

MINUTES  
BROOKINGS COMMON COUNCIL  
CITY OF BROOKINGS  
September 13, 1983  
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, Walt Lovejoy and John Geraghty.

Council Absent: Vice Mayor Gil Batty.

City Recorder announced a quorum was present with which to conduct business.

Staff Present: City Manager Lynn Stuart, Administrative Assistant Georgia Shirilla, Recorder/Treasurer Naomi Bradfield, Librarian Rosalyn Gobel, Public Works Supervisor Cecil Smith, Assistant Public Works Supervisor Dennis Barlow, City Attorney John Coutrakon, City Engineer Ron Weigel.

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. August 10, 1983 Regular Council Meeting Minutes

There was a MOTION by Councilman Lovejoy, seconded by Councilman Geraghty, to approve the August 10, 1983 Regular Council Meeting Minutes; motion carried unanimously.

B. Acceptance of Commission/Board Minutes

1. August 2, 1983 Regular Planning Commission Minutes

There was a MOTION by Councilman Geraghty, seconded by Councilman Nidiffer, to accept the August 2, 1983 Regular Planning Commission Minutes; motion carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

1. Comprehensive Plan

Mr. Stuart briefed the Council on the present status of the Comprehensive Plan. He then asked the Council's permission to continue or have the Council request a continuance through the LCDC staff. He then read a policy statement from the Port Commission. Mayor Kerr then recommended that the Council authorize the City Manager to request the 90-day

extension. There was a MOTION by Councilman Nidiffer, seconded by Councilman Batty, to request a 90-day continuance; motion carried unanimously.

2. Liquor License Requests - Sweet Earth Health Foods and John and Joan Wheeler dba Taco Ole

Mr. Stuart informed Council that both applications have been reviewed by staff and are in compliance with City ordinances. Mayor Kerr asked if anyone was in the audience representing these two applications. He also asked for any comments. There were none. There was a MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer, to accept the liquor license applications for Sweet Earth Health Foods and John and Joan Wheeler dba Taco Ole; motion carried unanimously.

3. Introduction of New Librarian

Mayor Kerr turned the introduction of the new librarian over to Lynn Stuart. Mr. Stuart then introduced Rosalyn Gobel to the City Council and audience. Mayor Kerr welcomed her to the community.

VII. COMMUNICATIONS/ANNOUNCEMENTS

A. Mayor Announcements

1. DeJarnett Resignation

Mayor Kerr read Mr. DeJarnett's resignation to the Council. Mayor Kerr recommended that the Council accept his resignation. There was a MOTION by Councilman Lovejoy, seconded by Councilman Geraghty, to accept Mr. DeJarnett's resignation; motion carried unanimously. Mayor Kerr asked that a letter of appreciation be written, thanking Mr. DeJarnett for his service to the community.

2. Legislative Briefing

Mayor Kerr informed Council that on Tuesday, September 27, 1983 at 1:00 p.m., there would be a public briefing held on the legislative actions taken by the Oregon State Legislature.

B. Council Announcements

None.

C. Manager Announcements

1. County Paving - Mill Beach Road

Mr. Stuart briefed Council on this paving project and how it has been on hold. Since the levy is now passed, he asked that the project be reactivated. He went on to explain how Mr. Frank Cembellin was going to purchase the materials to construct a water main in that area prior to the construction of the road. There was a MOTION by Councilman Nidiffer, seconded by Councilman Lovejoy, to reactivate this project to install a new waterline and chip-seal Mill Beach Road; motion carried unanimously.

Bill Cunningham asked if it wouldn't be wiser to wait

until the heavy construction was done before the chip-seal was put on.

Mayor Kerr stated that the road would be chip-sealed as planned.

Jean Cunningham then stated that she felt the developer should be responsible if the chip-seal is destroyed by large trucks traveling over it.

Frank Cembellin then informed Council that the majority of heavy trucks would be over in 30-days.

John Hoskinson spoke in favor of having the road improved.

Mayor Kerr then stated that the decision has been made to chip-seal the road.

2. Parking Change Proposals

Mr. Stuart then addressed Council in regards to the numerous phone calls that have been received regarding traffic safety in the area of the Pine Cone Theatre and Willow and Chetco Avenue.

Then he stated that more information needs to be assembled. There was then a brief discussion regarding these two areas.

There was then a question if parking was going to be removed.

Mr. Stuart stated that he did not say that that was what was going to be done.

There was then another brief discussion regarding alternatives. Mayor Kerr suggested putting up "Parking Access Only" signs up to remove the through traffic near the Pine Cone Theatre.

There was a recommendation that this item be tabled until such time that more complaints are received or a real problem arises.

