

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
April 13, 1982

I. CALL TO ORDER

Mayor Kerr called the meeting to order at 8:02 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council present: Mayor Bob Kerr; Councilmen Walt Lovejoy, Gil Batty, and John Geraghty.

Council absent: Councilman Ray Nidiffer

Staff present: City Manager Lynn Stuart, City Attorney John Coutrakon, City Engineer Dick Nored, Recorder/Treasurer Naomi Bradfield.

IV. CEREMONIES/APPOINTMENTS

1. Youth Appreciation Week Proclamation

Mayor Kerr read a Proclamation which proclaimed the week of May 3rd thru the 7th, 1982 as "Youth Appreciation Week" for the purpose of training our youth for the future.

2. Planning Commission vacancy

Mayor Kerr reported that the Planning Commission had recommended the names in priority order of three individuals to fill the unexpired term of Ted Mattson through April 21, 1983 which were: Joan Heavey; Michael Delvin; and John Wheeler. The City Attorney informed the Council that there was an ordinance for passage by the Council which would make all Commission and Boards two year terms and recommended that the terms run from July 31st to June 1st. He requested the City Manager review the terms of the Commissioners in order that the terms be staggered and the appointment be made without an expiration date.

MOTION by Councilman Geraghty, seconded by Councilman Batty that Joan Heavey be appointed as a Planning Commissioner. Motion carried unanimously.

3. "Bob Babb Day" Proclamation

Mayor Kerr read a letter written to Governor Atiyeh from Dora Grant, Forewoman of the Curry County Grand Jury expressing gratitude to the Police Officers for the fine work in drug enforcement.

Mayor Kerr then read a proclamation which proclaimed April 23, 1982 as "Bob Babb Day" in gratitude for his devotion and professional integrity in protecting our youth.

V. MINUTES FOR APPROVAL/ACCEPTANCE

MOTION by Councilman Lovejoy, seconded by Councilman Batty to approve the March 9, 1982 regular Council meeting minutes as presented. Motion carried unanimously.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to approve the March 4, 1982 Special Council meeting minutes as presented. Motion carried unanimously.

MOTION by Councilman Geraghty, seconded by Councilman Lovejoy to accept the January 19, 1982 regular Planning Commission and February 22, 1982 Library Board minutes as presented. Motion carried unanimously.

VI. SCHEDULED PUBLIC APPEARANCES

1. Franchise Tax - Vern Garvin

Vern Garvin appeared before the Council and informed them that the Coos-Curry Electric Co-operative had increased his pole costs making it necessary to

increase the franchise tax. He stated that his attempt to negotiate with the electric company had been futile, but was again to meet with them. After considerable discussion, the Mayor requested that after Mr. Garvin meets with the electric company he return to the Council with an official request for any change.

VII. COMMUNICATION/ANNOUNCEMENTS

Mayor Announcements

1. Jury Duty - Volunteers

The Mayor stated that he felt the Volunteer Fire Officers should be excused from jury duty as they provide volunteer fire service for the community. The City Attorney suggested that the Mayor write a letter to the Judges of the courts requesting the Volunteer Fire Officers to be excused from jury duty. The Council concurred with this suggestion.

2. Fire Communications

The Mayor informed the Council that the Harbor Fire District had purchased equipment with a new frequency and the Brookings Fire Department would be unable to receive calls on their new frequency if the Brookings present system was not changed. Mayor Kerr requested the Council's decision to either change the system or maintain the present system.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to retain our present system. Motion carried unanimously.

3. D'Alcorn Correspondence

Mayor Kerr reported that a letter had been received from Eric D'Alcorn concerning a car accident on Chetco Avenue caused by a truck changing lanes and requesting a "no parking" area. The Mayor reported that after checking into the matter the City was sufficiently covered.

Council Announcements

1. O.C.Z.M.A. Dues (Councilman Lovejoy)

Councilman Lovejoy requested that the Council pay dues in the sum of \$300.00 to retain membership in the Oregon Coastal Zone Management Association.

MOTION by Councilman Batty, seconded by Councilman Lovejoy to direct the City Manager to forward the O.C.Z.M.A. dues in the sum of \$300.00. Motion carried unanimously.

2. Swimming Pool Rate Review

Councilman Geraghty stated that the City Staff had made an analysis of the City pool rates, and requested rate increases according to the rate schedule presented by the Parks & Pool Co-ordinator.

MOTION by Councilman Lovejoy, seconded by Councilman Batty that the rate schedule be approved as presented. Motion carried unanimously.

