

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
April 8, 1980

The meeting was called to order at 8:00 p.m. by Mayor Elmer Hitchcock.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Members present were: Councilmen Darrel Allsup, Robert Earle, Ralph Cheney and Roy Brimm.

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

III. APPROVAL OF MINUTES

MOTION by Councilman Cheney, seconded by Councilman Allsup that the minutes of the March 11, 13, 26 and April 1, 1980 meetings be approved. Motion carried unanimously.

IV. COMMUNICATIONS

Mayor Hitchcock read a letter from Senator Hatfield in response to his letter concerning salmon regulations.

V. APPOINTMENTS

MOTION by Councilman Cheney, seconded by Councilman Allsup that we appoint Edna Allen and Otto Rinderknecht to the Chetco Community Library Board. Motion carried unanimously.

VI. CITY ENGINEER'S REPORTS

1. Report on Coos-Curry Douglas Economic Development proposal.

The City Manager informed the Council that he had talked with the City Engineer and he had recommended not considering any project with the Coos-Curry-Douglas Economic Development Administration at this time.

2. Council review of Mardon Manor Subdivision public improvements.

The City Manager informed the Council that the preliminary approval had been granted by the Planning Commission at their last meeting which was not consistent with the Subdivision Ordinance since the border areas for the street width was approved with an 18" greenway and 5' sidewalk.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we disapprove the Subdivision because the Subdivision Ordinance called for a 3' greenway.

Councilman Earle felt that any plans that deviate from the Ordinance should be reviewed by the Building Inspector or City Engineer and that the developer should ask for a variance. After some discussion it was the general consensus of the Council that there should be no deviation from the Subdivision Ordinance. Councilman Allsup called for a vote and the motion carried unanimously.

VII. CITY ATTORNEY'S REPORTS

1. Riviera Heights Subdivision appeal.

The City Attorney stated that the Planning Commission had tabled the preliminary plat approval and the developer was appealing to the Council. He further stated that he was recommending that the Council by motion send a mandate to the Planning Commission that they either approve, approve with modifications, or disapprove the Subdivision and state the reasons therefor at the meeting to be held on April 17th.

Marquess & Associates, Inc. . . . CONSULTING ENGINEERS

TELEPHONE: (503) 772-7115

P.O. BOX 490
1120 EAST JACKSON STREET
MEDFORD, OREGON 97501

March 18, 1980

RECEIVED

MAR 21 1980

CITY OF BROOKINGS

Mr. Frank Freeman, City Manager
City of Brookings
898 Elk Drive
Brookings, Oregon 97415

Re: City of Brookings North Sewer District -- FINAL ACCEPTANCE

Dear Frank:

Please be advised that, subject to the items listed below, the sanitary sewer system contracted to M & F Building Company has been completed in accordance with the Plans, Specifications, Change Orders, and other Contract Documents.

We hereby recommend that the City Council formally accept the project contracted to M & F Building Company, subject to the conditions below. The acceptance should specify that, at the expiration of 35 calendar days from the date of acceptance, the amount of \$17,966.63 (total amount of retainage in the amount of \$20,466.63 less \$2,500.00 for Item No. 1 listed below) will be paid to M & F Building Company, provided the Contractor has complied with Items no. 2 through No. 5.

Conditional Items of Compliance

1. The City of Brookings to withhold the amount of \$2,500.00 from the retainage to assure satisfactory removal and disposal of the excess excavated material stockpiled adjacent to the following streets and easement rights-of-way: along Ransom Avenue between 5th Street and 6th Street, along 5th Street southerly of Ransom Avenue, along 6th Street between Easy Street and Ransom Avenue, along the easement extending westerly from 7th Street at Hasset, and along Meadow Lane. The Contractor to be given six (6) months to accomplish this work during dry weather, after which, if the work is not done, the Contractor shall forfeit the \$2,500.00, plus interest, to the City of Brookings, and the City shall dispose of the excess excavated material. The \$2,500.00 should be placed in an interest-bearing account, with the interest being paid to the Contractor, together with the \$2,500.00 retainage, upon satisfactory completion of the work.
2. Certification of wage rates as required by Section 279.354, Oregon Revised Statutes, as per Section 9.05 of the APWA Standard Specifications.
3. Submit to Marquess & Associates, Inc., a Certificate of Compliance as per Section 8.12 of the APWA Standard Specifications.

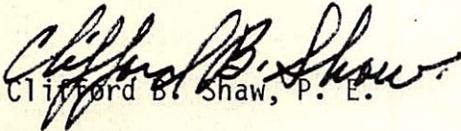
March 18, 1980

4. Furnish the City of Brookings satisfactory receipts for all labor and material bills, and waiver of liens from any and all persons holding claims against the work, as per the fourth paragraph of Section 9.05 of the APWA Standard Specifications. This can be done with an affidavit.
5. Furnish a signed General Release form from each property owner where a sewer line has been installed in an easement granted by the property owner, as per Section 12, Division 2, of the Standard Specifications in the bound Contract Documents.

