

MINUTES
BROOKINGS COMMON COUNCIL MEETING
SEPTEMBER 8, 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, Councilmen Ray Nidiffer, John Geraghty (Vice Mayor Batty arrived at 7:20 p.m.)

Council Absent: Vice Mayor Gil Batty, Councilman Bob Rogers

Planning Commission Present: Chairman Leo Appel II

Staff Present: City Manager Leo Lightle, City Attorney John Coutrakon, Executive Secretary Donna Van Nest, Bookkeeper Beverly Shields, Utilities Services Director Cecil Smith, Planning Director Richard Ullian

Media Present: Marge Barrett, KURY

IV. CEREMONIES/APPOINTMENTS

None.

V. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. August 11, 1986 Regular Council Meeting

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to approve the minutes of the August 11, 1986 Council Meeting; MOTION carried unanimously.

B. Acceptance of Planning Commission Meeting Minutes

1. August 5, 1986 Regular Planning Commission Meeting

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to accept the minutes of the August 5, 1986 Planning Commission Meeting; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Hewitt Annexation - E. Harris Hgts. Rd.

Mayor Kerr moved this public hearing to the latter part of of the agenda, anticipating the arrival of Vice Mayor Batty.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

1. Proclamation - "Constitution Week"

Mayor Kerr proclaimed the week of September 17 through 23 as "Constitution Week".

2. Mayor Kerr announced that the city is going to start enforcing more strongly the ordinances pertaining to lot cleaning, abandoned vehicles and animals running at large.

B. Council Announcements

None.

C. Planning Commission Announcements

None.

D. Manager Announcements

1. Harris Beach P.U.D. - Acceptance of Maintenance

City Manager Leo Lightle indicated that the Council had granted acceptance of the off-site improvements at the Harris Beach P.U.D. last year, with several stipulations attached to the acceptance. The stipulations included that the developer would be responsible for all defects in workmanship and materials. Mr. Lightle advised the Council that all of the stipulations had been met by the developer and any problems that had developed during the last year had been promptly corrected by the developer. Mr. Lightle requested that the Council approve the final acceptance of the off-site improvements.

Councilman Geraghty made a MOTION, seconded by Councilman Nidiffer, to approve the final acceptance of the Harris Beach P.U.D. off-site improvements; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

D. Manager Announcements

21. Liquor License Request - Christmas Tree Restaurant

Mr. Lightle explained that this request is for a transfer of ownership from Omer Bourassa to Lawrence and Anne O'Neill. Mr. Lightle indicated that the police department has reviewed the application and has no objections to the granting of the liquor license.

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to approve the liquor license application for the Christmas Tree Restaurant; MOTION carried unanimously.

3. Enterprise Zone Designation Application

Mr. Lightle requested that Planning Director Richard Ullian present this agenda item.

Mr. Ullian advised the Council that the deadline for applying for the 1987 Enterprise Zone Designation is September 8, and that the City has been notified that the application was received by the Economic Development department prior to that deadline date. Mr. Ullian advised the Council that the application would be reviewed by the Economic Development Department within 60 days of the deadline of September 8.

4. Angler Access Project

Mr. Lightle advised the council that the grading and paving portion of the angler access project has been completed as designed, and that Lincoln Pearson of the Oregon Dept. of Fish and Wildlife will be arriving on September 11 to do the final inspection. Mr. Lightle indicated that the cost of the grading and paving was significantly lower than the engineer's estimate and staff is suggesting the addition of parking space striping and park benches at the project site, as phase 2 of the angler access project.

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to authorize staff to call for bids on Phase II of the angler access project; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

(Vice Mayor Batty arrived at 7:20 p.m.)

E. Attorney Announcements

1. Sludge Truck Purchase

City Attorney John Coutrakon indicated that it is his understanding that the city is in need of purchasing a sludge truck for the wastewater treatment plant, and due to the urgency of this matter and the fact that funds will only allow for the purchase of a used truck, he felt that the purchase could be made by a MOTION of the council authorizing the city manager to purchase a vehicle.