3. Ball Field Fertilization - Councilman Geraghty

Councilman Geraghty informed the Council that a proposal had been received from Gary Wimberly to aerate and fertilize the ball fields for the sum of \$740.00. The total price submitted was the sum of \$1,775 which included seeding and cultivating. Councilman Geraghty had contacted three companies, and the Council decided to proceed as a Public Contract Review Board request.

MOTION by Councilman Lovejoy, seconded by Councilman Batty that as the Public Contract Review Board, the sum of \$740.00 be authorized for the aeration and fertilization of the ball fields as presented. Motion carried unanimously.

Manager's Announcements

1. Oceanview Mobile Estates

The City Manager stated that the tenants of the Oceanview Mobile Estates had signed a petition requesting a permit to connect to the Harbor Sewer system, which would then be treated by the City's Wastewater Treatment Plant facility.

John Harrell, County Building Official stated that the installation of the pumps and the contracts were awaiting approval by the City, and the park with 48 mobile home sites would be closed if approval was not granted.

The City Engineer expressed a number of concerns including increased inflow problems and increased DEQ concerns. He was also concerned that it would reduce City growth and that substantial connection fees should be imposed, and any future plant expansion would require equal compensation from the park. He also suggested maintaining control of any future connections, and possible ownership or consent to annexation to maintain control of the public facilities, and acquiring a maintenance agreement on the installation either private or with Harbor.

Ruben Kretschmar of DEQ expressed concern about the inflow and infiltration problems and if they continued the City would not have a Treatment Plant. He stated that there was no way to solve the sewage problem at the park and it would be necessary to close it down if no agreement was reached. It could be possible to go through a health annexation.

There was considerable discussion among members of the Council and audience concerning the sociological aspect and setting a precedent for other areas to make similar requests since this area was out of the Urban Growth Boundary.

The City Manager stated that the City Attorney had earlier mentioned that an ancillary agreement could be drafted which would not change the present contrast with the Harbor Sanitary District.

Councilman Batty questioned how long before it would become necessary to have a second Treatment Plant. The City Engineer stated that biologically it could be 5 or 6 years according to growth, or possibly to 1992. He stated that the Plant had been exceeding the hydraulic capacity. The City Manager stated that during summer months the average daily flows was one half million gallons a day. After further discussion, Councilman Lovejoy requested a five minute recess.

Mayor Kerr recessed the meeting at 9:58 p.m.

The meeting was reconvened at 10:12 p.m.

Mayor Kerr requested that a decision be made to either accept or reject the request. Councilman Batty suggested that the matter be tabled until the next Council meeting and meet with the Harbor Sanitary District officials to determine what financial arrangements could be made. Councilman Lovejoy felt that some further costs should be obtained before making a decision.

MOTION by Councilman Batty, seconded by Councilman Geraghty that the Oceanview Mobile Estates sewer request be tabled until the Council receives further figures and the true cost factor. Motion carried unanimously.

2. Comprehensive Plan Review Report

The City Manager stated that the City had completed their response to the DLCD, and was to appear before LCDC on April 15, 1982 to attempt to get acknowledgement of the City's Comprehensive Plan. The City Manager gave a review of the Goals which were not in compliance in 1980 and 1981 and the attempts that had been made to correct the problems.

3. Post Office Parking

The City Manager stated that this was a request from the Postmaster to place

signs in the post office area on Spruce and Center Streets to restrict the parking time to 10 minutes from 8:00 a.m. to 5:00 p.m., Monday through Saturday. Mayor Kerr suggested painting the top of the curb.

MOTION by Councilman Batty, seconded by Councilman Lovejoy to approve the posting of ten minute parking signs and painting the curbs as presented. Motion carried unanimously.

4. Sludge Haul Proposal

The City Manager informed the Council that the Budget Committee had directed Staff to pursue the feasibility of contracting for sludge hauling. Mr. Keith Smith had the equipment, operator and dumpsite and was willing to haul the sludge for \$40.00 an hour and 50 minutes per load and 10 loads per day equalling \$333.00 per haul. Mayor Kerr suggested that the hauling be done on a month to month basis.

MOTION by Councilman Batty, seconded by Councilman Lovejoy that the sludge haul request be provided on a month to month basis as presented. Motion carried unanimously.

5. Building Code Enforcement

The City Manager informed the Council that in order to continue with local code enforcement it would be necessary that the City Manager be directed to complete an annual report form to be forwarded to the Building Codes Division.

MOTION by Councilman Lovejoy, seconded by Councilman Geraghty that the City Manager be authorized to sign the report form. Motion carried unanimously.

6. Backhoe repair

The City Manager informed the Council that the backhoe was in need of repair. Since this was specialized equipment and the nearest John Deere dealer was in Medford, they had obtained a bid from Hubbard Wray Co., Inc. for the sum of \$2,842.09 for the necessary repairs.

