

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
OCTOBER 9, 1979

Meeting was called to order at 8:00 p.m. by Mayor protem Ray Lockman.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Members present were: Councilmen Darrell Allsup, Ralph C. Cheney and Jack Lowrie. Mayor Elmer Hitchcock was absent.

Staff present were: City Manager Frank Freeman, Recorder Marge McKernan and City Engineer Dick Nored. Also present was City Attorney John Coutrakon.

III. APPROVAL OF MINUTES

MOTION by Councilman Allsup, seconded by Councilman Lowrie and carried that the following minutes be approved as presented: September 11, 14, 17, 1979 and October 3, 1979.

IV. COMMUNICATIONS

1. Request from Citizens on Pioneer Lane for City water service. Dick Nored recommended that they hold a town meeting to discuss this request with the interested citizens. Estimate for this project prepared by H.G.E, In. is attached. Council were in agreement that a town hall meeting be scheduled.
2. Request from Citizens on Tanbark for vehicle speed and dust control. City Manager advised that there are many streets in the City that need repair, and suggested that he and the Supt. of Public Works, Dick House, set up priorities. Council were in agreement.
3. Request from Lee and Fern VanDuzee for formation of a Sanitary Sewer District. Mr. VanDuzee had presented the Council with a signed petition for this request. City Attorney advised that this petition was not in proper form, but the Council could accept it, as the petition form was received from the City. Mr. VanDuzee advised that when he bought the property, he was informed from an adjoining property that they would give an easement. Some one in the audience ask who, and Mr. VanDuzee advised that it was Mrs. Stanhurst. Mrs. Stanhurst was in the audience and she said that was untrue. After some more discussion a MOTION was made by Councilman Lowrie, seconded by Councilman Cheney that this be tabled indefinitely. Councilman Allsup voted no. Motion carried.
4. Correspondence from Councilman Ralph Cheney resigning from the Planning Commission and Budget Committee. MOTION by Councilman Lowrie, seconded by Councilman Allsup and carried that these resignations be accepted.

V. APPOINTMENTS

1. Appointment of two members to the City Planning Commission.
MOTION by Councilman Cheney, seconded by Councilman Allsup and carried that Blain Gribble and Bob Earle be appointed as members of the Planning Commission.

2. Appointment of member to the Budget Committee.

MOTION by Councilman Allsup, seconded by Councilman Lowrie and carried that Roy Brimm be appointed as a member to the Budget Committee.

VI. PUBLIC PARTICIPATION

1. Ray and Dorothy Zednik ask the Council while the construction is now being done on the North Brookings Sewer District could the drainage also be done on Meadow Lane?

It was suggested that they form a drainage improvement district in this area. Mrs. Zidnik advised that they did not want to form a district, they just wanted the ditch on the opposite side of the street to be used for drainage. Mr. Cremarosa, Contractor on North Brookings Sewer District, mentioned that possibly some solution could be worked out.

MOTION by Councilman Allsup, seconded by Councilman Lowrie and carried that the Contractor and Property Owners in the Meadow Lane area work out some solution among themselves and not involve the City. Mr. & Mrs. Zednik and Mr. Cremarosa were in agreement to this solution.

2. Mrs. Connie Olds who owns property up the North Bank of the Chetco River, next to the City property, known as Social Security Bar, ask that the Council to maintain a noticeable boundary line between her property and the adjacent land owned by the city. Mrs. Olds advised that the city has road access to the river bar and people believe the whole fishing hole is public but Mrs. Olds and her husband own the downstream section of the river bar. Mrs. Olds wants the city to establish the property line between city property and her property and erect signs designating the lines so anglers can distinguish between the city's property and that owned by the Olds. Council will investigate and advise.

VII. LEGISLATIVE ACTION

1. Resolution No. 228 authorizing intrafund transfers in the water and sewer funds.

Resolution No. 228 was read in full.

MOTION by Councilman Allsup, seconded by Councilman Lowrie and carried that Resolution No. 228 be adopted.

2. Resolution establishing certain traffic control devices within the City of Brookings.

Resolution No. 229 was read in full.

MOTION by Councilman Cheney, seconded by Councilman Allsup and carried that Resolution No. 229 be adopted.

