

CITY COUNCIL MEETING
November 21, 1977
7 p.m.

COUNCIL CHAMBERS

1302nd Meeting

The one thousand three hundred second meeting of the Council of the City of Milwaukie, Oregon, was held on the 21st day of November, 1977, with the following councilpersons present:

Allen Manuel

Jerry N. Hutchison

Joy Burgess

Mayor Bill E. Hupp

Absent: Charles E. Swan (excused)

Also present:

Harold L. Schilling, City Mgr.

Myer Avedovech, City Att'y

Paul Richards, Comm. Dev. Direct.

Dorothy E. Farrell, Sec'y

The invocation was given by the Reverend Howard E. Harmon, Clackamas Park Friends Church, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - November 7, 1977 Council meeting
 - b) Letter from Governor regarding Vietnam Veterans Employment Week
 - c) Report on reduced sewer rates
 - d) Consideration of Water Resources Study
 - e) State library grant applications
 - f) Memorandum regarding 75th Anniversary Committee
 - g) Letter from Division of State Lands and City Manager's response
 - h) Resignation letter from Parks and Recreation Commission
 - i) Three year report - Community Development Block Grant Program
- It was MOVED by Hutchison, SECONDED by Burgess, to adopt the Consent Calendar. Hutchison said he had questions on items e and g, and Burgess said she had questions on items b, c, f and h.
- b) Governor has written letter, dated October 25, proclaiming week of November 6 as "Vietnam Veterans Employment Week." Mrs. Burgess asked questions about city's recruitment process.
 - c) Finance Director has written report, dated November 2, on status of reduced sewer rates. Mrs. Burgess suggested more publicity would be helpful in getting more people to apply for the program.
 - d) Portland-Vancouver Metropolitan Area Water Resources Study is being conducted by the Portland District Corps of Engineers, and they have sent their November newsletter.
 - e) David Nemo, Acting Librarian, has sent copies of three grant applications for State Library funds. Mrs. Burgess commented she was pleased to see the applications being made.
 - f) Neighborhood Council Coordinator has reported on progress of 75th Anniversary Committee. Mrs. Burgess said a representative from Omark for the committee has been obtained.
 - g) Division of State Lands has sent letter, dated November 8, concerning Waterlands Lease ML-0379-S. Hutchison asked for follow-up information on the city's rights and responsibilities.
 - h) Betty Haglan, in letter dated November 16, has resigned from Parks and Recreation Commission. Mrs. Burgess asked that the city extend thanks.
 - i) Housing and Community Development Director, in memorandum dated November 17, has reported on three years of CDBG Program funding.

FORMATION OF URBAN COUNTY

Housing and Community Development Director has written memo, dated November 17, concerning formation of urban county. Jono Hildner, Administrator of Clackamas County Department of Human Resources, discussed the program.

It was MOVED by Burgess, SECONDED by Hupp, that the Council authorize the Mayor to sign the Agreement for Intergovernmental Cooperation for formation of an urban county for applying for HUD Block Grant funds. MOTION CARRIED unanimously by those present. Councilman Manuel was appointed the city's representative to the policy committee.

AUDIENCE PARTICIPATION

Denton Kent, new CRAG Director, formally introduced himself.

NEIGHBORHOOD COUNCIL REPORTS

All five Neighborhood Council have presented their annual reports.

CORRESPONDENCE

Congressman Ullman has written Mayor, dated November 8, concerning providing low-income utility customers reduced sewer rates.

POLICE RESERVE UNIFORM COSTS

Manager has sent report, dated November 17, on Police Reserve Officer uniform costs, including cost of leather items.

It was MOVED by Burgess, SECONDED by Manuel, to add \$1820 to the \$1500 already budgeted in Fiscal Assistance Funds, giving a total of \$3320 for 20 uniforms during this budget year to provide the five basic items per reserve. MOTION FAILED TO PASS with the following roll-call vote: AYES: Burgess. NOES: Hutchison, Manuel and Hupp.

Staff was asked to question the reserves as to whether or not they would like some financial support, and if so, what kind of support.

SALARY OF MUNICIPAL JUDGE

Finance Director has written memo, dated November 15, on salary of Municipal Judge.

It was MOVED by Burgess, SECONDED by Manuel, that Judge Morgan be granted a 5% increase in the amount of \$650 for the budget year. After discussion of whether 5% would be exactly \$650, Mrs. Burgess withdrew the reference to 5%, and MOTION CARRIED unanimously by those present.

(Meeting recessed at 8:20 p.m., reconvened at 8:30 p.m. with all present.)

MEMO FROM GREATER MILWAUKIE COMMUNITY CENTER COMMITTEE RE CHARACTER OF CENTER

Committee has written memo, dated November 18, and presented another memo, dated November 21, saying the committee feels a center should be limited to adults. It was Council request that the memos be sent to the Senior Citizen Advisory Committee for their comment.

