

MINUTES OF THE REGULAR COUNCIL MEETING  
CITY OF BROOKINGS, OREGON  
FEBRUARY 8, 1966

The meeting was called to order at 8:00 P. M., by Mayor Bruce J. Manley.

Councilmen present at the meeting were Henry Kerr, Lloyd Mosier, Ernest Christensen, and Ben Franklin, Jr.

Reporters present were Jean Nulf, Dick Kuesink, and Marge Barrett.

The minutes of the previous meeting were read to the Council and approved as read.

Planning Commission Recommendation No. 108 was read and approved. Planning Commission Recommendation No. 109 was read and a petition signed by eleven different households in the area objecting to this street was also read. Ernest Christensen made a MOTION that this Recommendation be tabled until after the Bureau of Municipal Research study. This was seconded by Ben Franklin, Jr. and met with unanimous approval. Planning Commission Recommendation No. 110 was then read along with a letter of confirmation of the offer. Ernest Christensen made a motion that this Recommendation be accepted and Lloyd Mosier seconded it. This was unanimously passed.

Letters from the Post Office Department, Attorney General, State Highway Department, and Chetco Community Library were read to the Council and are attached hereto.

Gasoline bids were then opened and read. Ben Franklin, Jr. made a MOTION that the gasoline bids be tabled for the present. This was seconded by Ernest Christensen and passed unanimously.

Fuel oil and diesel bids were opened and read. Richfield Oil Corporation had the low bid at \$.1294 for diesel and \$.134 for fuel oil. Ernest Christensen made a motion that this bid be accepted, Ben Franklin, Jr. seconded it and it was unanimously passed.

Bids for a Street Department pick-up were opened and read to the Council. Of the five bids submitted, Akin Motor Co. had the low bid of \$2,158.24. Ernest Christensen made a MOTION that the Akin Motor Co. bid be accepted. Lloyd Mosier seconded this motion and it met with unanimous approval.

Vern Garvin, representing Curry County Communications, appeared before the Council again to discuss his franchise agreement with them. All areas of question were apparently answered in this discussion and Curry County Communications received Council permission to begin work on this project. A formal Ordinance dealing with this franchise is to be presented at the next meeting.

Ernest Christensen made a MOTION that Robert O. Dimmick, Jr. be appointed as Budget Officer for the 1966-67 budget. This was seconded by Ben Franklin, Jr. and passed unanimously.

Merrill Bullock appeared before the Council and issued a complaint about raw sewage running in a drain ditch as an overflow from the present Memory Lane pump station. He stated that toilet paper is readily visible most places in the ditch and requested that something be done to correct the situation. City Draftsman Jerry Swanson was requested to investigate the situation. Mr. Bullock also extended his deed agreement with the City until July 1, 1966.

Ben Franklin, Jr. made a MOTION that liability insurance bids be advertised for. This was seconded by Ernest Christensen and passed unanimously. The Council also unanimously approved sending Building Inspector Lee Fountain to the Building Inspectors Short School at Corvallis on March 3, 4 and 5.

City Draftsman Jerry Swanson discussed properties which were in a sewer district but were not connected the sewer. There were thirteen pieces of property in this category. The Council recommended that these properties be given a notice of the Ordinance and be required to hook onto the sewer.

City Recorder Robert O. Dimmick, Jr. presented a list of sewer assessments delinquent one year or more to the Council. The total amount delinquent in all bonded districts is \$49,895.83. Of this amount, District No. 10 is delinquent \$44,560.34. Six individuals in District No. 10 have made virtually no payment since being assessed and the amount which they owe represents \$40,325.55. Projected cash flow sheets were presented to the Council and showed that if the present trend continues the City of Brookings would be \$10,826.96 short of meeting their obligations in December, 1967. The City Recorder strongly urged the Council to take immediate action towards establishing foreclosure proceedings against these properties which have made no payment. The Council requested to hold a confidential meeting with these individuals in an effort to work out some sort of agreement for obtaining the delinquent monies and set February 24 at 8:00 P. M. for the meeting.