VIII. CITY ENGINEER'S REPORT

1. Report on public access to Mill Beach road.

Dick Nored, City Engineer, reported that a title report of the official ownership of Mill Beach Road was ordered two months ago and this report was cancelled on Oct. 9, 1979. Mill Beach Road is not a portion of the Swagg Rock Subdivision and by County Plat Records, is not owned by Mr. Cembellin. Unless a subsequent title report or legal transaction deeds Mill Beach Road to the City of Brookings, the City is under no obligation regarding future problems on Mill Beach Road. The property owners have a legal right to Beach access, but this does not guarantee public access, unless such a right is cleared in the Courts by reason of past usage of the road. Since the City apparently does not have possession of the Road at this time, any future disputes should be between landholders in the area, not involving the City of Brookings. In effect, the dispute involves the Zwagg Rock Subdivision and landholders along Mill Beach Road which should not be accepted as a City problem since we have no jurisdiction in the matter. Mr. Nored recommended that the City disregard future action on this problem unless they wish to pursue owning the road for beach access.

MOTION by Councilman Lowrie and seconded by Councilman Cheney that the matter is to be dropped on the Mill Beach Road. Mayor protem Lockman voted no. Motion carried.

2. Report on sewer agreement between the City and the Harbor Sanitary District.

Mr. Nored advised that this contract can be reviewed at the end of each calendar year and the City should contact them and explain evaluation to provide equitable charges. It does appear that Harbor usage is substantially greater at this point than in 1976, and contract provisions allow for city to assess actual costs to Harbor through calendar year 1979, with arrear payments being collected during calendar year 1980.

City Staff will contact the Harbor Sanitary District to discuss the charges that are to be paid to the city.

3. Report on upgrading of City sewage disposal system.

Mr. Nored advised that the Council had approved upgrading the system for projects cost of \$75,000.00 and they will soon be advertising for bids.

3. Marvin Pope Drainage.

Mr. Nored presented a proposal for this drainage problem which was as follows:

We have reviewed the drainage concerns of Marvin Pope on the lower side of Fifth Street between Easy and Ransom, and agree that some concern by the City is needed in this area. While the existing drainage does drain through the Pope property, continued development will add major water quantities, and underground drainage through the area should be given strong consideration. In review of this subject, it is my recommendation that the City investigate a drainage district for the area, with all contributors participating in the costs of construction. Failure of the District would then prevent future land developments from occurring until the drainage was completed. Mr. Pope has also apparently requested a relocation of the drainage to a property line of his property. We recommend that the City not become involved in this relocation, other than to allow Mr. Pope to relocated the drainage if he desires. Plans for said relocation should be forwarded to the City for review prior to construction.

MOTION by Councilman Allsup, seconded by Councilman Cheney and carried that this report be approved and accepted.

4. Wharf Street-Allen Kernutt Property.

Mr. Nored presented the Council with a report on the vacation of certain property to Mr. Kernutt and his recommendations. This report including maps is made a part of the minutes. Discussion of easment widths was suggested. MOTION was then made by Councilman Allsup, seconded by Councilman Cheney and carried that there be a 20' easement for all utilities.

5. Shut off valve on Old County Road on the Hi-Level water system project.

Mr. Nored advised that the present valve is not in working condition and ask Council permission to have the Contractor Horton Bros. purchase a new one for the amount of \$750.00

MOTION by Councilman Allsup, seconded by Councilman Lowrie and carried that this change order be approved with Horton Bros. to purchase the needed valve.

IX. CITY ATTORNEY REPORT

Mr. Coutrakon advised that there will be an Ordinance prepared for the next regular council meeting adopting the State Law. The Police Chief and Fire Chief will be working with Mr. Coutrakon on this ordinance.

2/2/80

X. CITY MANAGER'S REPORTS

1. Request from Shel Oil Company to renegotiate fuel purchases contract.

Jack Ashworth, operator of Brookings Shell Station said that this contract was made with a former operator of the station and ask that a new contract be renegotiated.

After some discussion a MOTION was made by Councilman Allsup, seconded by Councilman Lowrie and carried that this bid be readvertised for bids, not only for fuel purchases but also tires and maintenance to City vehicles.

2. Request from L. P. Rice, Municipal Judge for leave of absence in addition to annual vacation.

MOTION by Councilman Lowrie, seconded by Councilman Cheney and carried that the Judge protem appointment of Mary M. Beinke be rescinded and Julius Koehler be appointed as Judge protem.

