# MINUTES BROOKINGS COMMON COUNCIL CITY OF BROOKINGS DECEMBER 11, 1973

The meeting was called to order at 8:00 p.m. by Mayor Wilma M. Kemp. Members present were: Councilmen Rush Long, Jack Ross, and William Guthrie. Councilman Don Nida was absent.

# APPROVAL OF MINUTES:

MOTION was made by Councilman Ross, seconded by Councilman Long and carried unanimously that the minutes of November 20, 1973, be approved as posted.

# MONTHLY REPORTS:

City Attorney - None City Engineer - None Supt. of Public Works - None

#### PUBLIC HEARINGS:

ZONE CHANGE REQUEST BY MRS. LOIS K. UPP, OWNER, LE CHARME BEAUTY SALON.

Cameron C. Thom, City Attorney, informed the Council that this request had been withdrawn.

#### LEGISLATIVE ACTION:

#### 1. F.H.A. WATER BONDS.

Mr. Ron Swan, County Supervisor, F.H.A., read the results of Notice of Preapplication Review Action taken by Farmers Home Administration State Office in Portland. This Water Project Application stated conditions which must be met by the City of Brookings before a loan of \$2,000,000 can be administered. This application is made a part of the minutes.

MOTION was made by Councilman Ross, seconded by Councilman Long and carried unanimously that Mayor Kemp be authorized to accept the Letter of Intent to Meet Conditions requested by F.H.A., and to sign on behalf of the City of Brookings the Summary and Proposed Budget Docket.

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# 2. <u>DISCUSSION OF OXFORD, MAPLE, AND CEDAR STREET IMPROVEMENT PROJECT WITH PROPERTY OWNERS INVOLVED IN THIS DISTRICT.</u>

The estimated cost of this improvement district is \$34,130. Those who opposed this project were:

Mrs. Roberta Thomas Schellenbaum William O. LaVigne Kay Kessler R. M. Geraghty Delbert Kreigh

Mr. Al Clements was in favor, and Mr. Harold Roop was partially in favor of project. The remaining property owners were not in attendance and no comments were submitted.

The City does not have the finances to do this project, so in order to proceed, the property owners would have to advance the monies for construction or the improvement district put on Bancroft. A number of these lots are vacant property and it is doubtful that they could be Bancrofted.

MOTION was made by Councilman Long, seconded by Councilman Ross and carried that this improvement district be tabled for further study.

# 3. PETITION FOR A PROPOSED SANITARY SEWER DISTRICT WITHIN THE CITY OF BROOKINGS.

A signed petition for a new sewer district within the City was received for the area outlined on the attached map.

Gary Dyer, City Engineer, informed the Council this area will be included in the Sanitary Sewer Study for the City that is now being prepared. In this study the costs, locations, and et cetera will be available and this will be a savings to both the City and the property owners. Mr. Dyer recommended that the Council postpone this request until the study is completed.

MOTION was made by Councilman Guthrie, seconded by Councilman Ross and carried unanimously that proposed sanitary district be tabled until the sewer study is completed.

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## 4. ADDITIONAL SEWER SMOKE BOMB TESTING - PENETRYN SYSTEM.

Mr. Dyer informed the Council the sewer sealing project has done a significant job but there is still a considerable amount of infiltration in the sewer lines.

Mr. Dyer recommended that the City proceed with smoke bomb testing for the entire City.

MOTION was made by Councilman Guthrie, seconded by Councilman Ross and carried unanimously that this change order for smoke bomb testing be approved. The cost of this project is \$8,870.00.

# 5. DISCUSSION OF COOPERATIVE AGREEMENT WITH HARBOR REGARDING SEWAGE TREATMENT.

Harbor representatives present for this meeting were Vern Hanscam, Jimmy Smith, and Sid Frank. Also their attorney, William Taylor, and engineer, Clifford Shaw.

Mr. Hanscam stated the Harbor Sanitary District is in favor of the tentative proposed plan. The area involved in this Sanitary District is the area that formed the first Water District, from the bridge to Benham Lane, then to Olsen Lane, and Oceanview Drive.

