

MINUTES
BROOKINGS COMMON COUNCIL MEETING
DECEMBER 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, Vice Mayor Gil Batty, Councilmen John Geraghty, Bob Rogers

Council Absent: Councilman Ray Nidiffer

Staff Present: Executive Secretary Donna Van Nest, City Attorney John Coutrakon, Recorder/Treasurer Judy Pectol, Planning Director Richard Ullian, Bookkeeper Beverly Shields, Utilities Services Director Cecil Smith, Chief of Police Sam Dotson

Planning Commission Present: Chairman Leo Appel II

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

IV. CEREMONIES/APPOINTMENTS

None.

V. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. November 17, 1986 Regular Council Meeting

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to approve the minutes of the November 17, 1986 Regular Council Meeting; MOTION carried unanimously.

B. Acceptance of Planning Commission Meeting Minutes

2. November 6, 1986 Regular Planning Commission Meeting

Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to approve the minutes of the November 6, 1986 Regular Planning Commission Meeting; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Appeal of Planning Commission Decision - Marvin Pope

Mayor Kerr announced that this is a public hearing and will be heard under the provisions of Resolution No. 213. Mayor Kerr appointed City Attorney John Coutrakon as hearings officer.

Mayor Kerr asked Planning Director Richard Ullian to present the staff report.

Mr. Ullian explained to the Council that this request for a minor partition was considered at the Planning Commission meeting of November 6, 1986 at which meeting a modified application for approval of the minor partition of a 0.88 acre parcel of property to create two lots, one (Parcel 1) consisting of 15,795 square feet with the residual (Parcel 2) at 22,815 square feet, was presented by the applicant. The property in question is located at the corner of Ransom Ave. and Fifth St. and is owned by Marvin Pope, 714 Fifth St.

Mr. Ullian indicated that the concern of the Commission was that the proposed minor partition would in fact represent a subdivision, by definition of the subdivision Ordinance No. 217, resulting in less than full subdivision improvement standards for the existing unimproved streets serving the resulting lots. This is due to the ability to create five lots on the existing parent parcel without regard to the subdivision improvement requirements and simply by processing a subsequent minor partition application following this calendar year. This was regarded by the Commission as an overt effort on the part of the applicant to avoid the subdivision regulations yet creating the number of lots that is defined as a subdivision without improving the impacted, unimproved streets serving the lots.

Mr. Ullian advised the council that the Planning Commission denied the request for the minor partition on November 6. Mr. Pope appealed the decision to the City Council. Staff recommendation is to uphold the decision of the Planning Commission in the denial of the minor partition application, and deny the appeal request.

Hearings officer Coutrakon explained the quasi-judicial process to the audience and asked if any member of the council wished to declare a conflict of interest. There being no response, Mr. Coutrakon asked if any member of the audience knew of any reason that any member of the council should not sit on the hearing body. Again, there was no response.

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Mr. Coutrakon opened the public hearing at 7:14 p.m. and asked that Mr. Pope present his appeal.

Mr. Marvin Pope, 714 Fifth Street, requested that the city council overturn a decision by the Planning Commission which denied a minor partition on a parcel of property which Mr. Pope owns. Mr. Pope stated that he believed that he was being treated unfairly by the Planning Commission. Mr. Pope stated that he did not wish to subdivide his land, only to divide the land into two parcels. He stated that he had no intention of developing the other parcel of land and had no intention of dividing the property again.

Mr. Coutrakon asked for proponents of the appeal to speak. Mr. Eldon Gossett spoke in favor of Mr. Pope's appeal.

Mr. Coutrakon asked for opponents of the appeal to speak. There being no response, Mr. Coutrakon closed the public hearing at 8:12 p.m. and turned the floor back to the council for deliberation.

After a brief discussion, Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to uphold the decision of the Planning Commission and deny the appeal of Mr. Marvin Pope; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. MAYOR ANNOUNCEMENTS

1. City Manager

Mayor Kerr announced that Mr. Roy Rainey of Soda Springs, Idaho, has accepted the position of City Manager for the city of Brookings and will begin work on February 1, 1987.