It has been a pleasure to work with the City of Brookings and M & F Building Company on this project. We believe the Contractor has provided the Brookings North Sewer District with an excellent sanitary sewer system which will be an important supplement to the City-wide sewer system. We appreciate the cooperation we have received from the City Council and Staff from the preliminary phase through the final construction phase.

Very truly yours,

MARQUESS & ASSOCIATES, INC.


Clifford B. Shaw, P. E.

CBS:bm

cc: M & F Building Company
M. John Spicer, Attorney at Law

MOTION by Councilman Cheney, seconded by Councilman Allsup that we return this appeal to the Planning Commission and the Commission to act upon it at the earliest possible date.

The City Attorney stated that the City Engineer and the developer have concurred that there was no possible way to conform to the standard road width. The Attorney stated that the City Engineer had suggested and the developer agreed that there should be a 28' road curb to curb. The right-of-way would be from 56' down to 50'.

A vote was taken on the motion and it carried unanimously.

2. The City Attorney stated that the Council should act upon the refund bond to the County for the \$60,000 promissory note which will be due the middle of the month, at its next meeting.
3. The City Attorney stated that a report would be forthcoming from the Citizens Advisory Committee on Finance at the next meeting on the motel-hotel tax and what other coastal cities were doing.

VIII. CITY MANAGER'S REPORTS

1. Report on fund depositories.

The City Manager stated that the Finance Director desired the Council's recommendation as to which bank to use. Mayor Hitchcock with the concurrence of the Council felt that the Finance Director should be allowed to proceed in the manner stated in her memorandum.

2. Consulting Engineer's recommendation on final acceptance of City of Brookings North Sewer District.

Engineer Cliff Shaw read the letter from Marquess and Associates. The Council was concerned about earth stock piles left on two parcels of property which the contractor had given the property owners. The City Attorney stated that the spoils would have to be taken care of either by contract terms or the contractor would have to obtain from the property owners some writing that they accept these spoils and that it was a part of their property and save and hold harmless the City from the stockpile. The City Attorney suggested that the contractor should sign a short form guarantee which should be added to the Engineer's recommendation under Item No. 4 to read: "This can be done with an affidavit, supported by a guarantee." Councilman Cheney stated that the Council would not approve it until we had all the papers. Councilman Earle stated that if we obtained in writing from the property owners that they accept the spoils he would be satisfied. Councilman Allsup concurred with this statement. It was the consensus of the Council that as soon as M & F Building complied with the Engineer's recommendations for project approval, final payment could be made.

MOTION by Councilman Allsup, seconded by Councilman Brimm that when the contractor brings in the writing from the property owners and the affidavit specified by the City Attorney, we will accept it. Motion carried unanimously.

3. Request for clarification on City Council policy concerning loaning of equipment, tools or supplies.

The City Manager informed the Council that since the Library became a City Department there needed to be a Council policy excluding the Library since they loan books and different equipment.

MOTION by Councilman Allsup, seconded by Councilman Brimm that the Council allow the Library to continue their policy of loaning equipment as they have in the past. Motion carried unanimously.

Mayor Hitchcock stated that in past years the Library had hired a CETA employee during the summer.

MOTION by Councilman Earle to allow a CETA person to be employed in the Library. There was no second.

4. Discussion on Bancroft bonding the North Brookings Sewer District.

Attorney Hugh Downer stated that he was requesting that the notices be sent out to the property owners to either pay their assessments within 30 days or pay it in semi-annual installments. The Bond Council had suggested to him that the City Bancroft for a 15 to 20 year period and charge 7 to 10% interest on the bonds.

MOTION by Councilman Brimm that we Bancroft for a 20 year period and charge 10% interest on the bonds.

It was brought up that 10% interest was too high to impose upon the property owners. Engineer Cliff Shaw stated that because of higher interest rates than had previously been anticipated, the interim financing was diminishing the amount left over in the project and the amount was now only \$1,200.00. Councilman Brimm restated his motion as follows:

MOTION by Councilman Brimm, seconded by Councilman Cheney, that we Bancroft for a period of 20 years and negotiate on the interest, and the City Manager was to be notified as soon as possible the rate of interest to be charged on the bonds. Motion carried unanimously.

5. Report on City of Brookings "PEACHES" pre-application denial by HUD on Chetco Inn Hotel.

The City Manager stated that the project was rated very low. Mayor Hitchcock informed the Council that Sandy Dietrick of CCOG was willing to work up a new block grant for 1981 which will begin in July if the project was reinstated.

