

MINUTES
BROOKINGS COMMON COUNCIL MEETING

APRIL 14, 1986
7:00 p.m.

I. CALL TO ORDER

Mayor Kerr called the meeting to order at 7:05 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Bob Kerr, Vice Mayor Gil Batty, Councilmen Ray Nidiffer, John Geraghty, Bob Rogers

Council Absent: None

Planning Commission Present: Chairman Leo Appel II

Staff Present: City Manager Lynn R. Stuart, City Attorney John Coutrakon, Executive Secretary Donna Van Nest, Engineering Technician Leo Lightle, Planning Director Chuck Rhodaback, Recorder/Treasurer Judy Pectol, Chief of Police Sam Dotson, Utilities Services Director Cecil Smith, Assistant Utilities Services Director Dennis Barlow, Bookkeeper Beverly Shields

Media Present: Polly Keusink, Curry Coastal Pilot; Marge Barrett, KURY

IV. CEREMONIES/APPOINTMENTS

1. Planning Commission Appointment

Mayor Kerr reappointed Chairman Leo Appel II to a four-year term on the Brookings Planning Commission, which term shall expire April 21, 1990. The Council unanimously sanctioned the reappointment.

2. Proclamation - "Clean-Up, Fix-Up, Paint-Up Week"

Mayor Kerr proclaimed the week of May 5-9, 1986 as "Clean-Up, Fix-Up, Paint-Up Week" in Brookings.

V. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. March 10, 1986 Regular Council Meeting

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to approve the minutes of the March 10, 1986 Regular Council meeting; MOTION carried unanimously.

V. MINUTES FOR APPROVAL/ACCEPTANCE

B. Acceptance of Planning Commission Meeting Minutes

1. March 4, 1986 Regular Planning Commission Meeting

Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to accept the March 4, 1986 Regular Planning Commission meeting minutes; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

1. Liquor License Application - Coast House

Mr. Stuart indicated that this is an application for a Dispenser, Class A liquor license for William L. and Cindy S. Grier, dba The Coast House. Mr. Stuart explained that this is a change of ownership application. Mr. Stuart presented the Council with a copy of the application, and indicated that the police department has reviewed the application and has no objections to the granting of this license.

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to approve the liquor license for William L. and Cindy Grier, dba The Coast House; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

None.

B. Council Announcements

1. Louis Eldon Morgan Fund Report - Vice Mayor Batty

Vice Mayor Batty recommended to the Mayor and City Council that the City divest itself of the AT&T and other stocks accumulated from the Louis Eldon Morgan Fund, and place them in the State Investment Pool. Vice Mayor Batty also recommended that the principal amount invested remain in title to the City of Brookings and the interest earnings be given directly to the Chetco Community Public Library District for the purposes of assisting that District in operating the Chetco Community Public Library.

Mayor Kerr indicated that he was in agreement with Vice Mayor Batty, as long as this course of action was the wish of the Chetco Community Public Library District Board of Directors.

Mr. Dick Draper of the Chetco Community Public Library District Board of Directors, indicated that the Board wishes to follow the wishes of the City.

Councilman Nidiffer questioned the wisdom of divesting the Certificates of Deposit, due to the yield. Vice Mayor Batty explained that one of the CDs is yielding 10.25%, and that CD would be held by the bank until it matures and then it would be transferred to the State Investment Pool. The one other CD and the money market account would be transferred on April 18, 1986.

Mrs. Pauline Olsen indicated that according to the agreement signed between the City and the Library District, the District is paid quarterly earnings at this time, and she asked when the payments would be made by the State. Vice Mayor Batty advised her that the State pays monthly. Mayor Kerr indicated that the earnings from the State would be paid directly to the District.

Mr. Stuart read into the record a letter from the Library District Board to the City Council. The letter stated that the Library Board concurs with the decision to divest at this time and believes that it would be wise to do so as soon as practicable, and they also agree that the monies should be invested in the State Investment Pool.