3. Request to call for bids for new Police vehicle.

MOTION by Councilman Cheney, seconded by Councilman Allsup and carried that the City advertise for bids on a new Police vehicle.

4. Presentation by Joe M. Kemp concerning County adopting rural address system.

Mr. Kemp explained how the rural addressing system is applied, and that the County had budgeted the amount of \$30,000 for the first year to get the program started.

MOTION by Councilman Allsup, seconded by Councilman Cheney and carried that the Council meet with Mr. Kemp to discuss this address system. Council were concerned about what the cost would be to the City.

5. Request from Marquess & associates, Inc. for Council approval of first of the month progress estimate payments.

MOTION by Councilman Cheney, seconded by Councilman Allsup and carried that the Council will hold a special meeting for approval of early payments.

6. Request from the Church of Jesus Christ of Latter Day Saints to relocate a deeded right-of-way across church property.

Mr. John W. Griffith III requested to discuss further and possibly re-negotiate an agreement between the Church and the City.

City Manager, Engineer, City Attorney and Mr. Griffith will get together and go over this request.

7. Request from Ross Jones for vacation of existing easement in Highland Subdivision.

MOTION by Councilman Allsup, seconded by Councilman Cheney and carried that this vacation be accepted.

8. Information on 1979-80 FY League of Oregon Cities Conference to be held November 10th-13th in Portland.

City Manager advised those that want to attend this conference please advise as soon as possible so that reservations can be made.

XI. PAYMENT OF VOUCHERS

MOTION by Councilman Allsup, seconded by Councilman Cheney and carried that vouchers in the amount of \$140,073.66 for the month of September, 1979 be paid.

XII. OTHER BUSINESS

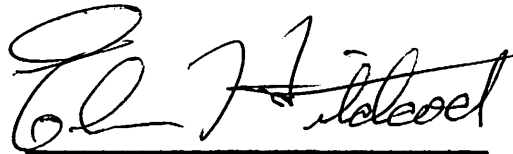
MOTION was made by Councilman Cheney, seconded by Councilman Allsup and carried that the city proceed with alterations and improvements to the Council Chambers, by putting carpet on the floor, raise the council table, and put in a P.A. system. Also some work that the City Manager wants done in his office, and the cost not to exceed \$5,000.

MOTION made by Councilman Cheney, seconded by Councilman Lowrie and carried that the City Manager and Chief of Police investigate into the alleged misuse of city money for a picnic. Portion of these funds derived from the sale of public property. City Manager and Chief of Police are to report back to the Council.

XIII. ADJOURNMENT

MOTION by Councilman Allsup, seconded by Councilman Cheney and carried that this meeting be recessed until Thursday, 11, 1979 at 11:00 a.m. to discuss the Urban Growth Boundary proposal.

The meeting then adjourned at 11:30 p.m. This meeting was recorded on tape and is on file in the Recorder's office.



Mayor

ATTEST:



Recorder/Treasurer

HGE INC./ENGINEERS & PLANNERS
405 NORTH FIFTH / COOS BAY, OREGON 97420 / (503) 269-1166

October 9, 1979

City of Brookings
898 Elk Drive
Brookings, OR 97415

Attn: Frank Freeman

Re: Wharf Street - Allen Kernutt Property

Dear Frank:

We have researched the relocation of Wharf Street proposed by Mr. Allen Kernutt, and recommend that vacation proceedings be approved, based on the following:

- 1) That the City maintain minimum 20 foot utility easements on all water, sewer, and drainage pipelines existing in the area to be vacated.
- 2) That portions of the vacation fronting on Horton Brothers property be vacated to Horton Brothers.
- 3) That the right-of-way to be deeded to the City in exchange for vacated Wharf Street be centered to include the existing street, and all possible water and sewer facilities. The original proposal by Mr. Kernutt's surveyor, dated July, 1979, seems to attempt this, with the exception that no location is shown for the Brookings-Harbor Interceptor which occupies the intersection. A subsequent survey, including survey information from September, 1979, proposes a different location, which seems to be off the existing gravel street, and would have most of our utilities outside the new right-of-way. Plans available in our office for the Brookings-Harbor Interceptor dated January, 1975, substantiate this fact. The later proposal from Mr. Kernutt is not recommended for acceptance by the City.

