

MINUTES
BROOKINGS COMMON COUNCIL
CITY OF BROOKINGS
MAY 14, 1974

The meeting was called to order at 8:05 p.m. by Mayor Wilma M. Kemp. Members present were: Councilmen Rush Long, Jack Ross, and William Guthrie.

APPROVAL OF MINUTES:

MOTION was made by Councilman Guthrie, seconded by Councilman Ross and carried unanimously that the minutes of April 9, 1974, and May 1, 1974, be approved as posted.

MONTHLY REPORTS:

City Attorney - Mr. Cameron C. Thom reported on cases filed against the City.

The suit Al Clements vs City of Brookings for a zone change on Brady Point has been dismissed.

Leisure Living by the Sea, Inc. vs City of Brookings and Paul McConnell. Mr. McConnell had purchased a mobile home with the intention of setting it up within the City. This mobile home did not meet the City building code and was not allowed to be located at 832 Ransom Avenue. This case is pending until similar cases have been tried in other areas.

The City had signed a contract with B. A. (Dot) Martin in 1966 for engineer services for a proposed water system. Mr. Thom was with the impression that this contract had gone beyond the statute of limitation. Mr. Martin's attorney informed City Attorney that Mr. Martin had continued to perform services pursuant to the agreement until at least August 16, 1968, and that the statute of limitation had not run. F.H.A. advised that the agreement with Mr. Martin was approved by F.H.A. on December 30, 1966 and was, therefore, payable from the proceeds of the F.H.A. loan funds if and when a loan was closed. Mr. Thom recommended to the Council this bill, in the amount of \$13,400.00, be paid. Discussion followed and the Council suggested Mr. Thom negotiate with Mr. Martin for maybe a lessor payment to pay off this contract. Mr. Martin's attorney requested from the City a moratorium on the statute of limitation.

MOTION was made by Councilman Ross, seconded by Councilman Guthrie and carried unanimously that Mayor Kemp and City Attorney be authorized to sign the waiver of statute of limitations.

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City Engineer - Mr. Gary Dyer reported the engineering plans on the transmission line and water treatment facility are progressing satisfactorily.

The plans and specifications for the street improvement on Spruce Street between Wharf and Center Streets are completed and Mr. Dyer requested authorization to advertise for bids.

MOTION was made by Councilman Long the City Engineer be authorized to advertise for bids to be opened on June 4th.

Councilman Ross inquired if it was fair for other property owners to have to pay for street improvement and this project be paid for by the City. Councilman Ross was informed this project is to be paid from the City-County Road Fund and if it is not spent by June 30, 1974, this money is then lost for the County cannot have a hold-over on monies for the following year.

Councilman Ross then stated that rather than lose the money completely he would second the Motion. Motion carried unanimously.

The sanitary and storm drains studies are complete and ready to be printed. It takes approximately a month for printing to be completed.

Mr. Dyer requested a change order for work done on manhole sealing by Penetryn for the amount of \$14,295.75. This project is now complete.

MOTION was made by Councilman Ross, seconded by Councilman Guthrie and carried unanimously this change order be approved.

Superintendent of Public Works - Mr. Elmer Lee reported he had received very good response from property owners on the smoke bomb testing done by Penetryn and property owners are correcting the faulty connections.

The sewer project on Hemlock Street is near completion other than restoring the black-top. Mr. Lee is holding up the black-topping until the storm drains are in.

Mr. Lee brought to the attention of the news media the danger of fire hazard now existing in the City from weeds and grass. Mr. Lee referred to Ordinance No. 134, Section 8, which states that it shall be unlawful for the owner, occupant, agent, or

other person in possession of any lot, tract, or parcel of land within the corporate limits of the City of Brookings to permit grass or other vegetation, excepting shrubs, trees, or crops raised in the ordinary course of husbandry, to grow over five inches tall.

PUBLIC HEARINGS:

1. ZONE CHANGE FROM RL TO RM RATHER THAN FROM RL TO RH - JUDITH A. ANDERSON, TAX LOT 1701, MAP NO. 41-13-6BA.

This zone change had been brought before the Council at the regular meeting in March 1974 for the Public Hearing. It was recommended by the Council at that time Ms. Anderson request a zone change of RL to RM instead of RL to RH. Ms. Anderson asked for time to review this change and she was given this permission. The zone change from RL to RM was agreeable with Ms. Anderson.

MOTION was made by Councilman Guthrie, seconded by Councilman Ross and carried unanimously that this zone change be granted.

