

MINUTES

BROOKINGS COMMON COUNCIL MEETING

CITY OF BROOKINGS

August 13, 1985

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, Bob Rogers

Council Absent: Vice Mayor Gil Batty, Councilman John Geraghty

Planning Commission Present: Chairman Leo Appel II, Vice Chairman Jim Izett, Commissioner Earl Breuer

Staff Present: City Manager Lynn Stuart, Executive Secretary Donna Van Nest, Planning Director Chuck Rhodaback, Engineering Technician Leo Lightle, Recorder/Treasurer Judy Pectol, Library Director Rosalyn McGarva

Media Present: Bob Rodriguez, Curry Coastal Pilot; Marge Barrett, KURY Radio

IV. CEREMONIES/APPOINTMENTS

None.

V. MINUTES FOR APPROVAL/ACCEPTANCE

A. Approval of Council Meeting Minutes

1. July 8, 1985 Regular Council Meeting Minutes

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to approve the July 8, 1985 Regular Council Meeting Minutes; MOTION carried unanimously.

2. August 5, 1985 9-1-1 Budget Committee Meeting Minutes

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to approve the August 5, 1985 9-1-1 Budget Committee Meeting Minutes; MOTION carried unanimously.

V. MINUTES FOR APPROVAL/ACCEPTANCE (Continued)

B. Acceptance of Planning Commission Meeting Minutes

1. July 2, 1985 Regular Planning Commission Meeting Minutes

Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to accept the July 2, 1985 Regular Planning Commission Meeting Minutes; MOTION carried unanimously.

2. July 11, 1985 and July 25, 1985 Planning Commission Study Session Minutes.

Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to accept the July 11, 1985 and July 25, 1985 Planning Commission Study Session Minutes; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Chetco Community Public Library District Request for Transfer

Mayor Kerr announced that this is the first of two public hearings scheduled to be held regarding the transfer of the Chetco Community Public Library from department status to district status. Mayor Kerr convened the public hearing at 7:07 p.m., and requested that City Manager Lynn Stuart brief the Council and the audience on the history of the library and the events leading to the present status.

Mr. Stuart explained to the Council and the audience that on February 4, 1953, the property upon which the City of Brookings library facility is located, was deeded from the United States of America to the City of Brookings. As a part of that deed restriction, the property must be utilized for library activities for a period of twenty years hence, (1973). Mr. Stuart indicated that the City has more than met this restriction of the deed and the property does in fact belong to the City of Brookings. On March 13, 1980, the City of Brookings adopted Ordinance No. 329 establishing a library system, in accordance with the provisions of ORS 357. ORS 357.621 requires that public hearings be conducted prior to the withdrawal of support of our library program.

Mr. Stuart went on to explain that on December 3, 1984, the City received a formal request from the Chetco Community Public Library District, asking the City of Brookings to relinquish its right to the City's library. The City Council authorized the formation of an ad hoc committee to review the proposed transfer, and this work has been completed and the ad hoc committee has recommended to the City Council that a public hearing be conducted on the matter on August 13, 1985.

VI. SCHEDULED PUBLIC APPEARANCES (Continued)

A. Chetco Community Public Library District Request for Transfer

Mayor Kerr requested that the spokesperson for the Chetco Community Public Library District present their proposal to the City Council, for consideration.

Mrs. Pauline Olsen, Chairman of the Chetco Community Public Library District, introduced the Board of Directors to the Council. They included Maxine Smith, Edna Allen, Nancy Swingley and C.R. Dick Draper.

Mr. Olsen presented a proposal calling for a bare bones budget for the operation of the Chetco Community Public Library. Mrs. Olsen indicated that due to an increase in the State Aid Per Capita, the library would be receiving approximately \$1,234 rather than the original estimate of \$750. Mrs. Olsen stated that discontinuation of the users fees is one of the major goals of the Board, and the Board feels that with the discontinuation of users fees, there will be more patrons utilizing the library, which will generate more donations to the library. Mrs. Olsen noted that the Friends of the Library have donated several items to the library, the latest being two electronic typewriters, at a cost of \$594.

Mrs. Olsen stated that the Board proposes to expand the hours of operation of the library from 30 hours per week to 38 hours per week, with the utilization of trained volunteers. The proposal also calls for contracting the bookkeeping and the maintenance of the building and grounds. Mrs. Olsen indicated that to facilitate the administration of the library, the Board members will accept responsibility for areas of concern, such as finance, personnel, building, grounds, book selection, volunteer program, and other areas.

