

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
APRIL 18, 1978

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ATTORNEY'S OFFICE
9/22/87

Meeting was called to order at 8:00 p.m. by Mayor Robert L. Kerr. Members present were: Councilman Darrell Allsup, Tony Leeds, Ray Lockman and Jack Wheeler.

APPROVAL OF MINUTES:

MOTION was made by Councilman Leeds, seconded by Councilman Lockman and carried unanimously that the minutes of March 21, 1978 Council meeting be approved as presented.

PUBLIC HEARINGS:

- A. ZONE CHANGE, REQUEST TO APPEAL THE DECISION OF THE PLANNING COMMISSION ON THE MATTER OF A ZONE CHANGE REQUEST BY CUSTOM LEASES ON TAX LOT 500, MAP 41-13-6CA FROM RH TO CG ZONE.

Mr. and Mrs. Charles Rosendale and Mrs. Kimble, who own property in the area of the above named tax lot, objected to this zone change.

After some discussion a MOTION was made by Councilman Leeds, seconded by Councilman Wheeler, and carried unanimously that this zone change be referred back to the Planning Commission.

- B. SUPPLEMENTAL BUDGET 1977-78.

This Public Hearing was held for the purpose of public input on the supplemental budget. No objections were presented.

RESOLUTION NO. 206, ADOPTING THE SUPPLEMENTAL BUDGET.

Resolution No. 206 was read in full.

MOTION was made by Councilman Lockman, seconded by Councilman Allsup and carried unanimously that Resolution No. 206 be adopted.

LEGISLATIVE ACTION:

1. COUNCIL HEARING FOR KEN MAC LEOD.

William Mansfield, Attorney for Ken MacLeod, presented his case to the Council which was in part as follows:

In May of 1977, Mr. MacLeod contacted the City Building Inspector and told him that his neighbor, Leo Appel, was in violation of City Ordinances by building a greenhouse without permit, fence above height, and was storing furniture in outside building.

In July of 1977, the City Manager wrote to Appel advising him that he was in violation for building without a permit.

No building permit had been obtained by Mr. Appel, so in October 1977 the City Manager sent a certified letter to Mr. Appel. The violations were then corrected by Mr. Appel.

In December 1977 Mr. Appel, by letter to the City Manager, advised that Mr. MacLeod was in violation for he had let his hedge shrubs grow too high which technically violates the "Clear Vision Section" of the City ordinance and had put up a wind propeller which also offended his neighbor.

Mr. Mansfield continued: The City Manager then wrote to Mr. MacLeod advising him of violation and explained that he and the Building Inspector had tried to solve this problem between the two people and felt that it was an imposition on behalf of the city to be forced into settling these type of neighbor to neighbor squabbles when there were so many other pressing City wide problems. Mr. Mansfield advised that he thought this letter to Mr. MacLeod was in bad form and that the City Manager could be held libelous.

Mr. MacLeod had requested that he be heard before the Council, on this matter by writing to the Mayor and City Manager, but that no action had been taken until he had hired an attorney. Mr. MacLeod resented the fact that in order to be heard he had to hire an attorney.

Mr. Mansfield asked that the City Council state the fact that Mr. MacLeod was not in violation of the fence and the City Manager be instructed in the handling of this kind of situation in the future. Council were in agreement with this request and stated an executive meeting would be held on the matter with an evaluation of the situation and any corrections would be taken care of.

2. ORDINANCE NO. 294 AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE.

Ordinance No. 294 was read in its entirety.

MOTION was made by Councilman Allsup and seconded by Councilman Leeds that Ordinance No. 294 be read the second time by title only.

Roll call was as follows:

Mayor Kerr	Aye
Councilman Leeds	Aye
Councilman Allsup	Aye
Councilman Lockman	Aye
Councilman Wheeler	Aye

Ordinance No. 294 was then read the second time by title only.

MOTION was made by Councilman Allsup, seconded by Councilman Wheeler and carried unanimously that Ordinance No. 294 be adopted.

3. ORDINANCE NO. 295 ZONE CHANGE ON TAX LOT 800, MAP 41-13-6AC, SOUTH COAST LUMBER CO., FROM RM TO RH ZONE.

Ordinance No. 295 was read in its entirety.