Based on this analysis, we recommend that Mr. Kernutt furnish a condition survey, showing existing roadways and all existing pipelines, including the Brookings-Harbor Interceptor, and that new proposed dedications and vacation proceedings be developed around these findings.

Letter to Frank Freeman
October 9, 1979
Page

If agreement can be reached between the City and Mr. Kernutt, we could conduct these surveys at your discretion. Copies of applicable survey maps are included for your reference.

Please contact me if we can offer further assistance in this matter.

Very truly yours,

H.G.E., INC.



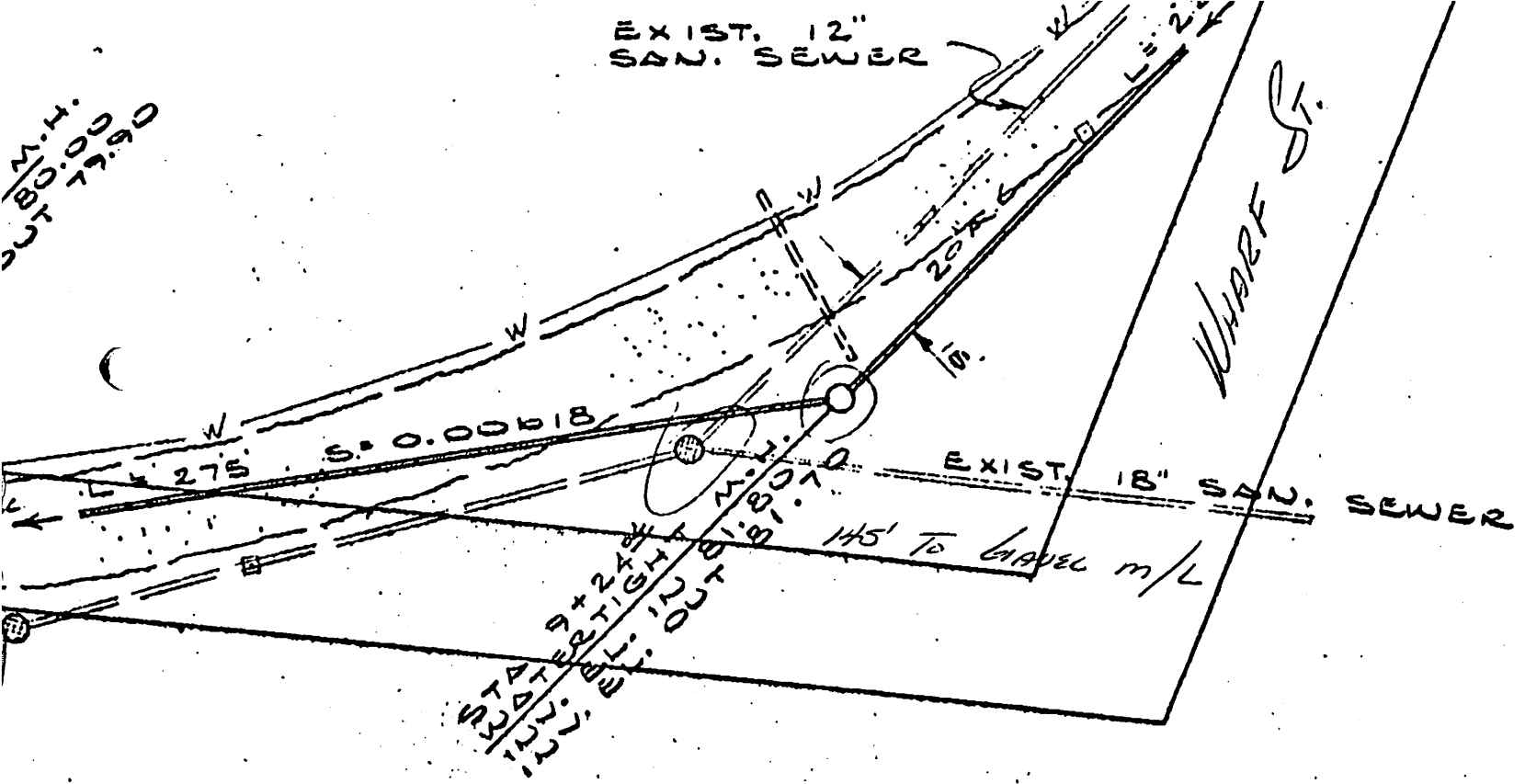
Richard D. Nored, P.E.
Vice President

RDN/cb

Encl.

