

MINUTES
BROOKINGS COMMON COUNCIL MEETING

NOVEMBER 17, 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, Planning Director Richard Ullian, Recorder/Treasurer Judy Pectol, Bookkeeper Beverly Shields, City Attorney John Babin, Chief of Police Sam Dotson

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

IV. CEREMONIES/APPOINTMENTS

A. Chetco Neighborhood Girl Scouts Presentation

On behalf of the 80 girls involved in the Girl Scout program in this area, Mayor Kerr was presented with a 1987 Girl Scout calendar.

V. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. October 13, 1986 Regular Council Meeting Minutes

Councilman Geraghty made a MOTION, seconded by Councilman Nidiffer, to approve the minutes of the October 13, 1986 Regular Council Meeting; MOTION carried unanimously.

2. November 10, 1986 Regular Council Meeting Minutes

Vice Mayor Batty made a MOTION; seconded by Councilman Rogers, to approve the minutes of the November 10, 1986 Regular Council Meeting; MOTION carried unanimously.

B. Acceptance of Planning Commission Meeting Minutes

1. October 7, 1986 Regular Planning Commission Meeting

Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to accept the minutes of the October 7, 1986 Regular Planning Commission Meeting; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Wharf Street Vacation

Mayor Kerr announced that the public hearing was open at 7:05 p.m. and asked Planning Director Ullian for a staff report.

Mr. Ullian indicated that at the Council Meeting of September 8, 1986, the city attorney advised the council that proceedings should be reinitiated on the Council's own MOTION, on the vacation of a portion of Wharf Street and rededication of that portion on which the Wharf Street alignment physically occupies.

Mr. Ullian advised the Council that all proper notification has been published and posted as required by statutes, and recommended that the Council adopt an ordinance authorizing the vacation.

Mayor Kerr requested testimony from the public. There being none, Mayor Kerr closed the hearing at 7:12 p.m.

Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to authorize the vacation of a portion of Wharf Street and the rededication of that portion; MOTION carried unanimously.

B. Senior Center Appeal - Conditional Use Permit

Mr. Ullian indicated that the Conditional Use Permit approved by the Planning Commission to allow the development of a senior neighborhood center on 1.07 acres of property North of Chetco Avenue in the R-HD zoning district, was appealed at the city council meeting of October 13, 1986.

Mr. Ullian stated that the stated reasons for the appeal, filed by Ann Ramp, 1012 Chetco Avenue, were for "...further consideration to solve the obvious traffic egress problems with danger to the health and safety of the senior citizens visiting the center as well as the residents on this short dead-end road."

Mr. Ullian recommended to the Council that the decision of the Planning Commission in the granting of approval of the Conditional Use Permit to the Chetco Senior Center, Inc. be affirmed, and the appeal be denied.

Mayor Kerr announced that the hearing would be conducted under the quasi-judicial process according to Resolution No. 213, and Mayor Kerr appointed City Attorney John Babin as hearings officer.

Mr. Babin outlined the procedures for a quasi-judicial hearing. Mr. Babin stated that the burden of proof in this case rests with the appellant.

Mr. Babin asked the Council if any member of the Council wished to declare a conflict of interest. There being no response, Mr. Babin asked the audience if anyone had reason to object to any of the Council members serving as the hearing body. There being no response, Mr. Babin opened the hearing at 7:22 p.m. and requested that the appellant present her case before the hearing body.

Ms. Ann Ramp, 1012 Chetco Avenue, requested that the City Council reverse the approval of the Conditional Use Permit, which was approved by the Planning Commission, for the proposed Chetco Senior Center. Ms. Ramp gave her reasons as being those of safety to the seniors. Ms. Ramp indicated that she felt that the traffic on Chetco Avenue and on the small ingress and egress road to the proposed center would be unsafe not only for the patrons of the center but to the residents of the area. She also stated that there was no emergency ingress and egress to the property, which could be a safety hazard in case of emergency. She pointed out that the road is a small, unnamed dead-end road. Ms. Ramp also pointed out that there would be an expected 50 to 60 cars utilizing the roadway at the same time during peak times, and traffic congestion would be a safety problem.

Mr. Babin asked for any other testimony in favor of the appellant's position of denying the Conditional Use Permit. There being no response, Mr. Babin closed the appellant's portion of the hearing, subject to rebuttal.

Mr. Babin asked for opponents of the appeal to testify.