MOTION by Councilman Lovejoy, seconded by Councilman Batty that as the Public Contract Review Board the City Manager be authorized to have the equipment repaired as presented. Motion carried unanimously.

7. Liquor License renewals (5)

The City Manager stated that the Police Department had recommended approval of liquor license renewals for the following establishments: Local Market; Christmas Tree Restaurant; McKay's Market; Ken's Tavern; and Flying Gull Restaurant.

MOTION by Councilman Lovejoy, seconded by Councilman Geraghty to approve the liquor license renewals as presented. Motion carried unanimously.

8. Third Quarter Financial Report

The City Manager gave a graphic presentation to the Council of the revenues and expenditures for the third quarter activities of fiscal year 1981-82. He stated that the expenditures were \$114,000 less than the revenues, and there should be an indepth review of the finances in order to stay within the budget.

9. Yard Sale Ordinance

The City Manager stated that there had been numerous complaints of continuing yard sales in certain places within the City, and requested the Council's direction regarding drafting a yard sale ordinance or an amendment to the business license ordinance in order to identify the yard sales. It was the consensus of the Council that the City Manager and City Attorney draft the necessary documents and bring it back to the Council at a later date for review.

10. Ad Hoc Committee - Rate Structure Review

The City Manager stated that the commercial users of water and wastewater had expressed concern about the equity of utility rates. He was requesting the feasibility of separation of the commercial rates, and the City Council naming a five member ad hoc committee from various segments of the community to bring back a recommendation to the Council. It was Council consensus to assemble a list of names to be brought back at the next Council meeting.

11. League of Oregon Cities Regional Meeting Schedule

The City Manager stated that a League of Oregon Cities meeting was to be held in Medford on April 12, 1982, and any of the Council desiring to go could check with City Staff to make arrangements to go.

12. Budget Hearing Announcement

The City Manager reminded the Council of the Budget Hearing scheduled for April 19, 1982 at 7:30 p.m.

13. Fire Protection Area Presentation.

The City Manager reported that the Police Dispatcher had been called recently by a resident on Gardner Ridge Road that claimed that they had an agreement with the Brookings Fire Department for fire protection. He stated that it was necessary that all residents of the community understand that the Fire Department serves only the City of Brookings and the Dawson Tract, and has a mutual aid agreement with the Harbor Fire District and other communities on the coast, and will not provide fire services outside the areas designated.

Attorney Announcements

1. Lease for Ambulance Service

The City Attorney stated that it would be necessary for a Resolution to be adopted in order to allow the Ambulance Association to construct a building to house their ambulance.

Resolution No. 303 was read in its entirety.

The City Attorney requested that at the end of Section 2 the following words be added: "Renewable at option of the Ambulance Association for two subsequent five year terms". The additional verbage was agreeable with the Council.

MOTION by Councilman Batty, seconded by Councilman Lovejoy to approve Resolution No. 303 as presented. Motion carried unanimously.

Engineer Announcements

1. Gravel Removal Requests

The City Engineer recommended approval of gravel removal requests along the Chetco River that were downstream from the City water intake system as follows: McKenzie request; two Tidewater requests; and Schnakel request. The request from Steevens and Freeman were both above the City water intake and he felt that there would be an increase in turbidity, and the affect of the gravel removal on the water level was not known and comments should be made addressing these facts. There was also a potential of oil leaks or spillage from removal of equipment. He also felt that a study should be conducted by a State agency to address these problems. The Council concurred with the City Engineer's recommendations.

2. Status Report

The City Engineer reported that his efforts had been directed toward the Fifth Street and high level project, and completion of plans for Bud Cross Park improvement.

VIII. CALL FOR BIDS

1. Library Custodial Services

The City Manager stated that the Library was requesting a bid call for janitorial services as outlined in the agreement presented to the Council, with a bid opening prior to the next Council meeting.

MOTION by Councilman Geraghty, seconded by Councilman Lovejoy to authorize the City Manager to call for bids for janitorial services at the Library as presented. Motion carried unanimously.

2. 3" Diaphragm Pump

The City Manager informed the Council that the Public Works Department was requesting a call for bids for a 3" intake and suction, gas operated water pump with a bid opening prior to the next Council meeting.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to authorize the City Manager to call for bids for a 3" water pump as presented. Motion carried unanimously.

IX. REPORT ON BIDS

1. Tennis Court Repair

The City Manager reported that the bid opening on April 13, 1982 for the tennis court repair resulted in two bids with a substantial difference of \$13,799 and \$31,295. He requested that the Council decline the bids and allow the surface work for the tennis courts to be completed. A report would be given at the next Council meeting.

