

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
of May 10, 1955

Meeting called to order by Mayor Brimm.

Present: Councilmen Breuer, Manley, Yelton and Campbell.

Officers present: Atty. Ackley, Judge Nelson, Mr. Reed and Recorder Kanick.
Others were Mr. Murphy and Mr. Jenkins.

Minutes of the previous meeting were read and approved with the addition that minutes show that the Recorder had been asked to write Mr. Dempsey, chairman of the committee appointed to make a study of streets, sewer, and water, a letter of thanks and appreciation.

Plann. Committee Appointment:

The Mayor reported that Mr. Robert Swan had resigned from the Planning Commission and that James Kirby had been appointed to fill the vacancy.

The Mayor reported contacting Judge Forsythe in regard to the dog license agreement and was told that Mr. Hall was directed to draw up the agreement but that he had been unable to reach Mr. Hall to ascertain how the matter was progressing.

Sewer appraisal:

Motion was made by Mr. Manley, seconded by Mr. Breuer that the City Council go on record agreeing to pay the appraisal price set by Cornell, Howland, Hays and Merryfield in the sum of \$29,044.66 provided the City obtains from Elmer Bankus a bargain and sale deed that would in effect defend and protect the City of Brookings against all claims of ownership that might be made against Elmer Bankus and his administrators. Unan. carried. Copy of option attached hereto.

Report of the Planning Commission: Copy attached hereto.

Voting precincts:

Motion was made by Mr. Yelton, seconded by Mr. Brauer that the voting precincts changes recommended by the Planning Commission, that is: Brookings Precinct #1 (Ferrello) and Brookings precincts #2 (Brookings) be approved. Unan. carried.

Beresa Tract Sub-division:

Motion was made by Mr. Breuer scnded by Mr. Yelton that the City Council accept the recommendation of the planning Commission in regard to the Beresa sub-division, subject to the F.H.A. and or the Vterans' Administration

Twohy Sub-division:

Motion was made by Mr. Breuer that the recommendation of the Planning Commission in regard to the Twohy sub-division, be accepted. Carried. *sec. by Mr. Manley*

Kerr Sub-division:

Motion was made by Mr. Manley, seconded by Mr. Breuer that the City Council accept the Planning Commission's recommendation in regard to the Kerr sub-division. Carried.

Beresa Sub-difision Sewer Disposal plan:

Motion was made by Mr. Manley seconded by Mr. Campbell that the City Council accept the sewer disposal system proposed By Beresa, Inc. for the Beresa sub-division, and the plans for the installation of said sewer system to cnnect with the existing sewer on Oak Street as approved jointly by Mr. Reed and Mr. Word. Carried.

Mr. Ackley recommended a surety bond for faithful performance in the sum of \$20,000.00, to run for a period of at least 18 months which was approved and Mr. Ackley authorized to write Beresa, Inc. regarding this.

Recommendations of the Planning Commission
To the City Council
May 6, 1955.

Beresa Sub-division: (Spruce & Del Norte Lane)

The Planning Commission recommends to the City Council that the Council accept the plans and specifications of the Beresa sub-division as set forth in the plans and specifications presented the Planning Commission with the exception of the proper set-backs as per our building code, subject to the final plan for sewer disposal, and storm sewer drainage, complete surfacing of streets, and subject to F.H.A. and Veterans Administration approval.

Twohy Sub-division: Linda Lane & Cushing Court between Memory Lane and Tanbark Road

The Planning Commission recommends to the City Council that it approve the plans and specifications presented on the Twohy sub-division subject to the street R.O.W. being increased from 40' in width to 48', that the sewer line on Linda Lane be large enough to take care of future needs, that an easement across the Forsberg property to Memory Lane be obtained, that Linda Lane and Cushing Court be paved with curbs and gutters, and that Tanbark Road be paved, curbed and guttered as per the plan accepted for the Beresa Sub-division.

Kerr Sub-division: Ransome and 5th Sts.

The Planning Commission recommends that the City Council approved the proposed plan of the Kerr Sub-division with the reservation that the street running thru the sub-division shall have a 50' R.O.W. and be paved, curbed and guttered with the exception of the parking area lane back of the Park Center which may be 30 feet in width but must also be paved, curbed and guttered, and that the West side of 5th st. be curbed.

Access Heeds to portions of U.S. Highway #101 by State Hi-way Commission.

The Planning Commission also recommends that the City Council accept the plan of the State Highway Commission to deed a portion of U S. Highway #101 between State Highway Engineer's Stations 740-40 and 746-80, to the City subject to the City's agreement to make a fill on the deeded portion.

Voting Precinct Recommendation:

The Planning Commission also recommends that the City be divided into two precincts of North and South Brookings, which could later be again divided East and West as the City grows and more precincts are needed. State Highway to be dividing line and Ferrel to be precinct #1 Brookings and precinct #2 Brookings to be the former Brookings precinct.

