

MINUTES  
BROOKINGS COMMON COUNCIL  
CITY OF BROOKINGS  
January 8, 1980

The meeting was called to order at 8:30 p.m. by Mayor Elmer Hitchcock.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Members present were: Councilmen Darrel Allsup, Ralph C. Cheney, Jack Lowrie and Ray Lockman.

Staff present were: City Manager/Recorder Frank Freeman and Praecilla Pruitt, Secretary. Also present were City Attorney John Coutrakon and City Engineer Richard Nored.

III. APPROVAL OF MINUTES

Mayor Hitchcock mentioned two corrections needed to be made. One was to add the statement that the November 20, 1979 meeting was reconvened Nov. 21, 1979. This statement was contained in the November 20th minutes on page 4. The second correction was that payment of bills in the amount of \$93,152.66 was incorrect, however this amount was correct since a part of one account had been paid previously. The secretary also stated that in the December 11, 1979 minutes, page 3, Item 4, Library Discussion, the State Aid should read \$.21 rather than \$.23.

MOTION by Councilman Cheney, seconded by Councilman Lockman that the minutes be approved with the corrections. Motion carried unanimously.

IV. PUBLIC HEARING

Appeal by Mr. Darrell O. Otto of Planning Commission ruling denying request for conditional use permit for home occupation to operate office for mobile home sales at 215 Woodland Court.

(Please see transcription which is attached hereto and marked Exhibit "A".)

V. COMMUNICATIONS

1. Request from Terry Phillips, Chairman of the Parks & Recreation Commission concerning covering the Municipal Swimming Pool.

Chairman Phillips stated that the pool was now under the Heritage Conservation Services and that since the rules and regulations had been changed it was now possible to cover the pool through donations or grants. The Federal Government gives each State a certain amount of money for special project funds. If the City desired to enter this program they would need to have engineering or architectural plans and matching funds available. There could be a possibility of receiving such funds. Mr. Mike Crow of the Engineering Firm of Samuels & Clay had looked at the pool. With a copy of the pool plans they would be willing to give a rough estimate of the engineering costs and also a very rough estimate of the cost to cover the pool with no cost to the City. After receiving the cost estimate the money could be raised through some civic organization to hire the engineering firm. It was noted that if the City furnished the money it would go through the City Council and they would call for competitive bids.

MOTION by Councilman Allsup, seconded by Councilman Cheney that the Chairman of the Parks & Recreation Commission have the authority to go ahead with the project with the full sanction of the City Council.

2. Letter from Elizabeth Ruebush, Chairman of the Library Board of Trustees concerning Library fiscal operations.

Mrs. Ruebush informed the Council that at a previous Library Board meeting a unanimous decision was made asking the City Council to rescind their motion made in the December 11, 1979 meeting. Mrs. Ruebush requested that the Council and the Library Board meet to discuss the matter. Jack Ross of the Library Board read the letter written by Mrs. Ruebush. He also read Councilman Cheney's statement that the Library Board was in violation of State and Federal Law, together with Councilman Cheney's motion made during the December 11, 1979 Council meeting. Councilman Cheney replied that since 1976 the auditors have stated that the Library was in violation and instructed the City Council in various letters to take care of the matter. He had copies of these letters supporting his statement.

MOTION by Councilman Cheney that we refer this letter and these communications from the auditor to the City Manager, City Attorney and the Auditor. Councilman Allsup seconded the motion.

Mr. Jack Ross questioned what law that the Library had violated. Councilman Cheney again stated that he was turning it over to the Attorney and the auditors who have written these letters. Mr. Ross continued to question what ordinance, ORS or Federal statute the Library had violated. Councilman Cheney and Allsup called for a vote upon the motion several times. Mayor Hitchcock stated that Mr. Ross should have his question answered. Councilman Cheney replied that he had already told him and had referred it to the Attorney. The City Attorney stated that basically he felt that Councilman Cheney had answered the question when he stated that they were in violation of law because of what the auditor had said in his report. Mr. Freeman then read the letter from Tad K. Engman, Auditor, dated Sept. 19, 1978 in which the letter stated that the Library was in violation of local budget law (State law). Mr. Ross continued to question Councilman Cheney about what law that the Library was in violation of, and asked him to rescind the motion. Councilman Cheney stated that he would not do so. Anne Hicks, Librarian stated that when you are talking about State and Federal monies such as grants or budgets from the City and County which are Federal revenue sharing funds, that all the grants money goes through the City's books. The money goes to the City and the City pays the bills and a copy of every order that is made is sent to the State with the number of the check. Previously there was a trustee account which has now been dissolved. Most of the donations go to a foundation which is outside and is separate from the City. The donations by law do not have to go through the City according to the ORS and the Library can have a separate trust account. The books are audited in the trustee account. Councilman Allsup asked that to resolve the matter that it should be turned over to the City Attorney and the Auditor and bring it back at a later date. Mayor Hitchcock stated that he had recommended to the Library Board that the Auditor and the City Attorney be present at the February Library Board meeting when he had met with them a week earlier. Council-

REPORT OF AUDIT  
CITY OF BROOKINGS  
for the Fiscal Year  
JULY 1, 1975 to JUNE 30, 1976

Prepared By

**TAD K. L. ENGMAN** CERTIFIED PUBLIC ACCOUNTANT & MUNICIPAL AUDITOR  
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Farmers Home Administration. There appears that there may be some double coverage on the contents of the library. The new city manager is covered only by the employees blanket bond of \$10,000. It appears that the City Hall contents are significantly under insured.

#### Federal Programs

The City participated in the Comprehensive Employment and Training Act, the Public Employment Program, and the Work Incentive Program, included in the General Fund transactions, revenue sharing and federal disaster assistance (included in Federal Funds), the water enterprise and construction subject to the Farmers Home Administration bonds and construction requirements, and the sewer construction. Each of these programs was audited specifically, in accordance with Federal and State requirements, and was found in compliance.

#### Accountability for Independently Elected Officials

No independently elected officials collect or receive money.

#### CHETCO COMMUNITY PUBLIC LIBRARY

The Chetco Community Public Library is directed by its Board of Trustees, and is established under ORS 357.400 to 357.621, and by the City of Brookings.

The funds under the control of the Board of Trustees had not been audited prior to the 1975-76 fiscal year, although those financial transactions funded by the City of Brookings resources were included in the City's audits. The Oregon Revised Statutes pertaining to public libraries were substantially changed effective September 16, 1975. For these, and other reasons, the complete operations of the Chetco Community Library have been included in this audit.

While many detailed financial records relating to the Library Board's historical

operations exist, formal financial statements are sparse, except for the library's annual reports to the State Library. It will be necessary for the library to establish additional records, and to organize historical data in order to provide adequate financial accountability.

The cash and investments balances and transactions for July 1, 1975 through June 30, 1976 are included in Exhibits F-1 and F-2. The fixed assets are valued according to the current insurance statement of values. No balance sheet was located for June 30, 1975, or before.

The library's board of trustees has administrative and policy control over the library. However, ORS 357.490, as amended effective September 16, 1975, states in part:

→ "all property or funds [of the library] shall be held in the name of the governing body [City of Brookings] . . ."

This apparently indicates that all title to real and personal property should be vested in the City of Brookings, and that all bank accounts should be in the City's name. Local Budget Law Abstracts OF 454-V;4-2-64 and Note, 12-8-64, reference ORS 294.326, while in some instances based upon amended or repealed sections, indicate that all of the library's disbursements are governed by the local budget law as applied to the City of Brookings. Therefore, all expenditures, except grants, gifts, bequests or devises in trust for specific purposes and expended in the year of receipt, would appear to need to be budgeted.

To provide adequate accounting of memorials, trusts, and temporary deposits, these should be handled as trust funds, and the establishment terms of each should be documented so that the covenant requirements of expenditures can be verified as authorized.

The library's reports to the State Library appear reasonably accurate, except that budgeted rather than actual amounts were used for receipts (resources).

See also comments relating to cash control in "Audit Comments" section.

#### COMMENDATION

The courtesies and cooperation of the officials and employees of the City of Brookings during this audit were commendable and are greatly appreciated.

REPORT OF AUDIT  
CITY OF BROOKINGS  
for the Fiscal Year  
JULY 1, 1976 to JUNE 30, 1977

Prepared By

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Manual for Municipal Corporations" for its resolution. This would eliminate the need for many budget transfers. As appropriated, almost all over-expenditures shown in Exhibit C are technical violations of ORS 294.435(5). Depreciation expense is not subject to budget - capital outlay is. See also the comments in the "Accounting Policies" section.

→ A special section of the 1975-76 audit report dealt with the Chetco Community Public Library. It appears necessary to re-inforce those comments. All funds of this and other City boards and commissions must be held in the name of the City, and must be accounted for by the City. The boards and commissions can have administrative and policy control over their funds. These funds are subject to local budget law, unless they specifically meet one of the exceptions in ORS 294.326. The library is continuing its use of "trustee accounts" completely separate from the City. ORS 294.435 pertains, and ORS 294.100, which reads in part:

"294.100 Public official expending money in excess of amount or for different purpose than provided by law unlawful; civil liability. (1) It is unlawful for any public official to expend any money in excess of the amounts, or for any other or different purpose than provided by law.

(2) Any public official who expends any public money in excess of the amounts, or for any other or different purpose or purposes than authorized by law, shall be civilly liable for the return of the money . . ."

### Federal Programs

Our examinations of Federal Revenue Sharing, Anti-Recession Fiscal Assistance, and Construction Funds was made in accordance with federal standards. All requirements were met, and all transactions and reports were proper.

### COMMENDATION

The courtesies and cooperation of the officials and employees of the City of Brookings during this audit were commendable and are greatly appreciated.



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for the Fiscal Year  
JULY 1, 1977 to JUNE 30, 1978

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not subject to budget, including depreciation, trust accounts, grants for specific purposes expended in year of receipt, and certain local improvement projects. All other capital outlay, and purchases of unexpended supplies, are subject to budget.

