

MINUTES  
SPECIAL COMMON COUNCIL MEETING

DECEMBER 31, 1985  
2:00 p.m.

I. CALL TO ORDER

Mayor Kerr called the meeting to order at 2:00 p.m.

II. ROLL CALL

Council Present: Mayor Bob Kerr, Vice Mayor Gil Batty, Councilman Bob Rogers

Council Absent: Councilmen Ray Nidiffer, John Geraghty

Staff Present: City Manager Lynn Stuart, Executive Secretary Donna Van Nest, Recorder/Treasurer Judy Pectol, City Attorney John Coutrakon, Library Clerk Mary Jane Brookfield

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

III. SPECIAL BUSINESS

Mayor Kerr explained that the purpose of the Special Common Council Meeting was to consider an agreement between the City and the Chetco Community Public Library District for transfer of the library from departmental status to district status.

City Manager Lynn Stuart explained that the public hearings process required by Oregon State Statutes has been completed, and at the end of that process, Mayor Kerr requested that two members of the Council meet with two members of the Chetco Community Public Library District to work out the final provisions of the agreement. Mr. Stuart also noted that the special meeting called for today has been posted according to Oregon Revised Statute 192.640.

Vice Mayor Batty stated, for the record, that Exhibit "A", attached to the proposed agreement, is a physical inventory of the contents of the Chetco Community Public Library and the total of the inventory is \$422,137.60.

Mr. Dick Draper, Chairman of the Chetco Community Library District Board, questioned several points of the proposed agreement. First of all, Mr. Draper stated that the term of the agreement proposed is 3 years. The Board felt that 2 years would be adequate and that 2 years is what is required by the Federal government. Mr. Draper also stated that the agreement calls for both the City and the District to provide each other with fully audited annual financial reports, and the District feels that possibly a review would be adequate.

Mr. Draper also pointed out that a paragraph of the agreement states that, "the District will remain financially solvent and free of all debts, obligations or encumbrance". Mr. Draper stated that the District is already in debt, due to the cost of the election. Mr. Draper wanted to make sure that the intent of the statement in the agreement means only that the District will not engage in deficit spending.

Mr. Draper noted that paragraph 9 of the agreement states that the District shall provide a certificate of insurance, pre-paid. Mr. Draper stated that he assumed that a binder would be sufficient.

Vice Mayor Batty indicated that he wished to address Mr. Draper's questions and comments, due to the fact that he chaired the meetings at which the negotiations were conducted.

Vice Mayor Batty stated that the 3-year term called for in the agreement is for the purpose of having a complete 2-year fiscal review. Due to the time of the proposed transfer being in the middle of a fiscal year, a 2-year term would only give a 1 to 1½ year fiscal review, and the Council did not feel that was adequate.

Vice Mayor Batty stated that he was sure the City would be happy with whatever a creditable auditor presented.

Concerning the financially solvent portion of the agreement, Vice Mayor Batty assured the District that the statement does mean that the District will not engage in deficit spending.

Vice Mayor Batty also assured the District that an insurance binder would be sufficient.

City Attorney John Coutrakon addressed the content and wording of the proposed agreement, and concurred with the statements made by Vice Mayor Batty.

Mr. Fred Hummel, 202 Alder Street, indicated that he felt that the transfer should be immediate, rather than a 3-year term prior to final and complete transfer, due to the fact that the public voted for the Library District and the audience who attended the public hearings indicated a wish to see the transfer take place immediately.

Mr. Hummel also requested an explanation of the distribution of the L.E. Morgan Trust Fund. Mayor Kerr explained that at the end of the 3-year term, the L.E. Morgan Trust Fund will be totally transferred to the Library District. City Attorney Coutrakon concurred.

Mr. Coutrakon also stated that concerning the 3-year term, he felt that the agreement approach was better than immediate transfer, thus giving the Library District a period of time in which to show stability; prior to the City transferring certain assets of the City to the District.