Councilman Nidiffer indicated that he wanted to make sure that this action was at the request of the Library Board.

The City Council agreed that this is not the best time to divest of the stocks, but the City Auditor feels that the City should divest at this time, due to the State laws regulating the ownership of stocks by municipalities.

Councilman Nidiffer recommended that the Library District Board do a study and then tell the City Council when they want the stocks divested.

Mr. Draper stated that it is the recommendation of the Library District Board that the City divest at this time.

Mayor Kerr requested that Resolution No. 382, pertaining to the divestiture of the stocks, be read into the record.

Mrs. Van Nest read Resolution No. 382 into the record. Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to adopt Resolution No. 382; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

B. Council Announcements

2. Councilman Rogers indicated that he received a letter from Mrs. Pauline Olsen, Chetco Community Public Library District Board, requesting that the Council approve a forthcoming application for a grant from the State for a possible expansion of the library.

Mr. Dick Draper indicated that there is no guarantee that these grant monies would be available in either 1986 or 1987, but that no one is eligible unless they apply in 1986. Mr. Draper stated that the grant application requires that the library applying make some kind of assurance of matching funds, either directly or in-kind. Mr. Draper stated that the reason for the grant is to bring the square footage of the library up to 7,000 square feet, which is the minimum requirement of the American Library Association for a library serving our population, per capita. At the present time the library is approx. 5,000 square feet.

After a brief discussion, Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to give approval to the Chetco Community Public Library District Board to qualify for a grant with the State Library Services & Construction Act; with the stipulation that the City is not committed to any financial backing; MOTION carried unanimously.

C. Planning Commission Announcements

1. Citizens Advisory Committee Presentation

Planning Commission Chairman Leo Appel II requested that the Mayor and City Council direct staff to begin the CAC application process, which includes making up the applications, publishing the applications, and making up a list of those people who have applied to serve on the CAC. Chairman Appel also asked the Mayor and City Council to accept the criteria outlined for the CAC. Mr. Appel indicated that the time line for the CAC would be for the applications to be in by the first part of May, with selections from the applications and assignments following. Mr. Appel suggested that either the full Council and full Planning Commission could meet, or the Mayor and Planning Commission Chairman could meet, or the Mayor, Vice Mayor, Planning Commission Chairman and Planning Commission Vice Chairman could meet. Chairman Appel indicated that he would anticipate the actual CAC meetings to begin sometime in June.

The City Council agreed that the application process should be publicized in the Curry Coastal Pilot, and the criteria was sanctioned by the City Council.

Mayor Kerr directed staff to advertise the application process in the Curry Coastal Pilot for two weeks.

D. Manager Announcements

1. Industrial Water Line Grant

Mr. Stuart indicated that as directed by the City Council, the City staff has been pursuing the development and construction of a 12" industrial water line to serve the South Coast industrial property situated North of Brookings. Mr. Stuart stated that in the process of developing this water line, the City staff has been working with the staff of the Coos-Curry-Douglas Business Development Corporation in preparing an industrial water line grant. Mr. Stuart noted that the primary source of funding is through the Department of Economic Development funds generated by lottery dollars. Mr. Stuart requested three specific actions from the City Council.

1. That the Mayor and City Council authorize the City staff to proceed with the grant application.
2. That the Mayor and City Council give the City Engineer an official notice to proceed with the design and specifications for the project.
3. That the Mayor and City Council commit to accepting the water line when constructed in accordance with the City Standard Details and Specifications, and maintain the new water line as a part of our overall system.

Mayor Kerr indicated that all other avenues of getting water to the industrial site have been reviewed, and this grant seems to be the best for all concerned. Mayor Kerr personally recommended that the City Council authorize staff to proceed with the process.

Councilman John Geraghty made a MOTION to proceed with the grant application, as outlined. Councilman Nidiffer seconded the MOTION.

Mr. Bill Cunningham, Mill Beach Road, asked if the water rates had been established, and if not, why. Mr. Cunningham said that he felt that the specifics should be addressed before the project went any further. He also wanted to know if the City would be obligated to serve water to South Coast even if there is a shortage inside the City.

