

MINUTES  
BROOKINGS COMMON COUNCIL  
SPECIAL COUNCIL MEETING  
CITY OF BROOKINGS  
OCTOBER 25, 1978

Meeting was called to order at 11:10 a.m. by Mayor Robert L. Kerr. Members present were: Councilmen C. Dwight Allen and Ray Lockman. Councilmen Darrell Allsup and Jack Ross were absent. Staff present were: City Manager Frank Freeman and Recorder Marge McKernan.

LEGISLATIVE ACTION:

1. AWARDING OF BID ON COTTAGE & MILL STREET SEWER PROJECT

MOTION was made by Councilman Allen, seconded by Councilman Lockman and carried unanimously that the bid be awarded to Horton Bros. for the Alternate "B" bid in the amount of \$41,971.60.

2. INSTALLATION OF FIRE HYDRANTS

City Manager requested that there be an extension of time allowed to set up policy procedures on fire hydrants. In the current Ordinance that governs fire hydrants it states that fire hydrants required shall be tested and inspected prior to any framing construction being commenced on structures which may demand a high fire flow. The new Christian Church and Catholic Church that are now in the construction stage are concerned about the cost for these fire hydrants.

MOTION was then made by Councilman Allen, seconded by Councilman Lockman and carried unanimously that a moratorium be put on Ordinance No. 303 for a period of 90 days.

3. WATER LINE TO HOME BEING BUILT BY RON FALLERT

There is no water lines available to this home at the present time and it appears that it will be some time before there will be a permanent line in this area. Mr. Fallert requested authorization to put in a temporary line for domestic use.

MOTION was made by Councilman Lockman, seconded by Councilman Allen and carried unanimously that he be authorized to put a 2 inch water line along the City Park property, which would become part of the Park Complex, in order to supply water to this home, at his expense. When a permanent line is available he will connect to that line.

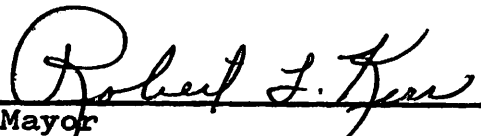
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City of Brookings  
October 25, 1978

OTHER MATTERS

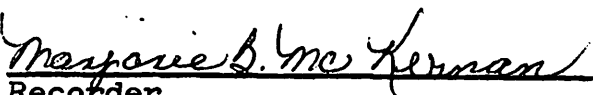
Mayor Kerr read the headline in October 20, 1978 Oregonian, which states that LCDC ruled invalid Beaverton's six-month moratorium on new housing construction, two days after a Washington County Circuit Judge ruled the moratorium was proper. Mayor Kerr was concerned over what kind of a monster LCDC is.

ADJOURNMENT

MOTION was made by Councilman Lockman, seconded by Councilman Allen and carried that this meeting be adjourned until November 6, 1978 at 11:00 a.m. Meeting was then adjourned at 11:45 a. m.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Recorder

MINUTES  
BROOKINGS COMMON COUNCIL  
CITY OF BROOKINGS  
NOVEMBER 6, 1978

RECONVENED MEETING FROM OCTOBER 25, 1978

Mayor Robert L. Kerr opened the meeting at 11:05 a.m. in the Council Chambers of the Brookings City Hall.

Those answering roll call were: Councilmen Darrell Allsup and C. Dwight Allen. Councilmen Ray Lockman and Jack Ross were absent.

Staff members present: Frank Freeman, City Manager; Wendell Bartholomew, Building Official; B. Suzie James, Engineering Aide and Cora Cooley, Acting Secretary.

BIDS - POLICE CAR:

Mayor Kerr opened two bids, one from

Coast Chrysler

1979 Dodge Aspen	\$5,980.00
Less allowance for '75 Chev.	<u>1,200.00</u>
	\$4,780.00

the other from

Akin Motor Company

1979 Ford LTD 11	\$5,574.00
Less allowance for '75 Chev.	<u>825.00</u>
	\$4,749.00

Add: For additional \$30 a 27½ gallon fuel tank is available.