A special section of the 1975-76 audit report dealt with the Chatco Community Public Library. Those comments were restated in the 1976-77 audit report. It appears necessary to again re-inforce those comments. All funds of this and other City boards and commissions must be held in the name of the City, and must be accounted for by the City. The boards and commissions can have administrative and policy control over their funds. These funds are subject to local budget law, unless they specifically meet one of the exceptions in ORS 294.326. The library is continuing its use of "trustee accounts" completely separate from the City, and accounts were found for the Parks Commission. ORS 294.435 pertains, and ORS 294.100, which reads in part:

"294.100 Public official expending money in excess of amount or for different purpose than provided by law unlawful; civil liability. (1) It is unlawful for any public official to expend any money in excess of the amounts, or for any other or different purpose than provided by law.

(2) Any public official who expends any public money in excess of the amounts, or for any other or different purpose or purposes than authorized by law, shall be civilly liable for the return of the money . . ."

#### Federal Programs

Federal revenue sharing and anti-recession fiscal assistance were audited in accordance with the "Audit Guide and Standards for Revenue Sharing and Anti-recession Fiscal Assistance Recipients, revised December, 1977". The weakness in internal control and in accounting policies indicated above do not affect these programs. The transfer of revenue sharing moneys to the park department of the general fund exceeded allowable expenses by \$6,834.20. This money must be expended for those purposes, or be rebudgeted. All other compliance was satisfactory.

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September 19, 1978

City Council  
City of Brookings

Gentlemen:

Your city has boards and commissions, in particular the library and parks, that are maintaining accounts and trust funds apart from the City's records.

All funds of all of the City's boards and commissions must be held in the name of the City, and must be accounted for by the City.

You are jeopardizing the legality of your trusts and the tax deductibility of donations, and are in violation of local budget law.

The boards and commissions can have administrative control and policy control over their funds.

You must correct this situation immediately. You, as individuals, can be held civilly liable.

Tad K. L. Engman

ROY L. FIETZ, C.P.A.  
Resident Partner  
DON HALL, C.P.A.

**Yergen and Meyer**  
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HOME OFFICE:  
PORTLAND, OREGON

BRANCH OFFICES IN:  
OREGON  
WASHINGTON

October 4, 1979

The Honorable Elmer Hitchcock, Mayor  
and Members of the City Council  
City of Brookings  
Curry County, Oregon

We have examined the financial statements of City of Brookings for the year ended June 30, 1979, and have issued our report thereon, dated October 4, 1979. As part of our examination, we made a study and evaluation of the City's system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under these standards, the purposes of such an evaluation are to establish a basis for reliance on the system of internal accounting control in determining the nature, timing and extent of other auditing procedures that are necessary for expressing an opinion on the financial statements and to assist the auditor in planning and performing his examination of the financial statements.

The objective of internal accounting control is to provide reasonable, but not absolute, assurance as to the safeguarding of assets against loss from unauthorized use or disposition, and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that the cost of a system of internal accounting control should not exceed the benefits derived and also recognizes that the evaluation of these factors necessarily requires estimates and judgments by management.

There are inherent limitations that should be recognized in considering the potential effectiveness of any system of internal accounting control. In the performance of most control procedures, errors can result from misunderstanding of instructions, mistakes of judgment, carelessness, or other personal factors. Control procedures whose effectiveness depends upon segregation of duties can be circumvented by collusion. Similarly, control procedures can be circumvented intentionally by management with respect to the execution and recording of transactions or with respect to the estimates and judgments required in the preparation of financial statements. Further, projection of any evaluation of internal accounting control to future periods is subject to the risk that the procedures may become inadequate because of changes in conditions and that the degree of compliance with the procedures may deteriorate.

Our examination of the financial statements made in accordance with generally accepted auditing standards, including the study and evaluation of the City's system of

internal accounting control for the year ended June 30, 1979 that was made for the purposes set forth in the first paragraph above, would not necessarily disclose all weaknesses in the system because it was based on selective tests of accounting records and related data. However, such study and evaluation disclosed the following conditions that we believe to be material weaknesses for which corrective action by management is required.

GENERAL

1. General ledger accounts are not maintained and posted on a timely basis with no accurate means by which to measure results of operations or determine actual fund balances at any point in time. This precludes timely and accurate budget preparation and does not provide management with the information necessary for sound fiscal management. Procedures should be established to insure that revenues, expenditures, and appropriate adjustments are posted to the general ledger on a monthly basis.
2. In theory the city is on the modified accrual basis of accounting. In practice it is on the cash basis. Revenues are recorded when received rather than when earned and expenses are recorded when paid rather than when the liability is incurred. This does not provide timely and accurate record of actual revenues and expenses resulting in misstated financial data and unrecorded liabilities. Procedures should be established whereby revenues are recorded when earned with an appropriate offsetting entry to accounts receivable. Expenditures should be recorded when the liability is incurred with an offsetting entry to accounts or vouchers payable. The books should not be "held open" nor should bills be "carried over" without the proper liability being reflected.
3. There is an excessive number of bank accounts which requires additional work to maintain and to reconcile. The combination of numerous bank accounts and ineffective internal control increases the risk of manipulation, concealment, and diversion of funds. Bank accounts should be combined and the number reduced to a reasonable level, possibly one general account and two trust accounts (one for payroll and one for bail deposits).
4. There is no reconciliation of revenues and expenditures to bank deposits and withdrawals on a regular (or even annual) basis. This should be done on a monthly basis.
5. It appears that all funds of the City are not being accounted for by the City. I. E. The library's use of trustee accounts completely separate from the City. This is in violation of O. R. S. The procedures necessary to provide proper accountability have been outlined to city and library management.

man Cheney stated that he felt the Auditor and the City Attorney as the motion stated, should draw their own conclusions to solve the matter. He also stated that there was no ordinance creating this Board. Councilman Allsup felt it was up to the City Attorney and the Auditor, and there was a motion that should be voted on. That we should go ahead and meet with the Board at the next meeting. It was established that the next meeting of the Library Board was to be held on February 5, 1980 at 7:30 p.m. Mr. Ross questioned if the City wished to run the Library and Councilman Cheney answered that he felt there should be a Board but the rules should be changed so that the bookkeeping could be done at the City Hall. He further stated that he was not trying to run the Board but only trying to bring them in compliance with what the Auditor had requested for the last four years. That the Council was individually responsible for any action that the Board takes and since they are responsible this action should be brought and these bills should be approved by the City Council. Councilman Allsup stated that we have a good Library Board and also a good Chairman but to resolve this matter the Attorney and the Auditor should get together and again called for a vote on the motion. Mayor Hitchcock called for a vote and the motion carried unanimously.

MOTION by Councilman Lowrie that we adjourn and meet tomorrow morning at 10:00 a.m.

The City Attorney stated that the Council and the Library Board were trying to work towards some resolution of this matter and an agreement, and that he and the Auditor would meet with the Library Board and outline what the nature of the organization is and the enabling ordinances necessary. The City Attorney further stated that he was familiar with the foundation as he had set it up and could inform the Council what form of organization the Library has.

MOTION by Councilman Lowrie that we adjourn and reconvene tomorrow at 10:00 a.m. Mayor Hitchcock stated that if Mr. Lowrie did not feel well he could go home as there was a quorum present. Councilman Lowrie left the meeting at approximately 9:30 p.m.

3. Letter from Walt Lovejoy and Robert Peterson concerning possible flooding of his property by City installation of a 12" drain pipe to carry water from 5th and Ransom Street area.

The City Engineer stated that several months ago he had recommended to the Council that the installation of this drain line be allowed which put the requirement on the property owners and not on the City. If Mr. Pope wanted to move the drain line he did so at his own risk and he would install it so that it would not affect the adjacent property owners. The City was not installing the 12" drain pipe as it was being done by the property owners. Mr. Lovejoy who was in attendance voiced his disapproval of allowing the drainage to bisect through the middle of his property. Mr. Freeman stated that the City would relocate a culvert which crosses 5th Street and this was all that the City had committed itself to do. This was in lieu of a storm drainage assessment district of the entire area which was originally proposed by the Engineer, but the citizenry

did not desire to form a district at that time. Marshall Ferg, Building Inspector stated that he had talked with the developers of Cameo Court Subdivision, Mr. Pope and the church and they had agreed that they would on a fair share basis install the culvert on 5th Street to the property line. The City Engineer and City Manager was to investigate the matter and refer it back to the Council.

VI. APPOINTMENTS

Letter from Elizabeth Ruebush, Chairman of the Library Board of Trustees concerning vacancy on Chetco Community Library Board of Trustees.

Mr. Freeman read the letter from Elizabeth Ruebush recommending Jackie Schlaf be appointed to this vacancy.

MOTION by Councilman Allsup, seconded by Councilman Cheney that Jackie Schlaf be appointed as a new member of the Library Board. Motion carried unanimously.

VII. PUBLIC PARTICIPATION

Dr. Edmonde Samuel questioned that the Council Chambers had been carpeted, a raised portion for the Council and new P.A. system and since there was tight budgets if this was in keeping with the tight money. Also that an employee could not go to the City Council with their problems. Mr. Freeman replied that there was no policy that an employee cannot meet with a Councilman, City Manager or anyone to speak about any topic that he or she would desire. Mary Jane Brimm stated that she had been a resident for many years and the public had complained to the City Council for years because they were unable to hear. That the problem has now been solved and she felt it was very nice. Councilman Allsup concurred with this statement. Mr. Freeman informed the audience that the City Council had budgeted with revenue sharing funds for public improvements and this was one of the projects.

VIII. LEGISLATIVE ACTION

Resolution No. 234 authorizing inter fund transfer of appropriated funds within approved 1979-80 FY budget.

The resolution was read in its entirety.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we adopt Resolution No. 234. Motion carried unanimously.

The Mayor called for a recess of five minutes at 10:05 p.m.

The meeting was reconvened at 10:15 p.m.

