the west parking area is used to drop off and pick up the children before and after school the subject site will handle the traffic generated by the proposed school. Entering and exiting to and from Barbra Ln., which carries very little traffic, will provide the safest and most efficient handling of the traffic generated by the school.

3. The greatest impact the proposed school will have on the surrounding neighbors will be noise generated by the children during the three ½ hour play periods. The conditions of approval require that the applicant address this issue in a mitigation plan submitted to the city staff for review and approval. The conditions will require the applicant to provide a plan to show how, with either a fence or by other means, the incidence of balls or other play ground items will be prevented. The conditions of approval will also provide the city the opportunity to review the operation of the school should more complaints be received.
4. There are no historical, cultural or scenic attributes on or within the vicinity of the subject site.
5. With the conditions of approval, the proposed use would meet the requirements of the criteria addressed above. Noise mitigation, however, may be very difficult and is a critical factor. The

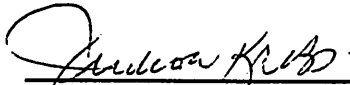
proposed school meets the other requirements of the Land Development Code and city's Comprehensive Plan does not provide specific goals or policies for schools.

CONDITIONS OF APPROVAL

The conditions of approval are attached to and made a part of this document.

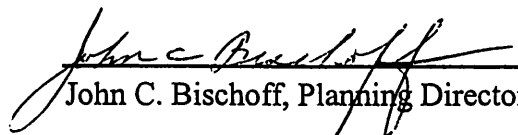
LET IT FURTHER BE OF RECORD that the Planning Commission approve the requested Conditional Use Permit.

Dated this 10th day of **NOVEMBER**, 1998.



Judith A. Krebs, Vice Chairperson

ATTEST:



John C. Bischoff, Planning Director

CONDITIONS OF APPROVAL

Conditional Use Permit

CUP-3-78/MC-2

November 10, 1998

General Conditions

1. The conditions set forth herein are binding and are subject to review at any time. Failure on the part of the applicant or his successors to comply with these conditions may result in the revocation of this permit.
2. The school shall conduct no more than four classes for grades one through five and no more than one morning and one afternoon class each for the preschool and the kindergarten.
3. The applicant shall require that only the parking area on the west side of the building be used for the purpose of delivering and picking up children at the school and for other functions related to the operation of the school.
4. The applicant shall submit a noise mitigation plan to the city staff for review and approval, within two weeks of the approval of this application. Failure to submit such a plan will cause this approval to be null and void.
5. Within 90 days of this approval the applicant shall ~~submit a plan to prevent play yard items from being thrown or rolling into the surrounding public streets for city staff review and approval, within two weeks of the approval of this application. Failure to submit such a plan will cause this approval to be null and void.~~ construct a 6 foot high fence along the Ransom Ave. and Fifth St. to prevent balls and other school yard equipment from entering the street right-of-way. This fence will be of an open fabric and will extend to a point 15 feet south of the north east corner of the church building and will include a gate at the Ransom Ave. entrance to the north parking lot. (Added by the Planning Commission, November 10, 1998)
6. The basket ball hoop and any other play yard item that may attract use during non school hours shall be stored indoors when school is not in session.
7. The city retains the right to review the provisions of this minor change in regard to complaints about the school facility and to take appropriate action to resolve any issue which may arise.

MEMORANDUM

November 24, 1998

TO: JOHN BISHOFF, CITY OF BROOKINGS PLANNING DIRECTOR

FROM: BROOKINGS CHRISTIAN SCHOOL A/K/A/ COTTON PATCH
CHRISTIAN SCHOOL

RE: NOISE MITIGATION PLAN

In accordance with the recent action of the City of Brookings Planning Commission, we submit the following Noise Mitigation Plan:

1. We propose to call a meeting and invite you and the adjoining interested neighbors to discuss noise mitigation options. The time and date of this meeting will be announced after the December 14, 1998 Brookings City Council meeting, during which the appeal of the Planning Commission's action will be heard.
2. We will continue to counsel the children to keep the noise levels down when they are in the schoolyard.

We hope this will meet your needs. If not, please contact us or Peter C. Spratt (469-2173).

RECEIVED

NOV 24 1998

CITY OF BROOKINGS

CITY OF BROOKINGS PLANNING COMMISSION
STAFF AGENDA REPORT

SUBJECT: Minor Change
FILE NO: MC-2-92
HEARING DATE: September 1, 1992

REPORT DATE: August 20, 1992
ITEM NO: 8.1

GENERAL INFORMATION

APPLICANT: Wanda Russell.
REPRESENTATIVE: Michelle Tidwell.
REQUEST: A Minor Change to operate a christian preschool within the existing Brookings Harbor Christian Church.
TOTAL LAND AREA: 1.09 acres.
LOCATION: In the southwest corner of Fifth St. and Ransom Ave.
ASSESSOR'S NUMBER: 41-13-6AB, Tax Lot 1406.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: R-2 (Two Family Residential).
PROPOSED: Same.
SURROUNDING: North - R-1-8 (Single Family Residential, 8,000 sq. ft. minimum lot size), R-1-6 (6,000 sq. ft. minimum lot size) and R-2;; East and South - R-2; West - R-1-6.
COMP. PLAN: Residential.

LAND USE INFORMATION

EXISTING: Church building and associated parking areas.
PROPOSED: Same.
SURROUNDING: Residential uses consistent with the underlaying zone.
PUBLIC NOTICE: Hearing notice mailed to all owners within 250 feet of the subject site. Notice published in local newspaper.

BACKGROUND INFORMATION

The existing church building was approved through a conditional use permit (CU-78-3) on July 25, 1978. The file for the conditional use application indicates that only a very general verbal staff report was given to the Planning Commission, indicating only that the request was for the construction of a church building and the ability to conduct services. The only condition was that drainage from the property be "taken care of". A permit was granted to expand the church building in August of 1982 including conditions to:

1. Show whether Barbrea Ln. belonged to the city and if not, that the church had the right to pass over it.
2. Submit engineered drainage plans.
3. Install a fire hydrant at the corner of Fifth St. and Barbrea Ln.

All of these conditions were apparently met because the expansion did proceed.

The subject property is a "L" shaped lot that sits in the southwest corner of Fifth St. and Ransom Ave. and west of Barbrea Ln. which curves between Ransom and Fifth. The lot occupies the entire area between Fifth St. and Barbrea Ln. except for a lot in separate ownership which is located in the southeast corner of Barbrea Ln. and Ransom Ave. (See Exhibit 1). The lot is flat and therefore, because the general area slopes downward toward the ocean, has been filled at the southerly end. The existing church building is located in the southerly portion of the lot on the Fifth St. side with two access points to a paved parking area from the north/south portion of Barbrea Ln. and to a graveled parking area entered from Ransom Ave. A third access point is to the southerly portion of the lot from the east/west portion of Barbrea Ln. There are approximately 65 parking space provided on the church lot. The internal driveway goes completely around the church building.

Fifth St. is fully improved to the extent possible in the area adjacent to the subject lot. These improvements include curbs, gutters and pavement on a somewhat reduced width standard. Ransom St. is improved only with gravel in the area adjacent to the frontage of the subject lot. This portion of Ransom St. is located within the Ransom St. Local Improvement District. Barbrea Ln. is a public road, improved only with gravel, which has not been accepted into the city street system because it has never been improved to a city street standard. The church building is currently being served with city water and sewer.

PROPOSED MINOR CHANGE

The applicant is seeking the ability to conduct a christian preschool at the church on a daily basis, five days a week. The school will consist of a morning and after noon class on Monday, Wednesday and Friday and a morning class on Tuesday and Thursday. Each class will be 2 1/2 hours long with a outdoor play period and will consist of up to 15 children. There will be a fenced play area of 900 to 1200 sq. ft.

ANALYSIS

Section 140.050 Minor Change, of the Land Development Code allows the Planning Commission to permit changes to an approved conditional use permit through a public hearing process. The applicant is requesting the ability to operate a christian preschool consisting of eight separate classes each week, from an existing church building which was approve by conditional use case no CU-78-3.

Section 24.040.D allows public, private and parochial schools, including nursery schools, kindergartens and day nurseries in the R-2 Zone as a conditional use subject to the requirements of Section 124.100. Although the term "preschool" is not mentioned specifically in Section 24.040, the proposed school is closest to a kindergarten and can be assumed to be allowed in the zone as a conditional use. Since the existing church is allowed through an approved conditional use permit, it would be proper to consider the addition of a preschool as a minor change to the existing permit depending on the extent of impacts create by the change. Staff has identified two areas of potential impacts, traffic and noise, which are discussed below.

The proposed preschool has the potential to create up to 60 vehicular trips (15 dropoffs + 15 pickups x 2 classes) to the site three days a week and 30 trips twice a week. This traffic will be clumped into short time periods during the day with at least 2 1/2 hour intervals but there could be times when parents stop at the school to talk to the teachers. Since the driveway encircles the church building and there are entrances/exits on three sides of the lot, there should be no problem with cars waiting in the public right-of-way for a chance to enter the property. This level of traffic will be less than that generated by the church service which is held on Sunday.

It is staff's opinion that the traffic generated by the proposed school will not have adverse impacts on the surrounding neighborhood. All of the entrances to the church building are from either Ransom Ave. or Barbrea Ln. and thus not from Fifth St. which is the through street. The distance from Fifth to any of the entrances is short enough to discourage even moderate speed on

Barbra or Ransom. The entrance from Ransom Ave is to the back of the building and is the least likely to be used, even in the event that Ransom Ave. is paved and becomes a through street.

The other potential impact would be noise caused by the extra traffic and to a much lesser extent from children playing outdoors. It is staff's opinion that neither of these factors will create a significant impact on the neighborhood. As indicated above traffic speeds on Barbra Ln. are likely to be rather low due to the travel distance to the entrances. Since Barbra is only a gravel travel way, it is possible that dust from traffic could become a problem. Inherent in a conditional use permit is the ability to revisit the permit if complaints are received from neighbors. This would apply to all changes made to the permit. The conditions of approval include a condition that if complaints are received in regard to the operation of the preschool, the city has the ability to examine the status of the allowed minor change and take appropriate action.

Currently there are only four developed lots on Barbra Ln. - two at the south end and two at each corner of Barbra and Ransom. The intervening lots are vacant except for one on which a house is under construction. The entire area along the east side of Fifth St. opposite the church is developed with houses. Only those houses on the southerly end of Barbra Ln. are close enough to the proposed play area to be disturbed by noise. Since the lot has been filled to create a level building pad, these houses are actually lower than the grade of the church lot, and thus will be somewhat isolated from noise from the area of the church.

Section 124.010 requires that day care, nursery schools and kindergartens provide a minimum of 75 sq. ft. of outdoor play area for each child and a sight obscuring fence of at least 4 feet but not more than 6 feet in height. A class of 15 students would require a play area of 1,125 sq. ft. As mentioned above the Land Development Code does mention "preschool" specifically. The state does not regulate schools that have classes of less than four hours in length. The proposed preschool is therefore not regulated by the state and it is unclear how the city's codes would apply. This may be moot since the applicant has indicated that a fenced play area of 900 to 1,200 sq. ft. will be provided. The conditions of approval will require at least 1,125 sq. ft. of play area.

FINDINGS OF FACT

1. The applicant is requesting a Minor Change to Conditional Use Permit CU-78-3 to allow for the operation of a Christian Preschool with eight 2.5 hour classes each week and up to 15 students per class. The school will be in an existing church.
2. The subject property is zoned R-2 and is designated as Residential by the Comprehensive Plan.

3. Day care, nursery schools, kindergartens and churches are uses allowed in the R-2 Zone with an approved conditional use permit.
4. The subject property is located between Barbrea Ln. on the west, Fifth St. on the east, Ransom Ave. on the north and Barbrea Ln. on the south.
5. Fifth St. is improved to the maximum extent in the area fronting the subject lot. Barbrea Ln. and Ransom Ave. consist of gravel travel ways in the area fronting the subject lot.
6. Access to the subject lot consists of two points on Barbrea Ln. and one from Ransom Ave.
7. The proposed preschool may generate up to 60 vehicular trips a day on three days and 30 trips on 2 days of the week.
8. The preschool will provide a fenced outdoor play area.

CONCLUSIONS

1. The proposed use is consistent with the underlaying zone and the Comprehensive Plan designation of the subject lot.
2. Access to the church building is from Barbrea Ln. and Ransom St. only and not from Fifth St. which is a through street. The most likely access point would be from the north/south section of Barbrea where there is parking and two separated driveways.
3. Although the proposed preschool has the potential to generate 60 vehicular trips on three days of the week, these trips will be in the form of 15 trips to and from the school at 2.5 hour intervals four times a day. Two time on Tuesday and Thursday.
4. The conditions of approval contain a provision to review the minor change if the city receives complaints in regard to the operation of the preschool.