Mr. Bill Raver, representing the Chetco Senior Center, testified in opposition to the appeal, stating that the Chetco Senior Center members are seeking another means of emergency ingress and egress to the subject property, but that the solutions are tentative at this time. Mr. Raver stated that the seniors have "lived" on Chetco Avenue in downtown Brookings for nine years and that they are not afraid to continue "living" on Chetco Avenue.

Mr. Bob Krebs, 15898 Sunset Strip, testified in opposition to the appeal.

Mr. Ralph Renn, 910 Easy Street, requested that the speed limit on Chetco Avenue between Pacific and Easy Street, be lowered.

Mr. Babin asked if there was any further testimony in opposition to the appeal of the Conditional Use Permit. There was no response.

Mr. Babin asked if there were any other persons who received notice of the hearing who would like to give testimony.

Mr. Eldon Gossett, 98 Tanbark Road, stated that he was asked to testify at the hearing on behalf of the Brookings Merchants Association, but only as it deals with the traffic problem on Chetco Avenue. Mr. Gossett outlined for the Council the problems and solutions that the Brookings Merchants Association have recommended. A copy of the outline of the problems and solutions is attached to these minutes.

Mr. Babin asked if there were any other persons who received notice who would like to testify. There being no response, Mr. Babin asked for testimony from persons not receiving notice. There again being no response, Mr. Babin closed the opponents portion of the hearing and asked for rebuttal from the appellants.

Ms. Ramp requested that the City Council consider the denial of the Conditional Use Permit until such time as emergency ingress and egress is secured.

Mr. Babin asked if there was any question as to the jurisdiction of this panel to hear this appeal. Hearing no objection and hearing no further requests to give testimony, Mr. Babin closed the hearing at 8:16 p.m. and turned the meeting back to Mayor Kerr to conduct the deliberations of the panel.

Vice Mayor Batty asked the senior citizens if there was any interest in the old McKay's Market building. The senior citizens indicated that they had no interest in the McKay's building, due to the fact that their building plans are almost final, and they wish to independently build their own senior center on their own property. Mr. Raver indicated that the Chetco Senior Center board would meet with the council regarding this matter, but that they have already agreed that they do not want to apply for any grants. They wish to be independent.

Mayor Kerr and the council agreed that they were not trying to push the seniors in any direction. They were only looking at all of the possibilities and what was best for the senior population of the area.

After a brief discussion, Councilman Nidiffer made a MOTION, seconded by Geraghty, to deny the appeal on the senior center Conditional Use Permit; MOTION carried unanimously.

C. BROOKHAVEN PLANNED DEVELOPMENT (PD-1-86)

Mr. Ullian explained to the Council that this matter pertains to a request to establish a Planned Development (PD) zoning designation to allow a 42-unit planned development upon a 9.53 acre parcel of property generally located on the North side of Ransom Avenue easterly extension within the Residential Medium Density (R-MD) zone. M & F Building Company (Mike Cremarosa) is the applicant. Mr. Ullian indicated that the preliminary plan for this development was approved by the Planning Commission on October 7, 1986.

Mr. Ullian requested that the City Council accept the recommendation of the Planning Commission by approving the Planned Development (PD) zone for the subject property, subject to the conditions imposed by the Planning Commission.

Mayor Kerr announced that this hearing would be conducted under the quasi-judicial process according to Resolution No. 213, and Mayor Kerr appointed City Attorney John Babin as hearings officer. Mr. Babin opened the hearing at 8:55 p.m.

Mr. Babin asked the Council if any member wished to declare a conflict of interest. There being no response, Mr. Babin asked if there were any objections to the jurisdiction of the city council in this matter. There being no response, Mr. Babin asked the proponents to state their case.

Darryl Niemi, representing M & F Building Company, outlined for the Council the proposed 42-unit development.

Mr. Babin asked for any further testimony from the proponents of the project. There being none, Mr. Babin asked for testimony from opponents of the project. There being none, Mr. Babin closed the hearing at 9:05 p.m. and turned the meeting back to the Council for consideration.

After a brief discussion, Councilman Nidiffer made a MOTION, seconded by Vice Mayor Batty, to approve the Planned Development zone for the Brookhaven Planned Development; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

1. Local Officials Advisory Commission

Mayor Kerr announced that he has been appointed to a one-year term on the Local Officials Advisory Council to the Land Conservation and Development Commission.

2. Aeronautics Division

Mayor Kerr announced that the Aeronautics Division is conducting hearings regarding aviation funding and he did have a copy of the hearings schedule forwarded to the local flying club.

3. City Manager Recruitment Update

Mayor Kerr announced that interviews will be conducted December 1 through December 3, and there are 10 candidates to be interviewed.

