

MINUTES OF REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
BROOKINGS, OREGON

October 9, 1956

Meeting called to order by Mayor Brimm.

Councilmen present: Messrs. Manley, Campbell, Breuer and Yelton.

Others present: ^{Act. Ballinger} Chief Cross, Charles Echols, Mr. Reed, Mr. Wimberly, Mr. Murry, Percy Hanks, Joseph Murphy from the Brookings-Harbor Pilot, Elmer Bankus, Mr. McBride, Mr. J. T. Jacobs, and Robert Dimmick.

Minutes of the meeting of September 25, 1956, were read and approved.

Mr. Manley informed the council that no further information could be given at this time in regard to the Planning Commission's Recommendation #14 (Clean-Up Ordinance).

Mr. Reed reported that nothing could be worked out on the water line on Hasset Street.

Mr. D. D. Williams, Mr. Virgil Clark and Mayor Brimm met with the County Judge in regard to rerouting the trucks from North Bank to come out at Oak Street. Judge Forsyth was of the opinion that this matter should be referred to the Oregon State Highway Commission and a letter would be written by the County Court to the State Highway Commission.

ORDINANCE NO. 98, an ordinance fixing a speed limit and prohibiting parking in the alley of the City of Brookings, Oregon, and declaring an emergency was presented to the council. A motion was made by Councilman Yelton and seconded by Councilman Campbell that forty-five (45) minutes be the maximum parking time in the alley for loading and unloading. Said ordinance was read the first time fully and distinctly at length. Thereupon Councilman Breuer moved that the rules be suspended and an emergency declared and that said ordinance be read the second time by title only. This motion was seconded by Councilman Manley. The Mayor thereupon stated the motion and the vote thereon was as follows:

"Ayes": Mahley, Yelton, Campbell, Breuer and Brimm.

"Nays": None

"Absent": None

The Mayor then declared that said motion had duly carried and directed that Ordinance No. 98 be read the second time by title only. Said Ordinance was thereupon read the second time by title only.

Thereupon Councilman Campbell moved that the rules be suspended and an emergency declared and that said ordinance be now passed to its third reading by title only and placed upon its final passage and be in full force and effect from and after its passage. Said motion was seconded by Councilman Manley. The Mayor thereupon stated the motion and the vote resulted as follows:

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"Ayes": Manley, Campbell, Breuer, Yelton and Brimm.
"Nays": None
"Absent": None

The Mayor thereupon stated the motion had duly carried and directed that Ordinance No. 98 be read the third time by title only. Said Ordinance was then read the third time by title only. The Mayor then stated that said ordinance had been read the third time by title only and stated the motion "Shall Ordinance No. 98 be adopted" and ordered that the roll be called, and thereupon a roll call upon the final passage and the adoption of said ordinance was had the vote resulted as follows:

"Ayes": Manley, Campbell, Breuer, Yelton and Brimm.
"Nays": None
"Absent": None

Said Ordinance No. 98 has received the required number of votes, the Mayor declared the same to have been duly passed and to have been duly adopted.

A letter was read from Mr. J. T. Jacobs protesting the manner the Planning Commission handled his petition for rezoning. A letter was also read from the Planning Commission informing the council that the petition was tabled due to lack of information and no report on sufficiency. Mr. Jacobs reported that his property is potential business property and, therefore, would like this property rezoned. Mr. Reed reported to the Council that the Planning Commission has sixty (60) days to make a report. Mr. Balderee suggested that the Council refer the petition back to the Planning Commission to take definite action on it. A motion was made by Councilman Manley and seconded by Councilman Breuer that the city request the Planning Commission to set a date for a meeting and request the presence of Mr. Jacobs. Motion carried.

There was some discussion about the siren blowing on Sunday and also on Saturday.

A petition for Ben R. Phetteplace as candidate for councilman was presented to the council. A motion was made by Councilman Manley and seconded by Councilman Yelton that the petition for Ben T. Phetteplace as candidate for councilman be accepted. Motion carried.

A petition for Leland P. Hein as candidate for councilman was presented to the council. A motion was made by Councilman Yelton and seconded by Councilman Breuer that the City accept the petition for Leland P. Hein for councilman. Motion carried.