IX. CITY ENGINEER'S REPORTS

1. Engineer's report on request from Lee and Fern Van Duzee for water and sewer service assessment district.

The City Engineer stated there were six properties involved and it was to be assessed on a square footage basis. The lots are bondable. There was an overlapping of the property lines on Tax Lot 1800 and 1801, parcels 4, 5, and 6. There was one water and one sewer easement needed. On the South sewer line they would need to look to the property owners for a condemnation suit or a property acquisition suit to install the sewer

line on the easement that exists. The cost per lot would be from \$4,490 to \$9,900 per lot. His recommendation would be that a public hearing be scheduled and the property owners given a right to voice their opinions and vote yes or no. The only right-of-way needed would be from Murray Palmer on the southerly water and sewer lines that run down the access road on the southerly portion coming off Tanbark with a right-of-way driveway. Mr. Murray Palmer stated that previously when they proposed the district that they desired to put two manholes on his property. They also wanted to run a sewer line from Tanbark down on the southerly edge of the property next to the manhole and he objected to this being done. Mr. Palmer had met with Mr. Erickson the architect, and they had agreed that if they were to connect the property between the two manholes with an iron pipe so that he could build over it and not come down his driveway that he would give them an easement. He intended to hold the City to this agreement. Councilman Allsup asked if this was in writing. Mr. Palmer replied that most of it was, but would subpoena Mr. Erickson if they so desired. The best evidence Mr. Palmer had was an iron sewer pipe across his property. The City Engineer stated that there were many written restrictions and agreements with all the property owners. The Engineer further stated that there would be a 3' to 5' square easement needed from either Mr. Basabe or Mrs. Coleman to allow service to the other lots for a sewer trench out to Seascape Court. Mr. Basabe contended that he owned a 10' strip that they would need to use and the title company had informed him that it was his property. The City Engineer stated that there was a 10' utility easement that was given to Elmer Bankus and later deeded to the City and his title company showed this. Councilman Allsup stated that if Mr. Basabe did own the 10' strip the City would need a 5' easement. The City Engineer stated that they would need to obtain the easement through condemnation proceedings and there was money in the report for this.

MOTION by Councilman Cheney, seconded by Councilman Allsup to call for a public hearing at the next regular meeting to give the public input on this assessment district.

Mr. Murray Palmer questioned why a sewer assessment district was being formed to serve only one lot. Mr. Van Duzee stated there was no access to water on lots 1800, 1801 and 2200. The City Attorney clarified that these were only comments made upon the Engineer's report and this was not a public hearing. Councilman Cheney and Allsup called for a vote upon the motion. Motion carried unanimously.

2. Request from Dorothy and Ray Zednik and Mona and Floyd Huntley to relocate drainage ditch from South side of Meadow Lane to its North side.

It was the City Engineer's recommendation not to approve a change in the location of the drainage ditches since the proposed ditch is not part of the contract with the contractor. The additional costs would have to be borne by either the property owners or the City. It would also create a drainage problem further down the street. This was an unimproved street and should not require a lot of maintenance until it is brought up to City standards. Also that the drainage should go down the natural



drainage course and not make any changes unless an assessment district is formed. The drainage that exists is not a City problem. The City had paid to install sewer lines and to replace the ditches back to their original state. Mr. Michael Cremarosa stated that he would be willing to change the ditch on the North side if the City would provide the 12" culvert. He would install the culverts and request that the City repair any leaks or water breaks in the water line when making the ditch. Mr. Cremarosa clarified that he was willing to do whatever the City so desired. The property owners complained that water was flooding their driveway. Councilman Cheney stated that the flooding would be a civil matter. The City Attorney stated that the only liability would be if the Council would not go along with some change that was proposed.

MOTION by Councilman Allsup, seconded by Councilman Cheney that the City Engineer be directed to put back the line to its original state as he had recommended. Motion carried unanimously.

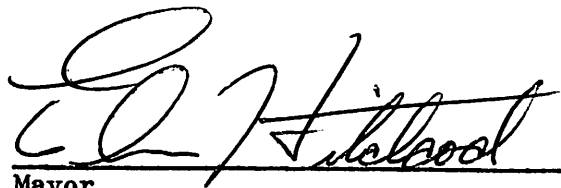
3. Report on Sewage Plant by City Engineer.

The City Engineer informed the Council of the great progress that had been made since the new operators came in. They had solved the problem of getting the sludge out of the primary clarifier and would be saving one-half of the hauling cost as the plant is now hauling whole solid sludge.

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

The meeting was adjourned at 11:15 p.m. This meeting was to be reconvened on January 9, 1980 at 10:00 a.m.

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

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

MINUTES  
BROOKINGS COMMON COUNCIL  
CITY OF BROOKINGS  
CONTINUED MEETING  
January 9, 1980

The meeting was reconvened at 10:05 a.m. by Mayor Elmer Hitchcock.

I. ROLL CALL

Members present were: Councilmen Darrel Allsup, Ralph C. Cheney and Raymond Lockman.

Staff present were: City Manager/Recorder Frank Freeman and Secretary Praecilla Pruitt. Also present was the City Attorney John Coutrakon.

II. CITY ATTORNEY'S REPORTS

1. The City Attorney informed the Council of a new Ordinance No. 326 which would repeal Ordinance No. 267, dated January 27, 1976 for the purpose of establishing a public contract review board.

The Ordinance No. 326, inadvertently numbered 325, was read in its entirety.  
MOTION by Councilman Cheney, seconded by Councilman Allsup that Ordinance No. 326 be read by title only.

Ordinance No. 326 was read by title only.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we adopt Ordinance No. 326. Motion carried unanimously.

It was clarified that the City Council was the contract review board.

2. The City Attorney informed the Council that Rich Michelson, County Attorney desired the Council's permission to give Curry County the City's right and authority to name streets within a six mile radius outside the City. It was clarified that all subdivisions would be responsible for naming their own streets. There were 106 roads that never had been named.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we write a letter giving the County authority to name and rename the streets within the six mile radius.

After discussing the matter it was felt that a resolution should be drawn up to make it more binding. There was to be included in the resolution a time limit and that permission should be given for this one program only. It was agreed that the County would submit all the names of the streets to the City Council. Councilman Cheney withdrew his motion and Councilman Allsup his second.

MOTION by Councilman Cheney, seconded by Councilman Allsup that the City Attorney be directed to draw up a resolution which would be presented at the January 21, 1980 Council Meeting.

MOTION by Councilman Cheney, seconded by Councilman Lowrie that the Council authorize a stenographic secretary position for the City Manager's office staff and that the City Manager was to hire this employee as soon as possible. Motion carried unanimously.

Councilman Lowrie informed the Council that he was resigning his position on the Council and recommended that Robert Earle be appointed to fill his position. Councilman Lowrie left the Council meeting at 10:30 a.m.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we accept Mr. Lowrie's resignation and appoint Robert Earle to fill Mr. Lowrie's position as City Councilman. Motion carried unanimously.

MOTION by Councilman Cheney to rescind Resolution No. 184 so that the new regulations can be drawn up for the Library Board.

Councilman Cheney stated that he had made this motion so that the Library Board would be able to get a new ordinance drawn up. The City Attorney informed the Council that a new ordinance should be drafted, but that the present resolution should remain in effect in order that the Library Board could continue to function. Councilman Cheney stated that he was only desiring to get an ordinance drafted and rescinded his motion.

Councilman Lockman had to leave and left the meeting at 10:40 a.m.

### III. CITY MANAGER'S REPORTS

1. Letter of appreciation from Parks & Recreation Commission to Ellis Watkins, immediate past Chairman of Parks & Recreation Commission.

Mayor Hitchcock felt that a resolution or recognition should be written for the past services that Mr. Watkins had performed all these years.

2. Report on membership of newly formed Citizen Advisory Committee on Finance. Mr. Freeman stated that there are currently eight members on this committee. Mr. Freeman felt that one Council member should sit on that committee to act as a liaison officer between the committee and the Council. Mayor Hitchcock appointed Councilman Cheney to this position.

3. Request from Richard House, Public Works Supervisor, for back pay of 78 hours of overtime worked between September 1978 and December 1979.

Mr. House informed the Council that at the time he was hired by the City Manager his pay would be \$1,200 a month. He worked one month and turned in overtime and was informed that they did not pay the superintendent overtime or compensatory time. He also noted that his salary was only \$1,000 a month. He was not asking for the \$200 a month for the first 14 months. Pmt. to be \$777.

MOTION by Councilman Allsup, seconded by Councilman Cheney that we pay 78 hours overtime from September 1978 to December 1979. After discussion the Mayor called for a vote and the motion carried unanimously.

### IV. PAYMENT OF VOUCHERS

Mr. Freeman stated that he was requesting the payment of bills to M & F Construction and Marquess and Associates. Councilman Allsup asked Mr. Cremarosa how much of the project was completed. Mr. Cremarosa replied that the project was 98% complete. The payment to date was \$370,000 and the contract bid was \$401,000.

MOTION by Councilman Allsup, seconded by Councilman Cheney that we approve the payment to Marquess & Associates in the amount of \$78,150.27 and M & F Building Co. in the amount of \$77,590.11. Motion carried unanimously.

### V. OTHER BUSINESS

The City Manager informed the Council that the three top candidates for Finance Director had been chosen and they were to interview on Thursday, January 10, 1980 from 3:00 to 5:00 p.m. The accountant, City Councilmen and City Manager were to

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Brookings Common Council  
Continued Meeting  
City of Brookings  
January 9, 1980

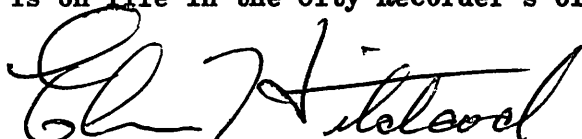
ask questions of the applicants.

Mr. Freeman informed the Council that Marvin Gloege would come down on January 23, 1980 to speak at a joint meeting of the Council and Planning Commission about the role of the Council, Planning Commission and City Manager. There would be no cost to the City.

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

The meeting was adjourned at 11:10 a.m.

