

MINUTES
BROOKINGS COMMON COUNCIL MEETING
AUGUST 11, 1986
7:00 p.m.

I. CALL TO ORDER

Mayor Kerr called the meeting to order at 7:00 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

Staff Present: City Manager Leo Lightle, Executive Secretary
Donna Van Nest, Recorder/Treasurer Judy Pectol, Planning
Director Richard Ullian, City Attorney John Coutrakon,
Utilities Services Director Cecil Smith

Media Present: Joe Heitz, Curry Coastal Pilot, Marge Barrett,
KURY

IV. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. July 14-15, 1986 Regular Council Meeting

Councilman Nidiffer made a MOTION, seconded by
Councilman Rogers, to approve the minutes of the
July 14-15, 1986 Regular Council Meeting; MOTION
carried unanimously.

2. July 28, 1986 Special Council Meeting

Councilman Nidiffer made a MOTION, seconded by Vice
Mayor Batty, to approve the minutes of the July 28,
1986 Special Council Meeting; MOTION carried
unanimously.

B. Acceptance of Planning Commission Meeting Minutes

1. July 1, 1986 Regular Planning Commission Meeting

Councilman Rogers made a MOTION, seconded by
Councilman Nidiffer, to accept the minutes of the
July 1, 1986 Regular Planning Commission Meeting;
MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Zoning Ordinance Amendment - ZOA-1-86

Planning Director Richard Ullian advised the Council that as directed at the last meeting of the City Council, city staff has prepared an ordinance that would allow an amendment to the zoning ordinance, listing "convenience market" limited to 1,000 square feet of retail space, as a conditional use in the Commercial Tourist Zone. Mr. Ullian advised the Council that at the August 5, 1986 meeting of the Planning Commission, the Planning Commission approved the application for a conditional use permit in the Commercial Tourist zone for Mr. Dave Hodge, who proposed to put in a convenience market on Chetco Avenue in the Commercial Tourist zone. The Planning Commission decision was conditional on the approval of the City Council on the amendment to the zoning ordinance.

Vice Mayor Batty and Councilman Nidiffer declared a conflict of interest and declined to participate in the discussion of this agenda item.

Mayor Kerr opened the public hearing at 7:08 p.m. and asked Mr. Hodge to present his proposal.

Mr. Hodge gave a brief presentation of his proposed convenience market. Mayor Kerr asked for testimony of proponents of the proposal. There being none, Mayor Kerr asked for testimony from opponents of the proposal. There again being none, Mayor Kerr closed the public hearing at 7:10 p.m.

Mr. Ullian advised the Council that the Planning Commission had recommended that the limit of 1,000 square feet of retail space be deleted from the amendment. Mayor Kerr stated that he felt there had to be some restrictions placed on the size of the store or there could potentially be a supermarket in the Commercial Tourist zone. It was the consensus of the Council that the 1,000 square feet was adequate for the retail space, since there could be more square footage for storage, office space, etc.

After a brief discussion, Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to approve the zoning ordinance amendment to list "convenience market, limited to 1,000 square feet of retail space" as a conditional use in the Commercial Tourist zone; MOTION carried with three ayes and two abstentions.

[See Ordinance No. 403 - X. A.]

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

None.

B. Council Announcements

None.

C. Planning Commission Announcements

None.

D. Manager Announcements

1. Stout Park Lease Agreement - Senior Center

Mr. Lightle read a letter from Hazel Weeber, President of the Chetco Senior Center. Mrs. Weeber stated in the letter that Mrs. Virginia Manley has purchased a parcel of property and has donated it for a new senior center location. Therefore, the lease agreement on the Stout Park property is not necessary. Mrs. Weeber thanked the city for all of the assistance during the past year.