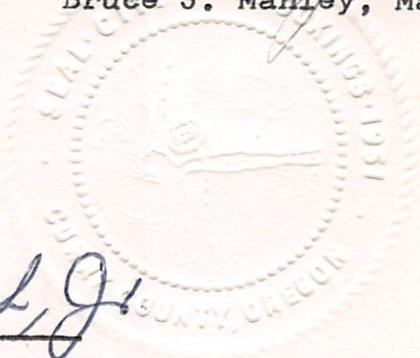
Vouchers totaling \$3,943.81 were presented for payment. Ernest Christensen made a MOTION the vouchers be paid. Ben Franklin, Jr. seconded it and it was unanimously passed.

Ernest Christensen made a MOTION the meeting be adjourned, Ben Franklin, jr. seconded the motion and it was approved unanimously. The meeting was then adjourned at 10:15 P. M.

*Bruce J. Manley*  
Bruce J. Manley, Mayor

ATTEST:

*Robert O. Dimmick, Jr.*  
Robert O. Dimmick, Jr.  
City Recorder



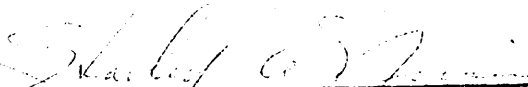
VOUCHERS PAYABLE  
CITY OF BROOKINGS  
FEBRUARY 8, 1966

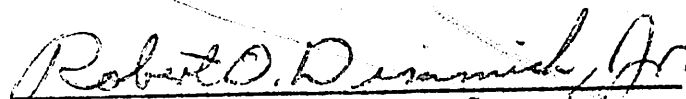
| <u>NAME</u>                        | <u>AMOUNT</u>     |
|------------------------------------|-------------------|
| Akin Motor Co.                     | 3.60              |
| American City Magazine             | 4.22              |
| Auto & Marine Electric             | 5.20              |
| Robert E. Babb                     | 7.00              |
| Big Cliff Nursery                  | 6.00              |
| Brookings Fire Dept.               | 756.00            |
| Brookings Market                   | 7.54              |
| Brookings Plywood Cor.             | 68.00             |
| Brookings Supply                   | 13.70             |
| Brookings Tire Service             | 4.00              |
| Brookings Water Co.                | 200.04            |
| Owen J. Carter                     | 40.00             |
| Chetco Rexall Drugs                | 4.78              |
| Cost to Coast                      | 41.15             |
| Sophia Colegrove                   | 200.00            |
| Consolidated Freightways           | 13.95             |
| Coos Bay Stationery Co.            | 2.50              |
| Coos Curry Coop                    | 279.85            |
| C. M. Cross                        | 103.92            |
| Curry County Clerk                 | 13.00             |
| Curry County Feed                  | 4.88              |
| Curry County Lbr. Co.              | 16.54             |
| Curry County Reporter              | 4.00              |
| Del Norte Triplicate               | 2.50              |
| Robert O. Dimmick, Jr.             | 5.00              |
| Ed & Mendy                         | 4.80              |
| David R. Fortier                   | 200.00            |
| Green Door Cafe                    | 1.65              |
| Hilfiker Pipe Co.                  | 21.49             |
| Hurt Stationery Co.                | 37.83             |
| Kerr Hardware                      | 43.03             |
| Littrell Parts                     | 67.39             |
| K U R Y                            | 12.00             |
| Lorings Sales & Service            | 2.25              |
| Marlow Pumps                       | 20.62             |
| Mobil Oil Co.                      | 308.99            |
| Motorola                           | 45.25             |
| Ostenbergs                         | 5.35              |
| Pacific Rock & Paving              | 210.00            |
| Paramount Pest Control             | 5.00              |
| Pennsalt Chemcials Corp.           | 37.50             |
| Pilot                              | 17.30             |
| Reds Body Shop                     | 137.00            |
| Shell Oil Co.                      | 8.00              |
| Elten Smith                        | 10.00             |
| Jerry R. Swanson                   | 12.80             |
| Unigas                             | 458.95            |
| Union Oil Co. of Calif.            | 147.17            |
| Wards Propane                      | 38.03             |
| West Coast Telephone               | 281.25            |
| Western Auto                       | 2.79              |
|                                    | <u>3,943.81</u>   |
| Richfield Oil Corp. (late voucher) | 37.85             |
|                                    | <u>\$3,981.66</u> |

PLANNING COMMISSION RECOMMENDATION  
NO. 108

The City Planning Commission hereby recommends that the City of Brookings develop Oxford Street as they are able and at their discretion. The City Planning Commission also recommends that the City of Brookings attempt to acquire an additional 10-feet of right-of-way to bring the street up to the required 50-foot width.