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

  
\_\_\_\_\_  
Mayor

ATTEST:

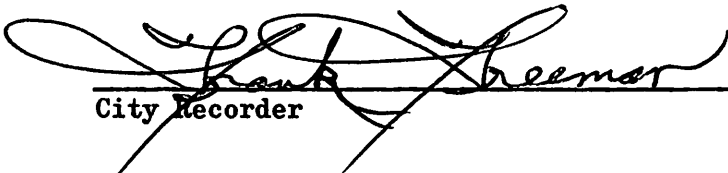
  
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City Recorder

EXHIBIT "A"

Regular Council Meeting, January 8, 1980  
Appeal by Darrell O. Otto on Conditional Use Permit

MAYOR HITCHCOCK: Next is a public hearing and appeal from Mr. Darrell Otto from the Planning Commission on a request for a use permit to operate an office for a mobile home business from his home at 215 Woodland Court. I think there is ...

MR. GARDNER: Mr. Mayor my name is Jim Gardner, Attorney for Mr. Otto and I do not know how this body handles public hearings but I would imagine you would want us to put on ....

JOHN COUTRAKON: Mr. Gardner, if I might before you begin this, I think it would help the Council out and the audience out because I think we have both some proponents and some opponents out here and if I could inform the Council, I think it would be best way to structure this would be that first of all that the Mayor is the presiding member of the Council should be the presiding member of this hearing on the appeal unless the Council elects otherwise. That the first thing to do is to see if the proponents have any objections to anyone sitting due to some sort of bias or prejudice or cause or something like that in hearing the appeal and also if there is any objection by the proponent to the jurisdiction of this body, and if the abstentions and the jurisdictional elements are waived by the proponent then I think the next thing to do since there has been a decision by the Planning Commission would be for the report of the Planning Commission to be read and placed upon the record as such that sets the stage for this appeal and that thereafter then the proponent in this case is Mr. Otto represented by Mr. Gardner should proceed with their case in chief, so to speak, after which the Council can of course question any questions whatever in regards to the merits of this matter question the proponent or any of the proponents that step forward in Mr. Otto's behalf. It is only after I believe Mr. Otto and his representatives have put on their case that the opponents would then have a right to speak and object in a similar fashion that questions by the Council can be put to the opponents. I do want to apprise the Council that I think that the Council is bound in any decision that it makes to follow the standards and criteria for the granting of a conditional use permit as stated in the Brookings Ordinance No. 216 which is the basic zoning ordinance for Brookings community. That is whichever way the Council does decide, I think that there will have to be a finding made of the facts presented by the proponents and the opponents as applied to the criteria for conditional uses. Perhaps so you can keep this in mind as the hearing is presented as I basically see it Section 7 or Article 7 of the Ordinance 216 speaks to the guidelines for which conditional uses may be granted and specifically here as I understand it that - looking - Mr. Otto is seeking a conditional use for a home occupation.

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MR. GARDNER: That is correct.

JOHN COUTRAKON: Let me just read through this very quickly to keep these criteria in mind because I think that you will have to apply the facts as you hear them to this criteria. First one is not over 25% of the total floor area of the main floor of the dwelling is to be used for the home occupation; in other words, the 25% is the total floor area of the dwelling which can be used for the home occupation. The home occupation is to be secondary to the main use of the dwelling as a residence. No structural alterations shall be permitted to accommodate the home occupation except unless otherwise required by law. No entrance to the space be devoted to home occupation than than from within the dwelling shall be permitted except when otherwise provided by law. No person other than a maximum of two members of the immediate family residing in the dwelling is to be engaged in a home occupation. No window display and no sample commodities displayed outside the dwelling shall be allowed. No stock in trade stored nor commodity kept for sale, which is not produced on the premises shall be allowed. No materials or mechanical equipment shall be used which will be detrimental to the residential use of the dwelling or adjoining dwellings because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other such factors. No materials or commodities shall be delivered to or from the residence which are of such bulk or quantity as to require delivery by a commercial vehicle. No parking of customer's vehicles in a manner or frequency so as to cause disturbance or inconvenience in nearby residence or so as to necessitate off-street parking shall be allowed. Those are the standards and criteria within the Brookings zoning ordinance for which you must apply the facts. The other basic rule of law I think is that in an appeal the burden of proof is upon the proponent in this case, Mr. Otto in the taking of this appeal.

MR. GARDNER: Mr. Coutrakon, this is a hearing what we attorneys call denovo. You can use it for informational purposes - the finding of the Planning Commission which is not found - my position would be that any decision you would make tonight would be based on information proponent or opponent which are here tonight.

JOHN COUTRAKON: Yes, Mr. Gardner is correct this is just as if - except for your - as I say initially reading - I believe there was a report submitted by the Planning Commission except for your reading the decision you make shall be based upon the facts that you hear tonight rather than to carry the presumption forward of the decision by the Planning Commission. In other words it is just like a new hearing as if you were the Planning Commission, so to speak.

MR. GARDNER: The other point I would like to make - you asked me if the proponent had any position as to any members of the Council - I would just point out that at least I believe one member of the Council lives on Woodland Circle and I believe it would be up to his conscience if he feels he has a conflict of interest. As far as the balance of the Council, we have no objections or know of any conflicts of interest that would be or to have a member excuse themselves.

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JOHN COUTRAKON: Would you like to raise a notice to one of the Council members?

MR. GARDNER: I made a mistake - I don't live in Brookings but I do know that Mr. Cheney lives on Woodland Circle.

MR. CHENEY: I live at 319 Railroad.

MR. GARDNER: OK, you do live in the vicinity?

MR. CHENEY: Yes.

MR. GARDNER: I will leave it up to him if he feels he has a conflict of interest. Unable to hear -----.

MAYOR HITCHCOCK: What would you say would be the vicinity - distance wise or -

MR. GARDNER: Under your zoning ordinance as far as affected parties - most zoning ordinances for a zoning change - say the proponent in a zoning change should look at 500 feet - 250 feet, I did not see it in your ordinance. We took signatures of people in support of this application within 250 to 300 feet. I will leave it up to the conscience of each of the Councilmen that live in the area to .... unable to hear - equate whether or not they feel they should abstain.

MAYOR HITCHCOCK: How far do you live Jack?

MR. LOWRIE: I would say about a hundred feet.

MAYOR HITCHCOCK: And Ralph?

MR. CHENEY: Oh probably 250 feet.

MAYOR HITCHCOCK: Well at this time, do you feel that the two of you should abstain?

MR. CHENEY: We have no vested interests in this whatsoever.

MR. LOWRIE: I can't hear.

JOHN COUTRAKON: Ralph said he has no vested interest.

MR. LOWRIE: I have none either.

MAYOR HITCHCOCK: Well then you feel that you can give a decision that would be fair to the ...

MR. CHENEY: It would be up to the City Attorney to settle that question.

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JOHN COUTRAKON: Well Mr. Gardner has said he would leave it up to your conscience as to whether you would feel that you have any interest that would bias your decision.

MR. CHENEY: Well, we have no vested interest in it, John.

JOHN COUTRAKON: Well, I think the question is that - do you have any interest that would bias any decision that you would make?

MR. CHENEY: No, I don't.

JOHN COUTRAKON: Well, just one moment, Jim. Perhaps the Mayor could read the memorandum which sets the stage for this and that is the report that the Planning Commission made.

MAYOR HITCHCOCK: I don't have it, do you have it?

JOHN COUTRAKON: I think - it is the Council Addendum.

MAYOR HITCHCOCK: Is it this one?

MR. GARDNER: After the meeting, could I have a copy of this material as I understand there are no other copies at this time?

MAYOR HITCHCOCK: I understand this is the one from the Planning Commission. This is a memorandum considering a conditional use permit CU-79-4. Application for Conditional Use Permit # CU-79-4 on behalf of Darrell O. Otto, 215 Woodland Court, Brookings, Oregon was submitted by his authorized agent, Mr. James F. Lanman of Box 2066, Harbor, Oregon on November 7, 1979. In compliance with Ordinance #216, Section 10.060, Subsections (1) and (2) of the City of Brookings, Notice of Public Hearing was given that the Planning Commission would hear the request at their regular meeting of November 27th, 1979. The zone for the area is Residential Low-Density. Opposition to the Conditional Use Permit were as follows:

1. Letter by Jesse W. Hoagland and Marjorie R. Hoagland of 344 Del Norte Lane.

2. Letter by Margaret I. Cheney, 319 Railroad Avenue.

3. Petition signed by 15 property owners within 250 feet of the Darrell O. Otto residence.

The main objection by opponents to granting the Conditional Use Permit was the parking problems and debris derived from the Mobile Home business.



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Mr. Otto was represented by Attorney James Gardner of Gold Beach, Oregon who gave a presentation in favor of the request. Attorney Gardner also showed the Commission a signed petition of property owners favoring the Conditional Use Permit. The petition was retained by Attorney Gardner.

The motion by Commissioner Brimm to deny the Conditional Use request was seconded by Commissioner Gribble. All Commissioners voted "No".

That was the memorandum. Now you can go ahead Mr. Gardner.

MR. GARDNER: Thank you, as has been discussed ..

MR. CHENEY: Would you use the mike please.