Mayor Kerr noted that Mr. Draper's comment that the City was under an obligation for 2 years prior to transfer of the library to the City was in error. The actual term of obligation was 20 years.

Vice Mayor Batty stated that the approximate value of the entire library assets is three-fourths of a million dollars, and he felt that this warranted a slow, prudent and cautious transfer. Vice Mayor Batty said that he felt that this agreement was the best approach possible.

Mr. Draper brought up the fact that the agreement states that during the 3-year agreement, the Library District will not sell any library property. He wondered what the effect of this statement would be on the annual Friends of the Library book sale, during the Azalea Festival weekend. Mr. Draper was assured that the wording in the agreement would not effect the normal procedures of the library, including the weeding out of outdated materials.

Councilman Rogers stated that he felt the proposed agreement was the best approach possible.

Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to accept the proposed agreement as written and to call for a signature; MOTION carried unanimously.

Mr. Stuart indicated that he understood that the Library District had a meeting scheduled following the Council Meeting, and he requested that the District notify him of their decision as soon as possible, due to the termination of certain services to the library. Mr. Stuart stated that the City would clear their books as quickly as possible, thus allowing the District to take over the management of the library on January 1, 1986.

There being no further discussion, Vice Mayor Batty made a MOTION, seconded by Councilman Rogers, to adjourn the meeting; MOTION carried unanimously.

Mayor Kerr adjourned the meeting at 2:42 p.m.

  
\_\_\_\_\_  
Bob Kerr, Mayor

ATTEST:

  
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Judy Pectol, City Recorder

MINUTES  
BROOKINGS COMMON COUNCIL MEETING  
DECEMBER 9, 1985  
7:00 p.m.

I. CALL TO ORDER

Vice Mayor Batty called the meeting to order at 7:00 p.m., and announced that Mayor Kerr is ill and will not be in attendance at this meeting.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Vice Mayor Gil Batty, Councilmen Bob Rogers, John Geraghty

Council Absent: Mayor Bob Kerr, Councilman Ray Nidiffer

Planning Commission Present: Chairman Leo Appel II

Staff Present: City Manager Lynn Stuart, City Attorney John Coutrakon, Executive Secretary Donna Van Nest, Recorder/Treasurer Judy Pectol, Engineering Technician Leo Lightle, Chief of Police Sam Dotson, Communications Sergeant Cameron Lynn

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. November 19, 1985 Regular Council Meeting Minutes

Councilman Geraghty made a MOTION, seconded by Councilman Rogers, to approve the November 19, 1985 Regular Council Meeting minutes; MOTION carried unanimously.

B. Acceptance of Planning Commission Meeting Minutes

1. November 6, 1985 Regular Planning Commission Meeting

Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to accept the November 6, 1985 Regular Planning Commission Meeting minutes; MOTION carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

A. Stout Park - Chetco Senior Center

Vice Mayor Batty opened the public hearing at 7:06 p.m., and turned the floor to City Manager Lynn Stuart for a presentation.

Mr. Stuart advised the Council that the purpose of this agenda item is for the Council to conduct a public hearing regarding the application for Community Development Block Grant funds to assist in the construction of the proposed senior center. The second portion of the proposal is to discuss the feasibility of placing the facility on the southerly most portion of the Stout Park properties.

Mr. Stuart explained that certain procedures are necessary in order to comply with the Community Development Block Grant laws.

Location of Project: Mr. Stuart indicated that the proposed site for the new Chetco Senior Center is on Parcel 3 of the Stout Park properties, which is located at the corner of Redwood Street and Oak Street.