MOTION by Councilman Geraghty, seconded by Councilman Batty to reject the bids submitted on the tennis courts, and authorize the City Manager to pursue other avenues for the completion of the work. Motion carried unanimously.

2. Street overlay

The City Engineer recommended awarding the contract to Tidewater Contractors, Inc. who had submitted a low bid of \$30,680 at 59¢ per square foot. The City Manager stated that the balance of funds for the project would come out of Federal Revenue Sharing funds and street funds. Mr. Stuart established a priority list of five streets which included: Cushing Court; Hemlock; Matot; Seascape Court and Pioneer Lane, which was agreeable with the Council.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to accept the low bid from Tidewater Contractors, Inc. at 59¢ per square foot as presented. Motion carried unanimously.

3. Typewriter - Police Department

The City Manager stated that the low bid had been submitted by Frank's Office Equipment for an Adler 1010 typewriter in the sum of \$987.00.

MOTION by Councilman Batty, seconded by Councilman Lovejoy to accept the low bid from Frank's Office Equipment as presented. Motion carried unanimously.

X. ORDINANCES

1. Council meetings - Ordinance No. 357

Ordinance No. 357 was read in its entirety.

MOTION by Councilman Batty, seconded by Councilman Lovejoy to accept Ordinance No. 357. Motion carried unanimously.

Ordinance No. 357 was read by title only.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to adopt Ordinance No. 357. Motion carried unanimously.

2. Reserve Ordinance - Ordinance No. 358
Ordinance No. 358 was read in its entirety.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to accept Ordinance No. 358. Motion carried unanimously.

Ordinance No. 358 was read by title only.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to adopt Ordinance No. 358. Motion carried unanimously.

XI. RESOLUTIONS

1. Notice of Budget Election - Resolution No. 298
Resolution No. 298 was read in its entirety.

MOTION by Councilman Batty, seconded by Councilman Lovejoy to adopt Resolution No. 298. Motion carried unanimously.

2. Payment of Bills Prior to Council Approval - Resolution No. 300
Resolution No. 300 was read in its entirety.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to adopt Resolution No. 300. Motion carried unanimously.

3. 1982-83 Budget Funds - Resolution No. 299
Resolution No. 299 was read in its entirety.

MOTION by Councilman Batty, seconded by Councilman Geraghty to adopt Resolution No. 299. Motion carried unanimously.

4. Tennis Court Resurfacing Project Agreement - Resolution No. 302
Resolution No. 302 was read in its entirety.

MOTION by Councilman Geraghty, seconded by Councilman Lovejoy to adopt Resolution No. 302. Motion carried unanimously.

5. Authorization for City Recorder/Treasurer - Petty Cash - Res. No. 301
Resolution No. 301 was read in its entirety.

MOTION by Councilman Lovejoy, seconded by Councilman Batty to adopt Resolution No. 301. Motion carried unanimously.

XII. PAYMENT OF VOUCHERS

The City Manager informed the Council that a freeze had been placed on the Brookings Fire Explorer Post No. 546 until such time as problems were resolved, and requested the City to pay the following bills which would be paid back later: Chandler Sheet Metal - \$17.34; Ray's Sentry Market - \$7.23; and Willamette Beverage Company - \$176.70. He also requested the following bills be added to the voucher list: Ted Freeman - \$60.16; and Steiner Corporation - \$324.68.

MOTION by Councilman Batty, seconded by Councilman Lovejoy to pay the vouchers in the sum of \$46,850.08. Motion carried unanimously.

XIII. ADJOURNMENT

MOTION by Councilman Geraghty, seconded by Councilman Lovejoy to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 12:14 a.m.



Mayor Bob Kerr

ATTEST:


Naomi Bradfield, City Recorder

VOUCHERS PAYABLE

April 13, 1982

<u>VOUCHER #</u>	<u>CHECK #</u>	<u>VENDOR</u>	<u>AMOUNT</u>
1	4165	Ray Allyn	10.20
2	4122	American Library Association	10.00
3	4053	American Red Cross	7.80
4	4123	Amsterdam Printing & Litho Corp.	28.11
5	4124	A & W Drive-In	29.65
6	4125	Robert Babb	316.31
7	4126	Baker & Taylor Co.	78.16
8	4127	Ballard Services, Inc.	51.06
9	4128	BECCO, Inc.	259.40
10	4129	Blue Star Gas Northwest	267.64
11	4130	Naomi Bradfield	65.40
12	4131	Brodart, Inc.	103.35
13	4132	Brookings Firefighters Assoc.	745.00
14	4133	Brookings Office Supplies	815.36
15	4134	Brookings Sanitary Service	55.00
16	4135	Brookings Supply, Inc.	14.67
17	4136	Budge-McHugh Supply Co.	276.46
18	4137	Bud's Tool Service	124.50
19	4138	Bureau of Govt. Research	49.80
20	4140	Burns & Updegrove	543.00
21	4141	Cal-Ore Fire Extinguishers	175.50
22	4142	Chetco Rexall Drugs	22.64
23	4143	Coastal Petroleum Sales	490.56
24	4144	Coast Auto Center	10.08
25	4145	Jerry Conant	494.00
26	4146	Michael J. Cooper	7.20
27	4147	Coutrakon, Hoselton & Babin	1,265.25
28	4148	Curry Coastal Pilot	194.26
29	4149	John Curley & Associates, Inc.	46.70
30	4150	Curry County	6,000.00
31	4151	Dan's Photo & Cameras	66.12
32	4152	Del-Cur Supply Co-op	4.23
33	4153	Demco	25.25
34	4154	Dick's Chetco Saw Shop	13.95
35	4155	Samuel W. Dotson	8.55
36	4156	V.W. Eimicke Associates, Inc.	23.92
37	4157	Executive Dept.	300.00
38	4158	F & C Construction, Inc.	514.80
39	4159	Marshall Ferg	16.50
40	4160	Fremont Medical & Surgical Supply	16.94
41	4161	Robert O. Furrow	11.01
42	4162	Gaylord Bros., Inc.	270.98
43	4163	General Electric Supply Co.	311.25
44	4164	Grants Pass Water Laboratory	42.00
45	4166	Greyhound	25.50
46	4167	G.K. Hall & Co.	20.13
47	4168	Harbor Logging Supply, Inc.	38.25
48	4169	HGE, Inc.	2,721.16
49	4170	Hinds Supply Co.	357.07
50	4171	International City Mngmt. Assoc.	17.25
51	4172	John's Alternator & Starter	45.00
52	4173	Kerr Ace Hardware	466.81
53	4174	Littrell Parts	592.39

<u>VOUCHER #</u>	<u>CHECK #</u>	<u>VENDOR</u>	<u>AMOUNT</u>
54	4175	Christina Lucas	212.00
55	4177	M & K Restaurant	5.55
56	4178 &4044	Mory's Arts	114.30
57	4179	M.P.H. Industries, Inc.	1,495.00
58	4181	McKay's Market	18.95
59	4182	National Geographic Soc.	6.95
60	4183	New Era Press	30.00
61	4184	O'Neale Supply, Inc.	152.44
62	4185	Oregon Auto Spring Service, Inc.	55.02
63	4186	Oregonian Publishing Co.	96.90
64	4187	Oregon State Library	24.95
65	4188	O.S.U. Extension Service	6.00
66	4189	Kent Owens	10.30
67	4190	Pacific Water Works Supply Co.	1,275.89
68	4191	Paramount Pest Control, Inc.	17.00
69	4192	Ray's Auto Supply	27.50
70	4193	Ray's Sentry Market	119.02
71	4194	Recreonics Corporation	461.73
72	4195	Ritz's Repair, Inc.	49.00
73	4196	Gerald Ross Agency, Inc.	18,956.98
74	4197	Wayne Sheffel	12.00
75	4198	Chet Singleton	27.62
76	4199	Cecil K. Smith, Sr.	24.73
77	4200	Snappy Electric & Plumbing	24.98
78	4201	Square Deal Builders Supply, Inc.	317.49
79	4202	Stamper's J & J Tire Co.	60.93
80	4203	Statesman/Journal	59.40
81	4204	Lynn R. Stuart	5.95
82	4205	Suiter's Paint & Body	11.00
83	4206	3M	1,035.00
84	4207	Tidewater Contractors, Inc.	505.80
85	4208	United States Leasing Corp.	200.00
86	4209	U.S. National Bank	80.05
87	4210 &4090	U.S. Postmaster	187.30
88	4211	V.W.R. Scientific, Inc.	112.38
89	4212	Waterous Company	266.32
90	4213	Wilson Distributing Service	1,639.37
91	4214	The World	32.05
92	4079	Northwest Ore. Subsec.- AWWA	20.00
93	4078	PNWS-AWWA	40.00
SUB TOTAL:			46,263.97
94	4215	Ted L. Freeman	60.16
100	4111	D.G. Chandler Sheet Metal	17.34
101	4110	Ray's Sentry Market	7.23
102	4112	Willamette Beverage Co.	176.70
95	4216	Steiner Corporation	324.68
			46,850.08