CONDITIONS OF APPROVAL

1. The operation of the preschool shall be in substantial conformance with the provisions of this minor change to the approved conditional use permit CU-78-3.
2. The school shall conduct no more than eight classes per week (Monday through Friday) and shall not contain more than 15 students per class.

3. The city retains the right to review the provisions of this minor change in regard to complaints about the school facility and to take appropriate action to resolve any issue which arises.

RECOMMENDATION

Staff recommends **APPROVAL** of Minor Change File No. MC-2-92 (CU-78-3) based on the findings and conclusions stated above and the conditions of approval.

Staff has prepared a Final Order to be considered at this meeting.

**BEFORE THE PLANNING COMMISSION
CITY OF BROOKINGS, COUNTY OF CURRY
STATE OF OREGON**

In the matter of Planning Commission)	Final ORDER
File No. MC-2-92; approval of a)	and Findings of
request for a Minor Change to)	Fact
Conditional Use Permit to allow a)	
preschool, Wanda Russell, applicant.)	

ORDER granting approval of an application for a Minor Change to a Conditional Use Permit (CU-78-3) to allow the operation of a christian preschool within an existing church building on a 1.09 acre parcel located in the southwest corner of Ransom Ave. and Fifth St.; Assessor's Map No. 41-13-6AB, Tax Lot Nos. 1406; zoned R-2 (Two Family Residential).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Brookings Land Development Code pursuant to Section 140 Conditional Use Permits, which require statement and evidence that all of the following conditions exist:

- A. The proposal is in compliance with the comprehensive plan.
- B. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this code.
- C. The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.
- D. The proposed use will have minimal adverse impact upon adjoining properties and the improvements thereon. In making this determination, the commission shall consider, but not be limited to, the proposed location of the improvements on the site, vehicular egress/ingress and internal circulation, pedestrian access, setbacks, height and bulk of buildings, walls and fences, landscaping, screening, exterior lighting and signing.
- E. In areas designated as requiring preservation of historic, scenic or cultural attributes, proposed structures will be of a design complimentary to the surrounding area.

2. The Brookings Planning Commission has duly set this matter upon the agenda of a public meeting and considered the above described application with the public meeting a matter of record of the Planning Commission meeting of September 1, 1992; and

3. At the public meeting on said Minor Change to the Conditional Use Permit application, recommendations were presented by the Planning Director in the form of a Staff Agenda Report, dated August 20, 1992 and oral presentation of same; evidence and testimony was presented by the applicant and public; and

4. At the conclusion of the presentation of the Planning Director, applicant and public, after consideration and discussion the Brookings Planning Commission, upon a **MOTION** duly seconded, approved the request for the Conditional Use Permit; and directed staff to prepare a Final ORDER with the findings set forth therein for the approval of said application.

THEREFORE, LET IT BE HEREBY ORDERED that the application for the Minor Change to Conditional Use Permit CU-78-3 on the subject parcel **STANDS APPROVED**.

LET IT FURTHER BE OF RECORD that the Planning Commission approved this application for the Minor Change, supported by the following findings and conclusions:

FINDINGS

1. The applicant is requesting a Minor Change to Conditional Use Permit CU-78-3 to allow for the operation of a Christian Preschool with eight 2.5 hour classes each week and up to 15 students per class. The school will be in an existing church.
2. The subject property is zoned R-2 and is designated as Residential by the Comprehensive Plan.
3. Day care, nursery schools, kindergartens and churches are uses allowed in the R-2 Zone with an approved conditional use permit.
4. The subject property is located between Barbra Ln. on the west, Fifth St. on the east, Ransom Ave. on the north and Barbra Ln. on the south.
5. Fifth St. is improved to the maximum extent in the area fronting the subject lot. Barbra Ln. and Ransom Ave. consist of gravel travel ways in the area fronting the subject lot.
6. Access to the subject lot consists of two points on Barbra Ln. and one from Ransom Ave.

7. The proposed preschool may generate up to 60 vehicular trips a day on three days and 30 trips on 2 days of the week.
8. The preschool will provide a fenced outdoor play area.

CONCLUSIONS

1. The proposed use is consistent with the underlaying zone and the Comprehensive Plan designation of the subject lot.
2. Access to the church building is from Barbra Ln. and Ransom St. only and not from Fifth St. which is a through street. The most likely access point would be from the north/south section of Barbra where there is parking and two separated driveways.
3. Although the proposed preschool has the potential to generate 60 vehicular trips on three days of the week, these trips will be in the form of 15 trips to and from the school at 2.5 hour intervals four times a day. Two time on Tuesday and Thursday.
4. The conditions of approval contain a provision to review the minor change if the city receives complaints in regard to the operation of the preschool.

LET IT FURTHER BE OF RECORD that the Planning Commission approved the requested Minor Change subject to the attached Conditions of Approval dated September 1, 1992.

Based upon the above and the supportive evidence and proposed findings of fact above listed, the Planning Commission granted approval of Minor Change file no. MC-2-92.

Accepted and approved this 1st day of SEPTEMBER, 1992.


Judi Krebs, Chairman

ATTEST:


John C. Bischoff, Planning Director

CONDITIONS OF APPROVAL

MC-2-92

September 1, 1992

1. The operation of the preschool shall be in substantial conformance with the provisions of this minor change to the approved conditional use permit CU-78-3.
2. The school shall conduct no more than eight classes per week (Monday through Friday) and shall not contain more than 15 students per class.
3. The applicant or the preschool operator shall require that only the paved parking area shall be used to deliver and pickup children and for other functions related to the operation of the preschool.
4. The city retains the right to review the provisions of this minor change in regard to complaints about the school facility and to take appropriate action to resolve any issue which arises.

Memo

To: Mayor and City Council
From: Finance Director/Recorder Beverly Adams *BA*
Through: City Manager Tom Weldon *Tom*
Date: December 1, 1998
Subject: Abstract of votes

I received the official abstract of votes for the General Election held on November 3, 1998. A copy of the results for Mayor, Council Position #3 and Council Position #4 is attached.

It is necessary for the Council to pass a motion accepting the abstract of votes as presented for this election.

-com-

RUN DATE:11/23/98 01:57 PM

REPORT-EL45 PAGE 003

VOTES PERCENT

VOTES PERCENT

CITY OF BROOKINGS MAYOR

VOTE FOR 1

(WITH 4 OF 4 PRECINCTS COUNTED)

NANCY BRENDLINGER	1,420	94.48
WRITE-IN	83	5.52
OVER VOTES	0	
UNDER VOTES	663	

CITY OF BROOKINGS COUNCIL POSITION #3

VOTE FOR 1

(WITH 4 OF 4 PRECINCTS COUNTED)

FRANCES R. JOHNS	905	54.19
LARRY CURRY	750	44.91
WRITE-IN	15	.90
OVER VOTES	5	
UNDER VOTES	491	

CITY OF BROOKINGS COUNCIL POSITION #4

VOTE FOR 1

(WITH 4 OF 4 PRECINCTS COUNTED)

BOB HAGBOM	1,421	97.13
WRITE-IN	42	2.87
OVER VOTES	0	
UNDER VOTES	703	

HARBOR WATER PUD DIRECTOR POS #1

VOTE FOR 1

(WITH 1 OF 1 PRECINCTS COUNTED)

DALE E. COLEMAN	171	100.00
WRITE-IN	0	
OVER VOTES	0	
UNDER VOTES	76	

HARBOR WATER PUD DIRECTOR POS #2

VOTE FOR 1

(WITH 1 OF 1 PRECINCTS COUNTED)

KENNETH A. PETERSEN	234	98.73
WRITE-IN	3	1.27
OVER VOTES	0	
UNDER VOTES	115	

PISTOL RIVER FIRE DEPT. DIRECTORS

VOTE FOR 5

(WITH 2 OF 2 PRECINCTS COUNTED)

ROBERT M. POMMARANE	103	17.05
DON EDMUNDS	86	14.24
DIXIE D. BOLEY	66	10.93
NEIL WALKER	111	18.38
GEORGE F. DEISSROTH	65	10.76
ANNA RHODES	61	10.10
W.H. FLETCHER	93	15.40
WRITE-IN	7	1.16
WRITE-IN	6	.99
WRITE-IN	3	.50
WRITE-IN	2	.33
WRITE-IN	1	.17
OVER VOTES	15	
UNDER VOTES	156	

STATE MEASURE #54 - BONDED INDEBTEDNESS

VOTE FOR 1

(WITH 27 OF 27 PRECINCTS COUNTED)

YES	4,232	48.11
NO	4,564	51.89
OVER VOTES	2	
UNDER VOTES	1,194	

STATE MEASURE #55 - PREPAID TUITION

VOTE FOR 1

(WITH 27 OF 27 PRECINCTS COUNTED)

YES	3,250	38.12
NO	5,275	61.88
OVER VOTES	4	
UNDER VOTES	1,463	

STATE MEASURE #56 - NOTICE TO LANDOWNERS

VOTE FOR 1

(WITH 27 OF 27 PRECINCTS COUNTED)

YES	7,570	83.86
NO	1,457	16.14
OVER VOTES	8	
UNDER VOTES	957	

STATE MEASURE #57 - MARIJUANA CLASS C MISDEMEANOR

VOTE FOR 1

(WITH 27 OF 27 PRECINCTS COUNTED)

YES	3,239	35.60
NO	5,859	64.40
OVER VOTES	14	
UNDER VOTES	880	

Memorandum

TO: Mayor, City Council

FROM: City Manager Tom Weldon 

DATE: December 9, 1998



Issue: Resignation of Frances Johns and appointment to Council position #2

Background: Frances Johns has resigned from position #2 effective January 11, 1999. I recommend Council authorize staff to advertise this vacancy immediately (open for two weeks) and Council interview applicants at your meeting January 11th.

I further recommend that you appoint someone to this position that night. Judge Harper will be at that Council meeting (January 11th) to swear in Frances Johns to position #3 and whomever you appoint to position #2, both effective January 12, 1999.

-com-

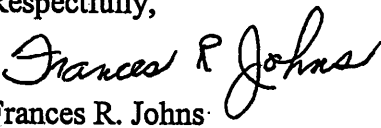
**Frances R. Johns
815 Brookhaven Drive
Brookings, Oregon 97415**

December 4, 1998

Dear Mayor Brendlinger, Council and City Manager Tom Weldon,

I am resigning from the City Council Position No. 2 effective January 11, 1999, in order to accept the City Council Position No. 3.

Respectfully,


Frances R. Johns

Memorandum

TO: Mayor, City Council
FROM: City Manager Tom Weldon
DATE: December 9, 1998



Issue: Additional City funding for All Events Center feasibility study and City committee representative

Background:

1. Attached is a request from the Chamber of Commerce President Richard Gyuro for an additional \$3,000 for this study and explanation of why this is needed.
2. We have already given the Chamber \$1,000 for this study.
3. This is an important study that will provide information and direction on what could be a crucial investment in our community's future.
4. The additional \$3,000 is available in this year's budget.
5. The letter also asks Council to name an official City representative to the Chamber committee working on this issue. I have been involved with the ad-hoc committee that has been working on this until now and would like to continue that involvement.

Recommendation: Authorize additional \$3,000 for this study and City Manager to be City's official representative on this committee.



December 9, 1998

Mayor and Council
City of Brookings
898 Elk Drive
Brookings, OR 97415

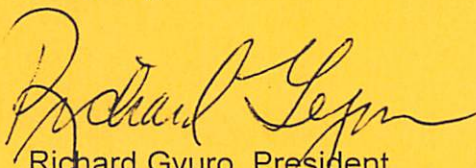
Dear Mayor Brendlinger and Council Members:

As you are aware the Brookings-Harbor Chamber of Commerce has revived investigation into the feasibility of the development of an all-events center in the Brookings-Harbor area. The City and Chamber had set aside one thousand dollars each, and the Port of Brookings Harbor pledged to contribute funds to be used as matching funds against the award of a grant to conduct such a feasibility study. Initially the projected total cost of the study was set as \$15,000.00. However, discussions with the Oregon Economic Development Department Regional Team has made it clear that to obtain a comprehensive study that will address all issues of the feasibility of such a project, the cost of the study would more realistically be \$25,000.00.

I am pleased to report to you that the Port has obtained a grant of \$15,000.00 from the Old Growth Diversity Fund to be used for this purpose. With the \$2,000.00 already set aside by the City and Chamber, and the Port's pledge of \$5,000.00 towards the community's matching requirement, we are only \$3,000.00 short of being able to proceed. In this regard, the Chamber of Commerce respectfully requests that the balance of \$3,000.00 be provided by the City of Brookings.