LEGISLATIVE ACTION:

1. ORDINANCE NO. 253 - AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 77 OF THE CITY OF BROOKINGS PROVIDING FOR THE ADOPTION OF A CURRENT UNIFORM BUILDING CODE; AND DECLARING AN EMERGENCY.

Ordinance No. 253 was read in full.

MOTION was made by Councilman Ross, seconded by Councilman Guthrie that Ordinance No. 253 be read the second time by title only. Roll call was as follows:

Mayor Wilma M. Kemp	Yes
Councilman Long	Yes
Councilman Ross	Yes
Councilman Guthrie	Yes
Absent	None

Ordinance No. 253 was then read the second time by title only.

MOTION was made by Councilman Guthrie, seconded by

Councilman Ross that Ordinance No. 253 be adopted. Roll call was as follows:

Mayor Wilma M. Kemp	Yes
Councilman Long	Yes
Councilman Ross	Yes
Councilman Guthrie	Yes
Absent	None

Ordinance No. 253 was then declared adopted.

2. PETITION FOR STREET VACATION PRESENTED BY SQUARE DEAL LUMBER YARD, INC.

This petition was for the vacation of an eight-inch strip of Mill Street lying parallel and adjacent to the southeasterly side of Mill Street from its intersection with the northeasterly side of Railroad Street, thence northeasterly 120 feet; and an eight-inch strip along the northeasterly side of Railroad Street between the southeasterly side of Mill Street and the most westerly side of Center Street, a distance of 150 feet.

After some discussion a MOTION was made by Councilman Ross, seconded by Councilman Guthrie and carried unanimously that a Public Hearing be held on this street vacation at the next regular Council meeting of June 11, 1974.

3. MR. LEO APPEL, PRESIDENT OF THE CHAMBER OF COMMERCE.

Mr. Appel presented to the Council a resolution passed by the Chamber of Commerce in which they recommend to the City of Brookings, the Mayor of Brookings and Council that the present system of water distribution and charges be changed to a system wherein the residents are charged on a flat system and that the present water meters be removed. That the residential users of water do so on an unrestricted basis within reasonable limits and that this action be taken at the earliest possible date. Mr. Appel praised the Council for obtaining the water system and was with the feeling if more water could be supplied to the residents that Brookings would become a more beautiful town. At the present prices of water the residents curtail their water use for lawns and flowers.

The Council and City Engineer were in agreement that this is not the time to change the billing and removal of meters, one reason being that only an eight-inch line supplies the City at the present time. The Chamber's recommendation will be considered at the time the new water construction is completed.

4. RENEWAL OF LIQUOR APPLICATIONS.

MOTION was made by Councilman Ross, seconded by Councilman Long and carried unanimously that the renewal of liquor applications for the following be approved, B.P.O. Elks, Ken's Tavern, Pine Cone Tavern, Local Market, Ray's Sentry, O'Holleran's, Green Door, and McKay's Market.

5. REQUEST FOR APPROVAL OF CITY LICENSE FOR A RESTAURANT AND LIQUOR APPLICATION AT 537-541 CHETCO AVENUE, FORMERLY DIMMICK BROS. MARKET.

Bill Grier presented plans for restaurant to be named Cork 'N' Cleaver at the above location. The Council approved application for restaurant license.

MOTION was made by Councilman Ross, seconded by Councilman Long and carried unanimously that the liquor application request be tabled until the next regular Council meeting.

6. BROOKINGS-HARBOR FIRE DEPARTMENTS MUTUAL ASSISTANCE AGREEMENT.

MOTION was made by Councilman Guthrie, seconded by Councilman Ross and carried unanimously that this agreement be approved and the Mayor, City Recorder, and Fire Chief be authorized to sign this agreement.

7. PAYMENT OF VOUCHERS.

MOTION was made by Councilman Long, seconded by Councilman Ross and carried unanimously that vouchers in the amount of \$34,494.19 for April 1974 be paid.

OTHER MATTERS:

Councilman Ross inquired about the Cliff House, it has been

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condemned and the Cliff House asked for a time limit to reconstruct this building. This time limit has now expired. The City Recorder was instructed to check into this and advise City Attorney.

Elk's property adjacent to City Hall.

MOTION was made by Councilman Ross, seconded by Councilman Guthrie and carried unanimously that the City Attorney present counter offer in the amount of \$14,500 for their property.