MOTION was made by Councilman Allsup and seconded by Councilman Wheeler that Ordinance No. 295 be read the second time by title only.

Roll call was as follows:

Mayor Kerr	Aye
Councilman Allsup	Aye
Councilman Leeds	Aye
Councilman Lockman	Aye
Councilman Wheeler	Aye

Ordinance No. 295 was then read the second time by title only.

MOTION was made by Councilman Allsup, seconded by Councilman Lockman and carried unanimously that Ordinance No. 295 be adopted.

4. ORDINANCE NO. 296, AN ORDINANCE REQUIRING AS-BUILT PLANS OF SUBDIVISIONS.

Ordinance No. 296 was read in full.

MOTION was made by Councilman Leeds and seconded by Councilman Lockman that Ordinance No. 296 be read the second time by title only.

Roll call was as follows:

Mayor Kerr	Aye
Councilman Allsup	Aye
Councilman Leeds	Aye
Councilman Lockman	Aye
Councilman Wheeler	Aye

MOTION was made by Councilman Wheeler, seconded by Councilman Leeds and carried unanimously that Ordinance No. 296 be adopted.

5. TRANSFER OF MONIES - RESOLUTION NO. 207.

Resolution No. 207 was read in full.

MOTION was made by Councilman Allsup, seconded by Councilman Wheeler that Resolution No. 207 be adopted. Councilman Leeds opposed. Motion carried.

6. WHARF STREET PROJECT.

This project is replacement of sewer lines on Wharf and Spruce Streets.

MOTION was made by Councilman Leeds, seconded by Councilman Allsup and carried unanimously that the City advertise for bids. Estimated cost, including engineer charges, is \$33,355.00.

7. CONTRACT AWARD OF OXFORD, MAPLE & CEDAR STREETS IMPROVEMENT.

MOTION was made by Councilman Allsup, seconded by Councilman Lockman and carried unanimously that this contract be awarded to the lowest bidder who was M & F Builders at the cost of \$74,096.00.

8. SEWER CLEANING MACHINE PURCHASE.

MOTION was made by Councilman Allsup and seconded by Councilman Wheeler that the City purchase this machine for the amount of \$8,148.00. Councilman Leeds opposed this purchase. Motion passed.

9. RENEWAL OF LIQUOR APPLICATION.

MOTION was made by Councilman Leeds, seconded by Councilman Wheeler and carried unanimously that the liquor application for Ray's Sentry be approved.

PAYMENT OF VOUCHERS - MARCH 1978:

MOTION was made by Councilman Leeds, seconded by Councilman Lockman and carried unanimously that vouchers in the amount of \$69,492.06 be paid.

MANAGER'S REPORT: Attached.

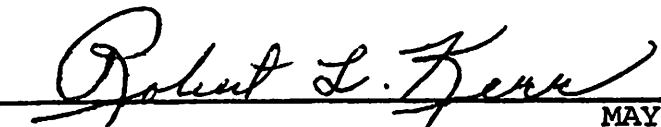
OPEN DISCUSSION:

Resignation of C. M. "Bud" Cross, Chief of Police, was read and accepted. Mr. Lee Van Duzee advised the Council that he objected to Article 3 of Ordinance No. 288. He had requested authorization for partitioning land at the end of Hampton Road, and did not feel that he should be obligated to sign a statement of waiver of protest to street improvement assessments. No action was taken on this request.

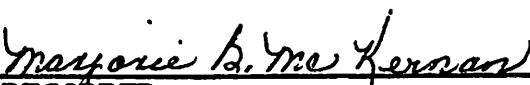
ADJOURNMENT:

MOTION was made by Councilman Leeds, seconded by Councilman Lockman and carried that the meeting be adjourned. The meeting adjourned at 11:10 p.m.