In addition, we ask that the Brookings Common Council designate City Manager Tom Weldon, who has been a participant in the Events Center Work Study Group, as the City's representative to this committee.

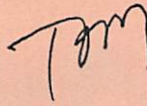
Sincerely,



Richard Gyuro, President
Board of Directors

Memorandum

TO: Mayor, City Council
FROM: City Manager Tom Weldon
DATE: December 9, 1998



Issue: Hiring Oregon Downtown Development Association (ODDA) to assist with "Downtown Core" study.

Background:

1. The "Downtown Core" study committee appointed by the Council is off and running. We call ourselves the "PROUD" committee (Positive Revitalization Of Urban Downtown.)
2. The committee hosted 2 representatives from ODDA for a half day of committee and public meetings December 2nd for them to learn about Brookings and what the committee is doing.
3. ODDA has made a proposal (attached) to provide consulting on this project. Their proposal will reinforce what the committee is doing, not duplicate their efforts or any prior efforts (traffic issues for example) the City has already addressed.
4. Their proposal includes a \$3,250 Oregon Economic Development Department Lottery Grant. Our local cash cost would be \$2,500. The Chamber of Commerce has already approved a donation of \$100 towards this local share.
5. PROUD meets Thursday night (December 10th) to review progress and discuss this study and it's funding. I will have a report on those discussions for you before your Monday night Council meeting.

Recommendation: Council authorize a City expenditure of (\$1,250) one half the local cash (\$2,500) matching dollars necessary. This leaves the PROUD committee needing to come up with \$1,150.

I believe this committee can easily come up with this money. Requiring this helps ensure buy-in and commitment to this study and it's results by downtown businesses trying to implement the study recommendations. Without this overall, long term business commitment this study will remain only a study. I don't believe the City can or should fund the long term activities and improvements that will be necessary to do what I expect the study will recommend.



P.O. Box 2912, SALEM, OR 97308-2912
161 HIGH STREET S.E., SUITE 236, SALEM, OREGON, 97301
PHONE: 503-587-0574 FAX: 503-587-0580

MEMORANDUM

To: Tom Weldon, City of Brookings
From: Vicki D. Hilliard, ODDA *VH*
Re: Next step recommendations from ODDA
Date: December 4, 1998

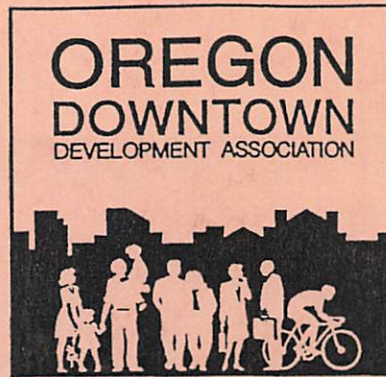
It was a real pleasure to spend time in Brookings and assess how ODDA can work with the City, the PROUD committee, merchants, property owners and other stakeholders to help move downtown revitalization efforts forward. My recommendation for services to Brookings is a three-day Resource Team consisting of an architect, landscape architect, business specialist, and organizational capacity builder.

The team would like to begin the first day with a public meeting, followed by scheduled meetings with a variety of stakeholders and end with a final public presentation. Three possible dates for the Resource Team include (I've given these dates to the architect and haven't heard back from him yet, but these are open for the rest of the team):

- January 19-21
- February 2-4
- February 9-11

I'm enclosing a draft contract for the Resource Team services and a list of baseline information that we'll need before the visit. Malcolm Johnstone will be sending information on Economic Improvement Districts under separate cover.

I look forward to hearing from you via phone or e-mail. Again, it was a real pleasure to visit Brookings. What a great opportunity you have for revitalization; I hope ODDA can assist with the process.



DRAFT

P.O. Box 2912, SALEM, OR 97308-2912
161 HIGH STREET S.E., SUITE 236, SALEM, OREGON, 97301
PHONE: 503-587-0574 FAX: 503-587-0580

AGREEMENT

This agreement is made and entered into on the date at which every party has signed this contract, by and between the **Oregon Downtown Development Association**, an Oregon private non-profit corporation having its principle place of business at 161 SE High Street, Salem, Oregon 97301, herein after referred to as "ODDA" and the **City of Brookings**, herein after referred to as the "City".

The term of this agreement shall be from **Date of Resource Team visit** to **six weeks after the completion of the visit**.

- I. ODDA will be responsible for providing assistance to the City for downtown revitalization related issues in the following area:
 - A. **Resource Team Visit.**

A three-day, four member Resource Team will examine redevelopment assets, issues, and opportunities of downtown Brookings as it concerns the business owners, property owners, residents, government agencies and other stakeholders of the downtown. Following the visit, an original and five copies of the written report will be provided to the City (additional copies will be available at cost plus shipping). Team members will focus on the following: public streetscape and traffic issues; design elements relating to the built environment; business development and clustering; and organizational capacity building.
- II. The City will be responsible to ODDA to provide and perform the following:
 - A. **Local Arrangements.**

The City will be responsible for making logistical and public relations arrangements.

DRAFT

III. Agreement Relationship.

ODDA is furnishing its services hereunder as an independent contractor. Nothing herein contained shall create any partnership or joint venture between the parties hereto, nor any employer-employee relationship.

IV. Fee.

The fee for services outlined above is \$5,750. The City agrees to pay ODDA a fee of **\$2,500, payable upon signing** of this contract to help fund the cost of services outlined herein. The remaining costs reflected in this contract are subsidized by ODDA, through a Lottery Grant from the Oregon Economic Development Department.

V. General Provisions.

This agreement supersedes any and all other agreements, either oral or written, between the parties that pertain to this Agreement. Each party acknowledges that no representations, inducements, promises or agreement, oral or otherwise, have been made by any party which are not embodied herein, and no agreement, statement, or promise not contained in this Agreement shall be valid or binding.

Any modification of the Agreement shall be effective only if it is in writing and signed by parties authorized by the City and ODDA to execute contracts.

This Agreement shall be governed and construed in accordance with the laws of the State of Oregon. In the event that one or more clauses of this Agreement are found to be unenforceable, illegal or contrary to public policy, the remainder of this contract will continue to be in full force and effect.

Tom Weldon, City Manager (Signature)
City of Brookings, Oregon

Date

Tom Weldon, City Manager (Print name)

Vicki D. Hilliard, Executive Director
Oregon Downtown Development Association

Date

Memorandum

TO: Mayor, City Council

FROM: City Manager Tom Weldon

DATE: December 9, 1998

Tom



I recommend you set Saturday, February 6, 1999, as your Goals Session.

-com-

TO: Mayor, City Council
FROM: Leo Lightle, *LLR*
THROUGH: Community Development Director
DATE: Tom Weldon, City Manager *tom*
December 8, 1998

Community Development Department



ISSUE: Authorization to call for bids for the Wastewater Treatment Plant.

BACKGROUND: The Common Council authorized Brown and Caldwell to prepare plans and specifications for the Wastewater Treatment Plant Improvements. Plans and specifications have been prepared and submitted to DEQ.

We need to give authorization for Brown & Caldwell to advertise the project for bids. The dates and activities are:

Anticipated Date	Activities/Milestone	MAO Deadlines
December 1, 1998	Deliver final plans and specifications	December 1, 1998
December 1998	DEQ review	
Last week of December 1998 First week of January 1999	Advertise project	
January 1999 through Feb. 11, 1999	Bid period	
February 11, 1999	Bid opening	
April 1, 1999	Issue notice to proceed	
April 5, 1999	Begin treatment plant construction	May 1, 1999
April 1999 through Nov 2000	Treatment plant construction	
December 2000	Initiate full plant operations	April 30, 2001

We have a copy of the plans and specifications; one set of plans and specifications weighs 23 pounds, that's plenty of reading material.

RECOMMENDATION: The City Council authorize Brown and Caldwell to advertise for bids for the Wastewater Treatment Plant Improvements.

Memorandum

TO: Mayor, City Council

FROM: Leo Lightle, Community Development Director *LL*

THROUGH: Tom Weldon, City Manager *TW*



DATE: December 8, 1998

ISSUE: Sole source purchases for equipment for Wastewater Treatment Plant Improvements.

BACKGROUND: Ron Walz is scheduled to appear at the Council meeting for this item. Please read attached letter from Ron Walz as it gives the justification, and how we are going to assure competitive pricing.

You can see from Ron Walz's letter that the most cost effective method of upgrading our Wastewater Treatment Plant involves the use of sole source equipment.

RECOMMENDATION: The City Council pass Resolution No. 98-R-649 authorizing exemption from the bidding process and authorize Brown and Caldwell to specify the sole source items listed in Ron Walz's letter and in the resolution.

B R O W N A N D C A L D W E L L

November 9, 1998

Mr. Leo Lightle
Community Development Director
City of Brookings
898 Elk Drive
Brookings, Oregon 97415

13-16273

Subject: Sole Source Equipment Justifications
Brookings Wastewater Treatment Plant Improvements

Dear Mr. Lightle:

The Brookings Wastewater Treatment Plant Improvements project will bid in February of 1999. There are a few major equipment items in the project that are "sole sourced" to one manufacturer. This letter provided justification for specifying acceptance of only one manufacturer for the equipment summarized in Table 1. In general, equipment was sole sourced to one manufacturer for one or more of the following reasons:

- Matching existing equipment was determined to be the most cost effective and technically sound approach.
- Modification of existing equipment was found to be more cost effective than purchasing new or additional equipment.
- The specified equipment is patented and therefore must be supplied by one manufacturer.

In every case where existing equipment is being matched, the treatment plant staff have reported a high satisfaction level with the on-site equipment. Matching existing equipment also reduces the quantity and cost of spare parts inventory at the treatment plant. In some areas, modifications to existing equipment were developed to save capital costs. Where existing equipment is being modified, the original manufacturer is identified to complete the work in order to maintain unit responsibility and avoid unnecessary future claims. For patented equipment, the naming of one supplier is a result of the patent.

Table 1. Summary of Sole Source Major Equipment
Brookings WWTP Improvements

Equipment Name	Manufacturer	Justification
Mechanical screens	Infilco Degremont	<ul style="list-style-type: none"> • Match existing screen • Modifying and moving existing control panel
Screenings screw conveyor	Infilco Degremont	<ul style="list-style-type: none"> • Modifying existing equipment • Provide with screen listed above • Allows second screen to utilize existing screenings compactor
Grit cyclone	Wemco	<ul style="list-style-type: none"> • Match existing • Modifying existing screw classifier from one cyclone to two cyclone system • Saves approximately \$40,000 for additional screw classifier
Particulate removal	Jones and Attwood	<ul style="list-style-type: none"> • Match existing • Hydraulic similitude desirable for equal flow split between existing and new unit
Fine bubble diffusion	Sanitaire	<ul style="list-style-type: none"> • Replacing diffuser membranes supplied by Sanitaire in last upgrade (end of useful life) • New diffusers are listed competitively
Brush launder cleaners	Ford W. Hall	<ul style="list-style-type: none"> • Patented • Reduced maintenance to clean weirs
UV disinfection equipment	Trojan Technologies	<ul style="list-style-type: none"> • Patented • Most experience with medium pressure UV at facilities the size of Brookings WWTP

In order to avoid unnecessarily high equipment prices resulting from the sole source approach, we will require each sole source manufacturer to supply guaranteed equipment prices to us prior to bidding the project. The guaranteed prices must be substantiated with bid prices from at least three other projects of similar size within the past year. The contractors will be required to list the costs for providing the sole source equipment as a part of the bid documents. We will then confirm that the guaranteed equipment prices were honored during the bidding phase of the project.

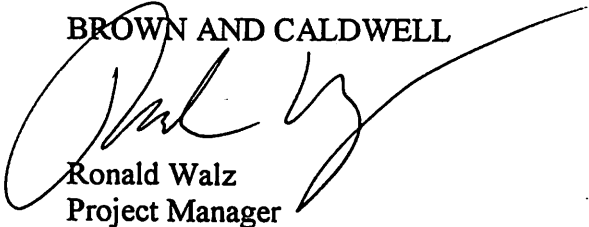
Mr. Leo Lightle
November 9, 1998
Page 3

We have worked very closely with these manufacturers during the design of the upcoming project to assure that site specific layout and water quality issues have been addressed prior to construction. We believe that each of these manufacturers will provide high quality, cost effective equipment that will serve the city for many years.

I have scheduled a visit to Brookings for December 14, 1998, to attend the council meeting regarding this issue. If you have any questions or comments, please feel free to contact me.

