CITY COUNCIL MEETING
May 2, 1977
7 p.m.

COUNCIL CHAMBERS 1289th Meeting

The one thousand two hundred eighty-ninth meeting of the Council of the City of Milwaukie, Oregon, was held on the 2nd day of May, 1977, with the following councilpersons present:

Allen Manuel
Charles E. Swan
Jerry Hutchison
Joy Burgess
Mayor Bill E. Hupp

Also present:

Harold L. Schilling, City Mgr.
Cyrus Nims, Planning Director
Myer Avedovech, City Attorney
Dorothy E. Farrell, Secretary

The invocation was given by Councilwoman Joy Burgess, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

a) Approval of minutes - April 18 and 21, 1977
b) Letter from Marine Board re boat ramp grant
c) Court of Appeals' decision - Hupp v. Schumacher
d) Memo from Nemo re business cards
e) Trial date notification - Stark v. Milwaukie
f) Letter re Millspaugh v. Olson's 5 & 10
g) Letter to Highway Department and response re McLoughlin/River Rd.
h) Thank you letter from FBI to Police Department
i) Letter from Clackco Community Action Agency re housing assistance
j) Motion - Borosek v. Milwaukie
k) Order - Randall v. Milwaukie
l) Letter from EPA re Safe Drinking Water Act
m) Final payment - Stearns Addition water maintenance
n) Letter from Health Department re Water System

It was MOVED by Swan, SECONDED by Hutchison, to adopt the Consent Calendar, with the exception of items c, g, h, k, l, m and n, requested to be removed for further discussion by Councilwoman Burgess.

b) State Marine Board Director, in letter dated April 20, has notified city of approval of not to exceed $7000 for relief of cost overrun on Jefferson Street boat ramp.

c) Council has received copy of Court of Appeals decision in the case of Hupp v.Schumacher. Councilwoman Burgess asked for, and received, an explanation of the meaning of the document.

d) Council has received an explanation, as requested by the Mayor, of the reason for choice of PM Printing for work covered by the invoice on the list of March 21 bills.

e) Trial date in case of Stark v. City of Milwaukie has been set for May 23.

f) City Attorney has written letter, dated April 12, concerning the case of Millspaugh v. Olson's 5 and 10.

g) Council has received copies of correspondence, dated April 8 and April 13, between City Manager and Regional Traffic Engineer Failmezger, concerning traffic controls at intersection of River Road and McLoughlin. Mrs. Burgess asked about applying for traffic control device funding through CRAG.

h) Mrs. Burgess commented she feels it is outstanding for the Police Department to receive the letter from FBI, dated April 14, concerning Police Department assistance in apprehension of individuals attempting to rob the King-Linwood Branch of U.S. National Bank.
i) Clackamas County Community Action Agency, in letter dated February 8, has confirmed compliance with city's housing assistance plan.
j) Council has received copy of Motion in the case of Borosek v. City of Milwaukie.
k) Council has received copy of Order in the case of Randall v. City of Milwaukie. Councilwoman Burgess asked for, and received, an explanation of the meaning of the document.
l) U.S. Environmental Protection Agency, Region X, has sent letter, dated April 14, 1977, concerning the Safe Drinking Water Act. Councilwoman Burgess suggested staff write a letter saying the city realizes the importance of complying, but requests funds to offset the cost of the program. Council concurred, and staff will draft the letter.
m) Manager recommends approval of final payment for water improvements in Stearns Addition, in the amount of $399.06, to Clackamas Enterprises, Inc. Mrs. Burgess asked questions on the project.
n) Health Division of the Department of Human Resources, in letter dated April 18, has reported on sanitary survey of the city's water system. Mrs. Burgess requested discussion, which will occur later in the meeting.
On the motion to approve the consent calendar, with the exception of item n, MOTION CARRIED unanimously and so ordered.

AUDIENCE PARTICIPATION

1. Merle Irvine, Project Manager for Metropolitan Service District, discussed the District's Solid Waste Management Plan. He volunteered to attend the Council meeting when garbage collector's ask for a rate increase.
2. Franklin van Waardenburg, Social Researcher for Clackamas County Community Action Agency, discussed Clackamas County Community Profile he is preparing.
3. J. Earl Jones, Co-chairman of Riverfront Development Committee, stressed the Committee's hope the hedge on McLoughlin in front of the boat landing will be removed during construction.

NEIGHBORHOOD COUNCIL REPORTS

It was MOVED by Hutchison, SECONDED by Hupp, to accept the recommendation of Neighborhood Council 3 Executive Board to appoint Dave Bukovi and Jim Misner to vacant positions on the board, to appoint Delphine Bennett as alternate, and to appoint Merv Englund as the Neighborhood Council 3 representative on the Comprehensive Planning Steering Committee. MOTION CARRIED unanimously and so ordered.
It was MOVED by Hutchison, SECONDED by Burgess, to accept the resignation of Jim McDonald from Neighborhood Council 2 executive board, as recommended by the board, and ratify appointment of Ellen Wiseman to the vacancy. MOTION CARRIED unanimously and so ordered.