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


MAYOR

ATTEST:


RECORDER

VOUCHERS PAYABLE
CITY OF BROOKINGS
MARCH 31, 1978

<u>NAME</u>	<u>AMOUNT</u>
Abba's Lock & safe	\$ 4.25
Albert R. Allyn	4.70
American Library Association	26.00
American Scientific & Chemical	33.62
Robert E. Babb	8.45
Wendell Bartholomew	50.00
Anderson Plumbing	73.30
Barco Coastal Supply, Inc.	45.55
P. Beres	45.00
Ben-KO-Matic Brush Equipment	65.80
Blue Star Gas	70.42
Oscar Boyer	235.00
Brookings Cleanco	216.00
Brookings Fire Department	270.00
Brookings Office Supplies	7.50
Brookings Plywood Corp.	22.85
Brookings Tire Service	37.38
Budge-McHugh Supply Co.	465.42
Burroughs	26.40
Buzz Stewart Signs	35.00
C & L Office Supplies	23.69
Central Pacific Freight Lines	18.34
City- WOMF	309.25
Chetco Rexall Drug	20.56
Coastal Printing	36.20
Coast to Coast Store	175.74
Consolidated Freightway	270.83
Continuing Education	81.99
Curry County Communications	247.30
Cantel of Medford, Inc.	12.00
Coos-Curry Electric	2,773.61
Coastal Petroleum Sales	759.31
Coast Steel & Equip. Inc.	20.00
Dave's Hardware	.69
Curry County Printing	61.30
Del-Cur Supply CO-OP	123.62
Samuel W. Dotson	5.90
Ed & Mendys	9.60
Paul Eide, Jr.	12.45
F & C Construction	197.17
Frank's Office Equipment	8.00
Feenaughty	116.23
Finley Bros.	8.02
Freeman Rock Enterprises	377.85
Gale Research Co.	60.00
Gaylor Bros.	22.00

Page No. 2, Vouchers Payable
 City of Brookings-March 31, 1978

<u>NAME</u>	<u>AMOUNT</u>
General Telephone	650.96
Guideposts Associate, Inc.	5.40
Hanscam's Center	32.75
Harbor Equip.	9.00
Hach Chemical Co.	138.37
Dan P. Hall	14.40
Homers Rent All	134.50
Al. R. Hooten	56.89
Hinds Supply Co.	612.41
Home Plumbing & Electric	95.50
Horizon Ecology Co.	1,182.18
Industrial Electric Service	401.81
International Dunes Motel	55.93
Suzie James	29.76
Josten's	13.47
Kerr Ace Hardware	118.27
Lab Products Inc.	45.33
Long Electric	48.02
M. C. Lininger & Sons, Inc.	8.90
Lanson/Tremaine	956.69
Littrell Parts	460.63
Christinia Lucas	125.00
Master Pools	650.00
McGraw-Hill Publication Co.	67.60
Marjorie B. McKernan	25.00
Mill Beach Garden Shop	73.75
Miller Paint Co.	780.00
National Geographic Society	4.75
National Pen Corp.	25.56
Niemi & Thorp	25.50
Northgate Mobil	15.27
Nudelman Bros.	205.85
Oregon Historical Society	50.00
Michael A. Owens	124.59
lyle K. Owens	4.70
Pacific Water Works Supply Co.	372.28
Pacco	202.46
Pacific Motor Trucking Co.	51.13
Paramount Pest Control	8.00
Brookings-Harbor Pilot	53.70
Pool & Patio Place	67.50
Public Contract Review Board	2.40
Ray's Auto Supply	5.92
Ray's Sentry	85.21
Ritz's Repair	39.85
Ross Insurance	35,011.00
Seaside Hospital	5.50
Ono Sabora	51.74
Mrs. Kent Siburg	108.24
Snappy Electric	16.24
Sound Palace	5.18

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

NAME

AMOUNT

South Coast Statbnerly	\$	7.90
M. John Spicer		345.00
Steiner Corp.		118.44
Shell Oil Co.		1,305.37
Square Deal Builders Supply		147.97
Towne House Motor Inn		168.43
Traffic Safety Supply Co.		133.61
United Pile & Supply Co.		543.00
Universal Equipment, Inc.		12.30
Wilson Distributing		58.50
Linn-Benton College		80.00
Greyhound		11.75
Petty Cash		21.77
Coast Chrysler		4,926.45
Southwestern Community College		108.00
Menasco Motor Co., Inc.		7,188.83
Dr. Don Van Rossen		50.00
U. S. Post Office		158.60
Oregon Wastewater System		10.00
Oregon Motor Vehicles Division		5.00
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		\$66,230.30

To be paid from City-County Fund:
Oregon Culvert Pipe

3,261.76

\$69,492.06