Mrs. Olsen indicated that Mr. Rich Mickelson was in the past retained to help the library Board with the transfer of the library, but that due to Mr. Mickelson's appointment to a judge's position, Mr. George Hoselton is now representing the Chetco Community Public Library District.

Mrs. Olsen summarized the intent and request of the Chetco Community Public Library District by reading an article which was printed in the Curry Coastal Pilot. "The District Board specifically proposes that at the satisfactory conclusion of the hearings, the Council will transfer to the District operation of the library, effective January 1, 1986, and deed to the District the library building, grounds and contents as inventoried, and all its assets, effective the same date".

VI. SCHEDULED PUBLIC APPEARANCES (Continued)

A. Chetco Community Public Library District Request for Transfer

Mrs. Olson stated that the Board of Directors feels that the increased hours, a strong volunteer program, the abilities of the five Board members willing to assist the Librarian, restoration of the library to its "free" status, and the continued support by the Friends of the Library will enable the District to expand on the ways in which the City has been carrying on the traditions that have made our library an excellent Chetco Community Library.

Mrs. Olsen indicated that there were several persons in the audience who possibly wished to speak in favor of the transfer.

Mayor Kerr explained to Mrs. Olsen that if there is no opposition from the audience on the proposed transfer of the library, then there is no need for any more testimony in favor. Mayor Kerr then asked if there was anyone in the audience who wished to speak in opposition, and there was no response.

Mayor Kerr stated that it was his opinion that the Library District still needed to get an Attorney General's opinion on the question of the ballot title from the November election, because there have been questions as to whether or not the tax base is a permanent thing, or if it is only for one year.

Mrs. Olsen read into the record a letter from Mr. Jim Klein, Budget and Financial Analyst, Local Government Finance and Taxation Section, Oregon Department of Revenue. Mr. Klein stated, "I have reviewed the sample ballot which was enclosed with my previous letter. While the language is somewhat clumsy, it is the opinion of this section that the library district has a tax base of \$59,500. This tax base begins on the fiscal year July 1, 1985. This tax base is permanent, and may be increased by 6% a year, as provided in Article 2, Section 11 of the Oregon Constitution".

Mrs. Olsen stated that she also had an opinion from Mr. Phelps of the Curry County Assessor's Office that his office would treat the measure as authorizing a continuing tax base.

City Attorney Coutrakon indicated that he felt that since this issue is of major importance, the District should contact the District Attorney for Curry County and ask him to request an Attorney General opinion on the matter.

VI. SCHEDULED PUBLIC APPEARANCES (Continued)

A. Chetco Community Public Library District Request for Transfer

Mr. Truman Garinger asked Mayor Kerr if the general public would be allowed to testify at the second hearing. Mayor Kerr answered yes. Mr. Coutrakon suggested that anyone having information or points that they wished to speak on could submit such in writing to the Council.

Mayor Kerr indicated to the audience that he was in no way opposing the transfer, but was simply trying to determine that the library would be managed in an efficient manner by the Library District, in the event of transfer. Mayor Kerr stated that this was his reason for requesting that a spokesperson speak for the District, rather than hearing duplicate speeches from everyone.

After several minutes of discussion, Mayor Kerr recessed the public hearing at 7:51 p.m., to be reconvened on November 12, 1985, at 7:00 p.m.

B. Harris Beach Properties - P.U.D. Acceptance

Mr. Stuart asked Engineering Technician Leo Lightle to brief the Council on this item.

Mr. Lightle indicated to the Council that Larry Anderson, the developer for Harris Beach Properties, has requested acceptance of the off-site improvements of Harris Beach Planned Unit Development - Phase I, and release of the performance bond. Mr. Lightle explained that the final inspection has been made and certified as meeting all applicable codes, by Jim Helton, P.E., Cunningham & Associates, Inc., Consulting Engineers for the project. Final inspection has been made by City staff and it has been found that the off-site improvements have been completed to City specifications. Mr. Lightle indicated that City staff recommended acceptance of the off-site improvements, with the following stipulations:

1. The developer will be responsible for one year for all defects in workmanship and materials, or omission on the project.
2. The street will be patched as soon as possible, but at least by January 1, 1986.
3. Right-of-way planting will commence, to State of Oregon specifications, as soon as the rainy season begins, with completion by January 1, 1986.

VI. SCHEDULED PUBLIC APPEARANCES (Continued)

B. Harris Beach Properties - P.U.D. Acceptance

4. The maintenance bond will be in effect for one (1) year following acceptance, and the performance bond will only be released upon receipt of the maintenance bond.
5. The surveyor's complete post stakeout by January 1, 1986.

Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to accept the Harris Beach Planning Unit Development - Phase I off-site improvements, subject to the stipulations; MOTION carried unanimously.