Vice Mayor Batty assured Mr. Cunningham that neither the City nor the State Health Division would allow industrial water needs to override residential water needs.

Mayor Kerr pointed out that in the event of a water shortage, the industrial users go down first, then the commercial users, followed by outside City limits residential users.

Vice Mayor Batty addressed Mr. Cunningham's question as to the rates to be charged for water to South Coast Lumber by pointing out that there is no need to negotiate a contract with South Coast Lumber before the grant application is filed because if the grant application is denied, the project will not be built. He also pointed out that the request on the agenda tonight is to approve the grant application only. The next step in the process will be to negotiate a contract if the grant is funded.

Mayor Kerr called for a vote on the seconded MOTION of Councilman Geraghty; MOTION carried unanimously.

Mr. Fred Hummel said that he understood that the initial engineering stage would be started immediately, before receiving confirmation on the grant application. He asked what the cost of this initial engineering service would be and who would pay for it.

Mr. Stuart indicated that the initial engineering services would be provided by the City Engineer, and the approx. cost could be \$10,000. If the grant application is denied, this cost should be shared by the proposed users.

2. Right-of-Way Acceptance - South Coast Lumber Co.

Mr. Stuart turned the floor to Planning Director Chuck Rhodaback for this presentation.

Mr. Rhodaback indicated that the Planning Commission, on February 4, 1986, considered an application for a minor partition to allow the division of a parcel of land into two lots. The property is located on the west side and at the north end of Fifth Street. The Planning Commission voted to approve the request, subject to the condition that the property owner, South Coast Lumber Company, dedicate to the City of Brookings, 10 feet of property along the east margin of Fifth Street, as future public right-of-way. On April 1, 1986, the Planning Commission took action to accept the right-of-way deed and recommended that the City Council accept the document as a public record.

Mayor Kerr asked if there were any questions or comments, and there being none, Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to accept the proposed right-of-way; MOTION carried unanimously.

3. Facilities Plan - Engineer Selection Committee

Mr. Stuart informed the Council that as directed, Vice Mayor Batty, City Manager Lynn Stuart, Engineering Technician Leo Lightle, At Large Member Dan Hall and Jackson County Public Works Director Joe Strahl convened an interview session with engineering firms responding to a request for proposals for preparing a City of Brookings Wastewater Facilities Plan.

Mr. Stuart indicated that the following engineering firms presented proposals:

Brown & Caldwell - Eugene, Oregon Branch

Kramer, Chin & Mayo - Portland, Oregon

CH₂M Hill - Corvallis, Oregon

H.G.E., Inc. - Coos Bay, Oregon

Mr. Stuart stated that after the lengthy review process, the Selection Committee unanimously agreed and recommends to the City Council that the firm of Brown & Caldwell be selected as the firm to proceed with the next step in the process. The Selection Committee based its decision on ten separate items which identified the firm with the most complete proposal to provide the City of Brookings with the best Wastewater Treatment Plant Facilities Plan for the least amount of money.

Mr. Stuart requested that the Mayor and City Council authorize the Finance Committee, Public Works Committee and administrative staff to proceed with contract negotiations with the firm of Brown and Caldwell.

Vice Mayor Batty expressed his appreciation to the committee members, and asked Mrs Van Nest to read a letter into the record from Joe Strahl, Public Works Director of Jackson County, Oregon. Mr. Strahl thanked the City for the opportunity to serve on the selection committee, and commended the City for the very professionally conducted process. Mr. Strahl commented that, "It isn't often that you can 'get the best for less' but in this case I believe that Brookings accomplished just that." Mr. Strahl also offered his services during the contract review process.

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to authorize the Finance Committee, Public Works Committee and administrative staff to proceed with the contract negotiations with the firm of Brown and Caldwell; MOTION carried unanimously.