Very truly yours,

BROWN AND CALDWELL



Ronald Walz
Project Manager

RRW:ps

TO: Mayor, City Council
FROM: Leo Lightle, *LL*
Community Development Director
THROUGH: Tom Weldon, City Manager *Tom*
DATE: December 9, 1998

Community Development Department



ISSUE: Pedestrian walkways along Ransom Avenue and Fifth Street

BACKGROUND: The Common Council of the City of Brookings directed staff to have an engineering assessment and estimate of the constructing of a paved pedestrian walkway on Ransom Avenue from Fifth Street to east of Crestwood Place and on Fifth Street from Ransom Avenue to the existing concrete walkway on Fifth Street north of Ransom. Please see attached for details.

Adverse effects of contemplated projects:

Ransom Street Project

- Pedestrian walkway will have severe cross slope at Branscomb driveway and approaches on either side.
- Storm runoff between Cameo Court and Fifth Street may sheet across Fifth Street at the intersection during heavy rainfall periods.

Fifth Street Project

- Slope is settling or gradually slipping.
- Existing underground telephone or electrical utilities may conflict with construction.

The pedestrian walkway on Ransom Street is estimated to cost:

with A. C. (asphaltic pathway)	\$11,900
with concrete 4" thick	\$13,150

The pedestrian walkway on Fifth Street from Ransom Street north approximately 150 feet on the east side of the street is estimated to cost:

with A. C. (asphaltic pathway)	\$13,890
with concrete 4" thick	\$14,640

The funds for this project would come from System Replacement Funds-Streets. These projects would be reallocated from funds that would be used for asphalt overlays.

RECOMMENDATION: Staff recommends that the Council authorize HGE, Inc. to prepare plans and specifications for the pedestrian walkway on Ransom Street.

Staff, at this point, does not have a recommendation for the Fifth Street pedestrian walkway due to the slippage concern. Staff feels that it will be more expensive but if the Council wishes to proceed with the pedestrian walkway on Fifth Street we should have a geotechnical engineer look at the slippage issue.



ARCHITECTS
ENGINEERS
SURVEYORS
PLANNERS

375 PARK AVE
COOS BAY,
OREGON
97420

541.269.1166
FAX 541.269.1833
hge1@presys.com

Richard D. Nored, P.E.
Clay Baumgartner, P.E.
Joseph A. Slack, A.I.A.
Von C. Miller, A.I.A., RCI
Russ Dodge, PLS

December 2, 1998

City of Brookings
898 Elk Drive
Brookings, OR 97415

Attn: Leo Lightle, Community Development Director

Re: Ransom Avenue/5th Street - Pedestrian Walkways
Project #98125

Dear Leo:

Enclosed please find requested estimates for the asphaltic concrete paved pedestrian walkways along Ransom Avenue and 5th Street for your review and consideration. As you are aware a site visit was performed and the projects discussed on November 9, 1998.

The Ransom Avenue project entails constructing a five to six foot wide asphaltic concrete paved pedestrian walkway along the North side of Ransom Avenue between 5th Street and the end of the curb located East of Crestwood Place. Construction will require installing fifty-five linear feet of 12" diameter corrugated metal pipe and filling in of the existing drainage ditch between Cameo court and Clarence Branscomb's Ransom Avenue driveway. Construction will also require the installation of a catch basin on the Northeast corner of the Ransom Avenue/Cameo Court intersection in an attempt to collect runoff from Cameo Court and 5th Street West of Cameo Court. Per your direction, no integral concrete curb and gutter or modifications to Mr. Branscomb's driveway are planned. Adverse effects of contemplated improvements would provide:

- 1) An asphaltic concrete paved pedestrian walkway with severe cross slope across Mr. Branscomb's driveway and walkway approaches, on either side of Mr. Branscomb's driveway.
- 2) Storm runoff between Cameo Court and 5th Street to sheet across 5th Street at the intersection during heavy rainfall periods.

The 5th Street project entails constructing a five to six foot wide asphaltic concrete paved walkway along the East side of 5th Street North from Ransom Avenue to the existing concrete curb and sidewalk, approximate length one hundred twenty feet. Once again per your instructions no integral concrete curb and gutter is planned, as a portion of the project. The site visitation revealed the following existing conditions:

- 1) The existing ground between the existing East asphaltic concrete pavement edge of 5th Street and an existing wood fence along the East right-of-way line of 5th Street slopes East.
- 2) 5th Street is higher in elevation than the adjacent private property located easterly. The adjacent private property is relatively flat where 5th Street increases in elevation.

Mr. Leo Lightle
December 2, 1998
Page 2

- 3) The existing wood fence along the East 5th Street right-of-way line leans to the East. This indicates the 5th Street side slope has or is settling or gradually slipping.
- 4) Existing underground telephone or electrical utilities are located along the East asphaltic concrete pavement edge of 5th Street.

Pedestrian walkway construction would require the installation of a relative short (height) retaining wall along the East edge of the pedestrian walkway to facilitate walkway cross slope to the West. For estimate purposes, a used railroad tie type retaining wall was assumed. At this point, it should be made perfectly clear the construction of the railroad tie retaining wall "WILL NOT STOP OR PREVENT THE EXISTING SLOPE SETTLEMENT OR SLIPPAGE" from continuing. Construction may also require relocation of the buried telephone or electrical facilities. The enclosed estimate does not include costs for relocation or modifications of the buried facilities.

In response to our December 1, 1998 telephone conversation regarding costs to construct concrete pedestrian walkways in lieu of the original planned asphaltic concrete paved walkways we offer the following information:

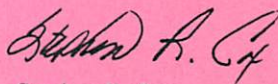
- 1) Construction of 4" concrete walkway along Ransom Avenue would increase the enclosed estimate \$1,250.
- 2) Construction of 4" concrete walkway along 5th Street would increase the enclosed estimate \$750.

It should be noted that the walkway(s) either of asphaltic concrete pavement or concrete being proposed by the city do not comply with adopted city standards. Adopted city standards would require construction of integral curb and gutter, concrete sidewalks and proper storm drainage facilities.

Should you or the council require additional information please do not hesitate contacting our office.

Very truly yours,

HGE INC., Architects, Engineers, Surveyors & Planners



Stephen R. Cox
Project Manager

SRC:aa

CITY OF BROOKINGS
5th Street Pedestrian Walkway
North of Ransom Avenue

Project #98125

December 1, 1998

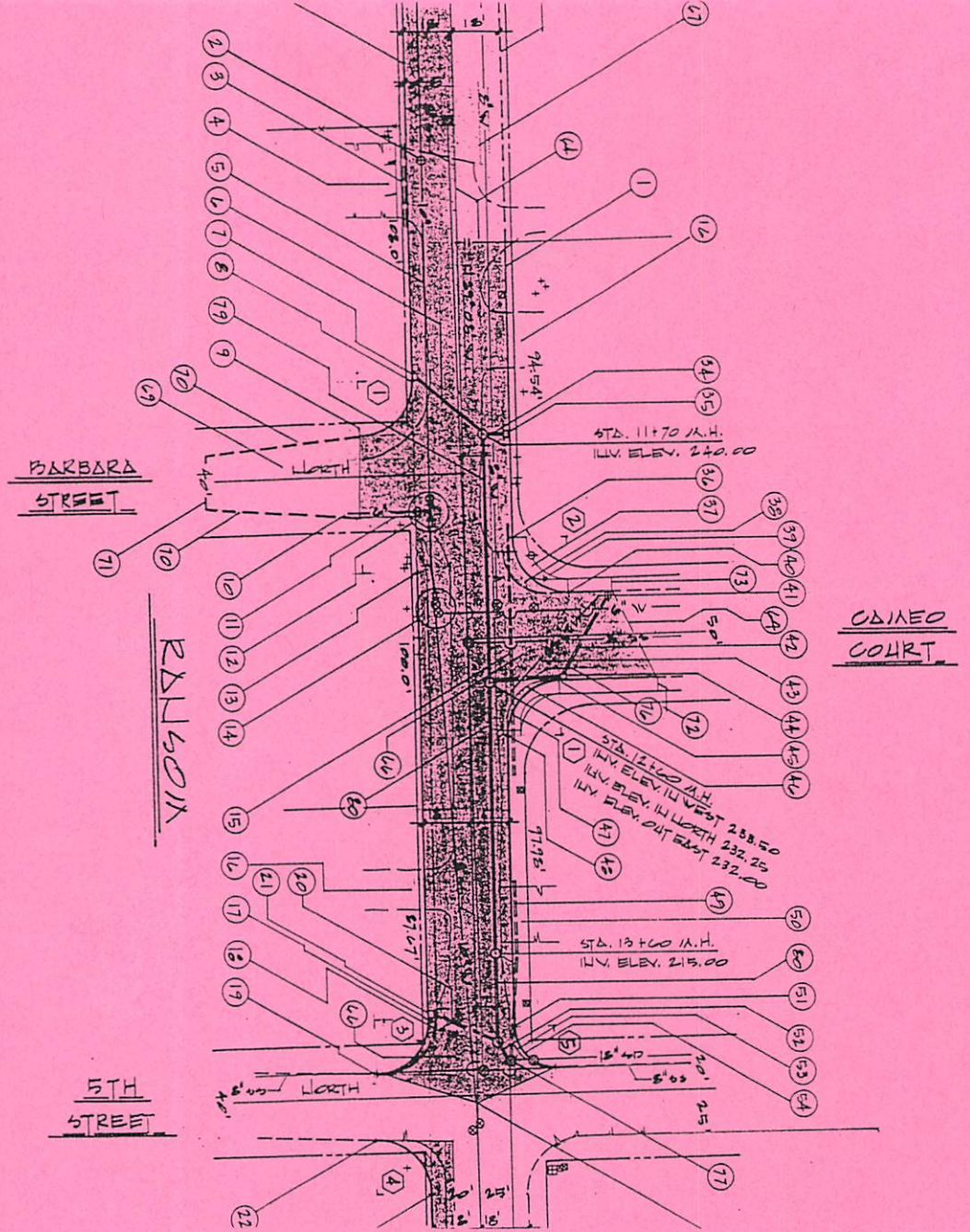
<u>Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
01	Mobilization	1	L.S.	\$ 750.00	\$ 750.00
02	Removal of Structures and Obstructions	1	L.S.	\$ 1,000.00	\$ 1,000.00
03	Walkway Unclassified Excavation	50	CY	\$ 10.00	\$ 500.00
04	Railroad Tie Wall	120	LF	\$ 40.00	\$ 4,800.00
05	Walkway Aggregate Base	20	CY	\$ 20.00	\$ 400.00
06	Walkway Asphaltic Concrete Pavement	10	TONS	\$ 65.00	\$ 650.00
Estimated Construction					\$ 8,100.00
Basic Design Services and Inspection					\$ 2,500.00
Surveys					\$ 500.00
Contingencies					\$ 800.00
Total Estimated Cost					\$11,900.00

CITY OF BROOKINGS
Ransom Avenue Pedestrian Walkway
5th Street to End of Curb East of Crestwood Place

Project #98125

December 1, 1998

<u>Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
01	Mobilization	1	L.S.	\$ 905.00	\$ 905.00
02	Removal of Structures and Obstructions	1	L.S.	\$ 1,500.00	\$ 1,500.00
03	Trench Excavation, Bedding and Class III Backfill	55	LF	\$ 30.00	\$ 1,650.00
04	12" Diameter CMP	55	LF	\$ 31.00	\$ 1,705.00
05	Catch Basin	1	EA	\$ 1,000.00	\$ 1,000.00
06	Walkway Unclassified Excavation	70	CY	\$ 10.00	\$ 700.00
07	Walkway Aggregate Base	50	CY	\$ 20.00	\$ 1,000.00
08	Walkway Asphaltic Concrete Pavement	22	TONS	\$ 65.00	\$ 1,430.00
Estimated Construction					\$ 9,890.00
Basic Design Services and Inspection					\$ 2,500.00
Surveys					\$ 500.00
Contingencies					\$ 1,000.00
Total Estimated Cost					\$ 13,890.00



CITY OF BROOKINGS
COUNCIL MEETING MINUTES
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
November 23, 1998
7:00 pm

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Nancy Brendlinger, Councilors Larry Curry, Bob Hagbom, Frances Johns, Keith Pepper, Ex-Officio Shiloh Thom

Staff Present: City Manager Tom Weldon, City Attorney John Trew, Community Development Director Leo Lightle, Police Chief Ken Lewis, Detective Ron Plaster, Administrative Secretary Denise Bottoms

Media Present: Chuck Hayward, Curry Coastal Pilot; Connie Wilson, League of Women Voters

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

A. "Hate Crimes Awareness Week" proclamation

Mayor Brendlinger read a proclamation naming the week of November 23 through 27, 1998 as "Hate Crimes Awareness Week" in Brookings.

B. "World Aids Day" proclamation

A proclamation was read by Mayor Brendlinger proclaiming December 1, 1998 to be "World Aids Day" in Brookings. Shelley Cole explained the details of the ceremony to be held on December 1st and accepted the proclamation.