W.H. 001
1/80 15.90

EXIST. 12" SAN. SEWER



STA 9+24
VERT. CURVE
INSTR. 120
INSTR. 120

- LEGEND
- UTILITY POLE
 - WATER METER
 - WATER VALVE
 - SIZE
 - FEET
 - CULVERT

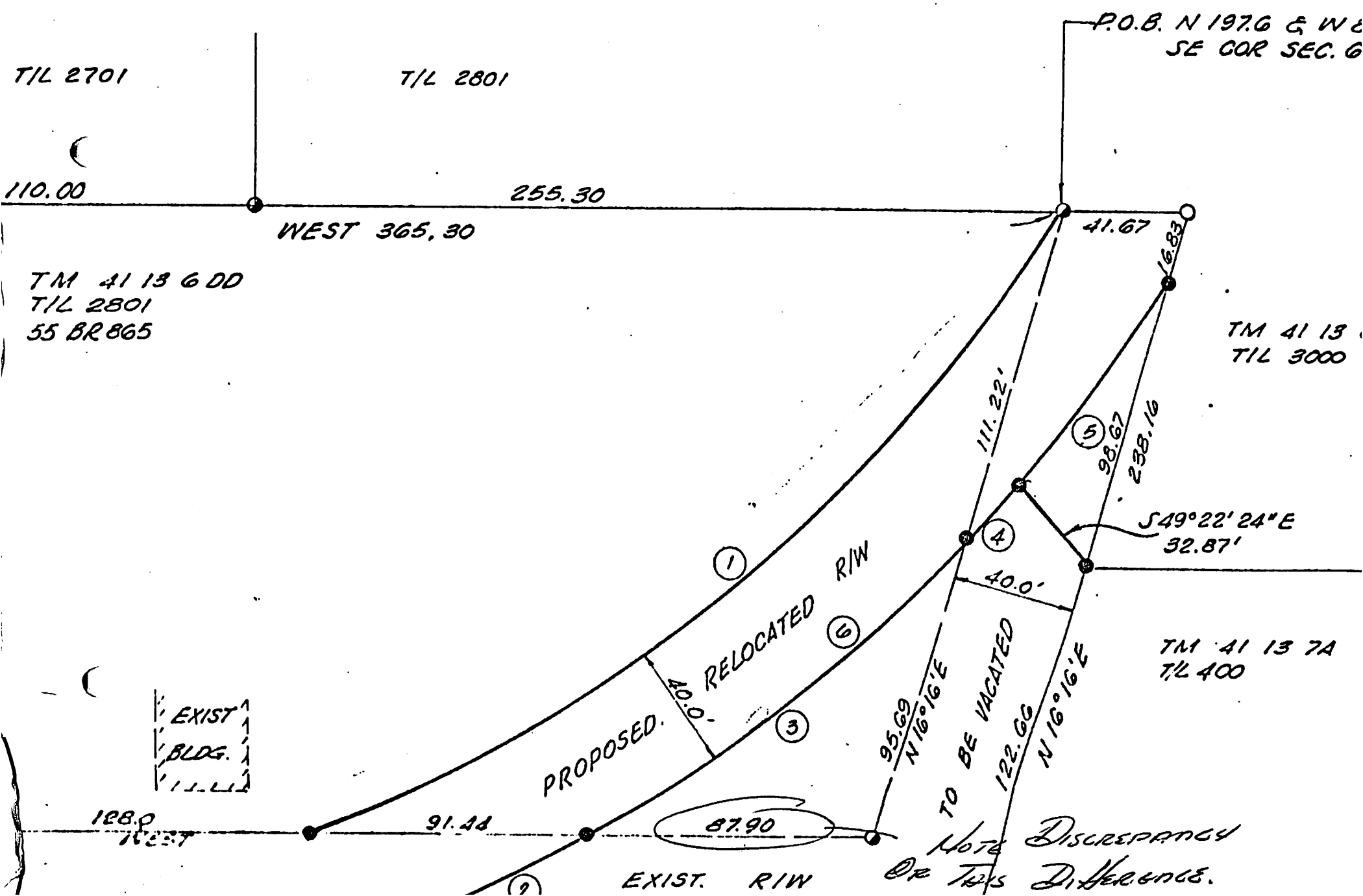
LOCATION SURVEY
HCE
1/75



REVISIONS

Δ 7-10-75 // MOVED SEWER OFF ROADWAY // J.M.B.