Councilman Guthrie suggested that a time limit of two years be put on the construction. Harbor agreed to this time limit.

In this contract the Harbor District agrees to finance and construct an interceptor sewer line from the end of the pressure line at Chetco Avenue and Alder Street to the City's existing sewage treatment plant. Councilman Ross was of the opinion that it would be to the advantage of the City if they were in charge of the construction of the above named pressure line. After some discussion it was agreed that Harbor would be responsible for the construction due to the fact that it would be more feasible to have one contractor do the entire project rather than Harbor obtain a contractor for the area on the South side of the bridge and Brookings the North side of the bridge. Harbor agreed the construction on the Brookings side would be under the supervision of Brookings' engineer whose services would be paid for by the Harbor District.

An inquiry was made as to the Fish Hatchery's disposal. Cannery's

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> Mr. Tim Davidson, DEQ Roseburg, stated that the fish plants will have to treat their own processing water and that none of this will be going into the sewer.

It was asked, if and when the rest of Brookings is connected to the sewer system, would the present plant be capable of handling both Brookings and Harbor. City Engineer replied that it would and there would still be room for additional growth.

Mr. Pat Curran, DEQ Portland, stated the Brookings plant was designed for the Regional Plant for this area and was not in favor of another plant being constructed in Harbor. Mr. Curran is in favor and support of Harbor being included in this Regional Plan Plant and is in hopes that an agreement can be reached between Brookings and Harbor.

MOTION was then made by Councilman Guthrie, seconded by Councilman Ross and carried unanimously that the tentative agreement be approved as submitted, subject to presentation and acceptance of final formal agreement.

Mr. Clifford Shaw, Engineer for Harbor Sewer District, expressed appreciation on behalf of the District for the cooperation received from the City of Brookings.

# 6. PAYMENT OF VOUCHERS - NOVEMBER 1973.

MOTION was made by Councilman Long, seconded by Councilman Ross and carried that vouchers in the amount of \$8,474.47 be approved.

#### OTHER MATTERS:

Cameron C. Thom, City Attorney, spoke in behalf of Councilman Don Nida. Mr. Nida has been unable to attend Council meetings due to health reasons and if he was unable to attend this meeting, asked that his resignation be accepted. He will mail a letter of resignation at a later date.

MOTION was made by Councilman Guthrie, seconded by Councilman Ross and carried unanimously that the resignation of Don Nida be accepted.

MOTION was made by Councilman Ross, seconded by Councilman Long and carried unanimously that the

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City Recorder be authorized to advertise for gas bids for the equipment for the City of Brookings. These bids to be opened at the January meeting.

Mayor Kemp expressed her interest in filling the VACANCY of LIBRARY BOARD MEMBER.

MOTION was made by Councilman Long, seconded by Councilman Guthrie and carried unanimously that Mayor Kemp be appointed as Library Board Member to become effective January 1, 1974, for a period of four years.

#### ADJOURNMENT:

MOTION was made by Councilman Long, seconded by Councilman Ross and carried that the meeting be adjourned. The meeting then adjourned at 10:15 p.m.

MAYOR MAYOR

ATTEST:

RECORDER-TREASURER

# U.S. DEPARTMENT OF AGRICULTURE NOTICE OF PREAPPLICATION REVIEW ACTION

From:	USDA - Farmers Home	Administration				
	(Department,	bureau, or establishment)				
			Agency Number			
			43-08-699,056			
To:	City of Brookings		Reference Your Preapplication			
•	P. O. Box C	, i	Number 7308 2 150			
Brookings, Oregon		97415	Dated: 11/20/73			
	have reviewed your preapplicati e determined that your proposal		Federal Catalog # 10.418 and			
	grantees.	his agency and can compete with	••			
	eligible but does not have the priority necessary for further consideration at this time not eligible for funding by this agency.					
2. The	Therefore, we suggest that you:  X file a formal application with us by (date) January 1, 1974  file an application with (Suggested Federal agency).  find other means of funding this project.					
vie			scal years and the number of applications re- eting will be available after (month, year)			
	are agreeable to consid	Federal funding in your preapp eration of approximately this amo amount requested in more detail	unt in the formal application.			
	reapplication conference will be Brookings , on tact the undersigned for confirm		cessary. We are recommending that it be held 8:00 &***X/p.m. Please			
6. End	:losures: Forms	Instructions Or	her (Specify)			
<b>7.</b> Oth	er Remarks:					
Signatur	It field	Title State Director	December 5, 1973			
	ctional Unit ate Office	Administrative Office Portland	Telephone Number (503) 221-2733			
Address			,			