4. Budget Committee Meeting

Mr. Stuart indicated that the original budget calendar identified the first budget committee meeting to be held on April 16, 1986, but that staff efforts to prepare a proposed budget took slightly longer than originally projected. Mr. Stuart requested that the Mayor and City Council call a budget meeting for April 21, 1986 at 7:00 p.m.

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to call a budget committee meeting for April 21, 1986 at 7:00 p.m.; MOTION carried unanimously.

5. Findings of Fact Document - Langley

Mr. Stuart turned the floor to Planning Director Chuck Rhodaback for this agenda item presentation.

Mr. Rhodaback indicated that this item is the next to the last step in the rezoning of the newly annexed property at 1055 Marina Heights Loop, owned by George Langley. The document is a findings of fact document for the action taken by the City Council on this matter at the March 10, 1986 Regular Common Council meeting.

Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to approve the findings of fact document on File No. Z-1-86; MOTION carried unanimously.

6. Coastal Management Grant Agreement

Mr. Stuart indicated that due to the timing of the DLCD grant application, (due by April 15, 1986), the staff took the liberty of requesting that the Mayor sign the grant application request prior to the Council meeting. The grant makes the City eligible to receive \$2,000 to assist in financing the continued implementation of our Comprehensive Land Use Plan.

Vice Mayor Batty made a MOTION, seconded by Councilman Nidiffer, to approve the signing of the grant application by the Mayor; MOTION carried unanimously.

7. Liquor License Renewals

Mr. Stuart indicated that this is a yearly renewal process required by the Oregon Liquor Control Commission, and that the police department has reviewed each of the liquor license renewals and has no objections to the granting of the following renewals:

Gary Lee Kerr and Karen Lee Kerr, dba Azalea Lanes of Brookings

August Dean Otten, dba Alliance Fast Mart

Jim and Billie Dee Dotson, dba Dotson's Sandwiches

Omer and Carol Bourassa, dba Christmas Tree Restaurant

Thomas J. Whiteley, Inc., dba Brookings Shell

McKay's Market of Coos Bay, Inc.

Judith Ann Anderson, Inc., dba Ken's Tavern

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to approve the liquor license renewals, as presented; MOTION carried unanimously.

8. Authorization Request - Purchase of 9-1-1 Equipment

Mr. Stuart indicated that at the February City Council meeting, the 9-1-1 Local Jurisdiction was authorized to call for bids on equipment, as listed below:

1. Dispatch console
2. Base radios
3. Backup base radio equipment to be housed at the Harbor Fire Department

Subsequent to that meeting, and after checking with different equipment vendors and police agencies, it was found to be much more feasible to approach the purchase of the 9-1-1 equipment from a single source standpoint rather than proceeding with a call for bids.

City staff requested authorization to purchase the following equipment:

3- Motorola base radios at a cost of \$11,644 (\$2,000 will be provided by the Brookings Public Works Dept.)

Base radio accessories at a cost of \$4,410 (\$1,110 will be provided by the Brookings Public Works Dept.)

1 - Fujitsu backup radio to be housed at the Harbor Fire Department at a cost of \$1,375

1 - Motorola Centracom Series II console at a cost of \$39,732

City staff requested that the Mayor and City Council authorize the purchase of the system at a cost of \$54,051. Mr. Stuart indicated that the 9-1-1 Local Jurisdiction has expressed approval of the purchase.

After a brief discussion, Councilman Rogers made a MOTION, seconded by Vice Mayor Batty, to authorize staff to purchase the 9-1-1 equipment in the amount of \$54,051; MOTION carried unanimously.

E. Attorney Announcements

1. Chetco Community Public Library District - Personal Property Lease

City Attorney John Coutrakon indicated that the Chetco Community Public Library District requests authorization to lease a piece of equipment to the Church of Jesus Christ of Latter Day Saints, Brookings Auxiliary Genealogy Library. Mr. Coutrakon indicated that he had no objections to this agreement, so long as the LDS library is open to the public and recognized by the Oregon State Library for interlibrary loans.