ADJOURNMENT:

MOTION was made by Councilman Ross, seconded by Councilman Guthrie and carried unanimously that the meeting be adjourned. The meeting then adjourned at 9:30 p.m.

Wilma M Kemp
MAYOR

ATTEST:

Mayorie B. McKernan
RECORDER-TREASURER

VOUCHERS PAYABLE
CITY OF BROOKINGS
APRIL 30, 1974

<u>Name</u>	<u>Amount</u>
Akin Motor Co., Inc.	\$ 115.87
American Linen Supply	67.95
American Waterworks Association	30.00
Atlantic Richfield Co.	323.20
Baker & Taylor Co.	310.91
Barco Coastal Supply, Inc.	27.43
Brizzard - Matthews Machinery	141.40
Brookside Construction Co.	1,112.50
Brookings Fire Department	200.00
Brookings Office Supplies	50.11
Brookings Plywood Corporation	317.00
Brookings-Harbor Pilot	348.58
Budge-McHugh Supply Co.	188.20
Chetco Gas & Oil	66.46
Chetco Rexall Drugs	5.70
Coast to Coast Stores	105.28
City Water Operation & Maintenance	245.40
Consolidated Freightways	8.56
Cora C. Cooley	5.00
Coos-Curry Electric	1,215.65
C. M. Cross	110.00
Ann L. Culbertson	84.14
Curry County Communications	572.50
Curry County Clerk	32.00
Da-Tone Construction	1,433.40
Del-Cur Supply Co-op.	6.56
Demco Educational Corp.	36.85
Dyna Med Inc.	126.44
Ed & Mendy Chevron	5.00
Frank's Office Equipment	2.50
General Leasing Corp.	8.60
General Telephone	418.75
H.G.E., Inc.	3,662.86
Hagen's Cleaners	7.50
Halprin Supply Co.	1,173.25
Hanscam's Center Oreg. Ltd.	22.45
Harbor Cycle, Inc.	32.60
Harbor Equipment	16.00
Har-Brook Welders	163.81
Hinds Supply Co.	464.82
Int. Assoc. of Arson Investigators	15.00
Int. Conf. of Building Officials	50.00

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<u>Name</u>	<u>Amount</u>
Josten's Catalog Card Corp.	\$ 13.11
Kerr Ace Hardware	207.39
LaPine Scientific Co.	23.26
Legislative Counsel Committee	65.00
Lee Publications	19.90
Littrell Parts	91.03
Long Electric	24.20
McInturff, Thom, Collver & Rossi	300.00
Marjorie B. McKernan	10.00
Mobil Oil Corp.	476.00
Motorola Inc.	45.25
Wm. R. Murphy	35.00
Neil Nelson	35.00
North Coast Paving & Rock	131.10
Nudelman Brothers	60.00
Oregon Div. of Cont. Education	7.75
O.K.Tire Store	141.72
Paramount Pest Control, Inc.	5.00
Pacific Water Works Supply Co.	237.52
Payne Motor Co., Inc.	11.20
Donald G. Perry	118.60
Phillips Clothing	12.00
Pitney-Bowes	31.50
Price Sweeping & Striping	349.59
Ray's Sentry	39.20
Red's Auto Wrecking	15.00
Reed's Engine & Transmission	230.72
Gerald Ross Ins. Agency	165.00
San Jose Steel Co., Inc.	3,897.00
Stan's Tool & Equipment Rental	17.50
Star Rentals	184.15
Steve Shapiro	38.25
Somers Uniforms	17.40
South Coast Stationery	37.67
State of Oregon Water Resources	2.00
Strand Book Store, Inc.	238.23
Floyd A. Stone	200.00
Sur-Kleen	30.00
Square Deal Lumber Yard, Inc.	260.01
True Value Builders Supply, Inc.	31.49
U. S. Post Office	209.95
Upstart Library Promotionals	5.50
Weavers Machine Shop	8.00

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<u>Name</u>	<u>Amount</u>
Water Metrics Co.	\$ 196.00
Charles C. Williams	25.00
Sam Williams	114.75
H. W. Wilson Co.	35.00
Wilson's Distributing Service Inc.	<u>5.42</u>
	\$21,784.59
Add:	
Ferry Creek Rock & Concrete, Inc.	39.50
Ferry Creek Rock & Concrete, Inc.	11,095.10
Acco Contractors, Inc.	875.00
Rankin, Walsh, Ragen & Roberts	<u>700.00</u>
TOTAL	\$34,494.19