9/79
B & D SURVEYS



7/11
B & D SURV 43

101

TL 2801

P.O.B. - N197.6 & W898.9
S.E. COR. SEC. 6

110.00

WEST 365.30
255.30

TM 41-13-GDD
TL 2801

TM 41-13-GDD
TL 3000

Don. HORTON

N46°51'50"W
36.78

(1)

(2)

(3)

(4)

TM 41-13-7A
TL 400

PROPOSED R/W

EDGE GRAVEL

TO BE VACATED

EXISTING
SEWERLINE

GRAVEL - M/L

WEST 112.00

EXISTING

R/W

SIG 12.18' W
106.03

122.66

18" S

18" S

224.78

100.88

N16°16'E

41.67

5-17.85

37.65

122.66

145'

Held to cover Sacramento

21-

HGE INC./ENGINEERS & PLANNERS
405 NORTH FIFTH / COOS BAY, OREGON 97420 / (503) 269-1166

October 9, 1979

City of Brookings
898 Elk Drive
Brookings, OR 97415

Attn: Frank Freeman

Re: Pioneer Lane Water Improvements
Project #2221

Dear Frank:

Enclosed herewith are cost estimates for the Pioneer Lane Water Improvements and a plan showing future improvements in the area.

Since there are a number of developments planned in the area, I feel the Council should take action requiring developers to assist in the development of this plan, and not permit separate pumping arrangements by any future developments.

Undoubtedly, some sort of a construction reserve fund will be acquired for the new 10" line down Hassett Street, and we should consider policy in this regard.

Very truly yours,

H.G.E., INC.



Richard D. Nored, P.E.
Vice President

RDN/cb

Encl.

HGE INC./ENGINEERS & PLANNERS
405 NORTH FIFTH / COOS BAY, OREGON 97420 / (503) 269-1166

October 4, 1979

Mr. Clarence Hoie
Pioneer Lane
Brookings, OR 97415

Re: Brookings - Miscellaneous
Engineering - #2221.

Dear Clarence:

Please find enclosed a preliminary estimate and plan for water improvements on Pioneer Lane. The cost estimates were developed from a field check and existing aerial photos.

Since part of the existing right-of-way is a narrow easement, additional width will be required to provide the necessary clearance between the water main and existing sewer lines.

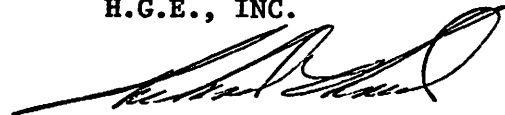
The proposed routing of the water line presents a problem of how to fairly distribute the costs for the improvements, but we would recommend assessing the first 200 feet of the property fronting the improvements. This area is approximately 371,025 square feet, which would make the assessment rate about eleven cents per square foot.

If the Improvement District is formed, we will follow with a Comprehensive Engineer's Report showing Assessment District and cost per owner.

If you have any other questions, please call me at 269-1166.

Very truly yours,

H.G.E., INC.



Richard D. Nored, P.E.
Vice President

RDN/cb

Encl.