V. PUBLIC HEARINGS

None

VI. SCHEDULED PUBLIC APPEARANCES

None

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

A. Committee and liaison reports

1. Chamber of Commerce

Les Cohen, Executive Director, reported that on December 5th a contingency of local business people & public officials will be traveling to Fortuna, California, to see and learn about their All

Events Center and obtain information on it's construction and operations.

2. Planning Commission - None
3. Parks and Recreation Commission

Tom Weldon reported that Darrel Erb attended their last meeting and gave an update on the progress of the softball field construction.

4. Council Liaisons

Councilor Curry attended a Coastal Policy Advisory Committee on Transportation on October 29, 1998 and an Oregon Coastal Zone Management meeting on October 30th.

Councilor Johns attended the School Board meeting on November 16th. There will be more meetings on the School District's space needs, one on December 9th and one on December 12th.

Mayor Brendlinger attended a Capital Improvement committee meeting this afternoon, a System Development Charge Review Meeting last month and has been working with the City Manager on the Falcon Cable TV franchise negotiations.

Councilor Pepper reported on a meeting he attended last week with the architect for the new Post Office.

- B. Unscheduled

VIII.

STAFF REPORTS

- A. City Manager

1. Systems Development Charge Review Committee appointment

City Manager Tom Weldon explained that no interested parties have submitted applications to serve on this committee. Staff will readvertise this vacancy and will bring a recommendation back to Council at the December 14th meeting.

2. Falcon Cable TV franchise extension

Councilor Hagbom moved, Councilor Pepper seconded and the Council voted unanimously to extend Falcon Cable TV's franchise 6 months and authorized the Mayor to sign the extension agreement.

3. 1999/2000 Fiscal Year Budget Calendar

This item will be brought to the Council for adoption at their January 25th meeting.

The Council decided to move this item forward on the agenda.

C. Police Department

1. Purchase of crime scene vehicle

Police Chief Ken Lewis explained the need for this vehicle and the primary situations this vehicle will be used for.

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to authorize the purchase of a 1985 Class III Coach from Wheel Coach, Inc. in the amount of \$3,900, using drug forfeiture funds.

This item was moved forward on the agenda.

Resolution No. 98-R-647 - A resolution exempting from competitive bidding the purchase of a 1985 crime scene/search warrant vehicle

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to adopt Resolution No. 98-R 647.

B. Community Development Department

1. Accept dedication deed for additional right-of-way along 164.82 feet of frontage on Dawson Avenue

Councilor Hagbom moved, Councilor Johns seconded and the Council voted unanimously to accept the dedication deed for additional right-of-way along 164.82 feet of frontage on Dawson Avenue.

2. Accept dedication deed for additional right-of-way along 160.2 feet of frontage on Ransom Avenue

Councilor Pepper moved, Councilor Curry seconded and the Council voted unanimously to accept the dedication deed for additional right-of-way along 160.2 feet of frontage on Ransom Avenue.

3. Granting of easements on Assessor's Map 41-13-5BB Tax Lot 1900 and Tax Lot 804

Councilor Hagbom moved, Councilor Curry seconded and the Council voted unanimously to accept the easements on Assessor's Map 41-13-5BB Tax Lot 1900 and Tax Lot 804 and authorize Mayor to sign the

easements on behalf of the City.

4. 15 mph designated area -Rowland Lane

Councilor Johns moved, Councilor Curry seconded and the Council voted unanimously to authorize Public Works to install a 15 mph speed limit sign on Rowland Lane at the section west of Arnold Lane.

5. DIA policy

Community Development Director Leo Lightle explained the proposed recommendations. There was considerable discussion regarding this item.

Questions or comments regarding this issue were heard from the following people in the audience:

Chuck Hayward	222 Del Norte, Brookings
Augie Kofoet	787 Ransom, Brookings
Clarence Branscomb	800 Cameo Court, Brookings

Councilor Pepper moved, Councilor Hagbom seconded and the Council voted unanimously to direct staff to draft a more detailed description relating to recommendation #1 including funding and legal issues, table recommendation #2 and accept recommendation #3 and #4 (copy of recommendations attached).

6. Ransom Avenue sidewalk

This item was tabled pending further information.

7. Special Cities Allotment

Councilor Hagbom moved, Councilor Pepper seconded and the Council voted unanimously to authorize the City Manager to sign the Special Cities Allotment Project: Oak Street Improvements.

8. Ordinance 430 amendment - sewer main frontage for connection

This Ordinance was moved forward on the agenda.

Ordinance No. 98-O-430.E - An ordinance amending Ordinance No. 88-O-430.E, an ordinance regulating the use and discharge of wastes into the public sewers of the City of Brookings, Oregon; promulgating the regulations; and providing penalties

Community Development Director Leo Lightle presented information on a sewer situation that is not covered by our present

Ordinance.

Councilor Pepper moved, Councilor Curry seconded and the Council voted unanimously to adopt Ordinance No. 98-O-430.E by first reading.

Councilor Pepper moved, Councilor Curry seconded and the Council voted unanimously to adopt Ordinance No. 98-O-430.E by title only.

IX.

CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
 - 1. Minutes of October 26, 1998 Regular Council Meeting
- B. Acceptance of Commission/Committee Minutes
 - 1. Minutes of September 24, 1998 Regular Parks and Recreation Commission Meeting
 - 2. Minutes of September 28, 1998 Special Parks and Recreation Commission Meeting
- C. Approval of Vouchers (\$697,917.31)

(end Consent Calendar)

Councilor Curry moved, Councilor Johns seconded, and the Council voted unanimously to approve the consent calendar (Councilor Pepper and Ex-Officio Councilor Thom abstained due to their absence at the last Council meeting).

X.

ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Resolutions
 - 1. Resolution No. 98-R-647 - A resolution exempting from competitive bidding the purchase of a 1985 crime scene/search warrant vehicle

This item was addressed earlier in the meeting.

- 2. Resolution No. 98-R-648 - A resolution adopting a policy on volunteer projects and/or services sponsored by the City

Councilor Johns moved, Councilor Curry seconded and the Council voted unanimously to adopt Resolution No. 98-R 648.

- B. Ordinances

- 1. Ordinance No. 98-O-430.E - An ordinance amending Ordinance No. 88-O-430.E, an ordinance regulating the use and discharge of wastes into the public sewers of the City of Brookings, Oregon; promulgating the regulations; and providing penalties

This item was addressed earlier in the meeting.

XI.

REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

Mayor Brendlinger asked if the Council would consider rescheduling the December 28th meeting due to the holidays. The Council agreed to cancel the meeting and should the need arise for a meeting, it could be called for December 21st.

Cal-Trans will be holding another meeting on December 3rd at 9:30 in Crescent City where they will discuss improvements needed on Highway 199, including both short and long term options.

Mayor Brendlinger distributed information to each Councilor regarding electronic Council packets rather than paper packets and is looking into this further.

The meeting recessed at 9:01 and reconvened at 9:03.

B. Council

Councilor Pepper said that he would like to see the Council look into proceeding with electronic packets. He also reminded the Council of the Light Festival at Azalea Park and reported on their expanded offers this year.

Councilor Johns reported that she will be heading up security at the Light Festival this year. The Chetco Senior Center will be having a chowder feed from 11:00 a.m. to 2:00 p.m. on December 25th which is open to the public.

The Council recessed at 9:10 p.m. Executive Session began at 9:16 p.m. and concluded at 9:52 p.m. The Council meeting reconvened at 9:54 p.m.

Councilor Pepper moved, Councilor Johns seconded and the Council voted unanimously to authorize staff to continue real property negotiations.

XII.

ADJOURNMENT

Councilor Pepper moved, Councilor Curry seconded and the Council voted unanimously to adjourn at 9:57 p.m.

ATTEST:

Nancy Brendlinger
Mayor

Beverly Adams
Finance Director/Recorder

PARK AND RECREATION COMMISSION MEETING

Minutes, October 22, 1998

ROLL CALL

Present: Mickelson, Prevanus, Smith, Canfield, Weldon. Excused: Higginson, Abbott. Absent: Lent, McKay.

Minutes from 9/28/98 approved. Minutes from 9/24/98 to be held over until 11/19/98 meeting.

Gil Rosario presented a mock-up model of the proposed Vietnam Veteran's memorial and a hand out giving more particulars. Memorial to be placed in city park facing highway 101 to the north of the fountain. After much discussion, it was decided to place the memorial abutting the concrete pad of the present memorial. The Vietnam Veterans are hoping that they will be able to find a wood carver who can sculpt the memorial in 3 dimension so that it will be more easily seen from highway 101. A motion to this was made and passed 5 to 0.

A discussion of yearly cost to maintain the memorial followed. Gil stated the Vietnam Vets will be doing the yearly maintenance. Tom Weldon did not feel that the maintenance costs as outlined in the hand out were accurate and needed to be reworked. Gil agreed to do this. A motion was made and passed 5 to 0 for Gil to get a more accurate cost factor for the cost of yearly maintenance.

STOUT PARK

Craig Mickelson stated that the park is looking good.

CHETCO POINT PARK

Craig Mickelson reported that gravel has been placed almost down to the bridge. Don Higginson has realigned several of the trails to make them easier to walk and to get better drainage. The bridge should be put in place sometime the week of October 26th if things go as planned. After the bridge is in place, then the remaining trails to the point can be addressed. There are several places along the trails which can be widened and become view points. There have been several hazard areas identified. At the November meeting the budget and work calendar can be laid out. There are several historical markers and cultural issues that need to be addressed. It was suggested that possibly the historical society could be contacted to help with this issue.

SOFTBALL/SOCCER FIELD

Paul Prevanus stated he has not been out to view the fields. He stated that he would visit the sites before the November meeting and possibly bring the chairperson of the committee to the November meeting.

PARK MASTER PLAN

Mike Smith stated that he has all the pieces and just needs to assemble them which he hopes to do by the November meeting.

POLICY ON VOLUNTEER PROJECTS/SERVICES

Tom Weldon went over proposal he had drafted to help to prevent any repeats of the problems which were encountered with Azalea Park. A motion was made and passed 5 to 0 in regards to the proposal.

Motion to adjourn: passed.

MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
November 10, 1998

The regular meeting of the Brookings Planning Commission was called to order by Chair Judi Krebs at 7:00 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

Sandy Hislop
George Ciapusci
Judi Krebs

Marv Lindsey
Rick Dentino
Mary Ball

John Bischoff, Planning Director
Linda Barker, Secretary

Commissioners Freeman and Breuer were not present. Commissioner Ball was not present when roll call was held. She arrived at 7:24 p.m.

CHAIRPERSON ANNOUNCEMENTS

Elections will be held at the end of the December, 1998 meeting to elect the Chair and Vice-Chair of the Planning Commission for 1999. The first draft of the 1998 Planning Commission annual report was presented to the Commissioners for review and will be discussed and a final report accepted at the December meeting.

MINUTES

The minutes of the October 6, 1998 meeting were tabled until the December meeting. There was not a sufficient number of Commissioners in attendance at this meeting who had attended the October meeting.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 3-2 vote (motion: Commissioner Lindsey, second: Commissioner Ciapusci; voting for: Commissioners Ciapusci, Hislop and Lindsey; voting against: Commissioners Krebs and Dentino; Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved (File No. CUP-3-78/MC-2) a request for a conditional use permit to expand the existing preschool to include kindergarten through 5th grade in the class; located in the southwest corner of Fifth Street and Ransom Avenue, more specifically 777 Fifth Street; zoned R-2. (Two-family Residential); Brookings Christian School, applicant; Robin LaThorpe, representative. The approval included a change to the conditions of approval as follows:

5. Within 90 days of this approval the applicant shall submit a plan to prevent play yard items from being thrown or rolling into the surrounding public streets for city staff review and approval, within two weeks of the approval of this application. Failure to submit such a plan will cause this approval to be null and void. Construct a 6-foot high fence along Ransom Avenue and Fifth Street to prevent balls and other school yard equipment from entering the street right-of-way. This fence will be of an open fabric and will extend

to a point 15 feet south of the northeast corner of the church building and will include a gate at the Ransom Avenue entrance to the north parking lot.

Before the hearing was opened the following Commissioners declared ex parte contact as a result of a site visit: Commissioners Ciapusci, Krebs, Lindsey and Dentino. Chair Krebs and Commissioner Ciapusci both said they read an article on the school that was published recently in the Curry Coastal Pilot. Chair Krebs also was in the audience at the City Council meeting of October 26, 1998 when congestion at Ransom Avenue and Fifth Street was discussed. Neither Commission felt this caused bias.