MR. GARDNER: I believe that the mike will pick me up from here. As has been discussed by Mr. Coutrakon in the Memorandum - this is an application for a conditional home use permit to operate an office for the sale of mobile homes. Mr. Coutrakon read you the Ordinance. I think there has been a lot of misapprehension by a lot of people in regards as to what that office means. As Mr. Coutrakon pointed out in the Ordinance there can be no signs, no home displays, no inventory of really any nature. Mr. Otto's primary concern here is basically to have an office with a phone and his files in it to be operated by himself and his wife who reside in the home. Also residing in the home are two teenage children and the two people who will be involved will be Mr. Otto and his wife. Their mobile home business quote-unquote is not like many other mobile home businesses in that they do not stock or store mobile homes on the premises to sell. They lease space in a park, set a mobile home on it in a park and sell it on sight. They had an office in Harbor, Oregon which was open until approximately July 1, 1979. Due to a number of things, expense - some other things I will get into. That office was closed. They opened up their home office approximately July 1, 1979. Operated it until they were informed by, I believe the City Manager or some City official that they had to have a permit when this application was made. Now, that home occupation, the reason it was put there was because of moving out of the office in Harbor. The office in Harbor did not have displays or anything else. Mr. Otto's home is on the corner of Woodland Court Drive and Railroad Avenue and it is approximately, I believe, the home is approximately 1500 square feet. In April of 1979 he added a carport and a back room den. The existing office. The office that he wishes to use as an office is in the existing home. It was not added on to at the time these additions were made. At the time these additions were made, the Building Inspector for the City of Brookings - I believe had been either resigned, retired or something. Mr. Bartholomew and Mr. Nallia who is Mr. Otto's contractor contacted the County Building Inspector who was doing the inspecting for the City during that time. The plot map indicated that there would be parking placed over here and here for possibly four vehicles. The parking

was not done for the purpose of the office. In fact that application was made in April of 1979 before the thought of an office ever came into Mr. Otto's mind as far as moving it to the home. The last thing in your City Ordinance states that the home occupation should not generate traffic to require offstreet parking spaces. I think this is a misunderstanding of the Planning Commission - might have had and I don't think I made it very clear to them. But I think if you would check with Mr. Freeman and his records and I believe Mr. Nallia is here tonight could testify that this application for these parking spaces in this addition was made in April of 1979 before the office was ever moved into the building. Between July the 1st and whatever the situation was terminated by the City because of the non-permit. Mr. Otto averages one person into his home per month in this business. This business - the advertisements do not list the home address in the advertisements. I have a letter which I will introduce from the U.S. Postal Service and Mr. Otto has applied for a post office box under his corporate name of Reynolds Mobile Homes, Inc. He has not been issued one - at least - the date of this letter of 11/27/79 due to the fact that the post office boxes were available. Mr. Otto does not wish to turn his entire home into an office. The office is approximately a 10 x 10 foot room at considerably less than 25% of the square footage of the home. In the four months he was open, he had four business visits. Most of his business is done on the phone. Now what is the parking? He has two teenage children. He has another private car. The area of Woodland Court is a rather narrow street and he wanted to get his private cars off the street. Each of his children have a car. His wife has a car. They have parking spaces over here and they built this new carport. Mr. Otto is a World War II Veteran. He has had a disease of the eyes - in 1946. He is totally blind. In 1953, he was declared totally blind by the Federal Government. That is not for sympathy purposes. The problem is that he does need someone to drive him around. He is not like other people in that he can just get down to the office when somebody calls. He has to hire somebody and has to have them come over. The purpose of the in-home office is that he can be there to answer the phone for these calls and keep his files in this office. The house as are other houses on Woodland Drive are probably the nicer homes in Brookings. He has no initiative to turn it into congestion and a lot of traffic. I would imagine that the fact that one more person a month is not going to add to any traffic congestion than there probably already is on Woodland Court. His hours will be from 10:00 to 5:00. Most of his business is a call-in. He takes the people out - meets them at the site. He sells the mobile home on site. There is no inventory; there is no service; there is no nothing as far as any delivery trucks or anything in that regard. This is secondary to the maintenance of houses as I say he has two children and his wife living there. There will be no window displays, no signs. Now as I discussed the effort in widening the street to widen this area out here - was to provide parking for private purposes. That was started back I said in April. In September in checking his records he talked to the City people trying to find out who

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could O.K. this. The City people passed him from the City Hall through - I think - the City Street Department and back to City Hall and he finally ended up talking to Mr. Freeman. According to our records this was approved by the City. Tidewater Construction actually drew plans and specifications which were approved by the City for this to be done out here. It will provide two parking spaces. I have with me a petition signed by 25 people that reside within the area of Mr. Otto's home - I believe 250 feet maybe more or less - I don't know, that is signed in support of this. I will present that to the - I also have pictures of housing areas that exist at this time that I would like the Council to look at. The main concern of people here is that this is going to create some type of a traffic jam. Or if there is just going to be mobile home or if there is going to be something else. Now, I submit that one car per month is not going to increase any traffic problems. Since the Planning Commission's decision in this matter - the Otto's have - this had already been granted before the City aah - After giving permission and then - withdrew permission. The Otto's have noticed that their neighbors have made use of this. They themselves have made use of this for automobiles. I believe some people - Hoagland - who lives across the street. This is almost directly in line with their driveway. It actually, I think, helps them back out of their driveway. The real concern here is we have a business man in town doing business and we have a business man who is using a phone-business basically. It is not a walk-in store; it is a phone business and he is trying to do his business as other home occupation permits allowed in the same area and he is not being allowed to and the reason why -- common sense - one person more per month that doesn't seem to create a traffic problem. The problem seems to be emotional rather than common sense. Now, if there is any problem with a permit of this nature - if he violates any of the tenements that Mr. Coutrakon read, he can be automatically withdrawn. That is my position. I don't know what Mr. Coutrakon's position is. He can be automatically withdrawn. I would submit that that is the greatest control that you have over someone doing business that you can take his right immediately away from him. I submit that this application is in the best interest of the community and it is in the best interest of the business community in this area and I don't see that it is detrimental at all to the neighborhood. One correction - Mr. Zuber lives across the street. I will pass the pictures.

JOHN COUTRAKON: Let's make sure that Exhibits offered by Mr. Gardner get taken by Mrs. Pruitt to get - keep them on record.

DR. SAMUEL: Mr. Mayor, may I?

MAYOR HITCHCOCK: No, not at this particular time - you will be heard - the Council has a chance here, first, to ask Mr. Otto. Do you want to speak in favor of the --

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DR. SAMUEL: I just want some information, I thought I heard something and my ears are a little ancient. I would like something clarified what was spoken.

MAYOR HITCHCOCK: The next step would be for the people that is in favor of the aaah!

DR. SAMUEL: How about those that are neutral? I thought, I heard you discuss a conflict of interest and I thought I heard Mr. Lowrie indicate that 100 feet was a good circumferential order and I heard Mr. Cheney say that 200 feet was a good circumferential order and then I heard Mr. Cheney say he had no vested interest; although I did hear somebody say that he owned property in the area. I would like that clarified.

MR. LOWRIE: You got me - like what clarified?

DR. SAMUEL: Didn't you say 100 feet.

MR. LOWRIE: I live within 100 feet of him, yes.

DR. SAMUEL: You didn't say that 100 feet was the circumferential area that you were interested in.

MR. LOWRIE: No.

DR. SAMUEL: I see, you said you lived within 200 feet.

MR. CHENEY: I live about 250 feet.

DR. SAMUEL: But you didn't have any vested --

MR. CHENEY: I have no vested interest in it.

DR. SAMUEL: That is not a vested interest?

MR. CHENEY: No.

DR. SAMUEL: I thought that was what I heard.

MR. CHENEY: The circumference area is governed by the code - by the Building Code.

MAYOR HITCHCOCK: Any other persons for the proponent - would like to aaah! If not, the people --

JOHN COUTRAKON: Are there any people that oppose this that would like to ask questions of Mr. Gardner or Mr. Otto.

MAYOR HITCHCOCK: Name please.

JOE JOZENS: Joe Jozens - I live at 209 Woodland Court. I have

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passed about four of these petitions around to the Planning Commission about five weeks ago and I would like to add something to it. Can I read this?

JOHN COUTRAKON: Mr. Jozens, I think that the better way to proceed if there are any opponents that have any questions. If there are any people that oppose this - have questions of Mr. Gardner - rather than presenting their own case - because I think that shortly after this - anybody that opposes it can present their own case.

MR. JOZENS: I also challenge some of his statements.

JOHN COUTRAKON: Yes, that is what this is for.

MR. JOZENS: One thing, Mr. Otto has been operating his mobile home business for about nine years - that he has been operating the mobile home business regardless of where he lives. This question about a permit just came up recently. I would like a question. Do you have a permit to operate -- do you have a business license? This is where it came up. He continued to operate from his home with a business over there and if he has no signs, he has a pick-up truck parked there every day advertising his business. One of the other things I didn't mention - activities in connection with the sales of mobile homes. He also sells real estate in connection with an associate by the name of Lehman. He advertises through telephone and newspapers. This is another business that he had. He has continued to do this. He has done this without a business license. And again I go back to adjacent note. This one car though - is a laugh. There are four or five cars sometimes during the day. He is talking about the other people using that parking lot. He does not have a parking lot to park in. There is some of these statements that he has made that are not true.

JOHN COUTRAKON: I think it would be helpful if you would perhaps ask them questions as for instance - to say ask - aah - do you intend to do any realty business or is it true that there are more than one car a month or something because only by the feedback, I think, can a decision -

MR. JOZENS: If there is more than one car - there is more than one. He doesn't live there.

JOHN COUTRAKON: It is your opportunity to cross examine Mr. Gardner or Mr. Otto, either one.

MR. GARDNER: There are several questions I would like to - first of all there are a number of cars there. There are three cars in the family. I don't know how close watch you keep on your neighbors but Mr. Otto also has social visitors which are not controlled by the aspect of - according to the figures, that he has in his own business, I don't know what you know about his business, but in his own business he has approximately one customer a month plus the fact that he has been in business 8 or 9 years. Our testimony is that the business in the home was only there since July 1st. He didn't know about the occupational license as far as in-home thing. I also believe

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that when we get to the opponent's side, maybe we can answer some of your questions. As to the real estate situation, I think Mr. Otto can answer that.

MR. OTTO: I have some of my own property to sell but not as a business. I have some of my own property as anybody would do. As far as one customer a month one customer might come in more than once. The rest of the customers, I meet up just as other people have got friends. I have got friends that come to my place. I do have 4 or 5 cars at times, I agree with that. They are also my friends.

MR. JOZENS: I am talking about the congestion.

MR. GARDNER: I think that in a small town sometimes that is hard to do. Mr. Jozens, you are in business, are you not?