C. Conditional Use Permit Request Appeal - USFS

Mr. Stuart informed the Council that a letter was received late this afternoon from Mr. Doug Bright, District Ranger, Chetco Ranger District, 555 5th St., Brookings, Oregon, requesting that the appeal request on this matter be tabled for a period of 90 days.

Polly Keusink submitted written documents to the Council from residents of the area of the proposed parking lot, opposing the parking lot.

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to postpone the public hearing on the appeal request for a period of 90 days; MOTION carried unanimously.

D. Consent Annexation - Langley - Public Hearing

Mayor Kerr opened the public hearing at 8:06 p.m. and turned the floor to Planning Director Chuck Rhodaback.

Mr. Rhodaback explained to the Council that George C. and Corinne C. Langley have requested annexation of a portion of their property to the City of Brookings. This particular piece of property is located at 1055 Marina Heights Loop, Brookings, and a portion of the property is inside the City limits and a portion is in the County. They are requesting that the portion that at this time is outside the City limits be annexed to the City. Mr. Rhodaback indicated that the Planning Commission recommended that a public hearing be set before the City Council, for consideration of this matter. Mr. Rhodaback indicated that if the Council approves this annexation, an Ordinance must be adopted, annexing the property to the City, and a Resolution must be adopted withdrawing the property from the Dawson Rural Fire Protection District.

VI. SCHEDULED PUBLIC APPEARANCES (Continued)

D. Consent Annexation - Langley - Public Hearing

Mr. Rhodaback read into the record a letter from Mr. and Mrs. Curt Rupke, owners of adjoining property, stating that they had no objections to the annexation of this piece of property.

Mr. Langley stated that he wished to have all of his property inside the City limits, rather than divided between City and County.

Mayor Kerr asked if anyone wished to speak in opposition of the annexation. There being no response, Mayor Kerr closed the public hearing at 8:13 p.m.

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to annex the Langley property to the City; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 395 into the record. Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to adopt Ordinance No. 395 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 395 into the record, by title only. Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to adopt Ordinance No. 395 by second reading; MOTION carried unanimously.

Mr. Stuart informed the Council that a public hearing must be set, proposing withdrawal of the property from the Dawson Rural Fire Protection District. Mr. Stuart stated that Resolution No. 373 has been drafted for that purpose, setting September 9, 1985 for the public hearing.

Mrs. Van Nest read Resolution No. 373 into the record. Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to adopt Resolution No. 373; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

Mayor Kerr announced that the "Operation Bootstrap" program which was presented at the Elk's Lodge on August 12, 1985, was a great success, and he indicated that he would be appointing committees shortly, to implement further programs.

VII. COMMUNICATIONS/ANNOUNCEMENTS

B. Council Announcements

Councilman Rogers briefed the Council and the audience on the Coos-Curry Council of Governments meeting that was held in Gold Beach on Thursday, August 8.

Councilman Nidiffer expressed his pleasure at the success of the "Operation Bootstrap" program.

C. Planning Commission Announcements

Chairman Appel informed the Council that the Planning Commission study sessions are progressing, and Article 5 of the proposed Development Code has been finished.

Planning Commissioner Earl Breuer briefed the Council on a meeting he attended, as a member of Citizens Involvement Advisory Committee, a division of the Land Conservation and Development Commission.

D. Manager Announcements

1. Marine Facilities Grant Acceptance

Mr. Stuart informed the Council that the Oregon Marine Board has officially approved our grant request concerning "Social Security Bar". The purpose of this agenda item is to request Council authority for the City Manager to sign the Facility Grant Agreement.

Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to authorize the City Manager to sign the Facilities Grant Agreement, as outlined; MOTION carried unanimously.

2. Lottery Proceeds Grant Program

Mr. Stuart advised the Council that he has received a memo from the Executive Department of the State of Oregon, regarding special Public Works Fund programs, which are being allocated through lottery funds. Mr. Stuart stated that there is no action necessary on this agenda item, and staff will be briefing the City Council on potential projects foreseen by City staff, at a later time.

VII. COMMUNICATIONS/ANNOUNCEMENTS (Continued)

D. Manager Announcements

3. Fern Street Paving Project Report

Mr. Stuart informed the Council that the repairs on the Fern Street waterline and paving have been completed and that the road was reopened as of August 1, 1985. Mr. Stuart presented the Council with a summary of the costs for the project, which totalled \$13,127.23, which is within the amount approved by the City Council.