4. South Coast Lumber Company

Mayor Kerr read a letter from Ron Fallert, President of South Coast Lumber Company, as follows:

"South Coast Lumber Company is offering to donate enough acreage to construct an 18-hole golf course to the city of Brookings. The site would be located on Jack's Creek, approximately three miles up the South Bank of the Chetco River.

It is our belief that the only way this area is going to have a golf course is to have it publicly owned and sponsored. Other private offers made to us for this property made by developers lacked the feature of public usage.

This area is one of the few natural settings for a golf course and it is our hope that this donation will provide the impetus needed for construction of this much needed facility which will be of great economic benefit to the area."

Mayor Kerr thanked South Coast Lumber Company for their gracious offer, and pointed out that before the city can accept the offer he will be appointing a five-member committee to initiate a plan for the development of a golf course. After the committee has finished their review, a public meeting will be held to determine if the city can accept the most generous offer from South Coast Lumber Company.

B. Council Announcements

Councilman Rogers announced that he attended a Coos-Curry Council of Governments meeting in Bandon on Thursday, November 13, 1986.

Councilman Rogers announced that he and Vice Mayor Batty are meeting with the owners of the McKay's Market building to discuss the possibility of a community center at that site. Vice Mayor Batty requested Council support in this endeavor. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to authorize Vice Mayor Batty and Councilman Rogers to pursue a community center; MOTION carried unanimously.

C. Planning Commission Announcements

None.

D. Manager Announcements

1. Facilities Plan Schedule

City Manager Leo Lightle outlined for the Council the tentative schedule for public meetings regarding the facilities plan for the wastewater treatment plant, with the first meeting scheduled for December 3.

E. Attorney Announcements

None.

F. Contract Review Board

None.

VIII. CALL FOR BIDS

A. Police Department Patrol Car

Mr. Lightle explained to the Council that as in past years, the police department is requesting authority to replace a patrol car that is two years old, which keeps the rotation system intact. Mr. Lightle indicated that this is a budgeted item in the 1986-87 budget, and that if authorization is given, bids would be opened on December 5, 1986 at 10:00 a.m.

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to authorize staff to call for bids on a 1987 patrol car; MOTION carried unanimously.

IX. REPORT ON BIDS

None.

X. ORDINANCES

A. Ordinance No. 406 - Nuisance Abatement

Mrs. Van Nest read Ordinance No. 406 into the record. Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to adopt Ordinance No. 406 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 406 into the record by title only. Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 406 by second reading; MOTION carried unanimously.

B. Ordinance No. 407 - Monthly Meeting Date Change

Mrs. Van Nest read Ordinance No. 407 into the record. Councilman Geraghty made a MOTION, seconded by Councilman Nidiffer, to adopt Ordinance No. 407 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 407 into the record by title only. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 407 by title only; MOTION carried unanimously.

C. Ordinance No. 408 - Adoption of Criminal Code

Mrs. Van Nest read Ordinance No. 408 into the record. Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to adopt Ordinance No. 408 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 408 into the record by title only. Councilman Geraghty made a MOTION, seconded by Councilman Nidiffer, to adopt Ordinance No. 408 by second reading; MOTION carried unanimously.

D. Ordinance No. 409 - Wharf Street Vacation

Mrs. Van Nest read Ordinance No. 409 into the record. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 409 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 409 into the record by title only. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 409 by second reading; MOTION carried unanimously.

E. Ordinance No. 410 - Brookhaven Planned Development

Mrs. Van Nest read Ordinance No. 410 into the record. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 410 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 410 into the record by title only. Councilman Nidiffer made a MOTION, seconded by Councilman Geraghty, to adopt Ordinance No. 410 by second reading; MOTION carried unanimously.

XI. RESOLUTIONS

A. Resolution No. 395 - Spotted Owl Opposition

Mrs. Van Nest read Resolution No. 395 into the record. Councilman Rogers made a MOTION, seconded by Vice Mayor Batty, to adopt Resolution No. 395; MOTION carried unanimously.

B. Resolution No. 396 - Abstract of Votes

Mrs. Van Nest read Resolution No. 396 into the record. Councilman Geraghty made a MOTION, seconded by Councilman Nidiffer, to adopt Resolution No. 396; MOTION carried unanimously.

XII. UNSCHEDULED PUBLIC APPEARANCES

Mr. Ralph Renn requested that the Council contact the State to request a reduction in the speed limit from Pacific to Easy Street.