Mr. Lightle explained that the private individual who has been hauling sludge for the city has sold his truck and will no longer be hauling sludge. Mr. Lightle indicated that the city staff has reviewed the options and are suggesting that the city purchase a used truck with a tank capacity of approx. 3500 gallons. Mr. Lightle indicated that this matter has surfaced since the budget process and this item is not in the 1986-87 budget. Mr. Lightle indicated that he has spoken with Gerald Burns, city auditor, and Mr. Burns has indicated that the funds for the purchase of the sludge truck should come from the Contingency Fund in the Wastewater Treatment Budget. The amount of funds available is \$15,000.

Mr. Coutrakon suggested that the Council make a MOTION to authorize the city manager to purchase the sludge truck from funds from the wastewater treatment contingency fund, as authorized by the Oregon Administrative Rules.

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to authorize the city manager to obtain three competitive bids for the purpose of purchasing a used truck for hauling sludge, in an amount not exceeding \$15,000; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Hewitt Annexation - East Harris Hgts. Rd.

Mayor Kerr announced that this agenda item is a public hearing, and he opened the public hearing at 7:25 p.m. and turned the floor to Planning Director Richard Ullian for the staff report.

Mr. Ullian advised the Council that this proposed annexation area is located to the North of the Harris Beach Planned Unit Development, on the East side of U.S. Hwy. 101, Tax Lot 1200.

Mr. Ullian indicated that the proposal had been submitted to the Planning Commission at their July 1, 1986 meeting, and the Planning Commission had recommended that the City Council hold a public hearing on this matter, and also consider the Planning Commission preliminary findings regarding this proposal.

Mr. Ullian stated that it is the opinion of staff that this annexation petition represents a logical and appropriate extension of the corporate limits of the city, that the extension of urban services and facilities can economically and efficiently be provided to serve the area for urban density of development, and that the proposal is in conformance with the city Comprehensive Plan and policies dealing with urbanization and the Urban Growth Boundary.

Mr. Ullian indicated that staff recommends that the City Council adopt by reference the preliminary findings endorsed by the Planning Commission and enact Ordinance No. 405, annexing the subject property and withdrawing the property from the Dawson Rural Fire Protection District.

Mr. Ullian read a letter into the record from Mr. Larry Anderson of Harris Beach Properties, which letter contested the annexation. Mr. Ullian explained that he had just been handed this letter and was unsure of the reason for the contestment. He requested City Attorney John Coutrakon interpret the letter.

Mr. Coutrakon suggested that the city had an agreement with Anderson and Hewitt which resolved this matter. Mr. Hewitt concurred that there was such an agreement. Mayor Kerr questioned the fact that this matter has just surfaced, when it should have been considered during the Planning Commission review process.

Mr. Coutrakon stated that it was his opinion that the burden of proof for the contestment would be on Mr. Anderson, and unless there was a strong reason to believe that the property description presented by Mr. Hewitt was inaccurate, he saw no reason that the Council should not take action on the proposed annexation at this time.

Mayor Kerr asked for proponents of the proposed annexation to speak at this time. There being none, Mayor Kerr asked for opponents to speak. There still being no response, Mayor Kerr closed the public hearing at 7:39 p.m., and requested Council consideration of the proposal.

Vice Mayor Batty made a MOTION, seconded by Councilman Nidiffer, to adopt by reference the preliminary findings endorsed by the Planning Commission; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

F. Contract Review Board

None.

VIII. CALL FOR BIDS

None.

IX. REPORT ON BIDS

None.

X. ORDINANCES

A. Ordinance No. 405 - Hewitt Annexation

Mrs. Van Nest read Ordinance No. 405 into the record. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 405 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 405 into the record by title only. Councilman Geraghty made a MOTION, seconded by Councilman Nidiffer, to adopt Ordinance No. 405 by second reading; MOTION carried unanimously.

XI. RESOLUTIONS

None.

XII. UNSCHEDULED PUBLIC APPEARANCES

1. Mr. Ed Hewitt requested dual stop signs on Glenwood Drive and East Harris Heights Road. Mr. Hewitt was advised that city staff is reviewing the request at this time.
2. Mary Looker, representing the V.F.W., invited the Council to attend a birthday party on September 21 at the V.F.W. Hall, commemorating the 199th birthday of the United States Constitution.
3. Mayor Kerr invited all of the Council to attend the breakfast welcoming the teachers back to school, to be held on September 17, at 7:00 a.m. at the high school cafeteria.
4. Mayor Kerr announced that a hearing is scheduled to be held on September 17, from 6:00 p.m. to 9:00 p.m. in the City Council Chambers, regarding the possibility of the planting of sea otters off our coast, which could affect our crab industry. Mayor Kerr urged all interested citizens to attend that hearing.