Amount of Funds Available: Mr. Stuart indicated that the senior citizens have accumulated a building fund in the amount of \$55,000. The City's property is valued at \$30,000. There is an in-kind match of \$15,000, leaving the balance of the project at \$225,000, which is the amount of the Community Development Block Grant request. This is a total construction cost of \$325,000. The estimate was based on a 2-story building with 5,000 square feet on each floor. The estimate was as follows:

Lower Floor - 5,000 sq. ft. @ \$20.00 =	\$100,000
Upper Floor - 5,000 sq. ft. @ \$45.00 =	<u>\$225,000</u>
TOTAL	\$325,000

Range of Activities: Mr. Stuart indicated that there would be a range of activities available at the proposed senior center, including senior social and recreational activities, a senior nutrition center and storage areas for the Dial-A-Ride buses.

Activities to Benefit Low to Moderate Income Families: Mr. Stuart explained that due to the fact that this would be a senior program it basically focuses on the low to moderate income families, and the benefits would include recreation, nutrition and transportation.

Displacement of People: Mr. Stuart explained that since the property is empty at this time, there would be no displacement of people.

Mr. Stuart explained that according to the process, there must be an opportunity for public comment, and during this hearing any opposition to the project would be heard, and would be submitted along with the grant request.

Past CDBG Projects: Mr. Stuart indicated that there has been no Community Development Block Grants in this area as far as records indicate.

Mr. Stuart requested that the City Council authorize the City staff to proceed with the Community Development Block Grant application, as outlined, and authorize the staff to proceed with a long term lease agreement for the use of the property on which the building would be constructed.

Mr. Joel Buffington, Secretary of the Chetco Senior Center, read a statement into the record. The statement basically followed the same outline presented by Mr. Stuart. Mr. Buffington pointed out that the proposed project would have great impact on the community. There would be short-term employment opportunities during the construction period, and there would be long-term impacts also, including attracting retired persons to this area. Mr. Buffington also pointed out that the proposed building site is now covered with underbrush and trees and could be called an "attractive nuisance". The construction of a well lighted building on the site would improve neighborhood security. Mr. Buffington thanked the City staff for their help in the preparation of the overall program.

Vice Mayor Batty asked if anyone in the audience would like to speak in opposition to the project. There being no response, Vice Mayor Batty asked for discussion from the Council.

Vice Mayor Batty asked Mr. Bill Raver, Chetco Senior Center President, if there was a possibility of outgrowing the proposed center. Mr. Raver indicated that the proposed building would satisfy the needs of the senior population for many years to come.

Mr. Fred Hummel, 202 Alder Street, asked if an elevator would be installed in the building. Mr. Raver indicated that the cost of an elevator is too great to consider at this time, but that there is a possibility of installing a chair-lift in the building.

Mike Cremarosa, M & F Building Co., presented a preliminary design of a proposed building for the Chetco Senior Center.

There being no further testimony, Vice Mayor Batty closed the public hearing at 7:32 p.m. and asked the Council for a decision on the use of the land. The Council agreed unanimously that the proposed use was in the best interest of all concerned.

Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to authorize the City Manager to proceed with the Community Development Block Grant application procedure; MOTION carried unanimously.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

None.

B. Council Announcements

None.

C. Planning Commission Announcements

This agenda item follows VII. D.

D. Manager Announcements

1. Audit Report - Fiscal Year 1984-85

Mr. Stuart indicated that the City has received the annual audit report, and the opinion of the auditor is that the City has again maintained adequate accounting records. Mr. Stuart indicated that the issues outlined in the management letter will be addressed in a Resolution to be adopted by the City Council at the January Council Meeting. Mr. Stuart requested that the City Council accept the audit report, as presented.

Mr. Stuart expressed his appreciation to Ms. Judy Pectol, Recorder/Treasurer, for her work in the past year.

Councilman Geraghty made a MOTION, seconded by Councilman Rogers, to accept the 1984-85 fiscal year audit report, as presented; MOTION carried unanimously.

