

MINUTES OF REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF

BROOKINGS, OREGON

November ¹³~~8~~, 1956

Meeting called to order by Mayor Brimm.

Councilmen Present: Messrs. Manley, Campbell, Breuer & Yelton.

Others Present: Attorney Balderee, Supt. Reed, Chief Cross, Officer Mackey, Officer Simms, Judge Kirby, Mr. Ackley, Al Phillips, Raymond Pisarek, Mrs. Klise, Gary Wimberly, Mr. Page, Percy Hanks, Mr. Warren Smith, Joseph Murphy, Rev. Ostermeier, Richard Buffington and Ben Jones.

Minutes of meetings of October 9, October 13, and November 8, were read and approved.

RECOMMENDATION NO. 36 from the Planning Commission in regard to the petition of J. T. & Ruth Jacobs for rezoning was presented to the council. A motion was made by Councilman Campbell and seconded by Councilman Breuer that the city accept Recommendation No. 36 from the Planning Commission. A hearing will be held in the City Hall on November 20, 1956, at 8 o'clock for the purpose of giving all interested and the general public an opportunity to be heard on the rezoning.

A letter from the Brookings Lodge No. 1934, B. P. O. E. signed by Fred Moore advising the council that they will purchase one trash container was read.

A letter signed by Percy D. Hanks asking the council to accept his resignation as member of the Planning Commission was read. A motion was made by Councilman Breuer and seconded by Councilman Manley that the city accept the resignation of Percy D. Hanks as member of the Planning Commission. A motion was made by Councilman Manley and seconded by Councilman Campbell that the city appoint Mr. Forrest Hysom to fill the vacancy of Mr. Hanks on the Planning Commission Board.

DISTRICT #2: The engineer informed the city that no allowances can be made on the protests and suggested a clause in an ordinance to the effect that any property not set for gravity flow would be asked to connect to the sewer through the means of a pump from the present septic tank to the sewer at the discretion of the council. A motion was made by Councilman Campbell and seconded by Councilman Yelton that the objections filed to the proposed reassessments on Dist. #2

be overruled and the proposed reassessments in Dist. #2 be approved by the council as fair, just and reasonable. Motion carried.

DISTRICT #4: Mr. Reed presented the protest of the Episcopal Church. Mr. Page was informed that his deeds are being studied to check the number of square feet on his property and that his protest would be discussed at a later date. A motion was made by Councilman Manley and seconded by Councilman Campbell that the objections filed to the proposed reassessments on District No. 4 be overruled and the proposed reassessments on District No. 4 be approved by the council as fair, just and reasonable. Motion carried.

DISTRICT NO. 7: A motion was made by Councilman Yelton and seconded by Councilman Breuer that the objections filed to the proposed reassessments on District No. 7 be overruled and the proposed reassessments on District No. 7 be approved by the council as fair, just and reasonable. Motion carried.

The summons issued to the City of Brookings, Mayor, Councilmen and Recorder was discussed. Attorney Balderree advised the council that it would be ill advised to come to an agreement on the purchase of the Sewer System until the suit is settled. Attorney Balderree suggested contacting Mr. Buttler, attorney for Mr. Bankus to become a part of the litigation.

A bill in the amount of \$8,726.92 for Area #4 to Pelican Bay Construction was presented. A motion was made by Councilman Campbell and seconded by Councilman Manley to pay this bill out of bond money and to authorize the city recorder to call warrants in for payment.

The bills for the month of October were presented. A motion was made by Councilman Campbell and seconded by Councilman Manley that the bills be paid. Motion carried.

Richard Buffington was present to file a complaint against one of the officers and demanded an apology. The council decided to acquaint themselves with the facts of the case before a decision is made.

Rev. Ostermeier asked about hooking the Presbyterian Church property on the new sewer line. He also asked permission to use the tank truck in the event they can not hook up to the new sewer when the building is ready for use.

Mr. Ackley was present at the council's request to report on the telephone ordinance and advised the council that in view of the improved service he would recommend that this ordinance be dropped for the present time. He also protested against the dust and dirt on the thoroughfare and asked the council to consider this matter.

Gary Wimberly was present to ask about the paving on the Beresa Tract. Mr. Reed reported that this would be done in the near future.

Licenses for the Klise Apartments and Grootendorst Apartments were discussed. The council asked the Chief of Police to collect the fee so licenses can be issued.