The Mayor announced that each bid will be checked for complying with City specifications, after which

Councilman Allsup made MOTION to accept low bid if it meets specifications. Motion seconded by Councilman Allen and carried unanimously.

LEGISLATIVE ACTION:

1. CONTRACT OF SALE AND SECURITY AGREEMENT WITH CURRY COUNTY ON MOTOR GRADER.

The Contract of Sale and Security Agreement, pertaining to 1970 CAT Motor Grader, MD1. 12F, S/N 89H748, Hyd-mold board, ripper, enclosed cab and power steering, was read by the Mayor and a copy of said agreement is made a part of these minutes.

After discussion, Councilman Allen made MOTION to enter contract and sales agreement with the County. Seconded by Councilman Allsup and carried unanimously.

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City of Brookings  
November 6, 1978

Reconvened Meeting from October 25, 1978

2. WHARF STREET STREET IMPROVEMENT - STATE PARTICIPATION.  
REJECT OR ACCEPT LOWEST BID.

Mayor Kerr said the lowest bid was so much more than the original estimates that he did not see how the City could come up with their share. The difference was approximately \$40,000. Would probably have to cut the project way back or reject it.

City Manager Freeman said he had talked with the State Highway Department, and if the City wished to redesign the project, the State would encumber \$25,000 and they could do that in the Spring so the City would not lose its \$25,000.

After reviewing figures submitted, Councilman Allsup made MOTION we go back to the State and see if we can't realign the project. Seconded by Councilman Allen and carried unanimously.

OTHER MATTERS:

City Manager Freeman advised Council that consulting engineer Cliff Shaw had prepared a rough draft of an updated City Subdivision Ordinance and passed out several copies to the Council.

Councilman Allsup made MOTION to refer rough draft to the Planning Commission for recommendation to the City Council. Motion seconded by Councilman Allen and carried unanimously.

Also, City Manager said the State Traffic Engineer had been asked to prepare traffic chanelization along Chetco Avenue with regard to right and left hand turns and blind inter-sections. Report has been started and should be forthcoming before too long.

Mayor referred to North Bank Chetco river property owned by City and said he had talked with City Manager who was checking on reports that campers are coming onto the area camping and throwing garbage on the bar, dumping sewage in the river. Consensus of opinion was that property should be posted inasmuch as it is above the City water intake.

MOTION by Councilman Allsup, seconded by Councilman Allen, that City Manager be instructed to have a sign made up prohibiting camping and dumping on this property. Motion carried without opposition.

Councilman Allen said he had concerns about the Ferry Creek Reservoir area. There was building going on which could mean possible contamination of the water supply. Mayor Kerr said

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November 6, 1978

Reconvened Meeting from October 25, 1978

we had gone to court twice on this and submitted our protest on zone change on the Chetco River, however, the City had been overruled in both instances and there was not anything else we could do at the present time.

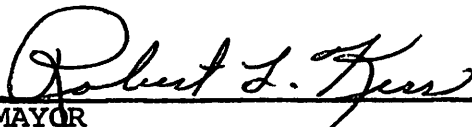
In response to request for cost analysis of purchasing river run rock and crushed rock, City Manager Freeman said the cost per cubic yard of river run from City's river bar, with City equipment and labor, was about \$4.00 to bring into City yard and stockpile whereas City could get delivery for \$2.75 per cubic yard on river run and approximately \$4.00 for crushed rock.

Wendell Bartholomew, Building Official, expressed his opinion that a change in water distribution must be met in the future by the City and in view of the extensive subdividing that is in progress right now, he felt that now was the time for study to attain that end. He had discussed this with City Manager, consulting engineers and local engineer who were of the same opinion. City Manager suggested work be started on development of amendment to Comprehensive Plan for change in water distribution and the Council agreed.

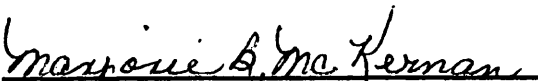
ADJOURNMENT:

Councilman Allen made MOTION to adjourn the meeting at 11:40 a.m. Councilman Allsup seconded the Motion and meeting was adjourned.