cc: City of Brookings

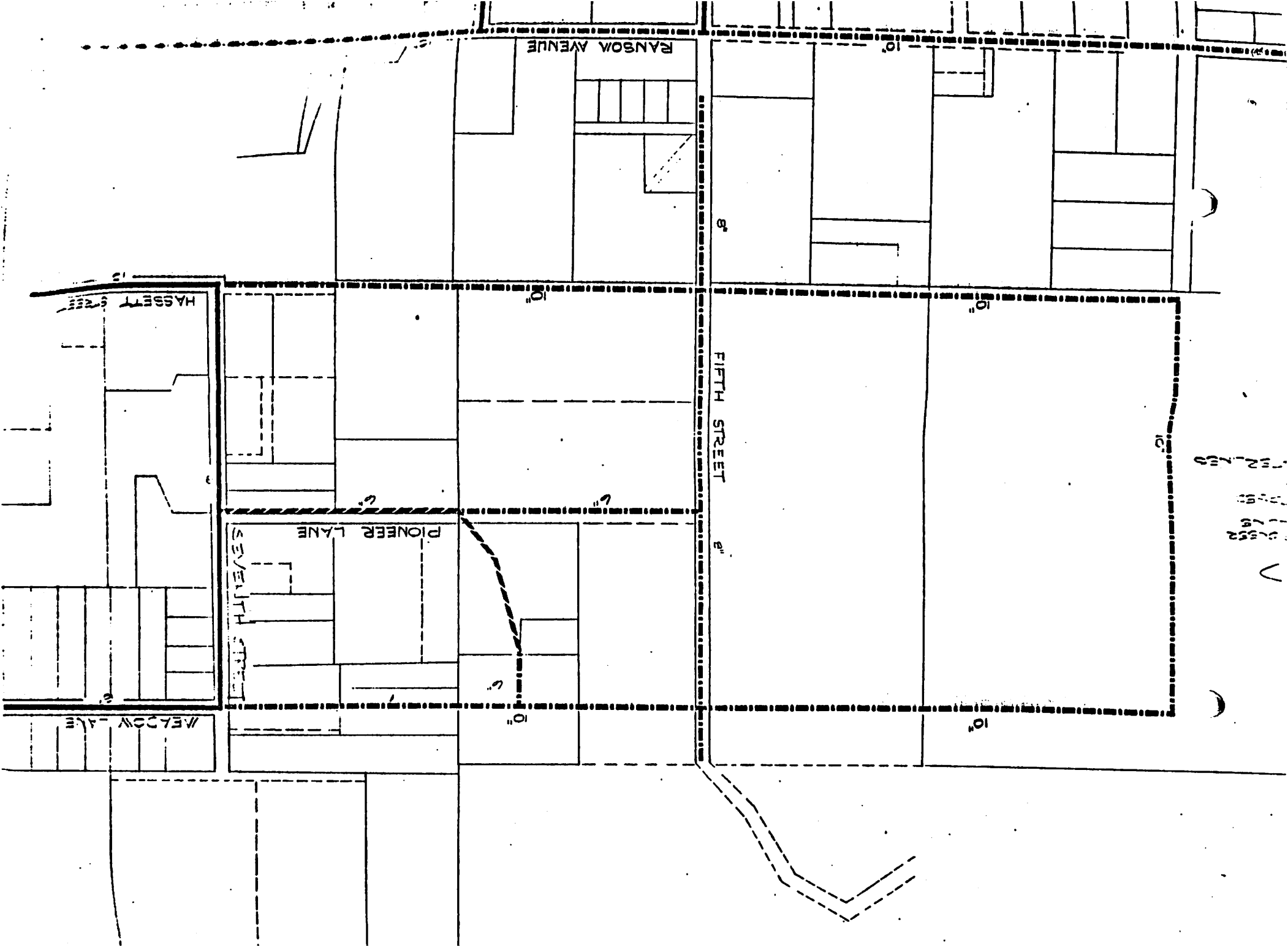
PRELIMINARY COST ESTIMATE

for

Water Improvements - Pioneer Lane - Brookings

October, 1979

<u>Description</u>	<u>Cost</u>
1) Clearing & Grubbing.....Lump Sum.....	\$ 5,000.00
2) Unclassified Excavation.....1075 L.F. @ \$3.00.....	\$ 3,225.00
3) Bedding Materials.....1075 L.F. @ \$2.50.....	\$ 2,687.50
4) Backfill.....1075 L.F. @ \$2.50.....	\$ 2,687.50
5) 6" AC Pipe.....1075 L.F. @ \$10.00.....	\$ 10,750.00
6) 6"x6"x6" Tee.....4 @ \$225.00.....	\$ 900.00
7) 45° Elbow.....2 @ \$175.00.....	\$ 350.00
8) 6" Flange Coupling Adaptor.....2 @ \$150.00.....	\$ 300.00
9) 6" Gate Valve.....5 @ \$300.00.....	\$ 1,500.00
10) Fire Hydrant - Complete2 @ \$1,000.00.....	\$ 2,000.00
11) Gravel Surfacing.....175 CY @ \$11.00.....	<u>\$ 1,925.00</u>
Sub Total.....	\$ 31,325.00
Construction Gontingencies.....	<u>\$ 3,000.00</u>
Construction Total.....	\$ 34,325.00
Preliminary Field Work & Stakeout.....	\$ 2,000.00
Design.....	\$ 3,000.00
Inspection.....	<u>\$ 2,000.00</u>
Total.....	<u>\$ 41,325.00</u> =====



RANSOM AVENUE

FIFTH STREET

PIONEER LANE

SEVENTH STREET

MEADOW LANE

HASSETT STREET

Handwritten notes and a checkmark on the right edge of the map.