XIII. PAYMENT OF VOUCHERS

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to pay the vouchers in the amount of \$45,439.35; MOTION carried unanimously.


XIV. ADJOURNMENT

Mayor Kerr adjourned the meeting at 10:12 p.m.



Mayor Bob Kerr

ATTEST:



City Recorder Judy Pectol

0-1

Brookings Merchants Association Meeting
November 13, 1986

Subject: Highway 101 Traffic

Problems Identified:

1. Entry/Exit to Senior Center
2. Can't see around big vehicles
3. Speed limit and enforcement
4. Can't safely turn into driveways without parking
5. Turn radius of trucks and cars

Solutions Recommended:

1. 25 mph speed limit, the whole town slowed to same speed, state installed traffic lights
2. Need stop light on North end (Arnold to Sentry) to regulate speed and traffic. Start slowing down traffic coming
3. Slow traffic down: start at Harris Beach 35 mph
4. Enforce Speed
5. Flashing yellow light at Easy and Chetco; at US Bank and Theatre
6. Extend yellow no parking curbs, identify the green
7. Designate right hand turn lane coming North on Chetco onto Oak Street
8. City should start buying land in city
9. Eliminate left hand turns at Willow, Fern, Alden, Wharf (except at lights)
10. Support City's plans to extend 5th Street to Chetco Ave. with addition of Fire Department stop light at intersection
11. Signs at each end of town stating that speed limits will be enforced.
(Protect our youth and their grandparents).


L27 MERCHANT

MINUTES
BROOKINGS COMMON COUNCIL MEETING

November 10, 1986
7:00 p.m.

I. CALL TO ORDER

Due to a lack of quorum of City Council members, the regular meeting of November 10, 1986 was reset to November 17, 1986 to conduct the normally scheduled business of the council.



Bob Kerr
Mayor

ATTEST:



Judy Pectol
City Recorder

A C C O U N T S P A Y A B L E
C H E C K R E G I S T E R (A P O 4 1)

DATE 11-11-86

PAGE 1

BANK CHECK NO	PAYEE	AMOUNT
01 00003875	1ST IMPRESSIONS	36.00
01 00003876	A & W RESTAURANT	115.60
01 00003877	AKIN MOTOR COMPANY	324.60
01 00003878	AMERICAN SCIENTIFIC PRODUC	172.80
01 00003879	BARLOW, DENNIS	18.39
01 00003880	BECCO INC	1,366.30
01 00003881	BLUE STAR GAS, NORTHWEST	86.66
01 00003882	BROOKINGS COMPUTER CONSULT	126.00
01 00003883	BROOKINGS INN/FLYING GULL	5.10
01 00003884	BROOKINGS OFFICE SUPPLIES	43.48
01 00003885	BROOKINGS SUPPLY	570.97
01 00003886	BROOKINGS VOL FIREFIGHTERS	1,035.00
01 00003887	BROOKINGS-HARBOR CHAMBER	1,666.67
01 00003888	BROWN & CALDWELL	3,956.11
01 00003889	BROWN, GOLDIA	36.78
01 00003890	BURNS, GERALD CPA	210.60
01 00003891	CHETCO REXALL DRUGS	46.91
01 00003892	COAST TO COAST	38.70
01 00003893	COLVIN OIL COMPANY	824.60
01 00003894	CONANT JANITORIAL	475.00
01 00003895	COOPER, MICHAEL	36.78
01 00003896	COOS-CURRY COUNCIL OF GOV	19.00
01 00003897	COUTRAKON & BABIN ATTYS	2,186.37
01 00003898	CULLEY, RICH	36.78
01 00003899	CURRY COASTAL PILOT	119.97
01 00003900	CURRY EQUIPMENT COMPANY	400.00
01 00003901	CURRY TRANSFER & RECYCLING	55.00
01 00003902	D&H CHEVRON SERVICE	157.28
01 00003903	DANS AUTO & MARINE ELECTRI	116.41
01 00003904	DEL-CUR SUPPLY CO-OP	12.90
01 00003905	DOMINY, GEORGE	36.78
01 00003906	DOTSON, SAMUEL	36.78
01 00003907	DOYLE ELECTRIC	518.28
01 00003908	EXECUTIVE DEPARTMENT	270.00
01 00003909	FISHER SCIENTIFIC	525.00
01 00003910	FOX, CURTIS H	36.78
01 00003911	FRANKS OFFICE EQUIPMENT	41.50
01 00003912	FREEMAN ROCK ENTERPRISE	476.20
01 00003913	GENERAL TELEPHONE	1,450.00
01 00003914	GRANTS PASS WATER LABORATO	54.00
01 00003915	GREAVES COMPANY	507.00
01 00003916	GREYHOUND BUS LINES	42.50
01 00003917	GRIFFITH WELDING & MACHINE	12.00
01 00003918	HACH COMPANY	80.78
01 00003919	HANSCAMS CENTER	45.25
01 00003920	HARBOR LOGGING SUPPLY CO	7.95
01 00003921	HGE	17,541.75
01 00003922	HOOK, JEAN	36.78
01 00003923	INDEPENDENT BUSINESS FORMS	583.76
01 00003924	KERR HARDWARE	119.69