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

  
MAYOR

ATTEST:

  
RECORDER

VOUCHERS PAYABLE  
CITY OF BROOKINGS  
NOVEMBER30, 1978

<u>NAME</u>	<u>AMOUNT</u>
Albert R. Allyn	\$ 5.95
Jack P. Ashworth	5.95
Assessor's Office	1.50
Auto Marine & Electric	20.08
R. E. Babb	8.45
Barco Coastal Supply	31.20
Becco, Inc.	259.15
Brookings Office Supplies	156.40
Brookings Fire Department	270.00
Brookings Supply, Inc.	55.43
Brookings Tire Service	101.82
Budge-McHugh	148.43
City-Water Fund	269.25
C & L Office Supplies	128.19
Cantel of Medford	80.10
Chetco Rexall Drug	12.18
Coastal Petroleum Sales	539.02
Coast Chrysler	11.67
Consolidated Freightways	16.58
Curry County Clerk	200.86
Curry Coastal Pilot	28.75
Curry County Printing	361.46
Samuel W. Dotson	5.90
Dan's Photography	57.60
Daves Hardware	13.48
Del-Cur Supply	16.91
John DeJarnatt	77.11
Duanes Radio & T.V.	22.75
Engineered Control Products	76.62
F & C Construction	55.10
Freeman Rock Enterprises	2,854.61
Fire Engineering	25.00
Franks Office Equip.	59.94
Gaylord Bros	138.20
General Telephone	567.47
General Electric Supply	108.20
Robert Hager	8.45
Hearst Yearbooks	40.13
Hanscams Center	35.59
Greyhound	12.75
Hagens Cleaners	6.00
Hinds Supply Co.	545.91
Hatch Chemical Co.	8.33
Harbor Equip.	10.00
Dan P. Hall	28.22
Anne Hicks	15.36
The Portland Hilton	155.30
Independent Business Forms	44.58
B. Suzie Jamea	5.52
Jostens	31.96
Anthony Keeling	257.20
Kerr Ace Hardware	65.53

Vouchers Payable  
City of Brookings  
November 30, 1978- Page No. 2

<u>NAME</u>	<u>AMOUNT</u>
Long Electric	\$ 731.23
League of Oregon Cities	102.25
Labproducts, Inc.	19.51
Littrell Parts	285.04
Christinia Lucas	175.50
3 M Business Products	154.79
Marge McKernan	25.00
Matthews Machinery	8.39
Menasco Motor Co.	53.19
Midtown Mobil	19.00
Mill Beach Garden Shop	166.77
Multimedia Service Center	101.95
Northgate Mobil	16.00
Niemi & Thorp	9.50
Lyle K. Owens	4.70
Paco	81.08
Pacific Water Works Supply	627.28
Paramount Pest Control	10.00
Paramount Supply Co.	83.39
Prentice-Hall Co.	11.31
Publishers Central Bureau	152.54
Rays Sentry	98.55
Regent Book Co., Inc.	118.68
Share Corp.	449.55
Simon & Shuster	5.42
Singleton Plumbing	20.37
State Forester	10.68
State Line Myrtlewood	5.95
C. Guy Stem	10.25
Steiner Corp.	113.86
Shell Oil Co.	980.77
Square Deal Builders	402.64
Tartan Book Sales	22.60
Tidewater Constructors, Inc.	768.00
Two Guys Cleaning Service	350.00
Turner Design	19.00
Edward S. Walsh Co.	132.75
R. M. A. Group	2,500.00
R. E. Babb	204.00
Frank Freeman	41.25
John DeJarnatt	8.25
Oregon College of Education	55.20
Ross Insurance Agency	2,112.30
Dept. of Motor Vehciles	25.00
Soroptomist	8.25
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	\$19,263.88

November 10, 1978

To the City Manager, Mayor and Council of the City of Brookings.

In as much as the Planning Commission has not acted in the best interest for the City of Brookings at large and is retarding progress in the City, also a liaison between certain members on the Commission.

I hereby, request Mayor and the City Council for the immediate resignation of at least the Chairman and others as they see fit, or remove them from office and replace by competent qualified people.