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to authorize the agreement between the Chetco Community Public Library District and the Church of Jesus Christ of Latter Day Saints; MOTION carried unanimously.

F. Contract Review Board

None.

VIII. CALL FOR BIDS

1. Fire Department - Equipment

Mr. Stuart indicated that the Brookings Fire Department is requesting authorization to call for bids on the following pieces of equipment:

- 1 - Self-contained breathing apparatus
- 1 - 2216 PSI Wrapped Aluminum Air Cylinder
- 1 - 3500-Watt Generator
- 200 feet - 1 3/4" reloadable hose
- 1 - Portable radio, 4-channel, 5-watt, with crystals
- 1 - Portable 500-watt quartz flood light

Mr. Stuart indicated that the cost to purchase this equipment has been budgeted under Capital Outlay in the 1985-86 Fire Department Budget. If authorized, bids would be opened at 10:00 a.m., Friday, May 9, 1986, and would be brought to the Council for review at the May 12, 1986 Council meeting.

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to authorize the Brookings Fire Department to call for bids on the listed equipment, with bid opening date to be May 9, 1986; MOTION carried unanimously.

IX. REPORT ON BIDS

1. Public Works Vehicle

Mr. Stuart indicated that as directed, the City staff called for bids on a Public Works vehicle. The bids were opened on April 4, 1986 at 10:00 a.m. The list of bidders is as follows, with a 10% credit to local bidders. *

Valley Chevrolet	\$5,993
Coos Bay Toyota	\$6,950
Ken Ware Chevrolet	\$6,131
Roe Motors	\$6,068.12
Akin Motor Company	* \$5,647.50 (\$6,275)
Bernie Bishop Volkswagen	* \$5,995 (not min. spec.)
Coast Auto Center	* \$5,678.10 (\$6,309)

Mr. Stuart requested that the City Council authorize the City Manager to proceed with the purchase of the Public Works vehicle from Akin Motors in the amount of \$6,275.00.

Councilman Rogers made a MOTION, seconded by Vice Mayor Batty, to authorize the City Manager to proceed with the purchase of a Public Works vehicle from Akin Motor Company, at a cost of \$6,275; MOTION carried unanimously.

X. ORDINANCES

1. Ordinance No. 400 - Langley Zoning (See Item VII. D. 5.)

Mrs. Van Nest read Ordinance No. 400 into the record. There was a MOTION by Vice Mayor Batty, seconded by Councilman Rogers, to adopt Ordinance No. 400 by first reading.

Mrs. Van Nest read Ordinance No. 400 into the record by title only. Vice Mayor Batty made a MOTION, seconded by Councilman Nidiffer, to adopt Ordinance No. 400 by second reading; MOTION carried unanimously.

XI. RESOLUTIONS

1. Resolution No. 381 - Dedication of Public Right-of-Way (See VII. D. 2.)

Mrs. Van Nest read Resolution No. 381 into the record. There was a MOTION by Councilman Rogers, seconded by Councilman Nidiffer, to adopt Resolution No. 381; MOTION carried unanimously.

XII. UNSCHEDULED PUBLIC APPEARANCES

Mr. Marvin Pope addressed the Mayor and Council and requested that a meeting between he and the City be held, to make a final determination on the drainage problems on Fifth Street. A meeting was scheduled for Friday, April 18, 1986 at 10:00 a.m., with Mr. Pope, Mr. Stuart, Vice Mayor Batty and Engineering Technician Leo Lightle in attendance.

XIII. PAYMENT OF VOUCHERS

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to approve the vouchers in the amount of \$24,155.84; MOTION carried unanimously.

XIV. ADJOURNMENT

Councilman Geraghty made a MOTION, seconded by Councilman Nidiffer, to adjourn the meeting; MOTION carried unanimously.

Mayor Kerr adjourned the meeting at 9:30 p.m.



Gil Batty
Vice Mayor

ATTEST:



Judy Pectol
Recorder/Treasurer