4. Insurance Agent of Record

Mr. Stuart indicated that at the last City Council meeting, the City staff was authorized to submit requests for proposals for insurance Agent of Record for the City of Brookings. Advertising requirements did not allow sufficient time for staff to complete the necessary advertising in magazines of statewide publication prior to the August Council meeting. The insurance Agent of Record information will be presented to the Council at the September meeting.

5. Chamber of Commerce Report

George King, Chamber of Commerce manager, advised the Council that 129 letters had been answered and 2,667 visitors had been received at the information center during July. Also, 7 new members joined the Chamber of Commerce.

E. Attorney Announcements

None.

F. Contract Review Board

None.

VIII. CALL FOR BIDS

A. Roof Repair Bid Call

Mr. Stuart informed the Council that the City staff has been reviewing the costs of reroofing the City facilities, due to several very serious leaks in the roof. Mr. Stuart indicated that the engineers estimate for completely reroofing City Hall would be \$45,000, which is not possible at this time. City staff is proposing to reroof specific areas of the municipal complex, and the reason for the agenda item is to request City Council authority to assemble roofing proposals and present them to Contract Review Board as soon as possible.

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to authorize the City Manager to assemble roofing proposals and present them to Contract Review Board; MOTION carried unanimously.

IX. REPORT ON BIDS

None.

X. ORDINANCES

A. Ordinance No. 394 - Flood Hazard Zone

Mr. Stuart advised the Council that at the present time, the City of Brookings has an adopted Ordinance, No. 347, which is an ordinance that establishes the Flood Insurance Program for our community. This new ordinance is an amendment to Ordinance No. 347, and replaces Section 3.2 of Ordinance No. 347, by adopting the new Flood Insurance Rate Map which will become effective on September 18, 1985.

Mrs. Van Nest read Ordinance No. 394 into the record. Councilman Rogers made a MOTION, seconded by Councilman Nidiffer, to adopt Ordinance No. 394 by first reading; MOTION carried unanimously.

Mrs. Van Nest read Ordinance No. 394 into the record by title only. Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to adopt Ordinance No. 394 by second reading; MOTION carried unanimously.

XI. RESOLUTIONS

None.

XII. UNSCHEDULED PUBLIC APPEARANCES

None.

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XIII. PAYMENT OF VOUCHERS

Councilman Nidiffer made a MOTION, seconded by Councilman Rogers, to pay the vouchers in the amount of \$81,471.52; MOTION carried unanimously.

XIV. ADJOURNMENT

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

Mayor Kerr adjourned the meeting at 8:53 p.m.



Mayor Bob Kerr

ATTEST:



Judy Pectol
City Recorder

VOUCHERS PAYABLE

August 13, 1985

Vouchered in July - Payable in August

<u>VOUCHER NO.</u>	<u>CHECK NO.</u>	<u>VENDORS</u>	<u>AMOUNT</u>
5243	1343	AMERICAN SCIENTIFIC PRODUCTS	158.32
5233	1345	AMERICAN SECURITY PRODUCTS	251.89
5253	1346	AUTOMOTIVE RESEARCH & REPAIR	506.27
5283	1347	DENNIS BARLOW	15.11
5257	1348	BEAMAN RELOADERS	138.00
5340	1349	BECCO, INC.	200.80
5242, 5230, 5287	1350	BLUE STAR GAS, NW	999.00
5318	1351	BOOK OF THE MONTH CLUB	34.39
5280	1352	BREEZE BOOKSTORE	25.11
5263	1353	BRITE SPOT JANITORIAL	175.00
5304	1354	BRODART	24.89
5227	1355	BROOKINGS COMPUTER CONSULTANTS	50.00
5319	1356	BROOKINGS INN/FLYING GULL	32.85
5298	1357	BROOKINGS OFFICE SUPPLIES	50.00
5260	1358	BROOKINGS SANITARY SERVICE	55.00
5247	1359	BROOKINGS SPORTS UNLIMITED	726.65
5335, 5235	1360	BROOKINGS SUPPLY	254.16
5261	1361	BROOKINGS VOLUNTEER FIRE	1,035.00
5332	1362	CHRIS BROWN	24.22
5272	1363	GOLDIA BROWN	27.00
5236	1364	LES BROWN TOWING	109.09
5229	1365	BUDGE MCHUGH SUPPLY	173.97
5310	1366	GERALD BURNS, CPA	264.00
5288	1367	BURROUGHS CORPORATION	94.00
5333	1368	CHETCO REXALL DRUGS	40.75
5254, 5314	1369	COLVIN OIL COMPANY	509.03
5290	1370	COMMAND ENTERPRISES	88.90
5286	1371	J. CONANT BUSINESS MACHINES	46.50
5262	1372	J. CONANT JANITORIAL	475.00
5344	1373	CONGRESSIONAL QUARTERLY INC.	41.25
5268	1374	MIKE COOPER	14.11
5324, 5348	1375	COUTRAKON & BABIN, ATTYS	787.13
5321	1376	CRAFTS N'THINGS	8.00
5349, 5327	1377	CURRY COASTAL PILOT	56.00
5297	1378	CURRY GENERAL HOSPITAL	354.37
5281	1379	CURRY EQUIPMENT	123.00
5246	1380	DANS PHOTOGRAPHY	140.00
5241	1381	DEPT. OF ENVIRONMENTAL QUALITY	425.00
5266	1382	SAM DOTSON	9.84
5270	1383	GEORGE DOMINY	13.11
5295, 5343	1384	DOUBLEDAY & COMPANY	396.60
5278	1388	EXECUTIVE DEPT.	270.00
5284	1389	FARMER HOME ADMINISTRATION	56,045.46
5322	1391	FIREHOUSE MAGAZINE	28.00
5294	1392	1ST IMPRESSIONS	208.50
5293	1393	FRANKLIN WATTS, INC.	288.05
5269	1394	CURT FOX	27.16
5240	1395	GOLDEN PRESS	8.57
5320	1396	GRANT'S PASS WATER LABORATORY	22.50