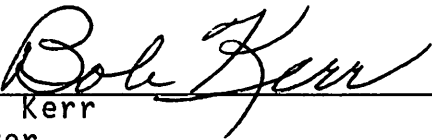
XIII. PAYMENT OF VOUCHERS

Councilman Nidiffer made a MOTION, seconded by Vice Mayor Batty, to approve the vouchers in the amount of \$44,259.82; MOTION carried unanimously.

XIV. ADJOURNMENT

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

Mayor Kerr adjourned the meeting at 7:50 p.m.



Bob Kerr
Mayor

ATTEST:



Judy Pectol
City Recorder

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

DATE 09-04-86

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BANK CHECK NO	PAYEE	AMOUNT
01 00003539	1ST IMPRESSIONS	97.00
01 00003540	AKIN MOTOR COMPANY	268.90
01 00003541	AMERICAN SCIENTIFIC PRODUC	265.09
01 00003542	BARLOW, DENNIS	18.39
01 00003543	BECCO INC	134.10
01 00003544	BLUE STAR GAS, NORTHWEST	1,817.58
01 00003545	BRANOM INSTRUMENT COMPANY	271.34
01 00003546	BROOKINGS COMPUTER CONSULT	112.15
01 00003547	BROOKINGS INN/FLYING GULL	20.55
01 00003548	BROOKINGS OFFICE SUPPLIES	58.85
01 00003549	BROOKINGS SUPPLY	106.91
01 00003550	BROOKINGS VOL FIREFIGHTERS	1,035.00
01 00003551	BROOKINGS-HARBOR CHAMBER	1,666.67
01 00003552	BROWN, GOLDIA	18.39
01 00003553	BUDGE-MCHUGH SUPPLY COMPAN	67.32
01 00003554	BURNS, GERALD CPA	6,606.00
01 00003555	BURROUGHS CORPORATION	306.00
01 00003556	CAL-ORE SANITATION	55.00
01 00003557	CAMPBELLS FLOORCOVERINGS	87.50
01 00003558	CHETCO PUBLIC LIBRARY DIST	3,681.33
01 00003559	CHETCO REXALL DRUGS	142.69
01 00003560	COAST MEDICAL PRACTICE	71.00
01 00003561	COLVIN OIL COMPANY	68.80
01 00003562	CONANT JANITORIAL	530.00
01 00003563	COOPER, MICHAEL	18.39
01 00003564	COOS-CURRY COUNCIL OF GOV	1,170.00
01 00003565	COUTRAKON & BABIN ATTYS	1,446.61
01 00003566	CULLEY, RICH	18.39
01 00003567	CURRY COASTAL PILOT	30.96
01 00003568	CURRY EQUIPMENT COMPANY	35.75
01 00003569	D&H CHEVRON SERVICE	52.15
01 00003570	DANS AUTO & MARINE ELECTRI	128.05
01 00003571	DANS AUTO & MARINE ELECTRI	55.48
01 00003572	DEL-CUR SUPPLY CO-OP	15.00
01 00003573	DOMINY, GEORGE	18.39
01 00003574	DOTSON, SAMUEL	18.39
01 00003575	ENGINEERED CONTROL PRODUCT	82.24
01 00003576	EXECUTIVE DEPARTMENT	270.00
01 00003577	FIRE CHIEF MAGAZINE	18.00
01 00003578	FOX, CURTIS H	18.39
01 00003579	FREEMAN ROCK ENTERPRISE	1,081.94
01 00003580	GOV. FINANCE OFFICERS ASSO	40.00
01 00003581	GRANTS PASS WATER LABORATO	63.00
01 00003582	GREYHOUND BUS LINES	43.60
01 00003583	GRIFFITH WELDING & MACHINE	14.00
01 00003584	HOOK, JEAN	18.39
01 00003585	INDUSTRIAL ELECTRIC CO	15.25
01 00003586	JOHNSTONE SUPPLY	44.27
01 00003587	KERR HARDWARE	209.98
01 00003588	KERR HARDWARE	111.81