

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
September 9, 1980

The meeting was called to order by Mayor Elmer Hitchcock at 7:58 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Members present were: Councilmen Roy Brimm, Ralph Cheney and Mayor Hitchcock. Councilman Allsup was absent.

Staff present were: City Finance Director/Recorder Steve Herman and Secretary Georgia Shirilla. Also present were the City Attorney, John Coutrakon and the City Engineer, Richard Nored.

III. APPOINTMENTS

1. Appointment to Position No. 4, Brookings City Council.

Mayor Hitchcock announced the names of the candidates as follows: Don MacDonald, Ray Lockman, Ken MacLeod, Jack Lowrie and Walt Lovejoy.

MOTION by Councilman Brimm, seconded by Councilman Cheney that the Council appoint Ray Lockman to position No. 4. Motion carried unanimously.

Judge Rice administered the Oath of Office.

2. Appointment to Parks and Recreation Commission.

MOTION by Councilman Cheney, seconded by Councilman Brimm that Martin Palmer be appointed to the Parks and Recreation Commission. Motion carried unanimously.

IV. APPROVAL OF MINUTES

MOTION by Councilman Cheney, seconded by Councilman Brimm that the Council approve the minutes of the August 26, 27, and September 3, 1980 meetings. Motion carried unanimously.

Mayor Hitchcock made an announcement about the Land Conservation and Development Commission Lawsuit and that the trial had been set for the week of November 17, 1980.

V. COMMUNICATIONS

1. Proclamation - Harland Yriarte Day.

Secretary Georgia Shirilla read the Proclamation for Harland Yriarte Day on September 7, 1980.

2. Letter from Maxine Bryant.

Maxine Bryant, in the audience, presented her request for assistance from the City in the financing of her North Brookings Sewer District assessment. Discussion was had about the Bancroft Bonds and alternative means of financing. The City Finance Director and City Attorney will research the matter and will be in contact with Mrs. Bryant in the near future.

3. Letter from Florence Meier.

Mayor Hitchcock explained Mrs. Meier's request for a fence to protect her property from people using the Little League field. The fence would run from the existing fence to the street.

MOTION by Councilman Cheney, seconded by Councilman Brimm that the City have Cecil Smith and Marshall Ferg look at the proposed project and provide a cost estimate to the Council. Motion carried unanimously.

VI. CITY ATTORNEY REPORTS

1. Donald Hintzman

The City Attorney reported that Mr. Hintzman has granted the 35 foot easement to the City required by Council in its approval of his street width variance request. All conditions of approval of the variance have therefore been met.

2. Van Duzee/Iowa Tract

The City Attorney reported that the attorney for Mrs. Stanhurst and the attorney for the Van Duzees are still in the process of working out the issues.

3. Don Keslar's request for vacation of an easement.

The City Attorney reported that the subject easement is private so no further action by the City is necessary.

4. Yergen & Meyer

The City Attorney reported that he negotiated the audit contract as directed by the Council. Yergen and Meyer has provided their estimate for doing the work, and will notify the City if unforeseen difficulties arise that could increase their charge. Mayor Hitchcock, in behalf of the City has signed the contract for the 1979-80 audit.

5. Riviera Heights Subdivision

The City Attorney reported that representatives from H.G.E., Marshall Ferg and the two principals of the subdivision, Messers. Harris and Miller were together most of the day on September 4th going over the project. Later that day, he received word that the engineering work to date was in compliance, but that the deposit, required earlier by the City Council, had not been posted. The amount of the deposit has been reduced from \$20,000 to \$15,000 through special Council action. On September 5th, the deposit still had not been paid so the City Attorney, per instruction by the Council, filed a Stop Work Order.

There was discussion about a subsequent letter received by the City Attorney from Mr. Freudenberg, an attorney who was acting in behalf of the developers' attorney, Mr. Nelson, while he was on vacation. The amount of deposit, erosion control, the threat of damage to neighboring properties and prior problems with the developers were also discussed.

MOTION by Councilman Cheney, seconded by Councilman Brimm that the City Attorney and the City Engineer be instructed to notify the Riviera Heights Subdivision developers to do erosion control on the property (i.e. complete mulching, critical slopes, seeding and irrigation to germinate the seeds), and if the work is not done in 10 days, the City will have the work done and a lien for the expense will be filed against the property. Motion carried unanimously.

VII. CITY ENGINEER REPORTS

None other than those already discussed.

VIII. LEGISLATIVE ACTION

1. Discussion/decision on Chetco Library alarm

Anne Hicks, Librarian, and the Council members discussed problems and expenses associated with the alarm system.

MOTION by Councilman Cheney, seconded by Councilman Lockman that Verne Garvin be notified that he has 15 days to either furnish a new alarm or remove the

old one and reimburse the City for the amount of money it has paid for the alarm and service. Motion carried unanimously.

2. Ordinance No. 343 - An Ordinance Governing the Disposal of Unclaimed, Bailed, Lost and Stolen Property and Declaring an Emergency.

Secretary Georgia Shirilla read the Ordinance in its entirety. The first reading of the Ordinance was August 26, 1980. A man from the audience commented that he thought the Notice of Sale should be posted in three public places.

MOTION by Councilman Cheney, seconded by Councilman Lockman that the Council adopt Ordinance No. 343. Motion carried unanimously.

3. Ordinance No. 344 - An Ordinance Creating the Office of City Finance Director and Establishing the Powers and Duties Pertaining Thereto.

Secretary Georgia Shirilla read the ordinance in its entirety.

MOTION by Councilman Cheney, seconded by Councilman Brimm that the Council adopt Ordinance No. 344. Motion carried unanimously.

Secretary Georgia Shirilla read Ordinance No. 344 by title only.

MOTION by Councilman Brimm, seconded by Councilman Cheney that the Council adopt Ordinance No. 344. Motion carried unanimously.

4. Ordinance No. 345 - An Ordinance Creating the Office of City Administrator and Establishing the Powers and Duties Pertaining Thereto.

Secretary Georgia Shirilla read the Ordinance in its entirety.

MOTION by Councilman Cheney, seconded by Councilman Brimm that the Council adopt Ordinance No. 345. Councilman Lockman abstained. Motion carried.

The second reading of Ordinance No. 345 will be heard at the September 23, 1980 Council meeting.

Mayor Hitchcock made the announcement that all candidates for the Council and Mayor positions are invited to meet with him and become involved in the selection process for the new City Administrator.

5. North Brookings Sewer District - bills and interest rate on assessments.

Mayor Hitchcock read a letter from the Finance Director, dated September 4, 1980. Discussion was had about the interest rate.

MOTION by Councilman Cheney, seconded by Councilman Lockman that the Council set the rate of interest for the assessments on the North Brookings Sewer District and Wharf Street projects as stated in the Finance Director's letter at $8\frac{1}{2}\%$ for bonded assessments and 9% for the unbonded assessments. Motion carried unanimously.

IX. OTHER ITEMS - None

X. PAYMENT OF VOUCHERS

MOTION by Councilman Cheney, seconded by Councilman Brimm that the City pay the bills on the bills list. Motion carried unanimously.

XI. COMMENTS

None.

Page 4 - Minutes
Brookings Common Council
September 9, 1980

XIII. ADJOURNMENT

MOTION by Councilman Cheney, seconded by Councilman Lockman that the meeting be adjourned. Motion carried unanimously.

The meeting was adjourned at 9:15 p.m.

This meeting was recorded on tape and is on file in the City Recorder's office.


MAYOR

ATTEST:


CITY RECORDER