2. Enterprise Zone Designation

Mr. Lightle gave a brief presentation as to the proposed boundaries of the Enterprise Zone Designation, which include the corporate limits of the city, the Urban Growth Boundary and an appendage along U.S. Hwy. 101 South of the Urban Growth Boundary, which the Curry County Commission requested be included. Mr. Lightle also explained that the Port of Brookings has asked to be excluded from the Enterprise Zone Designation until the land uses have been inventoried, at which time they can be annexed to the Enterprise Zone.

Mayor Kerr had some concerns about including the portion that is outside the Urban Growth Boundary. After some discussion, it was concluded that the boundary zones can be determined later, and the issue at hand is the agreement between the city and county to apply for the Enterprise Zone Designation. Mr. Lightle pointed out that the Planning Commission had voted to approve of the Enterprise Zone Designation application, excluding the area outside the Urban Growth Boundary.

After a short discussion, Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to approve the joint application of the city and county for an Enterprise Zone Designation; MOTION carried unanimously.

3. Hwy. 101 Industrial Waterline

Mr. Lightle informed the Council that Jarvis Construction has moved into the work area and the bores have been completed across Hwy. 101 as per their schedule. Mr. Lightle advised that the entire construction project is on schedule at this time.

4. Preservation Controversy - Spotted Owl

Mr. Lightle indicated that this agenda item is for information only and is brought to the attention of the Council so that they would be aware of a potential loss of many jobs in the timber industry if ecologists are allowed to preserve approximately 2 billion to 5 billion dollars worth of timber land for the purpose of breeding the spotted owl.

Councilman Rogers stated that there are several meetings scheduled around the state regarding this matter, and the council suggested that a member of the council attend the meeting in Grants Pass on September 22.

5. Habitual Juvenile Lawbreakers

Mr. Lightle explained that the city has received a copy of a Resolution which has been passed by the City of Sandy, Oregon, requesting that the state of Oregon revise the laws governing the punishment of habitual juvenile lawbreakers.

After a brief discussion, Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to direct staff to correspond with the League of Oregon Cities on this matter, and to request that this matter be discussed during the annual convention of the League of Oregon Cities, and also to correspond with other legislative bodies concerning this issue; MOTION carried unanimously.

6. Liquor License Application - SORM, Inc.

Mr. Lightle indicated that SORM, Inc., dba the Cliff House by the Sea, has applied for a liquor license to serve beer and wine at the restaurant. He also indicated that the police department has reviewed the application and has no objections to the granting of the liquor license.

Councilman Rogers made a MOTION seconded by Vice Mayor Batty, to approve the liquor license application for SORM, Inc.; MOTION carried unanimously.

7. Findings Document - Curry Pacific Investors

Mr. Ullian advised that this document confirms the action taken by the Council at the July meeting of of the City Council regarding the Comprehensive Plan amendment.

Vice Mayor Batty made a MOTION, seconded by Councilman Nidiffer, to approve the findings document for File No. CPA-1-86; MOTION carried unanimously.

E. Attorney Announcements

1. Wharf Street Property Vacation - Kernutt

City Attorney John Coutrakon indicated that this matter has come before the City Council in the past, and it is a matter of starting vacation procedures in order to realign Wharf Street as it was intended. Mr. Coutrakon recommended that the City Council make a motion to set a public hearing date for the October meeting of the City Council to consider this matter.

Councilman Rogers made a MOTION, seconded by Vice Mayor Batty, to set a public hearing on this issue for the October City Council meeting; MOTION carried unanimously.

F. Contract Review Board

None.

VIII. CALL FOR BIDS

None.

IX. REPORT ON BIDS

None.

X. ORDINANCES

A. Ordinance No. 404 - Comprehensive Plan Map Amendment

City Attorney John Coutrakon read Ordinance No. 404 into the record. Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 404 by first reading; MOTION carried unanimously.

Mr. Coutrakon read Ordinance No. 404 into the record by title only. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 404 by second reading; MOTION carried unanimously.