ASSESSMENT OF FEASIBILITY OF ASSEMBLY OF GOD CHURCH FOR COMMUNITY/
SENIOR CENTER

Manager reported it has not been possible for any city staff member to make an assessment of the church building for use as a senior/community center, but possibly it can be done before the next meeting. There was discussion of when money would be available under the urban county designation for Community Development Block Grants. Consensus was it would probably be between September and November of 1978.

ORDINANCE NUMBER 1377 - AMENDING NUISANCE ORDINANCE

It was MOVED by Burgess, SECONDED by Hutchison, to read Ordinance Number 1377 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1028 BY ADDING NEW SECTIONS AND DECLARING AN EMERGENCY) the second time by title only. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Burgess, and Manuel. NOES: Hupp. It was MOVED by Hutchison, SECONDED by Burgess, to adopt Ordinance 1377. Ordinance 1377 was put on its passage with the following roll-call vote: AYES: Hutchison, Burgess and Manuel. NOES: Hupp. Ordinance 1377 passed the Council and was so declared by the Mayor.

MACOMBER SIGN APPEAL

Council has received staff report on appeal of Howard E. Macomber, 13033 SE Rusk Road, against Design Review Board's request for different design for sign at real estate office at the above address. Planning Director gave verbal staff report.

It was MOVED by Hupp, SECONDED by Burgess that the appeal be granted to the modified sign including reduction in illumination. MOTION FAILED TO PASS with the following roll-call vote: AYES: Burgess and Hupp. NOES: Hutchison and Manuel.

It was MOVED by Manuel, SECONDED by Hutchison, to remand this matter to a joint session of Design Review Board and Planning Commission with the following instructions: that they, as a single body, consider both the implications of Milwaukie sign ordinance and the guidelines and directives of the Design Review Board, at a single session, and arrive at the decision on what the joint body will allow Mr. Macomber to erect at that premises and that location for a sign. MOTION FAILED TO PASS with the following roll-call vote: AYES: Hutchison and Manuel. NOES: Burgess and Hupp.

It was MOVED by Hupp, SECONDED by Burgess, that the deliberations of the Council be referred back to the Design Review Board, who would review again their conditions, which would be made available as recommendations to the Planning Commission, and we can do this in joint session, and that the Planning Commission would then act on the variance and conditional use including design considerations. MOTION CARRIED unanimously by those present. Staff was asked to prepare a transcript of the discussion of the Council.

CONTRACT WITH EUGENE REESE FOR EXTENDED PAYMENTS

Mr. Reese previously requested extended payments for sewer connection fees for his residence. Council granted his request at the last meeting, but requested the proposed contract be presented for their approval. It was MOVED by Burgess, SECONDED by Hupp, to authorize the Finance Director to sign the contract, with the

interest rate to be 7%. MOTION CARRIED unanimously by those present.

A-77-3 - REQUEST FOR ANNEXATION (HANNON)

Victor and Dixie Hannon, 9505 SE 55th (SW corner of 55th and Firwood), have petitioned for annexation. This annexation had previously gone to the Boundary Review Commission, under a different name, but since the petitioner at that time was not the owner of record, the procedure must be started again. It was MOVED by Burgess, SECONDED by Manuel, to refer the petition to the Planning Commission. MOTION CARRIED unanimously by those present.

RESOLUTION NUMBER 56-1977 - SUPPORTING DANFORTH AMENDMENT

The Danforth Amendment now before the United States Senate would give cities a 10% rebate of Social Security contributions. It was MOVED by Burgess, SECONDED by Manuel, to read Resolution Number 56-1977 (A RESOLUTION SUPPORTING THE DANFORTH AMENDMENT IN THE U.S. SENATE FOR A TEN PERCENT ACROSS THE BOARD REBATE OF SOCIAL SECURITY CONTRIBUTIONS TO CITIES) by title only. MOTION CARRIED unanimously by those present. It was MOVED by Hutchison, SECONDED by Hupp, to adopt Resolution 56-1977. MOTION CARRIED unanimously by those present.

BODY ARMOR PURCHASE RECOMMENDATION

Acting Police Chief has written memo, dated November 8, recommending that the city purchase body armor from Armour of America-Setronics, at a cost of \$2496 for 24 vests, even though it is not the low bid. It was MOVED by Hupp, SECONDED by Hutchison, to approve the recommendation, based on the reasons set forth in the staff recommendation. MOTION CARRIED unanimously by those present.

RESOLUTION NUMBER 57-1977 - PRINT SHOP COORDINATOR SALARY

It was MOVED by Hutchison, SECONDED by Burgess, to read Resolution Number 57-1977 (A RESOLUTION AMENDING RESOLUTION NUMBER 43-1976 CREATING POSITIONS AND SETTING SALARY RANGES) by title only. MOTION CARRIED unanimously by those present. It was MOVED by Burgess, SECONDED by Hupp, to adopt Resolution 57-1977. MOTION CARRIED unanimously by those present.