VOUCHERS PAYABLE

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<u>VOUCHER NO.</u>	<u>CHECK NO.</u>	<u>VENDORS</u>	<u>AMOUNT</u>
5342	1397	GREYHOUND BUS LINES	16.00
5245	1398	HACH COMPANY	19.67
5312	1399	HANSCAMS CENTER	77.24
5250	1400	HARBOR LOGGING SUPPLY	4.20
5275	1401	JEAN HOOK	17.00
5248	1402	INDUSTRIAL STEEL & SUPPLY	119.77
5337, 5251, 5301, 5285, 5313, 5336	1403	KERR HARDWARE	237.08
5296	1447	JOANNE KROHN	46.00
5339	1405	LITTRELL PARTS	35.33
5271	1406	CAMERON LYNN	18.06
5307	1407	M.P.H. INDUSTRIES	33.35
5341, 5334	1408	MORYS OFFICE SUPPLIES	275.58
5300	1409	KEN MOON, WATER MAIN TAPPING	1,185.00
5279	1410	NORTHWEST COMPUTER RIBBON	26.74
5302	1411	NORTHWEST EDITION	14.95
5309	1412	NUDELMAN BROTHERS	105.00
5239	1413	OK TIRE CENTER	98.95
5308	1414	O'NEALE SUPPLY	44.50
5292	1415	OREGON ECONOMIC DEVELOPMENT	10.00
5331	1416	OREGON LAW ENFORCEMENT DIRECTORY	20.85
5291	1417	KENT OWENS	18.06
5325, 5323, 5305, 5231, 5232, 5228	1418	PACIFIC WATER WORKS SUPPLY	5,412.26
5255	1419	PARAMOUNT	17.00
5326	1420	PENNWALT CORPORATION	857.23
5289	1421	PITNEY BOWES	79.92
5264	1422	QUILL CORPORATION	65.92
5249	1423	B.J. QUINLAN	34.00
5244	1424	RECREONICS CORPORATION	87.72
5258, 5256	1425	RED JORDAN FOODS	97.05
5317	1426	RITZ'S REPAIR	27.00
5346	1427	S & S PRODUCTS	378.75
5345	1429	STANDARD EDUCATIONAL CORPORATION	25.81
5316	1428	SATURDAY REVIEW	16.00
5267, 5277	1430	WAYNE SHEFFEL	54.70
5329	1431	SINGLETON PLUMBING	213.46
5282	1432	CECIL SMITH	33.46
5311	1434	SINGLETON PLUMBING	65.00
5252	1436	SMITHSONIAN BOOKS	21.84
5338	1437	SQUARE DEAL BUILDING SUPPLY	69.24
5303	1429	STANDARD EDUCATIONAL CORPORATION	380.70
5299	1438	STAMPERS J & J TIRE COMPANY	172.35
5237, 5259	1439	STEINER CORPORATION	11.92
5315	1440	THOMPSON PUBLISHING GROUP	152.50
5330	1441	TIDEWATER CONTRACTORS	1,355.18
5328	1442	U.S. NATIONAL BANK - VISA	110.85
5273	1443	RON WALKER	12.11
5347	1444	WILSON TIRE SERVICE	1,085.65
5234	1445	THE WORKBASKET	10.00
5200	1446	DOYLE ELECTRIC	2,349.02
		TOTAL	81,471.52