2. Golf Course Project

Mayor Kerr announced that a public meeting will be held on December 16, 1986 at 7:00 p.m. at the Brookings-Harbor High School Auditorium. The purpose of the meeting is to gather public input regarding the proposed golf course on Jack's Creek.

B. Council Announcements

1. Councilman Rogers

Councilman Rogers advised the Mayor and Council that he has sold his home in Brookings and is renting a home in Harbor. He asked that City Attorney Coutrakon render an opinion as to whether or not this move disqualifies him from serving on the Council. Mr. Coutrakon indicated that he would research the matter.

2. Councilman Geraghty

Councilman Geraghty announced that he was resigning from his council position, effective in 30 days. Councilman Geraghty thanked the council for their support during the last six years and said that he had enjoyed serving on the Council but that he could no longer devote the time needed to serve on the council.

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to accept the resignation with regret; MOTION carried unanimously.

C. Planning Commission Announcements

None.

D. Manager Announcements

1. Facilities Plan Update

Mayor Kerr indicated that this item is deleted from the agenda, due to the fact that City Manager Leo Lightle is suffering from pneumonia and is unable to attend the council meeting.

2. Enterprise Zone Application Procedure - Third Round

Mr. Ullian explained to the council the process necessary to apply for the Enterprise Zone Designation for the third round of competition. Mr. Ullian requested that the Mayor and City Council, in collaboration with the Curry County Commissioners, appoint a Brookings-Harbor Enterprise Zone Advisory Committee with broad-based community representation, to work with city staff in the promotion and preparation of the Enterprise Zone Designation application for the third and final round selection process.

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to authorize the Mayor to appoint a committee to pursue and Enterprise Zone Designation; MOTION carried unanimously.

3. Waiver of Sidewalk Requirements - Olson Lane

Mr. Ullian advised the council that during a monthly meeting between the Brookings City Council and the Curry County Commissioners, the council was requested to consider waiving the requirements of the Urban Growth Boundary Agreement regarding street improvements, on an improvement project on Olson Lane in Harbor.

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The reason for the request is that the money which the county budgeted for the project does not allow for curbs, gutters and sidewalks, due to the problems of right-of-way in the area. The county felt that due to the deteriorated condition of Olson Lane they need to proceed with the project, but are hindered in doing so due to the Urban Growth Boundary Agreement.

After a brief discussion, Vice Mayor Batty made a MOTION to table this item because only one county commissioner was in attendance at the joint meeting and he felt that the council needed to talk with all of the county commissioners. Councilman Geraghty seconded the MOTION; MOTION carried unanimously.

4. Coastal Zone Management Grant

Mr. Ullian explained to the council that the city has been awarded this grant at various times since 1983. The grant is through the Department of Land Conservation and Development. Mr. Ullian requested that the council authorize the mayor to sign the Coastal Management Grant agreement to accept financial assistance from DLCDC in the amount of \$2,500.00 for the period from September 1, 1986 to June 30, 1987.

Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to authorize the Mayor to sign the Coastal Management Agreement; MOTION carried unanimously.

E. Attorney Announcements

None.

F. Contract Review Board

None.

VIII. CALL FOR BIDS

A. Public Works Pickup

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers to table this item, due to the absence of City Manager Leo Lightle; MOTION carried unanimously.

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IX. REPORT ON BIDS

A. Police Department Patrol Car

Mayor Kerr indicated that, as authorized by the council at the November council meeting, bids were opened on December 5, 1986 for a police department patrol car.

The following bids were received:

1987 Ford LTD Crown Victoria	\$12,639.00
1987 Chevrolet Caprice	\$12,878.14

Mayor Kerr indicated that the Brookings Police Department was recommending that the bid of \$12,639.00 from Akin Motor Company be accepted.

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to accept the bid of \$12,639.00 from Akin Motor Company; MOTION carried unanimously.

X. ORDINANCES

None.

XI. RESOLUTIONS

None.

XII. UNSCHEDULED PUBLIC APPEARANCES

Barbara Hummel Gossett asked that the Mayor and Council consider appointing Fred Hummel to replace John Geraghty on the council. Mayor Kerr indicated that at the appropriate time the council would make a selection to replace Councilman Geraghty.