This action was taken following questions or comments regarding the request from the following people:

Peter Spratt	PO Box 1344	Brookings OR
Barbara Wilson	840 Midland Way	Brookings OR
Keith Sorensen	777 Fifth Street	Brookings OR
Gina Fettig	17222 Mountain Drive	Brookings OR
Leona Cone	301 Alder Street	Brookings OR
Todd Haak	817 N 2nd Street	Brookings OR
Don Gallion	710 4th Street	Brookings OR
Patty DePulgia	PO Box 8098	Brookings OR
Gaston DePulgia	PO Box 8098	Brookings OR
Diane Herring	PO Box 6246	Brookings OR
Melody Bruggeman	17364 Mountain Drive	Brookings OR
Joe Conte	PO Box 7557	Brookings OR
CC Jue 220 Cypress Street	Brookings OR	
Una Barbour	901 Barbra Lane	Brookings OR
Richard Robert	910 Barbra Lane	Brookings OR
Marvin Pope	829 Ransom Avenue	Brookings OR
Sue Mencum	714 Fifth Street	Brookings OR
Arlene DeJarnett	915 Ransom Avenue	Brookings OR
Clarence Branscomb	800 Cameo Court	Brookings OR
Vi Lovejoy	716 Fifth Street	Brookings OR
Jim Mencum	714 Fifth Street	Brookings OR
Walt Lovejoy	716 Fifth Street	Brookings OR
Ted Bezzerides	720 Fifth Street	Brookings OR
Sharon Merwin	PO Box 3212	Harbor OR

2. By a 3-2 vote (motion: Commissioner Lindsey, second: Commissioner Ciapusci; voting for: Commissioners Ciapusci, Hislop, and Lindsey; voting against: Commissioners Krebs and Dentino; Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved the Final ORDER and Findings of Fact for File No. Cup-3-78/MC-2 with the above change..

The Commission recessed from 9:27 p.m. to 9:35 p.m.

3. By a 5-0 vote (motion: Commissioner Ciapusci, second: Commissioner Lindsey, Ex Officio Commissioner Ball gave an affirmative advisory-only vote;) the Planning Commission approved (File No. M3-6-98) a request for a minor partition to create two lots of 13,790 and 12,828 sq. ft. in size using a flag lot configuration from a 0.61 acre parent parcel; located on the north side of Easy

Street approximately 160 feet west of Fifth Street; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); Travis Atkins, applicant; Reily Smith, representative.

Before the hearing was opened the following Commissioners declared ex parte contact as a result of a site visit: Commissioners Lindsey, Dentino, Ball, Hislop and Krebs.

This action was taken following questions or comments regarding the request from the following people:

Reily Smith

PO Box 7276

Brookings OR

4. By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Lindsey, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved the Final ORDER and Findings of Fact for File No. M3-6-98.
5. By a 5-0 vote (motion: Commissioner Lindsey, second: Commissioner Krebs, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved (File No. M3-7-98) a request for a minor partition to divide the 0.57 acre parent parcel into two parcels of 10,123 and 14,706 sq. ft. each; located on the west side of Seventh Street approximately 132 north of Hassett Street also with frontage on Hassett Street, approximately 282 feet west of Seventh Street; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); Mark and Ricarda Hargrove, applicants; Reily Smith, representative. The approval included a change to Condition No. 3 to read:

The applicant shall pave the driveway from Hassett Street to the shop building. The pavement shall extend ~~easterly~~ into the Hassett Street right -of-way to meet the existing paved driveway.

Condition No. 6 was added and reads:

The final plat map shall contain a note which reads as follows: "Hassett Street is currently an unimproved public right-of-way. At such time street improvements are established on Hassett Street, any redesign of the driveway from Parcel 2 as shown on this plat map, that may result from these improvements, will be incurred at the cost of the owner of said Parcel 2."

Before the hearing was opened the following Commissioners declared ex parte contact as a result of a site visit: Commissioners Lindsey, Ball, Krebs and Dentino.

This action was taken following questions or comments regarding the request from the following people:

Reily Smith

PO Box 7276

Brookings OR

6. By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Ciapusci, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved the Final ORDER and Findings of Fact for File No. M3-7-98 with the above changes to the conditions of approval
7. By a 5-0 vote (motion: Commissioner Ciapusci, second: Commissioner Lindsey, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved (File No. M3-8-98) a request for a minor partition to divide a 1.57 acre parcel of land into 3 lots of 8,138, 22,010, and 38,409 sq. ft. using a flag lot configuration; located on the west side of Old

County Road approximately 490 feet south of Hassett Street, more specifically 871 Old County Road; zoned R-2 (Two-family Residential); John Whitaker, applicant.

Before the hearing was opened the following Commissioners declared ex parte contact as a result of a site visit: Commissioners Lindsey, Ball, Krebs and Ciapusci.

This action was taken following questions or comments regarding the request from the following people:

John Whitaker

PO Box 303

Brookings OR

8. By a 5-0 vote (motion: Commissioner Lindsey, second: Commissioner Krebs, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved the Final ORDER and Findings of Fact for File No. M3-8-98.
9. By a 5-0 vote (motion: Commissioner Lindsey, second: Commissioner Dentino, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved (File No. M3-9-98) a request for a minor partition to create two lots of 9,147.50 sq. ft. each from an 18,295 sq. ft. parent parcel using a flag lot configuration; located on the south side of Ransom Avenue, approximately 195 feet east of Fifth Street; zoned R-2 (Two-family Residential); Jan Sirchuk, applicant. The approval included deleting Conditions No. 1, 2, and 3 from the conditions of approval.

Before the hearing began the following Commissioners declared ex parte contact as a result of a site visit: Commissioners Dentino, Ball, Lindsey, Krebs and Ciapusci.

This action was taken following questions or comments regarding the request from the following people:

Jan Sirchuk

1021 Seventh Street

Brookings OR

10. By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Ciapusci, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning Commission approved the Final ORDER and Findings of Fact for File No. M3-9-98 with the changes noted above.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

By a 5-0 (motion: Commissioner Ciapusci, second: Commissioner Dentino, Ex Officio Commissioner Ball gave an affirmative advisory-only vote) the Planning commission will send a favorable recommendation to Curry County in the matter of CR-MP-9802, a request for a major partition to create three lots of 49,505, 31,258 and 26,505 sq. ft. from a 2.46 acre parent parcel and creating a new private road to provide access to the new lots; located on the south end of West Hoffeldt Lane, Harbor, zoned Country R-3 (Residential Three); Walter and Iva Thompson, applicants; Reily Smith, representative.

Before the Commission heard the case the following Commissioners declared ex parte contact as a result of a site visit: Commissioners Ball, Krebs and Lindsey.

This action was taken following questions or comments regarding the request from the following people:

Reily Smith

PO Box 7276

Brookings OR

Janet Gerlach

16058 Driftwood Lane

Brookings OR

UNSCHEDULED PUBLIC APPEARANCES

None

REPORT OF THE CITIZENS ADVISORY COMMITTEE

PROUD, the downtown core study committee, has met twice now. Sub-committees have been established to explore the revitalization of the downtown area.

MESSAGES AND PAPERS FROM THE CITY MANAGER

None

MESSAGES AND PAPERS FROM THE MAYOR

None

REPORT OF THE PLANNING DIRECTOR

Director Bischoff reported on the status of the hillside development standards issue. A zone change for the area involved must be made before an ordinance change is enacted. This zone change request will come before the Commission in January.

By unanimous consent the Planning Commission reappointed Commissioner Ciapusci as the Planning Commission representative on the Capital Improvements Plan Committee.

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

Chair Krebs asked for clarification on the following items:

1. Subway Sandwich Shop: Staff responded the planting is complete around the sign post. The planting area bordering Chetco Lane actually belongs to the Chetco Senior Center. Director Bischoff will contact the Sandwich Shop about landscaping needed behind the building.
2. Dentist office on Pacific Avenue at Fern Avenue: Tractor work has been done on the property, however no planting has been performed. Director Bischoff will be in contact with Dr. Chickenell.
3. Lack of installation of "No Parking" street signs at Taco Ole': The owners of the restaurant will be contacted about these signs. The broken sign has been ordered and will be installed. The sandwich board sign has not been in evidence since the new operators were notified it did not meet Land Development Code regulations.
4. In the minutes of the August meeting Commissioner Breuer commented on an eyesore on Moore Street. Director Bischoff found no evidence of a problem that could be regulated by the Land Development Code. Commissioner Hislop asked if it had to do with the logs that had been delivered to a residence there in September. Staff replied that the logs had been cut up and taken to the owners' property very soon after the city contacted the property owner.
5. A new basketball court has been installed at the First Baptist Church. Commissioner Krebs asked staff to see if they plan to fence the area as it is a possible traffic hazard.

A Planning Commission training workshop has been rescheduled from October to February. Additional

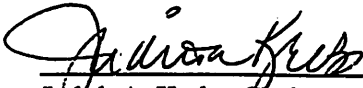
information will be distributed as it is available.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 11:24 p.m.

Respectfully submitted,

BROOKINGS PLANNING COMMISSION



Judith A. Krebs, Chair

City Council

**SYSTEMS DEVELOPMENT CHARGE REVIEW BOARD
898 ELK DR.
BROOKINGS, OR 97415**

Jim Collis - Chairman - 469-3678
Larry Smith - Member - 469-6577

Bob Krebs - Vice Chairman - 469-3017
Russ Fritz - Member - 469-0244

MINUTES:

CALL TO ORDER

The Board met in the Council Chambers at 898 Elk Drive, Brookings, Oregon at 1:30 PM on Tuesday, December 1, 1998 at 1:30 PM. Members present were Bob Krebs, Russ Fritz and Jim Collis. Larry Smith was absent and excused from the meeting. Members present constituted a quorum. Mayor Nancy Brendlinger, City Manager Tom Weldon, and Community Development Director Leo Lightle were also present.

The Chair announced that the purpose of the meeting was to review a Capital Improvement Plan which had been prepared by City Staff and reviewed by the CIP Committee.

The City Manager went through the plan and discussed the included projects.

Following the review Russ Fritz moved that the Board accept the proposed Capital Improvement Plan as amended during the review. Motion Seconded by Bob Krebs and passed.

There being no further business the meeting was adjourned at 3:10 PM

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32604	Donna Tuma	Deposit Refund	11/12/98	100-106.00	30.55	200-134.00	30.55
32605	Robert H Smith	Deposit Refund	11/12/98	100-106.00	46.20	200-134.00	46.20
32606	Herbert & Mary Gadbury	Deposit Refund	11/12/98	100-106.00	21.96	200-134.00	21.96
32607	Donald Cormack	Deposit Refund	11/12/98	100-106.00	2.14	200-134.00	2.14
32608	Pyramid Property Management	Deposit Refund	11/12/98	100-106.00	31.11	200-134.00	31.11
32609	Katherine Martin	Deposit Refund	11/12/98	100-106.00	35.10	200-134.00	35.10
32610	Karl Burkhauser	Deposit Refund	11/12/98	100-106.00	36.23	200-134.00	36.23
32611	Mike & Genie Gilliam	Deposit Refund	11/12/98	100-106.00	12.68	200-134.00	12.68
32612	William F Norris	Deposit Refund	11/12/98	100-106.00	3.81	200-134.00	3.81
32613	Mick & Bonnie Matousek	Deposit Refund	11/12/98	100-106.00	50.90	200-134.00	50.90
32614	Susan Dodgen	Deposit Refund	11/12/98	100-106.00	24.22	200-134.00	24.22
32615	Glenn & Goldie Gibson	Deposit Refund	11/12/98	100-106.00	20.65	200-134.00	20.65
32616	Otto Rinderknecht	Deposit Refund	11/12/98	100-106.00	38.26	200-134.00	38.26
32617	Helen Rodriguez	Deposit Refund	11/12/98	100-106.00	31.16	200-134.00	31.16
32618	Rick Ruebush	Deposit Refund	11/12/98	100-106.00	27.03	200-134.00	27.03
32619	Steve Wilson	Deposit Refund	11/12/98	100-106.00	42.97	200-134.00	42.97
32620	Joseph Eisenbacher	Deposit Refund	11/12/98	100-106.00	38.41	200-134.00	38.41
32621	George Wagner	Deposit Refund	11/12/98	100-106.00	4.54	200-134.00	4.54
32622	Sturdi-Bilt Homes Inc	Deposit Refund	11/12/98	100-106.00	21.25	200-134.00	21.25
32623	Clifford Weeks	Deposit Refund	11/12/98	100-106.00	43.91	200-134.00	43.91
32624	Loyd Anderson	Deposit Refund	11/12/98	100-106.00	38.73	200-134.00	38.73
32625	Agnew Co	Deposit Refund	11/12/98	100-106.00	7.01	200-134.00	7.01
32626	Arthur Garnett	Deposit Refund	11/12/98	100-106.00	33.55	200-134.00	33.55
32627	William Kramer	Deposit Refund	11/12/98	100-106.00	26.85	200-134.00	26.85
32628	Oleta Prescott	Deposit Refund	11/12/98	100-106.00	29.35	200-134.00	29.35
32629	Ed & Sally Cicka	Deposit Refund	11/12/98	100-106.00	38.72	200-134.00	38.72
32630	Bruce A Burton	Deposit Refund	11/12/98	100-106.00	33.12	200-134.00	33.12
32631	Art & Joyce Whiting	Deposit Refund	11/12/98	100-106.00	5.84	200-134.00	5.84
32632	Helen Hart	Deposit Refund	11/12/98	100-106.00	30.38	200-134.00	30.38
32633	Bev Adams	Reimbursement	11/12/98	100-106.00	44.42	109-614.00	44.42
32634	Amazing Computers	Inv 1060	11/12/98	100-106.00	4,090.00	103-612.00	897.50
						109-646.00	897.50
						201-612.00	897.50
						251-612.00	897.50
						300-606.00	500.00
32635	APCO	Dues - Cooper	11/12/98	100-106.00	85.00	103-660.00	85.00
32636	APS Analytical Standards	Inv C80456	11/12/98	100-106.00	46.25	202-612.00	46.25
32637	Doug Bales	Reimbursement	11/12/98	100-106.00	19.18	105-606.00	19.18
32638	Bankcard Center	Oct Statement	11/12/98	100-106.00	931.20	102-658.00	118.70
						103-614.00	74.85
						103-658.00	481.24
						105-658.00	173.82
						106-606.00	65.09
						107-658.00	17.50
32639	Bassett Car Care Products	Inv 95592	11/12/98	100-106.00	113.35	201-612.00	113.35
32640	Becco Inc	Inv 05203	11/12/98	100-106.00	112.50	251-606.00	112.50
32641	John Bischoff	Reimbursement	11/12/98	100-106.00	18.85	105-658.00	18.85
32642	Brookings Auto Parts	Oct Statement	11/12/98	100-106.00	84.99	104-606.00	14.75
						150-612.00	32.49
						251-606.00	27.76
						252-606.00	9.99
32643	Brookings Harbor Chamber	Reg Fee - Lewis	11/12/98	100-106.00	325.00	103-658.00	325.00