MOTION by Councilman Allsup, seconded by Councilman Cheney that we allow Sandy Dietrick of CCOG to proceed with the "PEACHES" reinstatement. Motion carried unanimously.

6. Report on Harbor Sanitary District's approval of new Sewage Treatment Plant monthly billings.

The City Manager informed the Council that the monthly billing has been increased \$209.88 to a total of \$1,290.88 per month, and the Harbor Sanitary District has agreed to repay the City \$3,174.66 to cover the underbalance in 1979.

7. Request from Mr. Fred Warneking to purchase roadway at the end of Center Street.

John Thorp stated that this roadway was hillside ground and very steep, and Mr. Warneking desired to build residential units. The City Attorney stated that some time there could be a use for the road and the request was premature. At the time that they submitted plans, would be the proper time to ask for this request. The Council felt that the City Attorney's advice should be taken.

8. Report from Citizens Advisory Committee concerning increasing City revenue.

The City Manager informed the Council that this committee wished to increase the revenue for the City without increasing property taxes. Mr. Freeman read the report to the Council.



Gerald Ross Agency, Inc.

P. O. BOX "R" • BROOKINGS, OREGON 97415 • TELEPHONE (503) 469-3144

April 7, 1980

City of Brookings
898 Elk Drive
Brookings, Oregon 97415

Term: March 18, 1979 to March 18, 1980

Annual Premium Totalled - - \$22,393.00

Current Term: March 18, 1980 to March 18, 1981

Total Annual Premium- - - - \$18,957.00

This reflects reduction in premium totalling - - - - - \$3,436.00

MOTION by Councilman Brimm, seconded by Councilman Allsup that this matter be referred to the Budget Committee for decision and brought back to the Council at a later date. Motion carried unanimously.

X. LEGISLATIVE ACTION

1. Resolution urging the Civil Aeronautics Board to continue interim subsidy to Century Airlines and reaffirming support for designation of Century Airlines as the essential air service carrier for Crescent City.

Resolution No. 244 was read in its entirety.

MOTION by Councilman Cheney, seconded by Councilman Brimm that Resolution No. 244 be adopted. Motion carried unanimously.

2. Resolution requesting Planning Commission's recommendation on master street and storm drainage improvement program.

Resolution No. 241 was read in its entirety.

MOTION by Councilman Brimm, seconded by Councilman Cheney that we adopt Resolution No. 241. Motion carried unanimously.

3. Council consideration of approval of City liability insurance for 1980-81 FY. Gerry Ross asked to be placed on the Agenda at a later date to have a full review of all the insurance programs, and that he had reduced the premium to \$18,957.00. Gerald Ross Insurance Agency was the only bid received.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we accept this bid from Gerald Ross Insurance Agency. Motion carried unanimously.

4. Request from property owners on East side of Hillside Avenue to vacate alleyway at rear of their property.

MOTION by Councilman Cheney, seconded by Councilman Allsup that we reject this request. Motion carried unanimously.

5. Request from Keith Rowland for City to accept public improvements in Phase I, First Addition, Spruce Knoll Subdivision.

MOTION by Councilman Cheney, seconded by Councilman Earle that we accept Phase I, First Addition of Spruce Knoll Subdivision. Motion carried unanimously.

6. Request from William Bradbury, member of the Oregon Commission of Public Broadcasting for approval of resolution concerning The Oregon Commission on Broadcasting. William Bradbury presented the need for bringing Oregon related programming to this area. Resolution No. 243 was read in its entirety.

MOTION by Councilman Cheney, seconded by Councilman Earle that we adopt Resolution No. 243. Motion carried unanimously.

XI. PAYMENT OF VOUCHERS

MOTION by Councilman Cheney, seconded by Councilman Allsup that the bills be paid. Motion carried unanimously.

XII. OTHER BUSINESS

MOTION by Councilman Brimm, seconded by Councilman Earle that we pass Liquor License renewals for the Green Door, Rubio's Restaurant, Flying Gull Restaurant, and Pine Cone Tavern. Motion carried unanimously.