LETTER FROM SENIOR CITIZEN ADVISORY COUNCIL

Senior Citizen Advisory Council has written letter, dated April 27, asking for report on status of their request, in letter dated March 28, for hiring a director for senior programs. Council consensus was for staff to recommend how the city could address the five problems listed in the March 28 letter within the city's limited resources.

PROPOSED ORDINANCE AMENDING ORDINANCE 1257 - DISSEMINATION OF OBSCENE MATERIAL

After discussion of the difficulty of enforcing the proposed amendment, it was MOVED by Swan, SECONDED by Hutchison, to table the ordinance indefinitely. MOTION CARRIED with the following roll-call vote: AYES: Manuel, Swan, Hutchison and Hupp. NOES: Burgess.

SENIOR CITIZEN ADVISORY COUNCIL APPOINTMENTS

Senior Citizen Advisory Council, in memo dated April 27, suggests the City Council solicit suggested appointees from Neighborhood Councils 4 and 5. It was MOVED by Hupp, SECONDED by Burgess, that the Neighborhood Council Coordinator make known to Neighborhood Councils 4 and 5 that appointments are needed on the Senior Citizen Advisory Council, and City Council would appreciate volunteers. MOTION CARRIED unanimously and so ordered.

WORK SESSION ON CIVIL SERVICE AMENDMENTS

There will be a City Council work session at 7 p.m. Monday, May 23, 1977, to discuss possible amendments to Civil Service section of City Charter. Members of the Civil Service Commission will be invited to attend.

MEMO RE LEGALITY OF FRANCHISED LIQUOR SALES - NORTH CLACKAMAS PARK

As requested, City Attorney has written legal opinion, dated April 26, on question of legality of franchised liquor sales at North Clackamas Park.

RESOLUTION NUMBER 21-1977 - AUTHORIZING SIGNATURES ON CITY CHECKS

It was MOVED by Hutchison, SECONDED by Burgess, to read Resolution Number 21-1977 (A RESOLUTION REPEALING RESOLUTION NUMBER 1-1975 AUTHORIZING SIGNATURES ON CITY OF MILWAUKIE CHECKS) be read by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Burgess, to adopt Resolution 21-1977. MOTION CARRIED unanimously and so ordered.

(Meeting recessed at 8:20 p.m., reconvened at 8:25 p.m. with all present.)

RECOMMENDATION FROM PLANNING COMMISSION ON ZC-77-1

Planning Commission has recommended denial of a request to change zone from A-2, Apartment Residential, to A-1-B, Apartment Office Residential, on the south side of Campbell Street between Myrtle and Oak. Staff report was given by Planning Director. It was MOVED by Hutchison, SECONDED by Swan, to consider this matter at the June 6 Council meeting, and request the Planning Commission to give the reasons for their recommendation of denial. MOTION CARRIED unanimously and so ordered.

WATER SYSTEM

Manager discussed summer water demands and the city's capacity to meet those demands, possible conservation efforts, and the need for the city to look at a long range program, as he had stated during budget sessions, including another well and more storage capacity. It was Council consensus to address conservation measures in a newsletter to go out, possibly, June 1, and to confirm Manager's action in asking Portland for an agreement for connection to Portland's system for purchase of water during periods of peak use.

MEMORANDUM FROM PLANNING COMMISSION RE PIONEER CEMETERY

Planning Commission, in memo dated April 29, recommends approval of requested annexation of Pioneer Cemetery. It was Council consensus for staff to proceed with necessary steps.

PAYMENT OF BILLS

It was MOVED by Burgess, SECONDED by Hutchison, that the bills listed for May 2, 1977 payment be approved for payment. MOTION CARRIED unanimously and so ordered.

The meeting adjourned at 9:50 p.m.

Bill Hupp

Bill Hupp, Mayor

ATTEST:

Dorothy E. Farrell

Dorothy E. Farrell, Secretary

CITY OF MILWAUKIE
BILLS PAYABLE ON MAY 2, 1977

	VENDOR	TOTAL	DEPT.	AMOUNT
1.	A & A Welders Supply	19.55	4-	19.55
2.	Act 1 Uniform Service	37.81	1-3	8.50
			1-4	18.41
			1-5	2.65
			1-6	8.25
3.	American Management Assoc.	20.00	1-2	20.00
4.	American Public Works Assoc.	100.00	1-10	100.00
5.	Arvey Paper	321.50	1-13	321.50
6.	Baker & Taylor	681.80	1-6	681.80
7.	John Bassett	175.00	1-8	175.00
8.	Bruce Bischof	486.93	1-1	486.93
9.	Boise Cascade	383.77	1-2	3.26
			1-4	282.87
			1-5	8.08
			1-13	6.80
			13-00	82.76
10.	Joyce Boles	8.89	1-2	8.89
11.	Bound to Stay Bound Books	129.13	1-6	129.13
12.	Brodart	193.10	1-6	193.10
13.	Business Equipment Bureau	3.36	1-6	3.36
14.	Cal Gas-Portland	40.00	1-7	40.00
15.	Sondra Caputo	7.00	1-9	7.00
16.	Care Custodians	350.00	1-3	350.00
17.	Central Distributors	31.20	1-5	31.20
18.	Cessco, Inc.	32.58	1-4	32.58
19.	James Chaffee	147.00	1-14	147.00
20.	Charlie Helwig	139.90	1-8	139.90
21.	Chrystalship Records	197.60	1-6	197.60
22.	Clack. Co. Fire Dist. #1	2,140.79	1-4	2,140.79
23.	Clack. Co. Serv. Dist. #1	17,555.90	1-7	27.00
			20-	17,528.90
24.	Columbia Battery Mfg.	36.00	1-4	36.00
25.	Consolidated Supply	21.58	1-00	21.58
26.	DSG, Inc.	7.95	1-5	7.95
27.	Electromatic	161.33	1-4	93.83
			1-5	67.50
28.	Fred Meyer	105.84	1-13	105.84
29.	Mrs. Olga Freeman	4.00	1-6	4.00
30.	G. I. Joes	360.16	1-5	360.16
31.	Kenneth M. Gerstein	100.00	1-8	100.00
32.	Al Jones	68.70	1-4	68.70
33.	Kids, Inc.	300.00	1-7	300.00
34.	Lanson/Tremaine	43.58	1-6	43.58
35.	Lewis Electrical Cont.	3,250.00	12-	3,250.00
36.	J. Gary McClain	70.00	1-8	70.00

CITY OF MILWAUKIE
BILLS PAYABLE ON MAY 2, 1977 (cont.)

	VENDOR	TOTAL	DEPT.	AMOUNT
37.	McClure Plastics Co.	12.00	1-4	12.00
38.	McGraw-Hill Info. Systems	335.00	1-1	335.00
39.	Milwaukie Family Prac. Group	40.00	1-14	40.00
40.	Moore Business Forms	214.50	1-13	214.50
41.	Nat. Assoc. of Housing & Redevelopment Officials	25.00	13-	25.00
42.	Nepom and Rose	175.00	1-8	175.00
43.	Northwest Natural Gas.	167.75	1-6	167.75
44.	Don Oblander	60.00	1-13	60.00
45.	Pacific Northwest Bell	333.99	1-4	280.00
			1-7	53.99
46.	Pal's Shanty	33.25	1-1	33.25
47.	Paulsen and Roles	100.00	1-7	100.00
48.	Payline Northwest	150.65	1-7	5.93
			4-	97.24
			30-	47.48
49.	Political Research, Inc.	133.00	1-6	133.00
50.	City of Portland	1,589.23	1-00	55.40
			1-3	7.50
			1-4	370.66
			1-5	105.22
			1-6	75.06
			4-	906.58
			20-	31.74
			30-	37.07
51.	Radio Shack	1.99	1-5	1.99
52.	Review	4.40	1-1	4.40
53.	Paul Richards	675.00	13-	675.00
54.	Rite-Away Service	18.50	1-2	18.50
55.	Robben Oil Co.	311.54	1-00	62.46
			1-4	249.08
56.	Rub-A-Dub Car Washes	47.75	1-5	47.75
57.	Harold Schilling	13.50	1-2	13.50
58.	Spring Creek Apartments	56.00	1-5	56.00
59.	Subpoena Fees	30.00	1-8	30.00
60.	T & R Excavating	325.00	20-	325.00
61.	Union Oil Co.	127.30	4-	127.30
62.	U.S. Postmaster	1,500.00	1-2	170.00
			1-5	300.00
			1-6	200.00
			1-8	300.00
			1-9	200.00
			1-13	230.00
			1-14	100.00
63.	Cecil W. Voreis	600.00	12-	100.00
			20-	500.00
64.	Water Metrics	14.19	30-	14.19

CITY OF MILWAUKIE
BILLS PAYABEL ON MAY 2, 1977 (cont.)

	VENDOR	TOTAL	DEPT.	AMOUNT
65.	Waterworks Supplies	33.12	30-	33.12
66.	West Chemical Products	22.50	1-3	22.50
67.	Western States Fire Appar.	234.12	1-4	234.12
68.	Clifford White	115.71	1-14	115.71
69.	Wichita Equipment Co.	9.10	1-10	9.10
70.	Wilco Fire Equipment	18.85	1-4	18.85
71.	H.W. Wilson Co.	133.00	1-6	133.00
72.	Xerox	601.48	1-5	128.51
			1-13	472.97
73.	Zellerbach Paper Co.	223.24	1-13	223.24
				$36,217.61

1-00	GENERAL FUND	$139.44
1-1	GENERAL GOVERNMENT	859.58
1-2	ADMINISTRATION	234.15
1-3	CITY HALL	388.50
1-4	FIRE	3,837.89
1-5	POLICE	1,117.01
1-6	LIBRARY	1,969.63
1-7	PARKS AND GROUNDS	526.92
1-8	MUNICIPAL COURT	989.90
1-9	PLANNING	207.00
1-10	PUBLIC WORKS	109.10
1-13	FINANCE	1,634.85
1-14	CIVIL SERVICE	402.71
4-	STREET	1,150.67
12-	REVENUE SHARING	3,350.00
13-	COMMUNITY DEVELOPMENT	782.76
20-	SEWER	18,385.64
30-	WATER	131.86