Respectfully,

  
\_\_\_\_\_  
Harley A. Nissen, Chairman


  
\_\_\_\_\_  
Robert O. Dimmick, Jr. Secretary

PLANNING COMMISSION RECOMMENDATION  
NO. 109

The City Planning Commission hereby recommends to the City Council that they proceed with the plan of connecting Easy Manor Drive and Highway 101 Chetco Avenue as outlined by City Draftsman Jerry Swanson at the January 4, 1966 meeting of the City of Brookings Planning Commission.

Respectfully,

  
\_\_\_\_\_  
Harley A. Nissen, Chairman

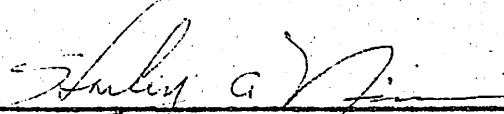
  
\_\_\_\_\_  
Robert O. Dimmick, Jr. Secretary

PLANNING COMMISSION RECOMMENDATION

NO. 110

The City Planning Commission hereby recommends that the City of Brookings accept a parcel of property located at Highway 101 Chetco Avenue and Pacific Avenue which Elmer Bankus has offered to donate to the City on a perpetual basis to be used for a Christmas tree. In addition to furnishing the land, Mr. Bankus will also do the excavation work, provide the soil, and provide the tree at no cost to the City of Brookings.

Respectfully,



Harley A. Nissen, Chairman



Robert O. Dimmick, Jr. Secretary



**BROOKINGS** LAND AND TOWNSITE COMPANY

ELMER BANKUS, Owner

BROOKINGS, OREGON

February 8, 1966

City of Brookings  
Brookings, Oregon

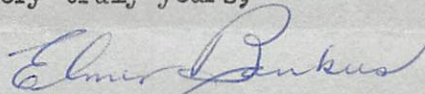
Gentlemen:

This is to confirm my verbal offer to deed to the City of Brookings that certain triangular piece of property located on Chetco Avenue at the corner of Pacific Avenue.

Prior to deeding the property I would agree to do any excavating and leveling necessary, haul in soil as needed, and plant a tree to be used as the Community Christmas Tree.

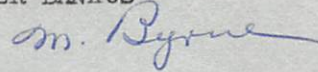
This property would be deeded to the City with the understanding that it not be resold and would be perpetually maintained as a park area for a living Christmas tree. If the tree should ever be destroyed by any cause, it would be replaced by the City.

Very truly yours,



ELMER BANKUS

By



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# Memorandum • POST OFFICE DEPARTMENT

SUBJECT: Street Improvement

DATE: 1-17-66

FROM: Postmaster  
Brookings, Oregon 97415

IN REPLY  
REFER TO:

P. O. CL:

TO: City Council  
Box C.  
Brookings, Oregon 97415

YOUR REFERENCE:

Dear Sirs;

We propose to ditch and grade to a gradual slope along the front of the Post Office. Fairy Creek Rock Company has put in a bid to do this for \$85.00.

If the City would then RED line this area it should eliminate any problems from cars being stuck in the ditch or coming onto the sidewalk and lawn.

With your approval we will proceed with this plan.

Sincerely,

Allan T. Ettinger,  
Postmaster. *AtE*

ROBERT Y. THORNTON  
ATTORNEY GENERAL



E. G. FOXLEY  
DEPUTY ATTORNEY GENERAL

STATE OF OREGON  
DEPARTMENT OF JUSTICE  
SALEM 97310

January 19, 1966

Mr. David R. Fortier  
Attorney at Law  
P. O. Box 1043  
Brookings, Oregon

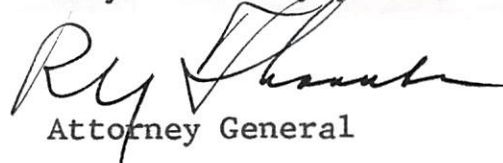
Dear Mr. Fortier:

This will acknowledge your letter of January 17, 1966, wherein you make inquiry as to the following passage from the Brookings City Charter:

"Section 1y. MEETINGS TO BE PUBLIC.  
All deliberations and proceedings of the  
Council shall be public."