3. Tanbark Park/Railroad Street Bike Path (Advisory)

Mr. Stuart briefed the Council on the receipt of the funding for the Tanbark Park and the bike path along Railroad Street. The next step was for the engineers to come up with the actual designs. At the next Council meeting, he will be requesting bids for the actual construction of this work.

4. State Equipment Purchase

Mr. Stuart informed Council of our current Public Works vehicles that are in need of replacement. He requested the City Council's authority to go to the State Motor Pool to review the equipment that they have available. The funds to purchase these two vehicles are available in our State Tax Street Fund Account No. 02-02-870 and Account No. 03-11-860. He stated that the spending would be limited to \$3,000 for both pieces of equipment. There was a MOTION by Councilman Lovejoy, seconded by Councilman Geraghty, to authorize the City Manager and Public Works

Supervisor to travel to Salem to purchase two small pick-ups from the State Motor Pool; motion carried unanimously.

5. School Cross Walk Request

Mr. Stuart briefed the Council as to the need for a cross walk across U.S. Highway 101 because of a school bus route that was eliminated. He then asked for Council's authority to contact the State Highway Department and ask them to do the final study for the purposes of determining whether or not a school cross walk is feasible. There was a MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer, to authorize Mr. Stuart to contact the State Highway Department for their input; motion carried unanimously.

6. Maintenance Money

Mr. Stuart then turned the floor over to Georgia Shirilla, Administrative Assistant, to brief the Council on the Comprehensive Plan Land Use Maintenance Monies. Ms. Shirilla informed Council that the grant money applied for was for the next two fiscal years and amounted to \$3,112. The three main uses for the money are completion of the Estuary Plan, development of a land-use ordinance and reviewing the Comprehensive Plan. Mr. Stuart then asked for City Council's authorization for the Mayor to sign this request for funds. There was a MOTION by Councilman Lovejoy, seconded by Councilman Geraghty, to authorize the Mayor to sign this application requesting funds; motion carried unanimously.

7. Planning Commission (Agenda Review)

Georgia Shirilla briefed the Council on the Planning Commission's agenda from their last meeting and the decisions that were made on each issue.

D. Attorney Announcements

John Coutrakon, City Attorney, informed Council as to the decisions that have been issued regarding Oceanview Mobile Estates. He then asked that an Executive Session be held with Council only after the close of the regular meeting. On September 2, 1983, the Hearings Officer's ultimate recommendation was that there was a health hazard and the proposed area be annexed to the City of Brookings. On September 7, 1983, Mr. Nickels, Hearings Officer, entered an amended Findings of Fact in which his recommendation was that the Administrator of the Health Division order that the proposed area be annexed into the Harbor Rural Sanitary District. Mayor Kerr then addressed this issue and stated that he was not happy with the findings of fact, the wastewater treatment facility was designed to handle Brookings, its Urban Growth Area and the Harbor Sanitary District. Mayor Kerr then asked for Council's authorization to direct the City Manager to write a letter to the State Officials regarding this problem. The Council felt that a delegation should be sent to Salem to speak with the Governor regarding

this problem. There was a MOTION by Councilman Geraghty, seconded by Councilman Nidiffer, to authorize the City Manager to write a letter and deliver it to Salem to make them aware; motion carried unanimously.

E. Engineer Announcements

None.

VIII. CALL FOR BIDS

1. High Level Piping

Mr. Stuart then briefed Council that due to significant development, our high level pump station now needs to be connected into the main system. He asked that we now advertise for bids on the materials needed. The estimated cost of the materials according to the City Engineer is \$3,800. There was then a brief discussion regarding announcing the amount of money available for call for bids at the Council meetings. It was decided that in the future the amount would not be announced. There was a MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer, to call for bids for high level piping; motion carried unanimously.

IX. REPORT ON BIDS

1. Public Works Lawn Mower

Mr. Stuart informed Council that one proposal on two pieces of equipment had been received. He then asked to withdraw all bids. He stated that he did not feel comfortable purchasing equipment that he was not able to see. He asked that he be allowed to contact vendors and purchase the equipment that way. There was a MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer, to decline all bids and authorize the City Manager to purchase a lawn mower that fits the specs the City put forth; motion carried unanimously.

X. ORDINANCES

1. Ordinance No. 377 - Water Service Rate Change  
Ordinance No. 378 - Sewer Service Rate Change

Mayor Kerr asked City Recorder, Naomi Bradfield, to read into the record Ordinance No. 377.

Mayor Kerr asked City Recorder to read into the record Ordinance No. 378.

Mr. Stuart then briefed the Council on the charges and how these new rates were determined. He then asked if there were any questions. Mayor Kerr stated that he was somewhat concerned about the rates for people who do any extensive irrigating. He used his water bills as an example.

Mr. Stuart explained that the approach that was taken by the Ad Hoc Committee was that people who used the water would pay for the water.