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32644	Brookings Harbor Chamber	Oct Motel Tax	11/12/98	100-106.00	3,458.42	109-687.00	3,458.42
32645	Brookings Lock & Safe Co	Inv 0222	11/12/98	100-106.00	30.00	109-624.00	30.00
32646	Brookings Vol Firefighters	Nov Contrib	11/12/98	100-106.00	1,666.67	104-682.00	1,666.67
32647	Brown & Caldwell	13-3197/13-3201	11/12/98	100-106.00	146,745.11	480-636.00	146,745.11
32648	Bryson Appraisal Service	Inv #L9810482	11/12/98	100-106.00	600.00	480-636.00	600.00
32649	Cabela's Inc c/o Kerri Mueller	0195362/0195391	11/12/98	100-106.00	3,365.00	201-608.00	1,344.08
						202-608.00	338.43
						251-608.00	1,344.07
						252-608.00	338.42
32650	Cal/Or Insurance Specialist	Inv 227	11/12/98	100-106.00	107.00	107-654.00	107.00
32651	Carpenter Auto Center	Oct Statement	11/12/98	100-106.00	178.71	103-606.00	178.71
32652	Chetco Pharmacy & Gifts	Oct Statement	11/12/98	100-106.00	9.54	103-614.00	9.54
32653	CIS	Misc Invoices	11/12/98	100-106.00	3,227.89	100-220.50	3,060.87
						102-654.00	167.02
32654	Clackamas Communications Inc	Inv 3607803	11/12/98	100-106.00	116.46	103-606.00	116.46
32655	Coastal Coffee Service	Inv 4749	11/12/98	100-106.00	29.00	109-614.00	29.00
32656	Columbia Gorge Center	Inv 3813	11/12/98	100-106.00	256.00	201-684.00	256.00
32657	Colvin Oil Company	End Oct/5499520	11/12/98	100-106.00	1,075.15	103-606.00	666.05
						104-606.00	91.36
						106-612.00	13.05
						150-606.00	121.33
						201-606.00	70.93
						202-606.00	46.21
						251-606.00	14.25
						252-606.00	46.21
						252-612.00	5.76
32658	Compaq Computer Corporation	Inv 55578	11/12/98	100-106.00	215.00	103-684.00	215.00
32659	Coos-Curry Electric	Oct Electric	11/12/98	100-106.00	1,102.25	106-662.00	24.72
						201-662.00	1,048.81
						251-662.00	28.72
32660	Curry Coastal Pilot	Misc Invoices	11/12/98	100-106.00	744.05	102-602.00	287.40
						103-614.00	71.65
						104-614.00	200.00
						105-602.00	85.00
						251-612.00	60.00
						252-612.00	40.00
32661	Larry Curry	Reimbursement	11/12/98	100-106.00	358.39	102-658.00	358.39
32662	Dan's Auto & Marine Electric	Oct Statement	11/12/98	100-106.00	238.97	104-606.00	23.80
						106-612.00	36.55
						106-626.00	37.00
						150-606.00	26.47
						150-612.00	27.94
						251-606.00	37.26
						251-612.00	45.45
						252-612.00	4.50
32663	Dan's Photo & Cameras	Oct Statement	11/12/98	100-106.00	285.46	103-606.00	109.00
						103-614.00	62.96
						103-680.00	113.50
32664	DHR Child Support Unit	Garnishment	11/12/98	100-106.00	333.97	100-220.70	333.97
32665	DHR Child Support Unit	Garnishment	11/12/98	100-106.00	243.69	100-220.70	243.69
32666	Motor Vehicles Division	#60682-103198	11/12/98	100-106.00	20.25	103-606.00	20.25
32667	Emerald Seed & Supply	Inv 305	11/12/98	100-106.00	449.40	106-612.00	449.40

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32668	Ferrellgas	Oct Statement	11/12/98	100-106.00	178.15	150-624.00	178.15
32669	First Impressions	Misc Invoices	11/12/98	100-106.00	844.12	103-602.00	49.75
						109-602.00	794.37
32670	Fred Meyer	Misc Invoices	11/12/98	100-106.00	481.86	103-606.00	79.98
						202-608.00	149.94
						252-608.00	149.94
						252-612.00	102.00
32671	Freeman Rock Enterprises Inc	Misc Invoices	11/12/98	100-106.00	465.68	954-730.00	465.68
32672	Grants Pass Water Lab	Inv 981481	11/12/98	100-106.00	325.00	202-612.00	325.00
32673	GTE Northwest	Oct Phone	11/12/98	100-106.00	1,433.66	109-664.00	1,433.66
32674	Hach Co	400312 & 407564	11/12/98	100-106.00	287.75	252-612.00	93.50
						252-652.00	194.25
32675	Hagens Cleaners	Oct Statement	11/12/98	100-106.00	32.00	103-606.00	32.00
32676	Richard Harper	Nov Services	11/12/98	100-106.00	250.00	101-646.00	250.00
32677	HGE Inc	Misc Invoices	11/12/98	100-106.00	4,963.50	105-646.00	855.50
						201-646.00	643.50
						251-646.00	1,468.50
						902-730.00	1,996.00
32678	Holiday Inn at Agate Beach	Hotel - Cooper	11/12/98	100-106.00	215.07	300-658.00	215.07
32679	Kim Hunnicutt Court Reporting	Inv 3379	11/12/98	100-106.00	44.00	103-680.00	44.00
32680	ICMA	Dues - Weldon	11/12/98	100-106.00	550.46	102-660.00	550.46
32681	ICMA-RT 457 c/o 1st Ntl Bnk MD	Deferred Comp	11/12/98	100-106.00	960.00	100-220.70	960.00
32682	Internet Technologies	Inv 3518	11/12/98	100-106.00	112.00	109-664.00	112.00
32683	J L Darling Corp	Inv 101465	11/12/98	100-106.00	175.81	201-602.00	87.91
						251-602.00	87.90
32684	Johnson Rock Products	Final Payment	11/12/98	100-106.00	4,169.14	902-730.00	4,169.14
32685	Kerr Hardware	Oct Statement	11/12/98	100-106.00	620.22	103-606.00	9.16
						104-606.00	73.01
						106-612.00	7.92
						106-626.00	116.53
						109-624.00	348.24
						150-612.00	65.36
32686	Kerr Hardware	Oct Statement	11/12/98	100-106.00	377.48	201-606.00	144.94
						201-612.00	31.51
						251-606.00	19.87
						251-612.00	103.84
						251-624.00	56.38
						252-606.00	20.94
32687	Lane County Finance	Misc Invoices	11/12/98	100-106.00	5,403.10	103-664.00	4,052.25
						300-664.00	1,350.85
32688	Law Enforcement Associates	Inv 0009798-IN	11/12/98	100-106.00	3,925.00	103-684.00	3,925.00
32689	League of Oregon Cities	Inv 24684	11/12/98	100-106.00	27.60	103-606.00	27.60
32690	LETN	Inv 955389	11/12/98	100-106.00	288.00	103-658.00	288.00
32691	Ken Lewis	Reimbursement	11/12/98	100-106.00	325.95	103-658.00	325.95
32692	L N Curtis & Sons	Inv 349843	11/12/98	100-106.00	91.75	104-606.00	91.75
32693	Micro Warehouse	Inv E1593813	11/12/98	100-106.00	507.00	105-726.00	507.00
32694	Mory's	Oct Statement	11/12/98	100-106.00	87.45	102-602.00	65.45
						103-602.00	10.88
						105-602.00	11.12
32695	National Fire Protection Assn	Dues - Sharp	11/12/98	100-106.00	115.00	104-606.00	115.00
32696	Nat'l Hose Testing Specialties	1998 Testing	11/12/98	100-106.00	1,570.73	104-606.00	1,570.73
32697	OBOA	Inv 291	11/12/98	100-106.00	24.80	105-602.00	24.80

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32698	One Call Concepts, Inc	Inv 8108659	11/12/98	100-106.00	7.20	150-646.00	2.40
						201-612.00	2.40
						251-612.00	2.40
32699	ONEA	Reg & Dues	11/12/98	100-106.00	285.00	103-680.00	285.00
32700	Oregon Department of Revenue	State W/H Tax	11/12/98	100-106.00	3,530.04	100-220.30	3,530.04
32701	OR Teamster Employers Trust	Nov Premium	11/12/98	100-106.00	6,019.35	100-220.60	6,019.35
32702	OR Teamster Employers Trust	Nov Premium	11/12/98	100-106.00	10,433.54	100-220.60	10,433.54
32703	Pacific Coast Surveys	Inv 31	11/12/98	100-106.00	1,155.00	106-626.00	1,155.00
32704	PERS - Retirement	Payroll 11/13	11/12/98	100-106.00	7,046.51	100-220.70	97.60
						100-220.80	6,948.91
32705	Petty Cash	Reimbursement	11/12/98	100-106.00	199.27	102-602.00	7.58
						102-658.00	24.00
						103-602.00	10.50
						103-614.00	32.03
						104-602.00	6.21
						105-602.00	26.97
						107-602.00	7.35
						109-614.00	53.32
						201-612.00	21.79
						252-612.00	9.52
32706	Ron Plaster	Investigations	11/12/98	100-106.00	3,000.00	103-680.00	3,000.00
32707	Ron Plaster	Reimbursement	11/12/98	100-106.00	1,937.00	103-680.00	1,937.00
32708	Postmaster	Utility Permit	11/12/98	100-106.00	500.00	201-602.00	250.00
						251-602.00	250.00
32709	Purchase Power	#15023845884	11/12/98	100-106.00	1,015.00	102-602.00	253.75
						103-602.00	253.75
						105-602.00	253.75
						107-602.00	253.75
32710	Quality Control Services	Inv 21669	11/12/98	100-106.00	245.00	252-646.00	245.00
32711	Quality Fast Lube & Oil	Inv 15176/15389	11/12/98	100-106.00	50.90	201-606.00	50.90
32712	Ramcell of Oregon	Oct Statement	11/12/98	100-106.00	214.41	103-664.00	171.92
						104-664.00	42.49
32713	Rays Food Place	Oct Statement	11/12/98	100-106.00	103.29	102-658.00	4.98
						103-602.00	47.34
						103-658.00	9.98
						109-624.00	30.11
						252-612.00	10.88
32714	Ron Spencer Construction Co	Building Siding	11/12/98	100-106.00	671.00	251-624.00	671.00
32715	Roto-Rooter	Oct Statement	11/12/98	100-106.00	76.25	109-686.00	76.25
32716	Shirlee Sheffel	Reimbursement	11/12/98	100-106.00	18.00	300-658.00	18.00
32717	Slater Communications	Inv 51545	11/12/98	100-106.00	533.70	104-614.00	441.85
						104-664.00	91.85
32718	Stadelman Electric	Inv 4245	11/12/98	100-106.00	60.00	201-606.00	60.00
32719	SWOCC Attn: Cashier	#9810236316-26	11/12/98	100-106.00	15.00	107-658.00	15.00
32720	Teamsters Local Union 223	Nov Dues	11/12/98	100-106.00	559.00	100-220.70	559.00
32721	Terra Firma Geologic Service	Tower Study	11/12/98	100-106.00	975.00	300-684.00	975.00
32722	Tidewater Contractors Inc	Inv 21006	11/12/98	100-106.00	99,918.28	901-730.00	99,918.28
32723	Transport Logic	#187604/187732	11/12/98	100-106.00	22.00	201-612.00	11.00
						252-612.00	11.00
32724	Trew & Cyphers	Oct Statement	11/12/98	100-106.00	2,120.00	102-632.00	2,120.00
32725	Umpqua Research Company	Inv 6583	11/12/98	100-106.00	558.00	252-612.00	558.00
32726	United Communications	Oct Statement	11/12/98	100-106.00	539.41	109-664.00	539.41