Mr. George Murry protested a fence built on property he recently sold which prevents entrance to a garage, and back of lot. Attorney Balderee advised the Council that apparently this is a private easement for private people and it is not a city matter.

A letter from Cake, Jaureguy and Hardy signed by Mr. John H. Buttler, attorney, was read to the council. A copy of Attorney Balderee's letter to Mr. Buttler was also read. Mr. Bankus reported that he had talked with Mr. Lawn and Mr. Reed and was told by Mr. Reed that the city would not connect to the "Old Sewer" but that they did connect shortly after this time. Mr. Reed reported that the city did not authorize the connection. Attorney Balderee advised the council that

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the contractor had no right to connect without the permission of Mr. Bankus. A motion was made by Councilman Yelton and seconded by Councilman Breuer that the city disconnect the sewer now connected to the existing "Old Sewer".

The bills were presented to the Council. A motion was made by Councilman Manley and seconded by Councilman Campbell to pay the bills. Motion carried.

ORDINANCE NO. 99, an ordinance to amend sections 3, 4 and 7 of Ordinance No. 48 passed by the council and approved by the Mayor on the 8th day of September 1956 and declaring an emergency was read the first time fully and distinctly at length. Thereupon Councilman Breuer moved that the rules be suspended and an emergency declared and that said ordinance be read the second time by title only. This motion was seconded by Councilman Campbell. The Mayor thereupon stated the motion and the vote thereon was as follows:

"Ayes": Manley, Campbell, Breuer, Yelton and Brimm.

"Nays": None

"Absent": None

The Mayor then declared that said motion had duly carried and directed that Ordinance No. 99 be read the second time by title only. Said ordinance was thereupon read the second time by title only.

Thereupon Councilman Campbell moved that the rules be suspended and an emergency declared and that said ordinance be now passed to its third reading by title only and placed upon its final passage and be in full force and effect from and after its passage. Said motion was seconded by Councilman Breuer. The Mayor thereupon stated the motion and the vote resulted as follows:

"Ayes": Manley, Campbell, Breuer, Yelton and Brimm.

"Nays": None

"Absent": None

The Mayor thereupon stated the motion had duly carried and directed that Ordinance No. 99 be read the third time by title only. Said ordinance was then read the third time by title only. The Mayor then stated that said ordinance had been read the third time by title only and stated the motion "Shall Ordinance No. 99 be adopted" and ordered that the roll be called, and thereupon a roll call upon the final passage and the adoption of said ordinance was had and the vote resulted as follows:

"Ayes": Manley, Campbell, Breuer, Yelton and Brimm.

"Nays": None

"Absent": None

Said Ordinance No. 99 having received the required number of votes, the Mayor declared the same to have been duly passed and to have been duly adopted.

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Mr. Reed reported on Sewer Areas 4 and 7 and the lift station. A motion was made by Councilman Yelton and seconded by Councilman Breuer that the city issue warrants in the total amount of \$14,469.30 with 6 percent (6%) interest to Pelican Bay Construction for work in Sewer Areas 4 and 7. Motion carried. A motion was made by Councilman Campbell and seconded by Councilman Yelton that the city write a check against the Bond Fund in the amount of \$3,457.71 for work on the lift station. Motion carried.

Mr. Reed asked about making reservations for the League of Oregon Cities to be held in Portland. It was decided to wait until after November 6 before reservations are made.

There was some discussion on the purchase of a new tractor. Mr. Wimberly offered the city the use of his tractor to the city at the rate of \$5.00 an hour and turn the remuneration over to the city to be applied on his improvement liens. A motion was made by Councilman Manley and seconded by Councilman Yelton that the city engage Mr. Wimberly instead of purchasing new equipment at this time.

Mr. McBride from the West Coast Telephone Company asked about the telephone ordinance and wanted to know the plans of the city in regard to this ordinance. Mr. Breuer suggested the city write a letter to Mr. Ackley and ask him to be present at the council meeting on November 13 or mail the petition in his possession signed by individuals dissatisfied with the telephone service to the City Hall before that date.

A motion was made by Councilman Yelton and seconded by Councilman Breuer that the meeting be recessed until October 13, 1956, at :00 o'clock.

Byron L. Brimm
Byron L. Brimm, Mayor

Bernice M. Huddleston
Bernice M. Huddleston
City Recorder