NOTE: This form will be used by Federal agencies to inform applicants of the results of a review of their preapplication request for Federal assistance. When the review cannot be performed within 45 days, the applicant shall be informed by letter as to when the review will be completed. When Federal agencies determine that the proposal is not eligible for Federal assistance, specific reasons should be provided in Item 7 Other Remarks.

# UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

1218 S. W. Washington Street Portland, Oregon 97205

\* Re: Water Project Application

City of Brookings P. O. Box C Brookings, Oregon 97415 December 5, 1973

#### Gentlemen:

This letter establishes conditions which must be understood and agreed to by you before further consideration may be given to your application for financial assistance to purchase and improve your water system and which must be met before the loan can be closed.

This letter is not to be considered as loan approval or as a representation as to the availability of funds. The docket may be completed on the basis of a loan not to exceed \$2,000,000.

Please complete and return the attached Form FHA 442-46 if you desire that further consideration be given to your application.

If the conditions in this letter are not met within 120 days from the date hereof, Farmers Home Administration may rescind its offer.

1. Amount. The loan will not exceed \$2,000,000

#### 2. Repayment Schedule

The loan will be repayable over a period of 40 years from the date of loan closing. Repayments due the First January 1 after the loan closing will be interest only.

## 3. Contributions by the Applicant

The City's contribution shall consist of the equity in the existing water system.

#### 4. Security Requirements

The loan will be evidenced by General Obligation Bonds in the amount of \$2,000,000 and a pledge of sufficient revenue and taxes to meet loan payments. The Bond Transcript (Docket Item 75\*) will be prepared in accordance with Appendix C of FHA Instruction 442.1.

## 5. Title to Property

The City shall provide the following evidence of title to property:

- a. Title Report (Docket Item 46\*) on any land upon which a reservoir, treatment plant, pump station or any other structure costing more than \$1,000 exists or is to be constructed.
- b. Right-of-way Easements prepared on Form FHA 442-20 or other approved form for all rights-of-way which the applicant obtained especially for the proposed project.
- c. Right of way Map (Docket Item 47\*)
- d. A Right-of-way Certificate prepared on Form FHA 442-21 (Docket Item 48\*).
- e. An Opinion of Counsel Relative to Rights-of-way prepared on Form FHA 442-22 (Docket Item 49\*).

# 6. Organization

San Charles Street

The City shall retain its present organizational status.

#### 7. Business Operations

The City must adopt adequate rules and regulations (Docket Item 63\*) for the operation and use of the water system. Water rates along with taxes to be levied, must be sufficient to provide income for payment of annual operation and maintenance, bond payments and provide for emergency expenses.

#### 8. Insurance and Bonding

Insurance and Bonding (Docket Item 62\*) minimum requirements are as
follows:

- a. Liability Insurance A \$100,000/\$200,000/\$50,000 Policy.
- b. Fidelity Bond \$50,000 on the position of City Recorder.
- c. Real Property Insurance in the amount of building costs or equipment and shelter.

#### 9. Construction Contract Documents and Bidding

All development will be completed by competitive bid contract. The Contract Documents (Docket Item 50\*) must be approved (Docket Item 52\*) by the Farmers Home Administration State Director prior to advertising for construction bids (Docket Item 66\*). Bidding will be accomplished in accordance with Appendix B of FHA Instruction 442.1.

# 10. Accounts, Records and Audit Reports Required

The City shall comply with the local Budget Law in preparing annual budgets and in keeping accounts and records.