Ralph B. Cheney



P. O. Box 1215  
Brookings, Oregon 97415  
November 16, 1978

Hon. Mayor and Council  
City of Brookings  
City Hall  
Brookings, Oregon 97415

Reference is made to the November 9, 1978 issue of The Pilot Newspaper, Letters to the Editor Department, first item, over the signature of Ralph C. Cheney.

The subject of Mr. Cheney's letter was the last meeting of the City Planning Commission, which I also attended. On the agenda was a request for zoning change covering ocean front property nearby ours. The plaintiff was the Southcoast Lumber Company and Associates.

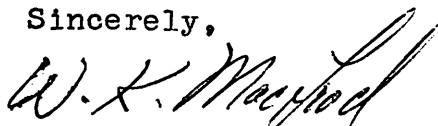
You should be aware of the evident prejudice that appeared to be shown against the proposal by the Chairman of the Commission when this subject was broached. The opening remarks were to the effect that the zone change request was not a sound idea in that the Chairman personally knew of several suitable parcels of commercially zoned land for sale in Brookings. These pieces, he indicated, would be much more adviseable locations for a Convention Center/Motel complex.

In the opinion of several, this position by the Chairman of the Commission given prior to applicant's hearing, was prejudicial and constituted conduct of an unseemingly nature by the City. It was as though regardless of the plaintiff's forthcoming request those objectives were not considered as obtainable by the Commission Chairman.

Brookings City Administration may already be aware of the above in that the Commission's Attorney is Mr. Spicer, who also is the Attorney for your office.

You realize, I'm sure, that such an important Commission should be staffed by the most objective and foreseeing members. The proposal for a Convention Center/Motel complex on that vacant property deserved to be considered fairly and without bias by the hearing committee.

Sincerely,



W. K. MacLeod

wkm

VOUCHERS PAYABLE  
CITY OF BROOKINGS  
OCTOBER 31, 1978

<u>NAME</u>	<u>AMOUNT</u>
Andreason's Nursery	\$ 1,367.70
Jack P. Ashworth	5.95
Albert R. Allyn	5.95
Robert E. Babb	8.45
Barco Coastal Supply	126.91
Wendell Bartholomew	13.00
Becco, Inc.	125.00
John D. Beres	20.00
Blue Star Gas	122.55
Breeze Bookstore	32.27
Brodart, Inc.	33.13
Brookings Fire Dept.	270.00
Brookings Glass	39.85
Brookings Office Supplies	199.61
Brookings Supply, Inc.	61.02
R. R. Bowker	92.50
R. R. Bowker	27.50
Brookings Tire Service, Inc.	65.40
Budge-McHugh Supply Co.	1,348.89
Cantel of Medford	118.35
C & L Office Supplies	40.61
Chetco Rexall Drugs, Inc.	23.95
Coast Chrysler Center, Inc.	272.24
City Water Fund	269.25
Coastal Petroleum	588.86
Consolidated Freightways	16.66
Curry County Clerk	5.20
Curry County Printing	220.40
Curry Coastal Pilot	10.00
Dean's Alliance	18.50
Dave's Hardware	6.74
W. S. Darley & Co.	25.76
Dave Slaton Auto & Marine	79.93
Columbia Equipment	890.71
General Telephone	1,304.92
General Electric Supply Co.	677.71
Fred Bay News Co.	14.32
Frank's Office Equipment	120.54
Freman Rock Enterprises	42.29
F & C Construction, Inc.	163.13
Samuel W. Dotson	5.90
Entenmann-Rovin Co.	142.92
Duane's Radio & T V	34.68
Demco Educational Corp.	11.96
Gaylord Bros, Inc.	65.55
Hinds Supply Co.	1,235.60
Hatch Bros. Chemicals Co.	27.50
Harbor Logging Supply	42.50
Hanscam's Center	67.99