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32727	United Pipe & Supply Co Inc	Misc Invoices	11/12/98	100-106.00	473.95	201-612.00	473.95
32728	U S Bank Corporate Trust Dept	BI #2619	11/12/98	100-106.00	393,286.88	420-822.00	265,000.00
						420-824.00	128,286.88
32729	U S Bank Corporate Trust Dept	BI #2544	11/12/98	100-106.00	51,420.00	370-824.00	51,420.00
32730	Viking Office Products	Misc Invoices	11/12/98	100-106.00	899.74	101-602.00	9.54
						102-602.00	42.48
						103-602.00	282.93
						107-602.00	37.83
						109-602.00	526.96
32731	Village Smithy	Inv 5308	11/12/98	100-106.00	325.00	104-606.00	325.00
32732	Tom Weldon	Nov Car Allow	11/12/98	100-106.00	200.00	102-606.00	200.00
32733	W W Grainger Inc	Misc Invoices	11/12/98	100-106.00	1,044.30	202-612.00	248.63
						251-612.00	202.11
						251-624.00	323.26
						252-612.00	270.30
32734	Xerox Corp	Inv 065284570	11/12/98	100-106.00	633.69	109-606.00	633.69
32735	ZEP Manufacturing	Inv 66248690	11/12/98	100-106.00	808.30	252-652.00	808.30
32737	Amazing Computers	Inv 1061	11/19/98	100-106.00	549.50	103-612.00	125.00
						107-612.00	424.50
32738	Steve Apgar	1985 Ford E350	11/19/98	100-106.00	3,900.00	103-684.00	3,900.00
32739	AWWA	Renew-Ingwersen	11/19/98	100-106.00	104.50	202-658.00	52.25
						252-658.00	52.25
32740	John Bishop	Travel Advance	11/19/98	100-106.00	240.00	103-680.00	240.00
32741	Branom Instrument Co	Inv 69671	11/19/98	100-106.00	146.13	201-606.00	146.13
32742	Nancy Brendlinger	Reimbursement	11/19/98	100-106.00	187.00	102-658.00	187.00
32743	Brookings Firemans Assoc	Reimb Fitzhugh	11/19/98	100-106.00	2,038.00	100-478.00	2,038.00
32744	Brookings Sports Unlimited	Work Pants	11/19/98	100-106.00	540.00	202-608.00	202.50
						251-608.00	135.00
						252-608.00	202.50
32745	CIS	Inv BRK-9801D	11/19/98	100-106.00	662.00	107-654.00	662.00
32746	Mike Cooper	Travel Advance	11/19/98	100-106.00	104.00	300-658.00	104.00
32747	Coos-Curry Electric	Oct Electric	11/19/98	100-106.00	2,680.52	106-662.00	190.30
						150-662.00	1,138.36
						201-662.00	884.20
						251-662.00	284.44
						252-662.00	183.22
32748	Curry County Health Department	Hepitus B Serie	11/19/98	100-106.00	97.60	103-614.00	77.60
						252-612.00	20.00
32749	Larry Curry	Reimbursement	11/19/98	100-106.00	25.10	102-658.00	25.10
32750	Day-Timers Inc	Misc Invoices	11/19/98	100-106.00	65.81	104-602.00	60.97
						105-602.00	4.84
32751	EBS Trust	Nov & Dec Prem	11/19/98	100-106.00	110.00	103-654.00	61.00
						104-654.00	49.00
32752	Engineered Control Products	Inv 50600	11/19/98	100-106.00	70.00	252-606.00	70.00
32753	Fastenal Company	GPOR6237/6129	11/19/98	100-106.00	19.41	106-612.00	19.41
32754	Marshal Ferg	Inspections	11/19/98	100-106.00	120.00	105-646.00	120.00
32755	First Impressions	Inv 6528	11/19/98	100-106.00	138.68	102-602.00	138.68
32756	James W Gardner	Reimb-Bishop	11/19/98	100-106.00	34.32	100-478.00	34.32
32757	Grants Pass Water Lab	Oct Statement	11/19/98	100-106.00	152.00	201-612.00	152.00
32758	Hach Co	Inv 410739	11/19/98	100-106.00	34.80	202-612.00	34.80
32759	Bob Hagbom	Reimbursement	11/19/98	100-106.00	244.20	102-658.00	244.20
32760	H.M. Hansen	Inv 98-140	11/19/98	100-106.00	165.00	251-646.00	165.00

(Continued)

City of Brookings
CHECK REGISTER: CHECK # 32604 THRU 32777
For The Month Ending: November 30, 1998
PRINTED: December 1, 1998 13:10:07

** CLOSED **

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CHECK #	PAID TO	DESCRIPTION	DATE	CR ACCOUNT	CR AMOUNT	ALLOC ACCT	ALLOC AMOUNT
32761	Loring's Sporting Goods	Inv 01927	11/19/98	100-106.00	270.00	201-608.00	270.00
32762	Oregon Dept of Revenue	Misc Invoices	11/19/98	100-106.00	146.00	106-612.00	73.00
						150-612.00	73.00
32763	Oregon Health Division	Cert Renewals	11/19/98	100-106.00	220.00	202-658.00	220.00
32764	Pacific Engine Repair	Inv 1446	11/19/98	100-106.00	470.87	104-606.00	470.87
32765	Paramount Pest Control Inc	Inv 24933	11/19/98	100-106.00	31.00	103-624.00	31.00
32766	Pitney Bowes Inc - FAX	Inv X219538	11/19/98	100-106.00	65.00	109-606.00	65.00
32767	Taplin Janitorial Services	Inv 1043	11/19/98	100-106.00	650.00	109-644.00	650.00
32768	TSR Corporation	Inv 3683	11/19/98	100-106.00	7,420.00	251-606.00	7,420.00
32769	United Pipe & Supply Co Inc	Inv 4209568	11/19/98	100-106.00	751.65	201-612.00	751.65
32770	Viking Office Products	Misc Invoices	11/19/98	100-106.00	651.01	103-602.00	399.43
						105-602.00	139.94
						109-602.00	111.64
32771	Worlton Auto Body	Inv 4397	11/19/98	100-106.00	500.00	103-606.00	500.00
32773	DHR Child Support Unit	Garnishment	11/24/98	100-106.00	333.97	100-220.70	333.97
32774	DHR Child Support Unit	Garnishment	11/24/98	100-106.00	243.69	100-220.70	243.69
32775	ICMA-RT 457 c/o 1st Ntl Bnk MD	Deferred Comp	11/24/98	100-106.00	960.00	100-220.70	960.00
32776	Oregon Department of Revenue	State W/H Tax	11/24/98	100-106.00	3,690.61	100-220.30	3,690.61
32777	PERS - Retirement	P/R 11/25/98	11/24/98	100-106.00	7,320.32	100-220.80	7,320.32
					827,437.73		827,437.73

*** END OF REPORT ***

RESOLUTION NO. R-98-649

A RESOLUTION EXEMPTING FROM COMPETITIVE BIDDING EQUIPMENT SPECIFIED BELOW FOR THE BROOKINGS WASTEWATER TREATMENT PLANT IMPROVEMENTS.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BROOKINGS THAT:

- 1. The City of Brookings Common Council has determined that it must construct improvements to the Brookings Wastewater Treatment Plant.**
- 2. Because there are limited monies to purchase the pieces of listed equipment and substantial savings can be realized in the cost of effective equipment, the Common Council finds it is in the best interests of the City of Brookings to sole source the following equipment for the listed justification:**

Equipment Name	Manufacturer	Justification
Mechanical Screens	Infilco Degremont	<ul style="list-style-type: none">• Match existing screen• Modifying and moving existing control panel
Screenings screw conveyor	Infilco Degremont	<ul style="list-style-type: none">• Modifying existing equipment• Provide with screen listed above• Allows second screen to utilize existing screenings compactor
Grit cyclone	Wemco	<ul style="list-style-type: none">• Match existing• Modifying existing screw classifier from one cyclone to two cyclone system• Saves approximately \$40,000 for additional screw classifier
Particulate removal	Jones and Attwood	<ul style="list-style-type: none">• Match existing• Hydraulic similitude desirable for equal flow split between existing and new unit
Fine bubble diffusion	Sanitaire	<ul style="list-style-type: none">• Replacing diffuser membranes supplied by Sanitaire in last upgrade (end of useful life)• New diffusers are listed competitively
Brush launder cleaners	Ford W. Hall	<ul style="list-style-type: none">• Patented• Reduced maintenance to clean weirs
UV disinfection equipment	Trojan Technologies	<ul style="list-style-type: none">• Patented• Most experience with medium pressure UV at facilities the size of Brookings WWTP

- 3. The purchase of the equipment as identified herein is therefore exempted from competitive bidding set out in ORS chapter 279 and the City's Resolution No. 92-R-539.**

4. It is unlikely that an exemption from competitive bidding in this instance will encourage favoritism in the awarding of contracts or that it will unreasonably diminish competition.

Passed by the Council and signed by the Mayor this _____ day of December, 1998.

Nancy Brendlinger
Mayor

ATTEST:

Beverly S. Adams
Finance Director/ Recorder

BUILDING DEPARTMENT ACTIVITIES SUMMARY

For Month of November, 1998

No.	Building	Permit Fee	Plan Check Fee	Surcharge	SDF's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
6	Single Family Dwelling	\$2,776.00	\$786.90	\$138.80	\$26,802.00	\$670,040.00	34	\$4,681,527.38	43	\$5,851,985.10
2	Single Family Addition	\$245.73	\$145.93	\$12.29	\$0.00	\$37,615.00	42	\$473,097.00	24	\$352,534.00
1	Single Family Garage-Carport	\$44.50	\$29.00	\$2.23	\$0.00	\$4,000.00	16	\$124,713.08	18	\$278,980.80
0	Two Family Residential	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$210,000.00	3	\$543,001.00
0	Multi-Family Residential Apts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$2,521,998.00	0	\$0.00
0	Commercial New	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	6	\$925,979.66	1	\$25,000.00
0	Commercial Addition-Change	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	20	\$2,570,983.25	23	\$1,179,048.00
0	Churches	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	2	\$189,560.00	0	\$0.00
0	School Repair-Addition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$1,000.00	5	\$38,551.00
1	Building Removal	\$17.50	\$0.00	\$0.88	\$0.00	\$0.00	1	\$0.00	3	\$0.00
0	Misc.-Retaining Wall-Fence	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	5	\$18,161.00
10	Total Building Permits	\$3,083.73	\$961.83	\$154.19	\$26,802.00	\$711,655.00	124	\$11,698,858.37	125	\$8,287,260.90
7	Mechanical Permits	\$160.00	N/A	\$8.00		N/A	66		75	
6	Plumbing Permits	\$333.20		\$16.66	\$0.00	N/A	44		50	
1	Manufactured Home Permits	\$105.00		\$5.25	\$4,467.00	N/A	11		8	
24	TOTAL PERMITS	\$3,681.93	\$961.83	\$184.10	\$31,269.00	\$711,655.00	245	\$11,698,858.37	258	\$8,287,260.90
	Total Year to Date Calculated Fees	\$46,493.88	\$27,049.83	\$2,089.33	\$397,660.00					
	1997 YTD Calculated Fees	\$40,088.03	\$22,030.64	\$2,004.42	\$210,660.70					

In October, 1998 Harbor issued permits for 1 EDUs.

During the Month of November, 1998, Brookings issued permits for 7.00 new sewer connections. The City of Brookings now has 279.84 EDU Units connected to the Brookings Wastewater System since the signing of the MAO.