The City shall establish the method of bookkeeping (Docket Item 44\*) for the water project and shall submit the outline of the system to the Farmers Home Administration prior to loan closing.

The City shall obtain an annual audit report and shall submit a copy annually to the Farmers Home Administration County Supervisor together with a copy of the approved Operating Budget.

#### 11. Number of Users

Prior to closing, the City must have at least 1,040 users connected to the system and paying at least the minimum monthly charge.

#### 12. Advertising for Private Lenders and Execution of the Loan Agreement

- a. The City has advertised the bonds for sale to private lenders (Docket Item 35\*). No acceptable bids were received.
- b. At the time of loan closing, the City shall execute Form FHA 442-47, "Loan Resolution" (Docket Item 60\*).

#### 13. Closing Instructions

When the conditions of this letter have been complied with, the United States Department of Agriculture's Regional Attorney will prepare closing instructions (Docket Item 65\*) which the City will follow in closing the loan.

#### 14. Other Conditions Which Must Be Met

- a. All Government Funds and the Funds to be contributed by the borrower including funds borrowed from commercial sources for interim financing of the project will be deposited in a Supervised Construction Account in accordance with FHA Instruction 402.1. City Officials will select the bank in which funds are to be deposited.
- b. The Plans for the water system must be submitted to the State Health Division for review and approval. Evidence must be furnished for the docket that the Plans have been approved by the State Health Division (Docket Item 53\*).
- c. When the loan docket has been completed Farmers Home Administration will purchase bonds in the amount of \$1,017,000. Such funds will be used to purchase the Brookings Water Company assets and pay for preliminary project expenses.

- d. The City shall obtain an interim loan in the amount of \$983,000 from a bank of your choice. These loan funds will be deposited in the Supervised Construction Account which will require the signature of one or more City Officials and the signature of the Farmers Home Administration County Supervisor on all checks. When the \$983,000 in interim bank loan funds have been expended for project construction and other project costs, Farmers Home Administration will purchase the remaining \$983,000 in bonds to repay the interim bank loan.
- e. The City is cautioned against starting construction or otherwise incurring obligations prior to completion of the loan docket.

## 15. Processing Check List

Attached is Form FHA-OR 442-11, "Processing Check List," which lists the various steps and docket items necessary to accomplish in order to complete the proposed loan. At some convenient time in the near future, the City Council, your Attorney and Consulting Engineer should meet with Mr. Ron Swan of our Coquille Office to discuss these items and establish a time schedule for completion of each item. Please contact me if you have any questions.