B. Ordinance No. 403 - Zoning Ordinance Amendment

City Attorney John Coutrakon read Ordinance No. 403 into the record. Councilman Rogers made a MOTION seconded by Councilman Geraghty, to adopt Ordinance No. 403 by first reading; MOTION carried unanimously.

Mr. Coutrakon read Ordinance No. 403 into the record by title only. Councilman Geraghty made a MOTION, seconded by Councilman Rogers, to adopt Ordinance No. 403 by second reading; MOTION carried unanimously.

C. Ordinance No. 405 - Hewitt Annexation

City Attorney John Coutrakon indicated that he felt that an ordinance on this issue was not necessary and asked that the ordinance be withdrawn. He indicated that he felt that a motion of the Council setting a public hearing on the issue was appropriate.

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to set a public hearing on the Hewitt annexation matter for the September 8, 1986 meeting; MOTION carried unanimously.

XI. RESOLUTIONS

A. Resolution No. 390 - Enterprise Zone

Mrs. Van Nest read Resolution No. 390 into the record. Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to adopt Resolution No. 390; MOTION carried unanimously.

B. Resolution No. 391 - Appropriations Resolution

Mrs. Van Nest read Resolution No. 391 into the record. Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to adopt Resolution No. 391; MOTION carried unanimously.

C. Resolution No. 392 - Designated Depository Banks

Mrs. Van Nest read Resolution No. 392 into the record. Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to adopt Resolution No. 392; MOTION carried unanimously.

XII. UNSCHEDULED PUBLIC APPEARANCES

None.

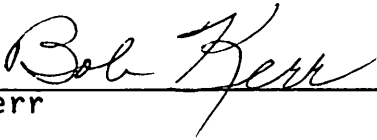
XIII. PAYMENT OF VOUCHERS

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to approve payment of the vouchers in the amount of \$76,031.67; MOTION carried unanimously.

XIV. ADJOURNMENT


There being no further business, Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adjourn the meeting; MOTION carried unanimously.

Mayor Kerr adjourned the meeting at 8:45 p.m.



Bob Kerr
Mayor

ATTEST:



Judy Pector
City Recorder

A C C O U N T S P A Y A B L E
CHECK REGISTER (AP041)

DATE 08-06-86

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BANK	CHECK NO	PAYEE	AMOUNT
01	00003321	A & W RESTAURANT	13.00
01	00003322	AKIN MOTOR COMPANY	37.00
01	00003323	ARMCO CONSTRUCTION PRODUCT	1,251.68
01	00003324	BARLOW, DENNIS	18.39
01	00003325	BECCO INC	158.00
01	00003326	BLUE STAR GAS, NORTHWEST	1,893.92
01	00003327	BROOKINGS COMPUTER CONSULT	794.83
01	00003328	BROOKINGS INN/FLYING GULL	10.00
01	00003329	BROOKINGS OFFICE SUPPLIES	28.75
01	00003330	BROOKINGS SUPPLY	114.42
01	00003331	BROOKINGS VOL FIREFIGHTERS	1,035.00
01	00003332	BROOKINGS-HARBOR CHAMBER	1,726.67
01	00003333	BROWN & CALDWELL	1,654.14
01	00003334	BROWN, GOLDIA	18.39
01	00003335	BURNS, GERALD CPA	125.00
01	00003336	CAL-ORE SANITATION	55.00
01	00003337	CARPETLAND	239.50
01	00003338	CHETCO PUBLIC LIBRARY DIST	4,627.64
01	00003339	CHETCO REXALL DRUGS	68.52
01	00003340	COAST AUTO CENTER	24.80
01	00003341	COAST MEDICAL PRACTICE	35.00
01	00003342	COLVIN OIL COMPANY	476.94
01	00003343	CONANT JANITORIAL	502.50
01	00003344	COOPER, MICHAEL	18.39
01	00003345	COUTRAKON & BABIN ATTYS	2,405.50
01	00003346	CULLEY, RICH	18.39
01	00003347	CURRY COASTAL PILOT	106.34
01	00003348	CURRY EQUIPMENT COMPANY	34.65
01	00003349	D&H CHEVRON SERVICE	434.56
01	00003350	D'ALCORN, ERIC	14.30
01	00003351	DANS AUTO & MARINE ELECTRI	412.96
01	00003352	DANS PERSONAL VIDEO	40.00
01	00003353	DEL-CUR SUPPLY CO-OP	19.80
01	00003354	DEPT OF ENVIRONMENTAL QUAL	425.00
01	00003355	DOMINY, GEORGE	18.39
01	00003356	DOTSON, SAMUEL	18.39
01	00003357	ENGINEERED CONTROL PRODUCT	142.28
01	00003358	EXECUTIVE DEPARTMENT	270.00
01	00003359	FOLEY, PATRICK ATTY	262.50
01	00003360	FOX, CURTIS H	18.39
01	00003361	FRANKS OFFICE EQUIPMENT	865.40
01	00003362	GERALD ROSS INSURANCE	12,192.19
01	00003363	GRANTS PASS WATER LABORATO	45.00
01	00003364	GREENES PET SHOP	7.15
01	00003365	GREYHOUND BUS LINES	29.55
01	00003366	HACH COMPANY	65.99
01	00003367	HANSCAMS CENTER	99.22
01	00003368	HARBOR LOGGING SUPPLY CO	51.75
01	00003369	HGE	19,464.22
01	00003370	HOOK, JEAN	30.50