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

DATE 11-11-86

PAGE 2

BANK	CHECK NO	PAYEE	AMOUNT
01	00003925	LYNN, CAMERON G	36.78
01	00003926	MORYS OFFICE SUPPLIES	147.74
01	00003927	MURRAY, LES	36.78
01	00003928	O'NEALE SUPPLY COMPANY	67.60
01	00003929	OREGON COAST MAGAZINE	19.90
01	00003930	OREGON FIRE CHIEFS ASSOCIA	35.00
01	00003931	OWENS, KENT	36.78
01	00003932	PACIFIC WATER WORKS SUPPLY	1,220.90
01	00003933	PARAMOUNT PEST CONTROL	17.00
01	00003934	QUILL CORPORATION	89.60
01	00003935	R & R UNIFORMS OF OREGON	47.00
01	00003936	RAY'S SENTRY MARKET	75.92
01	00003937	RED JORDAN FOODS INC	158.80
01	00003938	SHASTA PAINT & SUPPLY	641.00
01	00003939	SHEFFEL, WAYNE	36.78
01	00003940	SLATER COMMUNICATIONS	79.40
01	00003941	SMITH, CECIL SR	18.39
01	00003942	SQUARE DEAL BUILDERS SUPPL	60.64
01	00003943	STAMPER'S J & J TIRE	55.77
01	00003944	STARLINE EQUIPMENT COMPANY	114.37
01	00003945	STATE OF ORE/DEPT OF FORES	17.96
01	00003946	STAUFFER CHEMICAL COMPANY	3,071.82
01	00003947	TEDS SALES & SERVICE	35.84
01	00003948	TIDEWATER CONTRACTORS	233.79
01	00003949	TWO GUYS CARPET CARE	145.00
01	00003950	U S NATIONAL BANK - VISA	390.61
01	00003951	W.W. GRAINGER INC	79.14
01	00003952	WALKER, RONNEL	36.78
01	00003953	WILSON DISTRIBUTING CO.	1,150.12
01	00003954	XEROX CORPORATION	562.60
			=====
TOTAL CHECKS			45,439.35

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

DATE 09-04-86

PAGE 2

BANK CHECK NO	PAYEE	AMOUNT
01 00003589	L N CURTIS & SONS	166.60
01 00003590	LYNN, CAMERON G	18.39
01 00003591	MORYS OFFICE SUPPLIES	320.07
01 00003592	MURRAY, LES	18.39
01 00003593	O'NEALE SUPPLY COMPANY	296.00
01 00003594	OWENS, KENT	18.39
01 00003595	PACIFIC WATER WORKS SUPPLY	2,423.22
01 00003596	PARAMOUNT PEST CONTROL	17.00
01 00003597	PENNWALT CORPORATION	425.00
01 00003598	QUILL CORPORATION	225.59
01 00003599	RAY'S SENTRY MARKET	79.92
01 00003600	SHEFFEL, WAYNE	18.39
01 00003601	SKYLINE CABLE	200.00
01 00003602	SLATER COMMUNICATIONS	51.23
01 00003603	SMITH, CECIL SR	18.39
01 00003604	SQUARE DEAL BUILDERS SUPPL	21.07
01 00003605	STAMPER'S J & J TIRE	30.95
01 00003606	TIDEWATER CONTRACTORS	15,498.00
01 00003607	U S NATIONAL BANK - VISA	188.16
01 00003608	UMPQUA RESEARCH CO	215.00
01 00003609	US DEPT OF THE INTERIOR	8.75
01 00003610	V W EIMICKE ASSOCIATES INC	55.07
01 00003611	WALKER, RONNEL	18.39
01 00003612	WILLIAMETTE VALLEY CO	300.00
01 00003613	WILSON DISTRIBUTING CO.	1,082.86
		=====
TOTAL CHECKS		44,259.82