There was then a brief discussion about the charges and how they would affect people's bills.

William Beaudry informed Council that he knew of a residence up on Marina Heights that was receiving water but had no meter. Mayor Kerr informed him that they all had meters now.

There was then a discussion about sewer charges for new construction.

Darrell Niemi asked if it would not be a good source of revenues to allow new hook-ups to the City's water system. Mayor Kerr stated that that was one of the recommendations of the Ad Hoc Committee.

Councilman Geraghty stated that he felt these new rates were very fair and that people would favor these increases over increases in taxes.

There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to adopt Ordinance No. 377 at the first reading; Mayor Kerr abstained, the Councilmen all voted in favor of the ordinance; ordinance approved.

Mayor Kerr directed the City Recorder to read Ordinance No. 377 by title only.

There was a MOTION by Councilman Geraghty, seconded by Councilman Lovejoy, to adopt Ordinance No. 377 at the second reading; Mayor Kerr abstained, the Councilmen all voted in favor of the ordinance; ordinance approved.

There was a MOTION by Councilman Geraghty, seconded by Councilman Lovejoy, to adopt Ordinance No. 378 at the first reading; motion carried unanimously.

Mayor Kerr directed the City Recorder to read Ordinance No. 378 by title only.

There was a MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer, to adopt Ordinance No. 378 at the second reading; motion carried unanimously.

2. Ordinance No. 379 - I & I

Mayor Kerr requested City Recorder to read Ordinance No. 379 into the record.

Mayor Kerr asked if there were any questions regarding this ordinance and then went on to explain why this ordinance had been written.

Mr. Stuart then explained how many instances this ordinance was addressing.

There was then a suggestion that there were other problems other than the ones that are identified in the 1979 report. City Attorney asked that Section 1 be changed to read:

Section 1: "That all property owners identified by the office of City Manager as contributors and those identified by the engineering report known as 'City of Brookings Infiltration and Inflow Study' dated March, 1979, be advised of their infiltration and inflow problems."

The City Attorney also asked that the 60-day grace period begin from the date of notification of the ordinance.

There was then a brief discussion regarding any problems this ordinance may cause.

There was a MOTION by Councilman Lovejoy, seconded by Councilman Nidiffer, to adopt Ordinance No. 379 at the first reading with the above changes; motion carried unanimously.

Mayor Kerr directed City Recorder to read Ordinance No. 379 by title only.

There was a MOTION by Councilman Lovejoy, seconded by Councilman Geraghty, to adopt Ordinance No. 379 at the second reading; motion carried unanimously.

**XI. RESOLUTIONS**

**1. Resolution No. 335 - Bad Debt Declaration**

Mayor Kerr directed the City Recorder to read Resolution No. 335 into the record. There was a MOTION by Councilman Geraghty, seconded by Councilman Lovejoy, to adopt Resolution No. 335; motion carried unanimously.

**2. Resolution No. 336 - Budget Funds**

Mayor Kerr directed the City Recorder to read Resolution No. 336 into the record. There was a MOTION by Councilman Nidiffer, seconded by Councilman Geraghty, to adopt Resolution No. 336; motion carried unanimously.

**3. Resolution No. 337 - Hospital Support**

Mayor Kerr directed the City Recorder to read Resolution No. 337 into the record. There was a MOTION by Councilman Lovejoy, seconded by Councilman Geraghty, to adopt Resolution No. 337; motion carried unanimously.

**4. Resolution No. 338 - CCCOG**

Mayor Kerr directed the City Recorder to read Resolution No. 339 into the record. There was a discussion about the fee being charged and whether the City would be able to make use of its membership. There was a MOTION by Councilman Geraghty, seconded by Councilman Nidiffer; to adopt Resolution No. 338; motion carried unanimously.

**XII. UNSCHEDULED PUBLIC APPEARANCES**

None.

**XIII. PAYMENT OF VOUCHERS**

There was a MOTION by Councilman Nidiffer, seconded by Councilman Lovejoy, to authorize the payment of vouchers in the amount of \$14,162.76; motion carried unanimously.

**XIV. ADJOURNMENT**

Mayor Kerr recessed the meeting at 9:16 p.m.