There is enclosed copy of a letter which I recently wrote in reply to this same matter.

Very sincerely yours,

  
Attorney General

RYT r  
Enclosure



January 14, 1966

Mr. Richard W. Keusink, Publisher  
Brookings Harbor Pilot  
Box 700  
Brookings, Oregon 97415

Mr. Carl C. Webb, Manager  
Oregon Newspaper Publishers Association  
311 Allen Hall  
P. O. Box 5155  
Eugene, Oregon

**FILED**  
JAN 17 1966  
ATTORNEY GENERAL  
SALEM, OREGON

Gentlemen:

This will acknowledge your respective letters relative to the report that the Brookings City Council is about to seek an opinion from this office concerning the legality of the so-called executive sessions of the city council, from which the public and press would be excluded.

So far as I can determine this has not been the subject of an opinion by this office during my tenure or before. Under the provisions of ORS 180.060 (3) the Attorney General is prohibited from giving opinions or legal advice to persons other than state departments, boards and commissions. We are thus precluded from giving opinions to counties, municipal corporations as well as private citizens.

Occasionally where the matter affects official duties of some state officer or agency we do issue opinions that directly affect municipalities; however this does not appear to be a case in which this exception would apply.

Mr. Richard W. Keusink  
Mr. Carl C. Webb

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In view of the reasons set forth I am unable to  
comply with your respective requests.

Very sincerely yours,

Robert Y. Thornton  
Attorney General

RYT r

cc - Mr. Carl C. Webb

XERO  
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XERO  
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XERO  
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XERO  
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COMMISSIONERS  
 GLENN L. JACKSON, CHAIRMAN  
 MEDFORD  
 KENNETH N. FRIDLEY, MEMBER  
 WASCO  
 DAVID B. SIMPSON, MEMBER  
 PORTLAND  
 JYD QUERY, SECRETARY  
 SALEM



STATE OF OREGON  
 STATE HIGHWAY DEPARTMENT

SALEM 97310

January 14, 1966

FORREST COOPER  
 STATE HIGHWAY ENGINEER  
 R. L. PORTER  
 DEPUTY STATE HWY. ENGR.  
 G. E. ROHDE  
 CHIEF COUNSEL

Mr. James H. Mann  
 City Recorder  
 City Hall  
 Brookings, Oregon

Dear Sir:

Your attention is invited to the fact that ORS 366.805 provides for withdrawal from state highway funds appropriated for allocation to the several cities of the State of Oregon the sum of \$250,000 annually, said sum to be set up in a separate account to be administered by the State Highway Commission and to be spent by said Commission upon streets not a part of the state highway system within cities which are receiving excessive wear through sudden increases in population in the area or heavy and unusual traffic.

The State Highway Commission has established certain regulations or requirements as a basis for the allocation of this fund, and a copy of these regulations is attached. You will note that, starting with the 1967 program, the maximum allocation to any city has been increased to \$25,000 from the \$250,000 fund.

In order to have sufficient time to complete the investigations, work up the 1967 program, and present it to the Highway Commission for approval, it is highly desirable that applications be made early. Any city under 5,000 population which feels that it has a street which qualifies under the law must have its application on file in this office by July 1, 1966. Applications may be obtained by writing to H. S. Cox, Engineer, County and City Division, c/o State Highway Department, Salem, Oregon.

Very truly yours,

Forrest Cooper  
 State Highway Engineer

by

Fred B. Klaboe  
 Assistant State Highway Engineer

Att.

# CHETCO COMMUNITY PUBLIC LIBRARY

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*Brookings, Oregon*  
February 8, 1966

The Honorable Mayor  
and Councilmen  
City of Brookings

Gentlemen:

The Library Board has received word this week that our Brookings Library has received an award of \$2500 from the Book-of-the-Month Club, Inc., in memorial to Dorothy Canfield Fisher. This is a very great honor for Brookings as these awards, which are given to libraries with a population area of 25,000 or under, are usually given to county or regional libraries. Only six were given in the entire United States, and we were the only one to receive one west of Nebraska.

This recognition, given for growth and vitality and community support, could only be possible through the efforts of the Council and Budget members who always pass our budget requests without question.

We would like to thank the Council for their part in winning this award. Your cooperation is appreciated.

Sincerely,

*Mrs Lee English*  
Board of Trustees