XIII. PAYMENT OF VOUCHERS

Councilman Rogers made a MOTION, seconded by Vice Mayor Batty, to approve the vouchers in the amount of \$19,339.02; MOTION carried unanimously.

XIV. ADJOURNMENT

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

Mayor Kerr adjourned the meeting at 9:02 p.m.

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Bob Kerr

Bob Kerr
Mayor

ATTEST:

Judy Pector

Judy Pector
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 12-03-86

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BANK CHECK NO	PAYEE	AMOUNT
01 00004038	AKIN MOTOR COMPANY	96.90
01 00004039	AMERICAN FIRE JOURNAL	14.95
01 00004040	BARLOW, DENNIS	18.39
01 00004041	BECCO INC	128.00
01 00004042	BLUE STAR GAS, NORTHWEST	448.72
01 00004043	BROOKINGS INN/FLYING GULL	12.90
01 00004044	BROOKINGS SUPPLY	36.88
01 00004045	BROOKINGS VOL FIREFIGHTERS	1,035.00
01 00004046	BROOKINGS-HARBOR CHAMBER	1,666.67
01 00004047	BROWN & CALDWELL	8,347.59
01 00004048	BROWN, GOLDIA	18.39
01 00004049	CHETCO REXALL DRUGS	57.22
01 00004050	COLVIN OIL COMPANY	474.20
01 00004051	CONANT JANITORIAL	475.00
01 00004052	COOPER, MICHAEL	18.39
01 00004053	COOS-CURRY COUNCIL OF GOV	19.00
01 00004054	CULLEY, RICH	18.39
01 00004055	CURRY EQUIPMENT COMPANY	250.00
01 00004056	CURRY TRANSFER & RECYCLING	55.00
01 00004057	D&H CHEVRON SERVICE	7.68
01 00004058	DANS AUTO & MARINE ELECTRI	149.43
01 00004059	DEL-CUR SUPPLY CO-OP	60.15
01 00004060	DOMINY, GEORGE	18.39
01 00004061	DOTSON, SAMUEL	18.39
01 00004062	ENTENMANN ROVIN COMPANY	25.50
01 00004063	EXECUTIVE DEPARTMENT	270.00
01 00004064	FOLEY, PATRICK ATTY	387.50
01 00004065	FOX, CURTIS H	18.39
01 00004066	GRANTS PASS WATER LABORATO	36.00
01 00004067	GRIFFITH WELDING & MACHINE	45.00
01 00004068	HANSCAMS CENTER	112.26
01 00004069	HARBOR LOGGING SUPPLY CO	2.30
01 00004070	HOOK, JEAN	18.39
01 00004071	KERR HARDWARE	152.49
01 00004072	KERR HARDWARE	76.32
01 00004073	KERR HARDWARE	18.94
01 00004074	LYNN, CAMERON G	18.39
01 00004075	MORYS OFFICE SUPPLIES	115.12
01 00004076	MOTOROLA INC	2,400.00
01 00004077	MURRAY, LES	18.39
01 00004078	OREGON STATE HEALTH DIVISI	100.00
01 00004079	OWENS, KENT	18.39
01 00004080	PACIFIC WATER WORKS SUPPLY	204.50
01 00004081	PARAMOUNT PEST CONTROL	17.00
01 00004082	PENNWALT CORPORATION	750.00
01 00004083	R & R UNIFORMS OF OREGON	58.00
01 00004084	RED JORDAN FOODS INC	45.30
01 00004085	RITZ'S REPAIR	53.00
01 00004086	SHEFFEL, WAYNE	18.39
01 00004087	SMITH, CECIL SR	18.39

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

DATE 12-03-86

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BANK CHECK NO	PAYEE	AMOUNT
01 00004088	SQUARE DEAL BUILDERS SUPPL	86.76
01 00004089	STAMPER'S J & J TIRE	14.50
01 00004090	TIDEWATER CONTRACTORS	120.11
01 00004091	WALKER, RONNEL	18.39
01 00004092	WILSON DISTRIBUTING CO.	655.67
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TOTAL CHECKS		19,339.02