Page No. Vouchers Payable  
 City of Brookings  
 October 31, 1978

<u>NAME</u>	<u>AMOUNT</u>
Robert Hager	\$ 8.45
Harrell's Septic Tank Service	90.00
Greyhound	13.80
Long Electric	12.96
Littrell Parts	88.12
Kerr Ace Hardware	89.98
Joe Hall Properties	60.75
Jo-Lo's	10.35
J. K. A. Systems	400.00
Jostan's	28.45
B. Suzie James	7.00
Guideposts Assoc. In.	13.93
Christinia Lucas	175.50
Municipal Finance Officers Assoc.	10.50
Mel's Union 76	7.20
J M Business Forms	84.91
Mill Beach Garden Shop	18.75
McInturff, Thom & Colver	546.00
Marjorie B. McKernan	25.00
Robert Millard	20.00
Mack Trucks, Inc.	158.92
Marquess & Associates, Inc.	4,437.90
Lou Martin Accounting Service	201.76
Northgate Mobil	42.71
Nathaniel Dame & Co.	82.40
Neptune Microgloc, Inc.	60.00
Ore. Fire Chiefs Association	35.00
Lyle K. Owens	4.70
Niemi & Thorp	3.00
Publishers Central Bureau	63.36
Paramount Supply Co.	63.59
Pacific Water Works	467.18
Paramount Pest Control	10.00
Pennwalt Corp.	238.50
Polson Co.	1,320.98
Pool & Patio Place	49.50
Ray's Sentry	66.37
Seaside Fire Dept.	35.50
Southern Or. State College	133.00
Sam's A & W	80.65
Sea-Western, Inc.	16.84
Snappy Electric	44.20
Singleton Plumbing	5.59
Ster-Chemtech Corp.	464.27
South Coast Stationery	4.55
Steiner Corp.	144.92
Spicer & Downer	254.00
Square Deal Building Supply	388.00
Shell Oil Co.	704.09

Page No.3- Vouchers Payable  
City of Brookings  
October 31, 1978

<u>NAME</u>	<u>AMOUNT</u>
Tidewater Contractors, Inc.	\$ 436.00
Traffic Safety Supply	297.32
Tow Guys Cleaning Service	350.00
Wallace-Homestead Book Co.	7.02
Western Fisheries	16.00
Weston Corporation	57.96
Western Fire Equipment Co.	15.43
Westate Tractor Co.	52.12
Zellerback Paper Co.	62.13
Coos-Curry Electric	2,469.46
Petty Cash	50.00
Water Resources Board	4.00
Postmaster	114.40
Tad K. L. Ingman	4,750.00
Curry County Assessor	1.17
Connelly Heinsoo Kuhns	75.00
Dept. of Commerce	100.60
Richard D. House	77.30
	<hr/>
	\$25,556.92
City of Jacksonville	2.50
	<hr/>
	25,559.42

CONTRACT OF SALE AND SECURITY AGREEMENT

Seller, Curry County, and buyer, City of Brookings, both political subdivisions of the State of Oregon, hereby agree as follows:

Seller sells to buyer all of its right, title and interest in a road grader more particularly described as 1970 CAT Motor Grader, Mdl. 12F, S/N 89H748, Hyd-mold board, ripper, enclosed cab and power steering, to buyer. The consideration for this sale is that buyer will allow seller to use the aforementioned road grader whenever it is needed by seller for its lawful purposes, for a period of five years from the date of the execution of this agreement.

Buyer cannot sell, pledge, lease, or otherwise encumber the aforementioned road grader without the written permission of seller; if buyer violates this prohibition against transfer, buyer shall be obligated to seller for the sum of \$35,250.00, which the parties agree is a fair and reasonable liquidated damages. This restriction on transfer expires five years from the date of the execution of this agreement.

For a period of five years from the date of the execution of this agreement, seller retains a security interest in the aforementioned road grader and shall remain a secured party and lien holder during that time. Buyer shall acknowledge such security interest of seller to the Motor Vehicles Division.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1978.

CITY OF BROOKINGS

CURRY COUNTY BOARD OF COMMISSIONERS

Robert L. Keen

Jack R. Waldie, Chairman

Raymond J. Loch

Michael Fitzgerald, Commissioner

W. W. [unclear]

Richard Swigert, Commissioner

Donald [unclear]

\_\_\_\_\_

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