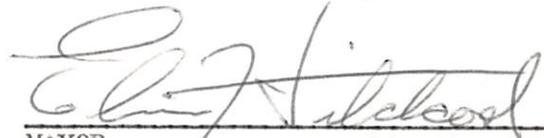
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Brookings Common Council
City of Brookings
April 8, 1980

XIII. ADJOURNMENT

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

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

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



MAYOR

ATTEST:



CITY RECORDER

VOUCHERS PAYABLE
3/31/80

<u>Voucher #</u>	<u>Check #</u>	<u>Vendor</u>	<u>Amount</u>
1		Abba's Lock and Safe	\$ 43.00
2		Albert R. Allyn	10.20
3		Robert E. Babb	8.45
4		Samuel W. Dotson	5.90
5		Robert Hager	13.20
6		Lyle K. Owens	10.30
7		Wayne Sheffel	19.70
8		BECCO, Inc.	118.65
9		Bidall	115.10
10		Blue Star Gas	132.85
11		City of Brookings-water	62.25
12		City of Brookings-water, Library	7.00
13		Brookings Electronic Service Co., Inc.	56.95
14		Brookings Fire Department	375.00
15		Brookings Firemen's Association	2.83
16		Brookings Office Supplies	66.26
17		Brookings Supply Inc.	7.76
18		Brookside Construction Company	2,540.00
19		Building Codes Division	116.76
20		C. & L. Office Supplies	80.83
21		Chetco Rexall Drugs, Inc.	25.56
22		Coast Chrysler Center, Inc.	38.00
23		Coast to Coast Total Hardware	56.11
24		Coastal Petroleum Sales	42.52
25		Consolidated Freightways	84.11
26		Coos-Curry Electric Cooperative Inc.	3,687.46
27		Coos-Curry Electric Cooperative Inc.	133.98
28		Coutrakon & Hoselton	3,060.71
29		CROM Prestressing, Inc.	8,277.50
30		Curry County Printing	8.50
31		Dan's Photo & Cameras	46.40
32		Dave's True Value Hardware	57.12
33		Dave's Rent-All	6.00
34		Dick's Chetco Saw Shop	17.15
35		Doyle Electric	51.60
36		Dick Evans Striping & Lettering	250.00
37		Focus Printing	56.25
38		Four Seasons Department Store	1,630.55
39		Fyr-Fyter Sales & Service	145.70
40		Gaylord	232.41
41		General Electric	592.49
42		General Telephone	699.90
43		General Telephone	100.92
44		Al Glasser Janitorial	600.00
45		Green Door	10.50
46		Greyhound	9.55
47		Hach Chemical Company	50.31
48		Hanscam's Center Ore. Ltd.	8.40
49		Hanscam's Center Ore. Ltd.	.95
50		Harbor Logging Supply Inc.	23.20
51		Anne Hicks	6.48
52		Hinds Supply Company	47.90
53		Anthony Keeling	.66
54		Kerr Hardware & Electric	68.49

SUBTOTAL

\$23,920.37

VOUCHERS PAYABLE

3/31/80

Page 2

<u>Voucher #</u>	<u>Check #</u>	<u>Vendor</u>	<u>Amount</u>
55		Littrell Parts	\$ 49.49
56		Long Electric Inc.	224.00
57		Christina Lucas	187.75
58		3M B.P.S.I. FGL 1582	158.94
59		Jennifer MacKay	8.55
60		McDonald's Wholesale Co.	27.45
61		Mill Beach Garden Shop	113.55
62		Nudelman Brothers	258.25
63		O'Neale Supply, Inc.	114.34
64		O'Neale Supply, Inc.	34.00
65		O'Neale Supply, Inc.	31.30
66		Pacific Northwest Bell	117.00
67		Pacific Water Works Supply Co., Inc. OR	24.32
68		PACO	25.99
69		Paramount Pest Control, Inc.	17.00
70		Lu E. Peterson	60.45
71		Radio Shack	67.41
72		Sam's A & W	24.95
73		Singleton Plumbing	37.30
74		Dave Slatons Auto & Marine Elec.	41.78
75		The Sound Palace	.89
76		South Coast Stationery	1.70
77		Square Deal Builders Supply	197.87
78		Stamper's J & J Tire Company	5.50
79		Steiner Corporation	176.78
80		Steam Supply & Rubber	125.67
81		Tidewater Contractor, Inc.	1,808.83
82		Traffic Safety Supply Co.	258.61
83		U.S. Postmaster	109.17
84		U.S. Postmaster	109.28
85		Varec Division-Emerson Elec. Co.	152.58
86		VWR Scientific Inc.	205.63
87		Heather Wechter	10.00
88		Herbert S. Schaefer	10.00
89		Andrew Rose	10.00
90		Catherine L. Appel	10.00
91		Blanche E. Thom	10.00
92		Robert T. Orr	10.00
93		Dorothy E. Braun	10.00
94		Hera Mcleod	10.00
95		Richard L. Barton	10.00
96		Earl M. Breuer	10.00
97		Hugh D. Langlois	10.00
98		John T. Clouds	10.00
99		Wilson Distributing Service	24.66
100		R.G. Williams, M.D.	70.00
101		Marshall Ferg	220.95

TOTAL

\$29,132.31