2. Enterprise Zones

Mr. Stuart explained that the State Legislature, in its last session, identified special legislation to create certain Enterprise Zones throughout the State of Oregon, in an effort to boost the lagging economy in certain areas. Curry County resides in one of the identified economically lagging areas. The governor of the State of Oregon will identify a maximum of 30 Enterprise Zones, with 10 Enterprise Zones being identified in 1986. Mr. Stuart recommended that the City Council authorize the City staff to pursue the application for creation of an Enterprise Zone, to include the City of Brookings and its entire Urban Growth Area.

After a brief discussion, Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to authorize the City Manager and the Finance Commissioner to prepare and submit for City Council review and approval an agreement for the creation of an Enterprise Zone for this area; MOTION carried unanimously.

3. "Day Use Only" Signs - Wastewater Treatment Plant

Mr. Stuart indicated that the City staff is seeking Council authority to place "Day Use Only" signs on the westerly, unfenced portion of Tax Lot 901, Assessor's Parcel Map 41-13-7A. This area is located next to the wastewater treatment plant. Mr. Stuart indicated that the City has experienced some vandalism and theft incidents that have happened after hours, and with unrestricted access to this area, it is very difficult to police the area in the evenings. Mr. Stuart indicated that City staff has studied the problem, and the "Day Use Only" signs seem to be the best solution to the problem.

Councilman Geraghty made a MOTION, seconded by Councilman Rogers, to authorize the City staff to post "Day Use Only" signs on City property located on the westerly side of the wastewater treatment plant; MOTION carried unanimously.

4. OLCC - Liquor License Legislation

Mr. Stuart indicated that there is no need for action on this agenda item, but it is the purpose of this item to inform the Council regarding some new regulations, as they will be applied to any future applications received by the City for liquor licenses within the incorporated limits.

The new regulations involve two new liquor licenses, bed and breakfast licenses and brewery public house licenses. The legislation also reduced the auditorium size required by a special events dispenser's liquor license.

5. American Water Works Association Meeting

Mr. Lightle informed the Council that the City of Brookings will be hosting the January 8, 1986, meeting of the Oregon Southcoast Subsection of the American Water Works Association. Mr. Lightle invited the Council members to attend the meeting.



6. Oregon Promotion and Marketing Fund

Mr. Stuart indicated that no action is necessary on this agenda item, but that it is being presented for information. The Oregon Marketing and Promotion Fund is dedicated as a part of the lottery funds and is intended to promote Oregon as a destination for tourists, and promote the sale of Oregon's agricultural, fishery, forest and manufactured products to people of other states and in other countries. There are some grants becoming available for these projects. Mr. Stuart indicated that he had presented this information to several eligible agencies and the Chamber of Commerce has indicated that they will apply for a grant through this program. Mr. Stuart indicated that if the Council has no objections, the City staff will support the Chamber of Commerce application and will work with the "Operation Bootstrap" committees toward possible grant applications in the future.

C. Planning Commission Announcements

Chairman Appel announced that the Bootstrap committees are progressing nicely. The Development Code is still in the draft stage but is progressing. Chairman Appel also announced that he had been reelected for another term as Chairman of the Planning Commission and that Jim Izett had also been reelected as Vice Chairman.

Mr. Stuart announced that the new population figures show Brookings with a population of 3,470 as of July 1, 1985, according to the Portland State University. This figure is substantially higher than the last estimate, which was 3,375.

E. Attorney Announcements

None.

F. Contract Review Board

None.

VIII. CALL FOR BIDS

None.

IX. REPORT ON BIDS

A. Police Patrol Vehicle

Mr. Stuart indicated that at the last meeting of the City Council, staff was authorized to call for bids on a police patrol vehicle. The bids were opened at 10:00 a.m., Friday, December 6, 1985. The bids were received as follows:

- |                                     |             |
|-------------------------------------|-------------|
| 1. 1986 Ford LTD 4-door sedan       | \$12,200.00 |
| 2. 1986 Dodge Diplomat 4-door sedan | \$11,371.18 |

Mr. Stuart indicated that the budgeted amount for this item is \$12,000, and the Police Department recommends the purchase of the 1986 Dodge Diplomat.

Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to authorize the City Manager to purchase the 1986 Dodge Diplomat from Coast Auto Center, at a total purchase price of \$11,371.18; MOTION carried unanimously.

B. Paving Projects

Mr. Stuart indicated that at the October Council meeting, City staff was authorized to call for bids on several paving projects, as follows:

1. Hassett Street from Old County Road to Seventh Street;
2. Moore Street from Arnold Lane to the end;
3. Hub Street from Arnold Lane to the end;
4. Iris Street from Arnold Lane to the end;
5. Ransom Avenue from U.S. 101 to Paradise Lane.

Mr. Stuart indicated that the sole bid was from Tidewater Contractors, Inc., with a total bid of \$2.27 per square yard, the total of the projects being \$24,978.26. Mr. Stuart advised the Council that the total budgeted amount for these projects was \$26,000.00 and requested that the City Council accept the bid of Tidewater Contractors, Inc.

After a brief discussion, Councilman Geraghty made a MOTION, seconded by Councilman Rogers, to accept the bid of \$24,978.26 from Tidewater Contractors, Inc.; MOTION carried unanimously.

X. ORDINANCES

None.

XI. RESOLUTIONS

A. Resolution No. 378 - Committee for Citizen Involvement

Mrs. Van Nest read Resolution No. 378 into the record. Mr. Stuart explained that this resolution was presented to the Planning Commission at their last meeting for their consideration, and the Planning Commission is recommending that the City Council adopt this Resolution. The Planning Commission is also suggesting that the Mayor and City Council consider utilizing as much as possible the "Operation Bootstrap" people who are involved in that program. The Planning Commission is not suggesting that the CCI committee be limited to "Operation Bootstrap" committee members. Mr. Stuart explained that the CCI committee is formed to address Goal 1 of the Comprehensive Plan.

Mr. Fred Hummel, 202 Alder Street, opposed the Resolution on the basis of using the Planning Commission members on the committee. He suggested that volunteers should be solicited from the community rather than using the members of the "Operation Bootstrap" committees.

Planning Commission Chairman Leo Appel II stated that at the present time the Planning Commission is very busy with the "Operation Bootstrap" program, but that the Planning Commission would follow the wishes of the City Council and would involve as many citizens as possible in the CCI committees.

After a brief discussion, Vice Mayor Batty requested that Councilmen Geraghty and Rogers review the Resolution and bring back a recommendation to the City Council at the next meeting.

XII. UNSCHEDULED PUBLIC APPEARANCES

None.

XIII. PAYMENT OF VOUCHERS

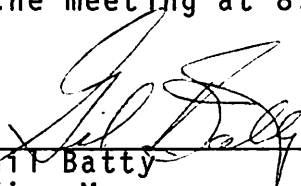
Councilman Rogers made a MOTION, seconded by Councilman Geraghty, to pay the vouchers in the amount of \$15,180.85; MOTION carried unanimously.

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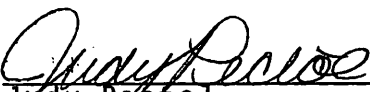
XIV. ADJOURNMENT

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

Vice Mayor Batty adjourned the meeting at 8:44 p.m.

  
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Gil Batty  
Vice Mayor

ATTEST:

  
\_\_\_\_\_  
Judy Pectol  
Recorder/Treasurer

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

DATE 12-05-85

PAGE 1

BANK	CHECK NO	PAYEE	AMOUNT
01	00002034	AKIN MOTOR COMPANY	16.30
01	00002035	AMERICAN PLANNING ASSOCIAT	100.00
01	00002036	BARLOW, DENNIS	15.11
01	00002037	BECCO INC	132.00
01	00002038	BLUE STAR GAS, NORTHWEST	172.50
01	00002039	BREEZE BOOKSTORE	17.95
01	00002040	BRITE SPOT JANITORIAL	175.00
01	00002041	BROOKINGS GLASS	114.61
01	00002042	BROOKINGS INN/FLYING GULL	10.20
01	00002043	BROOKINGS SANITARY	55.00
01	00002044	BROOKINGS SUPPLY	213.55
01	00002045	BROOKINGS SUPPLY	122.67
01	00002046	BROOKINGS SUPPLY	82.65
01	00002047	BROOKINGS VOL FIREFIGHTERS	1,035.00
01	00002048	BROWN, GOLDIA	27.00
01	00002049	BURNS, GERALD CPA	720.00
01	00002050	COAST MEDICAL PRACTICE	35.00
01	00002051	COLVIN OIL COMPANY	533.80
01	00002052	CONANT JANITORIAL	475.00
01	00002053	CONNELLY HEINNSOO & KUHNS	50.00
01	00002054	COOPER, MICHAEL	14.11
01	00002055	COOS-CURRY COUNCIL OF GOV	16.00
01	00002056	COSMOPOLITAN HOTEL	1,044.13
01	00002057	COUTRAKON & BABIN ATTYS	1,399.00
01	00002058	CURRY COASTAL PILOT	38.70
01	00002059	CURRY EQUIPMENT COMPANY	21.85
01	00002060	D&H CHEVRON SERVICE	569.05
01	00002061	D'ALCORN, ERIC	7.85
01	00002062	DANS AUTO & MARINE ELECTRI	161.50
01	00002063	DOC'S UPHOLSTERY	30.00
01	00002064	DOMINY, GEORGE	13.11
01	00002065	DOTSON, SAMUEL	9.84
01	00002066	EXECUTIVE DEPARTMENT	270.00
01	00002067	FERRY CREEK ROCK	477.75
01	00002068	FOX, CURTIS H	27.16
01	00002069	GRANTS PASS WATER LABORATO	22.50
01	00002070	GREYHOUND BUS LINES	16.35
01	00002071	HANSCAMS CENTER	30.71
01	00002072	HESSEL TRACTOR	654.60
01	00002073	HGE	718.00
01	00002074	HOOK, JEAN	9.95
01	00002075	ICMA	267.07
01	00002076	J L DARLING CORPORATION	150.40
01	00002077	KERR ACE HARDWARE	174.49
01	00002078	LYNN, CAMERON G	18.06
01	00002079	MORYS OFFICE SUPPLIES	98.08
01	00002080	MURRAY, LES	24.84
01	00002081	NORTHCOAST PAVING & ROCK	152.36
01	00002082	NORTHWEST RECREATION	205.50
01	00002083	NUDELMAN BROTHERS	241.00

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

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BANK CHECK NO	PAYEE	AMOUNT
01 00002084	OREGON FIRE CHIEFS ASSOCIA	35.00
01 00002085	OWENS, KENT	18.06
01 00002086	PACIFIC WATER WORKS SUPPLY	2,289.97
01 00002087	PARAMOUNT PEST CONTROL	17.00
01 00002088	PITNEY BOWES COPIER SUPPLY	63.98
01 00002089	PUBLISHERS CENTRAL BUREAU	45.85
01 00002090	QUALITY BOOKS INC	13.23
01 00002091	RED JORDAN FOODS INC	97.05
01 00002092	SARGENT-SOWELL INC	13.17
01 00002093	SHEFFEL, WAYNE	27.15
01 00002094	SMITH, CECIL SR	33.46
01 00002095	SQUARE DEAL BUILDERS SUPPL	191.11
01 00002096	STAMPER'S J & J TIRE	8.50
01 00002097	STEINER CORPORATION	11.92
01 00002098	WALKER, RONNEL	13.59
01 00002099	WEBFOOT TRUCK & EQUIPMENT	141.71
01 00002100	WILSON DISTRIBUTING CO.	1,172.80
		=====
*TOTAL CHECKS*		15,180.85