EXECUTIVE SESSION ORS 192.660 (1) ( )

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

ATTEST:

  
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Naomi Bradfield, City Recorder

VOUCHERS PAYABLE

September 13, 1983

Vouchered in August - Payable in September

<u>VOUCHER NO.</u>	<u>CHECK NO.</u>	<u>VENDOR</u>	<u>AMOUNT</u>
2310		AMERICAN SCIENTIFIC PRODUCTS	\$ 28.18
2302		AMERICAS	15.00
2351		BEN ARNDT	13.84
2289		ARNESON PRODUCTS	32.80
2303		ARTS & ANTIQUES	21.00
2293		THE ATLANTIC	21.00
2339		BECCO, INC.	155.00
2333		BLUE STAR GAS	549.54
2338		BRITE SPOT JANITORIAL	175.00
2354		BRODART, INC.	113.50
2369		BROOKINGS ELECTRONIC SERVICE	28.80
2357		BROOKINGS SANITARY SERVICE	55.00
2362, 2358, 2283		BROOKINGS SUPPLY, INC.	192.54
2370		BROOKINGS VOLUNTEER FIRE- FIGHTERS ASSOCIATION	1,095.00
2350		GOLDIA BROWN	19.09
2335		BUDGE-McHUGH SUPPLY CO.	205.84
2321		BURNS & UPDEGROVE	396.00
2307		BURROUGHS CORPORATION	436.80
2278		COAST TO COAST	48.00
2324		JERRY CONANT BUSINESS MACHINES REPAIR	21.50
2355		JERRY CONANT'S JANITORIAL SERVICE	475.00
2345		MICHAEL COOPER	11.31
2371		COUTRAKON, HOSELTON & BABIN	1,823.00
2318		DAN'S AUTO & MARINE ELECTRIC	16.85
2285		DEL-CUR SUPPLY CO-OP	8.06
2366		DEMCO, INC.	38.89
2284		DICK'S CHETCO SAW SHOP	2.40
2342		SAMUEL W. DOTSON	9.84
2296		DOUBLEDAY & CO., INC.	149.64
2309		DOYLE ELECTRIC	25.00
2331		EBSCO SUBSCRIPTION SERVICES	325.94
2323		EMERALD POOL & PATIO	195.03
2311		EXECUTIVE DEPARTMENT	322.00
2347		GEORGE DOMINY	18.95
2336		F & C CONSTRUCTION, INC.	489.25
2290, 2312		FOLEY & MICKELSON	475.00
2304		FORTUNE	34.00
2346		CURTIS FOX	24.25
2368		RANDAL L. GARCIA. M.D.	35.00
2367, 2281		GRANTS PASS WATER LABORATORY	71.50
2373		GREYHOUND BUS LINES	27.60



<u>VOUCHER NO.</u>	<u>CHECK NO.</u>	<u>VENDOR</u>	<u>AMOUNT</u>
2374		HGE, INC.	\$ 1,097.00
2363		KERR ACE HARDWARE	68.21
2341		KOONTZ MACHINE & WELDING	375.00
2295		LIFE	24.00
2320		LINDE HOME CARE MEDICAL SYSTEM	54.00
2352, 2274		LITTRELL PARTS OF BROOKINGS	145.39
2349		CAMERON LYNN	16.65
2360		M & K CAFE	5.55
2319		MARLING AUTO PARTS	7.76
2353		MARTIN BROS SIGNS	160.00
2359		MORY'S ARTS	150.10
2297		MS. MAGAZINE	14.00
2272		NORTHWEST COMPUTER RIBBON	25.87
2332, 2273		O'NEALE SUPPLY	76.20
2305		OREGON BUSINESS MAGAZINE	18.00
2325		OREGONIAN-OREGON JOURNAL	7.50
2291		OUTDOOR LIFE	9.97
2343		KENT OWENS	12.22
2275, 2313, 2328, 2364		PACIFIC WATER WORKS SUPPLY	740.52
2300		PACIFIC NORTHWEST	15.00
2316		PARAMOUNT PEST CONTROL	17.00
2308		PENNWALT CORPORATION	214.48
2292		POPULAR MECHANICS	11.97
2314		PORTLAND ELECTRIC & PLUMBING	18.09
2334		RAY'S SENTRY MARKETS	49.64
2326, 2317		RON'S STARTER & ALTERNATOR SERVICE	207.95
2301		SALMON TROUT STEELHEADER	9.95
2299		THE SATURDAY EVENING POST	10.95
2298		SCIENTIFIC AMERICAN	24.00
2344		WAYNE SHEFFEL	13.25
2277, 2322, 2372		SQUARE DEAL BUILDERS SUPPLY	161.30
2276, 2286, 2288, 2315, 2279		STAMPER'S J & J TIRE CO.	95.74
2340		STEINER CORPORATION	250.90
2280		CECIL SMITH	32.05
2329		TOWN & COUNTRY	24.00
2327		U.S. LEASING CORPORATION	200.00
2337		U.S. NATIONAL BANK OF OREGON	109.10
2348		DONNA VAN NEST	14.36
2361, 2282		WILSON DISTRIBUTING SERVICE	1,747.05
2330		THE WRITER	15.00
2356		U.S. POSTMASTER	100.00
		Subtotal	14,551.66
		Less Adjustment	(388.90)
		TOTAL	<u>\$14,162.76</u>