MR. JOZENS: I am in business.

MR. GARDNER: Do you have a business occupation in your home?

MR. JOZENS: I have a business and I am paying the heat here for 9 years. My business is a profession and I don't advertise.

MR. GARDNER: My question is that you are challenging whether or not with one car - aah - I don't know how many people come to your business in a month. The situation here seems to be with Planning Commission traffic. The fact that Mr. Otto said he is only selling his own real property - get back to one of the things you said. I don't know whether it involved the issue like this or not, but the question here is what is the best as far as this occupation?

MRS. JOZENS: Why has he never had any complaint from the neighbors and all the neighbors are complaining about the other businesses, sir?

JOHN COUTRAKON: Ma'am, would you just identify yourself.

MAYOR HITCHCOCK: What is your name ma'am?

MRS. JOZENS: My name is Mrs. Jozens.

MR. GARDNER: Mrs. Jozens, were you here at the Planning Commission meeting?

MRS. JOZENS: Sir?

MR. GARDNER: Were you here at the Planning Commission meeting?

MRS. JOZENS: Yes, I was.

MR. GARDNER: And did you - and were you one of the people that knew about a traffic problem there for two or three years in that area?

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MRS. JOZENS: I beg your pardon.

MR. GARDNER: Did you hear the statement at the Planning Commission meeting that there had been a traffic problem there in that area for two or three years. Did you make that statement?

MRS. JOZENS: Did I make it? No, I didn't make it. I didn't make any statement at all at that meeting. There has been a traffic congestion there ever since all the other cars had moved in. We have a neighbor here, Mrs. Zuber and she would be very happy to tell you about her traffic congestion.

MRS. ZUBER: I live right across the street and half the time I can't get in or out of the driveway because the cars they run all over our lawn and everything. Ever since they have lived there.

MR. GARDNER: Yes ma'am and how long would that be?

MRS. ZUBER: Well, whenever they moved there.

MR. GARDNER: Is it all from their people or other people on the street.

MRS. ZUBER: All of it is from across the street, yes, from where they live.

MR. GARDNER: Well some of your people are now parking there and -

MRS. ZUBER: No, we are not parking there.

MR. JOZENS: Nobody parks there.

MRS. ZUBER: Nobody parks on their side.

JOHN COUTRAKON: If we could just speak one at a time because it gets confusing.

MR. GARDNER: Mr. Jozens, in your business, do you have an occupation? How many people then come to your door to do business?

MR. JOZENS: I go to visit my clients. I am an architect and I go to their place of business. They don't come to see me.

MR. GARDNER: None?

MR. JOZENS: The only people that come over once in a while is a salesman.

MR. GARDNER: Would you say one a month?

MR. JOZENS: Perhaps one every three or four months.

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MR. GARDNER: O.K., that is the only business people you have.

MR. JOZENS: Perhaps business persons or salesmen.

MR. GARDNER: I would like to go back to one other thing. As far as a truck with a sign on it. Any carpenter, builder - anybody in this town. An electrician that has a business that has a sign on his truck can use that as a criteria. We have a problem in this town with people driving their trucks home.

MR. JOZENS: There was a statement made by the attorney - there at the desk - that there was to be no identification of any business or sign on the premises.

MR. GARDNER: On the - on the -

MR. JOZENS: On the building?

MR. GARDNER: Right.

MR. JOZENS: Well, this is practically on the building. It is there all the time.

MR. GARDNER: I think we might have a problem with anybody else. In fact when the business - when the carpenter "X" parks his truck at his house?

MR. JOZENS: My whole contention has been with this whole thing that the congestion created is still continuing. Now it has subsided recently and that is because of this thing that it came up before the last Planning Commission.

MR. GARDNER: I think the problem is deciphering what is - this is traffic - what is social traffic.

MR. JOZENS: I go back to a pretty strong point I want to bring up. That also measures into a petition that the paved portion of that Woodland Court is 20 feet wide and there is a tree that is on the right-of-way on City property. Either the owner of the property there or the City should widen that road out to a full 40 feet of right-of-way and clear it, and to find the property lines on their side of the property - should indicate just exactly how much room there is to park as they do use it for parking.

MR. GARDNER: I don't know how the City of Brookings works but in most cities when a street improvement is done it can be done two ways either on the motion of the Council or the affected property owners and generally is assessed to the property owners. I have discussed this with Mr. Otto and he spoke as though he would be in favor of widening the street and the assessments.

JOHN COUTRAKON: Mr. Jozens, I don't want to cut you short -aah, I mean you will have a chance to present the more substantive side of your case in a moment. At this point and time does anybody else have any questions they wish to ask Mr. Gardner:



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MR. GARDNER: I would like to make one comment as far as none of the proponents being here. I think we had three or four at the Planning Commission meeting who are unable to come tonight. Of course this is a normal hearing, but I just point - that into the record that there were -

JOHN COUTRAKON: Are they represented on your petition?

MR. GARDNER: Yes.

JOHN COUTRAKON: Does anybody else have any questions of either Mr. Gardner or Mr. Otto?

CANTRELL: I have a --

JOHN COUTRAKON: Identify yourself, please.

CANTRELL: Mr. Otto has --

MAYOR HITCHCOCK: Identify yourself. Your name, please.

CANTRELL: Paul Cantrell. We own a lot just around the corner from Mr. Otto's residence. You say one a month - or is that continuously?

MR. GARDNER: Approximately - yes sir.

CANTRELL: You mean that Mr. Otto sells one mobile home a month - or he has one customer looking for a mobile home a month?

MR. GARDNER: One customer comes to the house per month. Most of his business is done on the phone - on the site - not at the house. The only other projects - are done at his office.

CANTRELL: You must have quite a few customers per month looking at mobile homes.

MR. GARDNER: Most of those are done on site.

CANTRELL: Mr. Otto has to either own a lot and pay taxes or rent a lot and aah -- does he have any kind of an office building on this lot for communication with his customers?

MR. GARDNER: The sole business place would be his office in the home and he does not have a direct outside entrance or a separate entrance. Only entrance through the main entrance and into the office.

CANTRELL: The only office that he would have for this business would be in the home.

MR. GARDNER: Yes, it is my understanding - is at the home.

MR. OTTO: Yes, that is the only real office. I tried to go out with my brief case and tried to close my mobile home sales out on site. Now you keep repeating one - one - I sell more than one

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mobile home and it could be more than one people come there, but normally one customer out of the group will be coming in and out of my house because I try to keep them out of my home. I try to go up - they call a complaint - I send this man to drive my pickup up to their mobile home and try to solve the complaint out there not at my house.

CANTRELL: Are you always successful in keeping them away from your home.

MR. OTTO: No. No any more than I would be successful if I had an office out in Harbor - there would be just as many people coming to my house in a small town like this. Small town - everybody knows everybody and they know that at 5:00 or 6:00 o'clock at night they have a problem they know where my home is. I can't stop that. It is impossible.

CANTRELL: Well, if you had an office on the 101 - well you could turn one of these communications with your customers aah.. entirely.

MR. OTTO: Not after hours, sir. Not after hours. If I was in Portland, yes; or San Francisco, yes, but not in Brookings. It is too small. Everybody knows where you live.

CANTRELL: They know or you tell them or show them where you --

MR. OTTO: They know anyway. They can ask anybody.

MR. GARDNER: Well, Mr. Cantrell - any advertising that is done will only be P.O. box.

CANTRELL: I didn't get that.

MR. GARDNER: Any advertising that is done is only going to be done by a P.O. box, and no address as far as 215 Woodland Court.

MR. OTTO: I am even going to even take it out of the telephone book. I will have a P.O. box and telephone. Not an address.

CANTRELL: Then the customer in order to contact you to look at a mobile home, would have to call you up.

MR. OTTO: Yes, sir.

CANTRELL: And you would have to arrange for them to meet them out at the lot.

MR. OTTO: Yes, sir. In other words, how does a real estate broker work? They call - they either call and meet them or take them or something and somebody comes and picks them up and takes them out to the house. They don't always come to the office.

CANTRELL: No, but they have an office.

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MR. OTTO: Yes.

CANTRELL: This is where the customers come to if they meet with the real estate personnel. They come to that office. They don't go to that real estate dealers home.

MR. OTTO: Well, they do if it is after hours. In a small town like this. It is a natural thing. In fact the Mayor is called at night. I think the Councilmen gets a call at night. They probably don't want it.

CANTRELL: This is something that to be perfectly honest, I couldn't say one way or the other.

JOHN COUTRAKON: Is there any other aah - people objecting to this? Have any questions of Mr. Otto or Gardner? O.K. at this point.

MRS. I am Mrs. I just thought I would ask you. You keep referring to one person per month. When a man goes into business, he usually hopes for growth in his business.

MR. OTTO: Ma'am, you didn't understand. I have tried to do the - only one customer comes to my house. They come at numerous times. I am talking about the - I average two. Lady the anticipated purpose of a business is to have growth.

MR. OTTO: No sir, I don't want growth. I have been that way already. I want to stay small. I have been big before.

MR. GARDNER: I would point out that Mr. Otto does have an outside interest and a source of income.

JOHN COUTRAKON: Does any of the aah - I see that someone had handed up a petition in objection of this - would the aah.. perhaps the best way to proceed would be that the founder of this petition might want to present the opponents case in chief. Is that Mr. Jozens?

MR. JOZENS: Pardon me.

JOHN COUTRAKON: I say - we apparently - somebody has handed up a petition objecting to this.

MR. JOZENS: This is a petition that was used during the Planning Commission and I brought 4 or 5 of those forms for you that were used at the Planning Commission. Those were the names of the immediate neighbors.

JOHN COUTRAKON: Are you submitting this petition for this record too? For this hearing? O.K?

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MR. JOZENS: Yes.

JOHN COUTRAKON: Would you like to go ahead then and explain your position. Why don't you go ahead and explain your position now.

MR. JOZENS: I thought I had explained it.

JOHN COUTRAKON: If you have anything further to explain - go ahead.