A letter from the Oregon State Sanitary Authority was read in reference to making application for a federal construction grant for sewage treatment works. Mr. Reed informed the council that the city must have a contract to purchase land in order to make an application. The council decided that the matter should be discussed with Mr. Spies, Deputy State Sanitary Engineer, during the convention.

ORDINANCE NO. 100, an ordinance making a reassessment for the construction of the public sanitary sewer in sanitary sewer district #2 in the City of Brookings, Oregon, designating the property on which said reassessment is to be made providing for payment of said reassessment, designating the property to be specially benefited by said public sanitary sewer and declaring an emergency was presented. 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 Yelton. The Mayor thereupon stated the motion and the vote thereon was as follows:

AYES: Manley, Yelton, Campbell, Breuer and Brimm.

NAYS: None

ABSNET: None

The Mayor then declared that said motion had duly carried and directed that Ordinance No. 100 be read the second time by title only. Said ordinance was thereupon read the second time by title only.

Thereupon Councilman Manley 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, Yelton, Campbell, Breuer and Brimm.

NAYS: None

ABSENT: None

The Mayor thereupon stated the motion had duly carried and directed that Ordinance No. 100 be read the third time by title only. Said ordinance was then read the third time by title only. Thereupon Councilman Manley moved that the rules be suspended an emergency declared and said ordinance be adopted. Said motion was seconded by Councilman Breuer. The Mayor then stated that said ordinance had been read the third time by title only 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. 100 having received the required number of votes, the Mayor declared the same to have been duly passed and to have been duly adopted.

ORDINANCE NO. 101, an ordinance making a reassessment for the construction of the public sanitary sewer in sanitary sewer district #4 in the city of Brookings, Oregon, designating the property on which said reassessment is to be made, providing for payment of said reassessment, designating the property to be specially benefited by said public sanitary sewer and declaring an emergency was presented.

Said ordinance was read the first time fully and distinctly at length. Thereupon Councilman Yelton 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 Breuer. The Mayor thereupon stated the motion and the vote thereon was as follows:

AYES: Manley, Yelton, Campbell, Breuer and Brimm.

NAYS: None

ABSNET: None

The Mayor then declared that said motion had duly carried and directed that Ordinance No. 101 be read the second time by title only. Said ordinance was thereupon read the second time by title only.

Thereupon Councilman Breuer 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 Yelton. The Mayor thereupon stated the motion and the vote resulted as follows:

AYES: Manley, Yelton, Campbell, Breuer and Brimm.

NAYS: None

ABSENT: None

The Mayor thereupon stated the motion had duly carried and directed that Ordinance No. 101 be read the third time by title only. Said ordinance was then read the third time by title only. Thereupon Councilman Breuer moved that the rules be suspended and an emergency declared and said ordinance be adopted. Said motion was seconded by Councilman Yelton. The Mayor then stated that said ordinance had been read the third time by title only and stated the motion 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.

NAYES: None

ABSENT: None

Said Ordinance No. 101 having received the required number of votes, the Mayor declared the same to have been duly passed and to have been duly adopted.

ORDINANCE NO. 102, an ordinance making a reassessment for the construction of the public sanitary sewer in sanitary sewer district #7 in the City of Brookings, Oregon, designating the property on which said reassessment is to be made, providing for payment of said reassessment, designating the property to be specially benefited by said public sanitary sewer and declaring an emergency.

Said ordinance was read the first time fully and distinctly at length. Thereupon Councilman Yelton 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: Manley, Yelton, Campbell, Breuer and Brimm.
NAYS: None
ABSENT: None

The Mayor then declared that said motion had duly carried and directed that Ordinance No. 102 be read the second time by title only. Said ordinance was thereupon read the second time by title only.

Thereupon Councilman Breuer 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 Yelton. The Mayor thereupon stated the motion and the vote resulted as follows:

AYES: Manley, Yelton, Campbell, Breuer and Brimm.
NAYS: None
ABSENT: None

The Mayor thereupon stated the motion had duly carried and directed that Ordinance No. 102 be read the third time by title only. Said ordinance was then read the third time by title only. Thereupon Councilman Breuer moved that the rules be suspended and an emergency declared and said ordinance be adopted. Motion seconded by Councilman Manley. The Mayor then stated that said ordinance had been read the third time by title only, stated the motion 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. 102 having received the required number of votes, the Mayor then declared the same to have been duly passed and to have been duly adopted.

A motion was made by Councilman Manley and seconded by Councilman Yelton that the meeting be recessed to November 20 for hearings on rezoning petition.

Bernice M. Duddleston

City Recorder

Mayor