VOUCHERS PAYABLE
CITY OF BROOKINGS
SEPTEMBER 30, 1979

<u>NAME</u>	<u>AMOUNT</u>
Alkem Labs, Inc.	247.94
A. R. Allyn	10.20
R. E. Babb	8.45
B & D Surveys	6.00
Barco Coastal Supply Co.1	121.84
R. R. Bowker Co.	49.50
Bro-Dart	12.23
Brookings Office Supplies	151.90
Butterick Publishing	90.23
Budge-McHugh Supply Co.	16.00
City Water Fund	109.25
C & L Office Supplies	30.96
Cantel of Medford	7.00
Chambers Plumbing & Heating	161.95
Coast Chrysler Center, Inc.	338.62
Coutrakon & Hoselton	1,611.59
Curry County Printing	49.50
Curry County Clerk	17.50
Coastal Printing	57.30
Coos-Curry Electric (Library)	86.20
Curry Coastal Pilot	32.60
Central Pacific Freight	15.74
Dan's Photo & Cameras	47.74
Dean's Alliance	6.00
Demco	80.30
Dave's Hardware	23.40
Sam Dotson	5.90
Duanes Radio & TV	47.32
East-West Learning Corp.	349.96
Franks Office Equip.	28.43
F & C Construction	112.50
Gaylord Bros.	116.83
General Telephone (Library)	43.69
Al Glasser	600.00
Robert Hager	13.20
Hanscams Center	24.25
Hinds Supply Co.	157.05
Anne Hicks	135.04
Ind. Electric Service Co.	292.96
Kerr Ace Hardware	31.23
Jo-Los	15.05
Littrell Parts	35.13
Christina Lucas	187.75
Marquess & Associates	12,187.60
3 M Business Products	108.00
M.B. McKernan	32.20
Medford Lab., Inc.	25.00
Mill Beach Garden Shop	46.80
Nudelman Brothers	58.00
J/ g. Newman Co.	250.00

Page No. 2-Vouchers Payable
City of Brookings
September 30, 1979

<u>NAME</u>	<u>AMOUNT</u>
N. W. Law Enforcement Equip.	19.69
L. K. Owens	4.70
Paramount Pest Control	13.00
Pacific Northwest Bell	78.00
Pacific Water Works	196.41
Penwalt	123.75
Pool & Patio Place	129.00
RCA Music Center	33.98
Rays Sentry	113.79
Gerald Ross Insurance	633.00
Wayne Sheffel	19.70
Sea-Western, Inc.	50.00
Snappy Electric	9.12
Steiner Corp.	125.82
Buzz Stewart Signs	20.00
Square Deal Builders	140.84
Time-Life	8.38
Traffic Safety Supply Co.	42.60
Western Fire Equip.	42.74
Water Works Supplies Co.	89.64
Yergen & Meyer, CPA	8,750.00
M & F Building Co.	79,907.02
Umqua Research Co.	89.10
Becco, Inc.	194.16
H.G.E., INC.	780.00
Hanscams Center	15.12
Shell Oil Co.	1,143.13
Steam Supply & Rubber	124.25
Universal Equip., Inc.	6.57
U. S. Divers Co.	4.50
U. S. Post Office	112.52
Jurors for Jury Trial	100.00
Dept. of Motor Vehicles	15.00
	<hr/>
	\$113,197.06
Additions:	
M & F Building Co.	23,382.60
	<hr/>
	\$136,579.66
U. S. Postmaster	75.00
	<hr/>
	\$136,654.66

BALANCE OF
VOUCHERS PAYABLE
CITY OF BROOKINGS
SEPTEMBER 30, 1979

<u>NAME</u>	<u>AMOUNT</u>
Chamber of Commerce	\$ 500.00
Coos-Curry Electric	2,481.17
General Telephone	733.83
Horton Bros., Inc.	235.00
National Sheriffs Association	73.25
Premier Athletic Products	2.00
Total	<u>\$4,025.25</u>