A C C O U N T S P A Y A B L E
CHECK REGISTER (APO41)

DATE 08-06-86

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BANK CHECK NO	PAYEE	AMOUNT
01 00003371	INDEPENDENT BUSINESS FORMS	224.33
01 00003372	INDUSTRIAL STEEL & SUPPLY	22.42
01 00003373	JOHNSTONE SUPPLY	146.87
01 00003374	KERR HARDWARE	455.38
01 00003375	KERR HARDWARE	59.10
01 00003376	LOCAL GOVERNMENT PERSONNEL	40.00
01 00003377	LYNN, CAMERON G	18.39
01 00003378	MORYS OFFICE SUPPLIES	459.49
01 00003379	MOTOROLA INC	11,634.25
01 00003380	MURRAY, LES	18.39
01 00003381	O'NEALE SUPPLY COMPANY	202.60
01 00003382	OREGON PEACE OFFICERS ASSO	20.00
01 00003383	OWENS, KENT	18.39
01 00003384	PACIFIC WATER WORKS SUPPLY	5,175.48
01 00003385	PARAMOUNT PEST CONTROL	17.00
01 00003386	POOL & PATIO	16.13
01 00003387	QUILL CORPORATION	286.52
01 00003388	R & R UNIFORMS OF OREGON	33.00
01 00003389	RAY'S SENTRY MARKET	211.98
01 00003390	RED JORDAN FOODS INC	175.74
01 00003391	SHEFFEL, WAYNE	18.39
01 00003392	SLATER COMMUNICATIONS	151.87
01 00003393	SMITH, CECIL SR	18.39
01 00003394	SMITH, KEITH	350.00
01 00003395	SQUARE DEAL BUILDERS SUPPL	20.74
01 00003396	STAMPER'S J & J TIRE	136.10
01 00003397	TEDS SALES & SERVICE	115.40
01 00003398	THE WORLD	220.51
01 00003399	U S NATIONAL BANK - VISA	43.20
01 00003400	UMPQUA RESEARCH CO	145.00
01 00003401	UNITED PIPE & SUPPLY CO	242.53
01 00003402	US CHAMBER OF COMMERCE	19.50
01 00003403	WA-40	47.00
01 00003404	WALKER, RONNEL	18.39
01 00003405	WILSON DISTRIBUTING CO.	1,213.29
01 00003406	XEROX CORPORATION	1,616.00
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TOTAL CHECKS		76,031.67