Respectfully submitted,
Gladys Kanick, Secy.

2-Minutes of May 10, 1955 Cont'd.

Taxicab License release:

Motion was made by Councilman Breuer, seconded by Councilman Yelton "that the application of Maurice A. Walker, that his franchise, license, and permit to operate a taxicab and taxicab service within the corporate limits of the City of Brookings be canceled, discontinued and set at naught, be, and same hereby is, approved and accepted by the Council, Further, that the franchise, license and permit previously granted to said Maurice A. Walker, to operate a taxicab and taxicab service within the corporate limits of the City of Brookings, be and the same hereby is canceled, revoked and terminated as of May 7, 1955. All aye.

Application of Brother Colgrove for Taxicab license:

Motion was made by Councilman Campbell seconded by Councilman Breuer "that Delmer Colegrove, Jr. upon the full compliance on his part in the filing of the application and the payment of the necessary license fee as provided and set forth in Ordinance No.63, section 2, be, and he hereby is, granted a license to operate a taxicab and furnish taxicab service within the corporate limits of the City of Brookings as provided in the provisions of said Ordinance No. 63 of the City of Brookings." All aye.

Ordinance #72:

Motion was made by Mr. Breuer, seconded by Mr. Manley that Ordinance #72, entitled: " AN ORDINANCE ADOPTING CHAPTERS OF OREGON REVISED STATUTES AS THE LAW OF THE CITY OF BROOKINGS, ADOPTING THE NATIONAL ELECTRICAL CODE BY REFERENCE: PROVIDING FOR THE ADOPTION OF RULES, REGULATIONS, AND A SCHEDULE OF FEES: AND DECLARING AN EMERGENCY" be read once in full, twice by title and put upon it's final passage at this meeting of the Council. Bruer, aye; Manley, aye; and Yelton, aye.

Whereupon Ord. #72 was read once in full, twice by title and upon motion by Mr. Breuer seconded by Mr. Yelton passed by the following vote; Breuer, aye; Manley, aye; and Yelton aye.

The following bills were presented:

Earl Newbry.....	1.80	Coos Curry Elec.....	108.28
Oleta Walker.....	16.50	" " "	14.99
First Nat'l. Bank	47.79	Brookings Market.....	5.40
Ed and Mandy.....	33.80	C. Ed Dempsey.....	5.80
Murry Motors.....	31.52	Chetco Home & Auto....	1.40
Brizard-Matthews.....	17.18	Crescent City Radio...	43.20
Smith Brothers.....	41.67	Crane Direct Mail Serv.	38.02
Dick & Virg's Richfield...153.78		Foster & Bolvi.....	60.92
Brookings Mac. Shop.....	10.00	Buzz B Diner.....	19.95
Building Standards.....	4.00	Dairy Creem.....	29.70
Wards Propane Service.....	34.70	Cornell, Howland.....	950.00
H.G.Nelson.....	68.00	Brookings Water Co...	74.75
Brookings Harbor Pilot....	37.00	Howard-Cooper Corp...	51.32

Motion was made by Mr. Breuer seconded by Mr. Yelton that bills be allowed as funds permit. Carried.

Motion was made by Mr. Breuer seconded by Mr. Yelton that meeting adjourn to re-convene May 24th. 1955.

Byron L. Brimm
Byron L. Brimm, Mayor

Gladys Kanick, Recorder

OPTION

I, **ELMER BAMBUS**, of Brookings, Oregon, in consideration of Ten (\$10.00) Dollars and other good and valuable consideration receipt whereof is hereby acknowledged by me, hereby agree to sell to the City of Brookings, Oregon, at its option, a sewer system established and operating in the said City of Brookings now owned by me, subject to the following terms and conditions, to-wit:

1. This option shall expire on November 1, 1956.

2. The terms of purchase of said sewer system, if this option is exercised, is \$29,044.86 to be paid in cash.

3. I agree to execute and deliver to the City of Brookings, Oregon, all of the necessary deeds of conveyance required by the Laws of Oregon, O R S , necessary to convey all real property, required to operate this said sewer system or upon which it is located, excepting city streets and alleys, to the City of Brookings in fee simple estate and to provide at my expense all necessary title insurance coverage required by the said City to insure the said title so conveyed by me, and as to the personal property included in said sewer system I promise and agree to execute a bill of sale therefore to the said City upon the Bill of Sale form in general use in the State of Oregon for the sale of personal property and therein covenant with the said City of Brookings that I am the sole owner of said personal property, that the same is free and clear of liens and encumbrances of every kind and nature and, at the time of the execution of said Bill of Sale, the same has been paid for by me in full.

Witness my hand this _____ day of May, 1956.

(SEAL)