MR. JOZENS: My position is exactly as I stated in that petition there and any addition that I have made to it was also about him selling real estate as well as the mobile home business. I can't add much more to it. It is just as I had already mentioned there that the basic thing there is congestion, created. -----  
----- (unable to hear)

JOHN COUTRAKON: Are there any other people that would like to speak against Mr. Otto's position?

MR. CANTRELL: To carry on a successful mobile home business - being so small is going to require a number of customers and although Mr. Otto is very sincere in his efforts to minimize the traffic at his home in order to carry on this business. I don't feel that something that can be entirely controlled and we already have - and we already have one business advertised from a home in that area. If this continues to grow and each one that wanted to establish a business in a home, there would - say well now - these other guys got businesses now and you got to give me the same privilege, and aah so the thing grows. I would be very hesitant in giving my personal approval to this sort of thing especially in a mobile home business. There is definitely going to be customer traffic.

MAYOR HITCHCOCK: Any other aah - favor - that want to speak. If not then we will go on to the next step which will be for the people that would be in favor of Mr. Otto's business. Any rebuttal to it.

MR. GARDNER: I would like to bring up and ask Mr. Jozens about this petition. Mr. Jozens did you take this petition around and ask people to sign? Did you sir?

MR. JOZENS: Pardon me.

MR. GARDNER: Did you take your petition around and ask people to sign it?

MR. JOZENS: I did. I did it personally.

MR. GARDNER: O.K. Did you inform them as to the tenements of the ordinance as far as what is involved here?

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MR. JOZENS: I didn't tell them like that - I just wrote up the petition and asked these certain people in our neighborhood - to the ones who had objected to it.

MR. GARDNER: Would it be fair to say sir that your basic concern here is traffic on Woodland Court. Is that your only concern?

MR. JOZENS: ..... (Unable to hear) .. creating traffic in the area.

MR. GARDNER: This petition says the side yard has been used for storage of mobile home erection materials and other debris.

MR. JOZENS: That is true.

MR. GARDNER: Now you testify to the Planning Commission that you had seen this one time.

MR. JOZENS: No this had existed there for years until recently he had put a fence around his side yard and paved the side. He had large timbers and cribbing and all kinds of planks and his own home signs were parked there. This is the statement that I make.

MR. GARDNER: O.K. - you mean that the old planks and the lumber and this sort of thing - could you directly - this to the mobile home business?

MR. JOZENS: Technically it is his own sign - his own name.

MR. GARDNER: I am talking about the lumber now, sir.

MR. JOZENS: Well I know his timbers are used for it. Towing these big mobile homes around - the cribbing is to jack them up.

MR. GARDNER: Aah, Mr. Otto do you have any testimony about whether you have ever stored anything on your -

MR. OTTO: The only cribbing that was there was off my own house which I was saving to make a planter out of - If anybody knows anything about mobile homes, you have got concrete blocks under them. You don't put cribbing under them, and a piece of plywood was there, yes, it was quite expensive - now it was going to be used for some other reason. It was leaned up against the house, I will agree that it was, but it was not displayed as a sign. It was blackberry bushes that I did not have the money to put a fence in at the time and that answers Mr. Jozens question.

MR. GARDNER: One other point I have and one other thing that Mr. Otto did propose. The main concern of the neighbors seems to be traffic in the area and more than one person per month. I would suggest on the behalf of Mr. Otto.

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BLOOMQUIST: I am Vern Bloomquist of 212 Woodland Court. You are talking about one car a month. The first day after the Planning Commission meeting there were 7 cars there. --- there for a week. There were from 3 to 5 cars home every day.

MR. GARDNER: Were those business?

MRS. BLOOMQUIST: If they were his visitors, I don't know what they were doing but they were there.

MR. GARDNER: I want to cover this point. It does seem to disturb the citizens greatly. Mr. Otto as a condition to this permit - do you want to listen please - as a condition to this permit Mr. Otto would be agreeable to make a verified statement weekly under oath monthly; however, this Council wants it as to how many people come to his house on business and he would open his books to how many mobile homes are sold to people coming to the house in a --

MR. OTTO: Plus my friends.

MR. GARDNER: Verified under oath stating now that to give a record to this Council to the City how many people are coming to that house. I doubt seriously then that any other business man would be willing to do that.

MRS. CANTRELL: I think every one in Brookings or any town or any other town would like to keep a residence district as a residence district and if we accept exceptions in one case doesn't that set a precedent so that someone else can come along and ask for an exception and eventually you have to be - you don't have a residential district any more. You have people conducting businesses out of their homes and a precedence is the thing that bothers me more in this individual case.

MR. GARDNER: I just want to quickly - what is the purpose of having that type of a provision in the ordinances - then, if you are going to discriminate, well if someone has been here eight years - well leave them alone, but no new ones coming in. The purpose is for everyone to have an equal opportunity to do business in this town. Under those very specific guidelines that is why that is drawn to specifically - so that can be done.

MRS. BLOOMQUIST: My name is Margaret Bloomquist and I am very much in favor of the Cantrell statement. What is going to keep everybody from having the authority to start a new business. We have one business here and another business here and another business here, well if I want to start a business in my home and the people across the street want to start a business in their home. You have a residential area in that sense of the word or do you have a business or a commercial zone. When we built our home there, we felt it was a nice residential area but if you are going to have businesses in every home, it isn't a residential area any more.

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MAYOR HITCHCOCK: Anyone else?

MRS. BLOOMQUIST: At the present values too.

MR. CANTRELL: As far as a - I would like to make a statement as to how many people drive their cars to this location. I can hardly feel this is going to have much influence on the situation. If you have 8 or 10 cars in a day or 3 or 4 cars in a day - a verified statement of that - they have already been there - the damage is done. So just what value would a verified statement be? This is something that hardly un --- . The mobile home sales offices control.

MR. OTTO: Can I just say this one thing? All of these people that are doing all the hollering around here - they all bought their property after Mr. Jozens already was in business in his house - 8 or 9 years ago, but that is a different story. This is Mr. Jozens.

MR. GARDNER: Do you have any other comment gentlemen - is that - if the verification shows that there are numerous people going in and out that would be a condition for a conditional use permit. All we are offering is to open up everything that the people seemed to be concerned about and give them a record and then I, we are not even asking - ask you what is -

MAYOR HITCHCOCK: Anyone else would like to speak? If not at this time, we will close the hearing to the two parties and the Council will now - will take up the matter. This - I will ask one question. Does this aah - ordinance that we have - does it allow in that neighborhood a in-home office type business?

JOHN COUTRAKON: I think the Planning Commission initially screened that and apparently the Planning Commission felt that there could be such a conditional use if it met the guide lines.

MR. GARDNER: May I respond to your question - it would be my feeling - would be yes because if your ordinance doesn't specifically exclude any type of districts to this thing which if you want to exclude them your low residential district that would be done in the ordinance and then we wouldn't even be here. And then we wouldn't have the section in-home business because you exclude it.

MAYOR HITCHCOCK: In other words our ordinance does allow it.

JOHN COUTRAKON: Y-ah it can be allowed as a conditional use.

MAYOR HITCHCOCK: We've issued a permit here on a conditional use permit.

JOHN COUTRAKON: No, I think that what happened was a --

MR. CHENEY: I don't think --

JOHN COUTRAKON: No, Mr. Otto filled out an application for the conditional use but apparently that application was denied by the Planning Commission.

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MR. GARDNER: The history is that the aah - as to the ----- this lot in this area - there has not been this type of permit issued. Our point was that there is another permit in the area so I would say that definitely the ordinance allows it.

JOHN COUTRAKON: I don't think there is any question - I mean it can be allowed if the Planning Commission would have O.K.'d it or in this case, you know a totally new hearing that the City Council allows it. You are to base your facts and findings and decision on what you hear tonight.

(LADY?): The City Council - their decision supercedes the Planning Commission, is that right?

MAYOR HITCHCOCK: Yaah.

(LADY?): Overrides it?

JOHN COUTRAKON: Yes.

MR. FREEMAN: Your Honor and members of the Council, I had a question - if I may - if this in order - I am wondering your Honor, if the home occupation that currently exists in the neighborhood is one that may have been grandfathered in. In other words, it may have been in existence prior to the zoning ordinance and the zoning ordinance would not be retroactive and I am wondering if that question might be relevant?

MAYOR HITCHCOCK: Do you know when the ordinance took effect or when it was?

MR. FREEMAN: 1969.

MR. CHENEY: 1970.

MR. FREEMAN: '70, yaah.

JOHN COUTRAKON: Frankly I don't think that is the issue here Frank that you - that now you know - you can say well if you let one person do it down the street, why not let the next person do it, but really the facts behind why one person did it at one point and time would have nothing to do with the facts of why another person wants to do it now, and I think that really the Council is going to have to go through those basically 10 things that are in the conditional use section of the zoning ordinance to see if aah - you know if those guidelines are met by Mr. Otto, and the Council finds that they are met then I think that Mr. Otto must be allowed to have a conditional use permit. If the Council in going through those guidelines determines that, you know, that substantial guidelines are not met, then the Council has the power to deny the request.

MAYOR HITCHCOCK: At this time aah, would it be appropriate to enter this?



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JOHN COUTRAKON: I think that is what Mr. Gardner entered the petition.

MAYOR HITCHCOCK: Yaah, at first there, but I don't think it would give as it was on this one a number of people or anything --

MR. CHENEY: Mr. Mayor, many of those people that were on this petition here are not within the 250 foot range, which they have no --.

MR. GARDNER: Mr. Cheney may I ask you a question - you - are basing your evidence on what is being presented here tonight.

MR. CHENEY: Sure, I say though what I'm bringing out.

MR. GARDNER: I am saying sir, if you have done extra inventory on the property before coming here tonight and basing any decision on that sir, then you are out of order.

MR. CHENEY: No, you don't get what I mean. He was mentioning in his petition here, and the petition has number of names on it that are not within the 250 foot limit.