Sincerely,

KENNETH K. KEUDELL

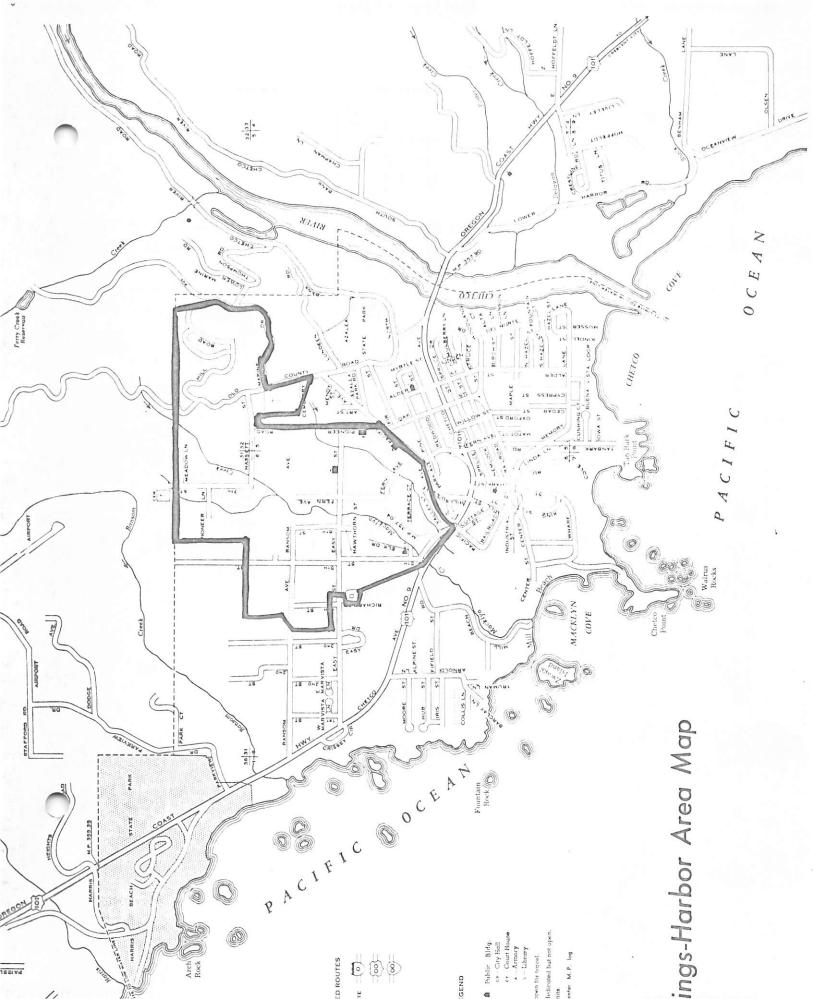
State Director

#### Enclosures

cc: County Supervisor, FHA
Coquille
District Director 3
Regional Attorney
Attorney Cameron Thom w/copy of Chapter 488
Harlan, Gessford and Ericksen

\*Refers to Item numbers on attached Form FHA-OR 442-11.

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# VOUCHERS PAYABLE CITY OF BROOKINGS NOVEMBER 30, 1973

Name		Amount
Akin Motor Co., Inc.	\$	194.11
American Linen Supply		33.30
American Heritage Book Service		15.90
Atlantic Richfield Co.		146.86
Baker & Taylor		85.88
Brookings Fire Department		200.00
Brookings Office Supplies		140.25
Brookings Plywood Corp.		54.00
City Water Operation & Maintenance Fund		270.45
Chetco Gas & Oil		78.66
Chetco Rexall Drugs		6.68
Coast to Coast Stores		15.55
Coos-Curry Electric Co-Op	1	,209.67
Cora C. Cooley		5.00
C. M. Cross		242.60
Curry County Communications		591.05
Electronic Service Co., Inc.		31.14
F. C. Septic & Plumbing Supply		3.82
Frank's Office Equipment		2.75
General Telephone Co.		329.29
Hanscam's Center, Oregon Ltd.		15.14
Harbor Logging Supply, Inc.		45.00
Heathman Hotel		243.40
The Portland-Hilton		5.74
Hinds Supply		38.16
Horton Bros.		30.00
Instrument Laboratory Inc.		80.97
International Assoc. of Chiefs of Police		25.00
International Conference of Building Officials		50.00
Wilma M. Kemp		101.90
Kerr Ace Hardware		30.34
Lakeside Equipment Corp.		30.00
League of Oregon Cities		52.25
Littrell Parts		7.14
Rush Long		84.00
Bruce J. Manley		26.00
McInturff, Thom, Collver, & Rossi		300.00
Marjorie B. McKernan		5.00
Mobil Oil Corp.		347.37
Motorola		45.25
Wm. R. Murphy		35.00
Neil Nelson		35.00
North Coast Paving & Rock		43.58

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Name	Amount
	\$ 72.09
O.K. Tire Store	2.50
Oregon State Highway Division	18.10
Paramount Pest Control	5.00
Pilot	9.79
Pitney Bowes	31.50
Regent Book Co., Inc.	10.34
Rogers Machinery Co., Inc.	6.54
Jack C. Ross	99.00
The Timbers Motel	13.91
U. S. National Bank	178.08
U. S. Post Office	80.00
U. S. Post Office	100.00
Wallace & Tiernan	9.72
Waterworks Supplies	12.42
Weaver's Machine Shop	8.00
Charles C. Williams	25.00
Ray's Sentry	29.23
	\$6,044.42