MR. GARDNER: First of all, I didn't find that your 250 foot limit was in your ordinance. Second of all, you know that you must know it from something outside the testimony here tonight, because nobody has said that there was no testimony to the effect that those names are outside the 250 feet.

MR. CHENEY: Well, the thing of it is that some of them are and that was what I was pointing out. The Mayor is off. I am not trying to make any objections - I am not.

MR. GARDNER: I understand sir, you are trying to introduce a fact that is not in evidence.

MR. CHENEY: No, I am not.

JOHN COUTRAKON: Let me, if I might make some comment on what this 250 foot limit situation is quoting to Article 10 of the zone ordinance - it says that once there has been an appeal entered such as there was here - that people within the 250 foot radius of the property subject to the appeal should be given notice by the City that there is this appeal being taken and I think that was done in this case. I don't think that we have the necessary - the converse situation covered that only people within the 250 foot area can object or not object to it.

MR. GARDNER: My point was - he was bringing -- The other point was the names we got that are on that - was not from the City as far as within Mr. Otto's believed 250 foot range other than one.

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JOHN COUTRAKON: I mean, you see it really goes to a point of the weight of which can be accorded this position by the Council, I mean somebody can literally from living up on Marina Heights could raise an objection if he wanted to or be in favor.

MR. GARDNER: My point is Councilman Cheney is trying to interject the fact that I didn't hear any testimony as to what and I can only find what is on the record here and not do their own investigation.

MAYOR HITCHCOCK: You feel then that this - that most of these people are within the range that signed this petition.

MR. GARDNER: Yes sir, I --

MAYOR HITCHCOCK: Other than the one on Spruce.

MR. GARDNER: I believe that is correct. We got the names from the City.

MAYOR HITCHCOCK: Anyone else have any aah - does the Council have anything they want to add to this?

MR. GARDNER: Mr. Mayor, based on looking at your agenda and the fact that many of the people sitting here with many other items, we would have no objection if you wanted to table this matter until the Council has a chance to study what notes they have taken and what testimony they have here to give this a thorough investigation and there are other people here who have other business to do and we are not asking for any decision if you wish we would have no objection to a tabling and a setting of another date for a decision and you have closed the public hearing and you could talk to Mr. Coutrakon whether he could open it or not. As far as making a decision and deliberating yourselves and probably asking questions of the proponent or the opponent, we would not object to a tabling based on the long agenda and that you would give the other people in the audience.

MAYOR HITCHCOCK: That was what I was just asking the Attorney if we could do this and go through each item and aah have a finding of the facts on it to a ---

MR. GARDNER: I would just outline - I am sure Mr. Coutrakon would want this put on the record here under the open meeting law you can only deliberate in support of a decision among yourselves in an open meeting.

MAYOR HITCHCOCK: That's right, we understand that. So a ---

MR. ALLSUP: I make a motion that we postpone it to another meeting.

MR. CHENEY: I second the motion.

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MAYOR HITCHCOCK: Motion has been made and seconded that we postpone this to another date so that we can go over the findings of this public hearing and set a date on that after we vote on it. Motion has been made and seconded.

Question? All in favor.

All Councilmen voted aye.

MAYOR HITCOCK: The ayes have it. Now what date would be good for you - for everybody here to a --

MR. GARDNER: I don't know if you have to follow your public notice requirements or not. You would have to ask Mr. Freeman or Mr. Coutrakon.

MAYOR HITCHCOCK: We will give enough time to where we can. If you will just give us a notice in writing and you may not pick a date tonight, just give us a notice in writing. We will just pick a date right now, that is the purpose.

JOHN COUTRAKON: I think what we are doing since the interested parties are obviously here that we will by the motion postpone it until a next meeting which date will be set at which point and time I think the Council is going to have to publicly, at that meeting, deliberate, reach their finding of facts and reach some conclusion that relates a finding of facts to the criteria.

MR. GARDNER: Your next Council meeting will be?

MAYOR HITCHCOCK: Well we can have it before that. Aah see today is the 8th so aah --.

MR. CHENEY: Mr. Mayor before you check that date we are going to have to make another date for the payment of bills.

MAYOR HITCHCOCK: Yeah.

MR. CHENEY: Why don't we just make a date for more or less - concur with that.

MAYOR HITCOCK: We can make it aah -

MR. LOWRIE: Leave it open for the time being and then notify them what the date will be.

MAYOR HITCHCOCK: No, I would rather set it, at a definite date, Jack and it would give us a 1,2,3,4,5,6,7,8,9,10 - 21st - would give us the ten days more than 10 day public notice for the 21st.

JOHN COUTRAKON: I think that if we - by the form of the motion, as I understood it you just postponed the further consideration of this matter to a next meeting and I believe that we - unless that Mr. Gardner would like to raise some notice provisions right now.

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I think by that method of postponement and announcement at this time of the next meeting that you know aah - the City is not going to have to go to the burden or expense of republishing in the newspaper the time of the next meeting.

MR. GARDNER: I have no problem of setting the next meeting - is that the 22nd?

MAYOR HITCHCOCK: Well, no that would - the 21st - that was not our regular meeting. See, we only hold one Council meeting a month.

MR. GARDNER: I have no problem for a public notice requirement, if you don't --

MAYOR HITCHCOCK: It would not be until February.

JOHN COUTRAKON: No, I think that by postponing this and making the announcement now at this publicly given notice meeting that that will be O.K. if somebody can just set a date.

MAYOR HITCHCOCK: Well that would give us more than 10 days until the 21st. If that's agreeable with aah ---

MR. ALLSUP: 7:30 on the 21st?

MAYOR HITCHCOCK: A.m.?

MR. LOWRIE: Yes.

MAYOR HITCHCOCK: 7:30 in the evening, that will be all right.

MR. ALLSUP: Jack likes to go home early - his wife is sick.

MR. LOWRIE: I will go home early.

MAYOR HITCHCOCK: That gives us plenty of time to advertise.

MR. CHENEY: 21st?

MAYOR HITCHCOCK: Yeah.

MR. GARDNER: Mayor that is the 21st at 7:30?

MAYOR HITCHCOCK: Right here, yeah.

JOHN COUTRAKON: P.m.?

MAYOR HITCHCOCK: Right - I want to thank everybody for being so patient.

VOUCHERS PAYABLE  
CITY OF BROOKINGS  
January 8, 1980

NAME

AMOUNT

Marquess & Associates, Inc  
M & F Bldg

\$ 78,150.27  
\$ 77,590.11

---

\$155,740.38

VOUCHERS PAYABLE  
CITY OF BROOKINGS  
November 30, 1979

<u>NAME</u>	<u>AMOUNT</u>
Akin Motor	219.40
Albert R. Allyn	10.20
Auto & Marine Electric	26.46
Robert E. Babb	8.45
Baker & Taylor	50.89
Barco Coastal Supply, Inc.	66.55
Becco, Inc.	186.50
Blue Star Gas	52.54
R. R. Bowker	100.96
City of Brookings	69.25
Brookings Fire Dept.	325.00
Brookings Office Supplies	37.85
Brookings Shell	532.29
Brookings Shell	11.25
Brookings Supply	66.42
Budge-McHugh	69.79
C & L Office Supplies	27.80
Chetco Rexall Drugs, Inc.	50.41
Pat Clancy	62.90
Coastal Petroleum Sales	696.17
Coutrakon & Hoselton	4,798.34
The Crafty Bookstore	11.00
J. C. Curley & Assoc., Inc.	19.50
Curry Coastal Pilot	70.05
L. N. Curtis & Son	162.11
Coos-Curry Electric	89.80
Coos-Curry Electric	1,347.24
D & H Auto Repair	61.60
Dan's Photo & Camera	67.22
Dave's Hardware	34.84
Doc's Upholstery	211.50
Samuel W. Dotson	5.90
Duane's Radio & T.V.	77.84
Ed & Mendy's Chevron Service	18.20
Frank's Office Equipment	56.93
Freeman Rock Enterprises	1,696.18
Four Seasons	10.43
Ganty's Carpet Service	29.00
Al Glasser	600.00
Green Door Cafe	35.80
Greyhound Bus Lines	24.00
Robert Hager	13.20
Hanscam's	1.56
Anne Hicks	15.84
Hinds Supply Co.	81.31
Industrial Electric Service	8.55
Joe Hall Properties	772.51
Jo-Lo's	3.80
Kerr Hardware & Electric	37.56

VOUCHERS PAYABLE  
CITY OF BROOKINGS  
November 30, 1979  
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<u>NAME</u>	<u>AMOUNT</u>
Christine Lucas	216.25
Littrell Parts	143.32
M & F Building Co.	70,204.67
McNaughton Book Service	1,264.32
Medford Laboratories, Inc.	25.00
Mill Beach Garden Shop	9.00
Moore Business Forms	26.25
Northgate Mobil	42.40
Nudleman Bros.	10.00
Gail Oglesbee	70.87
The Oregon Coast Assoc.	100.00
Oregonian Publishing Co.	75.88
State of Oregon - Div. of Audits	120.00
Lyle K. Owens	4.70
Pacific Water Works	1,863.11
Paramount Pest Control	13.00
Ray's Sentry	182.75
Red's Auto Wrecking	22.50
Ritz's Repair	212.55
Gerald Ross Ins. Agency	1,537.50
Shell Oil Co.	1,580.30
Sam's A & W	63.20
Steiner Corp.	141.04
Simon & Shuster	16.34
Sterling Publishing	10.48
Wayne Sheffel	19.70
Square Deal Builders Supply	128.90
South Coast Stationery	28.69
Tartan Book Sales	13.54
3M B.P.S.I. - F & L 1582	108.00
Time/Life	9.43
Tempo	19.50
Texas Refinery Corp.	58.50
Tidewater Contractors, Inc.	810.05
Traffic Safety Supply Co.	141.33
Universal Equipment, Inc.	2.59
Water & Sewage Works	30.00
Wilson Distributing	6.00
Worlton Auto Body	37.50
Pacific Northwest Bell	117.00
General Telephone	25.73
General Telephone	607.88
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	\$97,152.66