MEMORANDUM REGARDING FIRST DECEMBER MEETING

There will be a conflict on the regularly-scheduled first December meeting, caused by attendance of some Councilmembers at the National League of Cities conference. It was decided to cancel the first meeting, and hold the next regular meeting on December 19.

AMENDMENT TO SIGN ORDINANCE

It was MOVED by Hutchison, SECONDED by Hupp, to set this matter over to the next meeting. MOTION CARRIED unanimously by those present.

REPORT FROM PLANNING COMMISSION ON MORATORIUM

Planning Commission has sent report, dated November 16, on proposed ordinance amendment which would declare a moratorium on residential construction in commercial zones until completion of Comprehensive Plan revision.

RESOLUTION NUMBER 58-1977 - ORDINANCE - BUSINESS LICENSE AND BUSINESS TAX REVISIONS

It was MOVED by Burgess, SECONDED by Hutchison, to read Resolution Number 58-1977 (A RESOLUTION REPEALING RESOLUTION NUMBER 40-1976, ESTABLISHING BUSINESS TAXES UNDER ORDINANCE NUMBER 1349, AND ESTABLISHING CRITERIA FOR DETERMINATION OF SIZE OF BUSINESS) by title only. MOTION CARRIED unanimously by those present. It was MOVED by Burgess, SECONDED by Hutchison, to adopt Resolution 58-1977. MOTION CARRIED unanimously by those present. It was Council consensus to set over consideration of the ordinance amending the business tax and business license ordinances to the next meeting.

SHORT FORM COMPLAINT ORDINANCE

It was MOVED by Burgess, SECONDED by Hutchison, to read (AN ORDINANCE AMENDING ORDINANCE NUMBER 1349, AN ORDINANCE IMPOSING A BUSINESS TAX, AND ORDINANCE NUMBER 1350, AN ORDINANCE REGULATING AND LICENSING BUSINESSES, PROFESSIONS, OCCUPATIONS AND RENTAL PROPERTIES) the first time by title only. MOTION CARRIED unanimously by those present. The ordinance will be read the second time at the next meeting.

RESOLUTION NUMBER 59-1977 - ONE-WAY COUPLET IN ISLAND STATION

Council has received correspondence from Bailey Tool, 11918 SE 22nd Avenue, and D. Ranney Munro Investment Co., P.O. Box 495, Lake Oswego, concerning this resolution. It was MOVED by Hutchison, SECONDED by Manuel, to read Resolution Number 59-1977 (A RESOLUTION DESIGNATING PORTIONS OF SE SPARROW STREET; SE BLUEBIRD STREET; SE 22ND AVENUE AND RIVER ROAD TO BE ONE-WAY COUPLETS WITHIN THE CITY OF MILWAUKIE, COUNTY OF CLACKAMAS, STATE OF OREGON, TO BECOME EFFECTIVE UPON THE COMPLETION OF CONTEMPLATED PROJECT FEDERAL AID URBAN ROUTE 96-71) by title only. MOTION CARRIED unanimously by those present. It was MOVED by Hutchison, SECONDED by Hupp, to adopt Resolution 59-1977. MOTION CARRIED unanimously by those present.

DESIGN REVIEW BOARD APPOINTMENT

It was MOVED by Manuel, SECONDED by Hutchison, that Jim Hensley be temporarily reappointed to the Design Review Board beginning November 1, 1977. MOTION CARRIED unanimously by those present. Mr. Hensley's appointment expired that date, he does not wish to be reappointed to a new term, but will continue serving until a replacement is found.

GROWTH MANAGEMENT STRATEGY

Council has received copy of Work Program for Growth Management Strategy, prepared by the Clackamas County Growth Management Task Force. It was Council consensus that at the next meeting a date will be set for a work session on the subject.

OTHER BUSINESS

1. Manager reminded Council that Monday, November 28 is city Government Day.
2. Friday, December 2, is the employee awards banquet date.
3. It was Council consensus that an indication of support be given to Paul Richards, in view of the city's action to become part of the urban county concept for applying for Community Development

City Council Meeting

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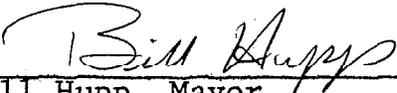
Block Grant funds. It was MOVED by Manuel, SECONDED by Burgess, to appoint Paul Richards as alternate to Allen Manuel to the urban county committee. MOTION CARRIED unanimously by those present.

It was MOVED by Burgess, SECONDED by Hutchison, to extend the meeting for an additional three minutes. MOTION CARRIED unanimously by those present.

PAYMENT OF BILLS

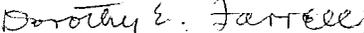
It was MOVED by Hutchison, SECONDED by Hupp, that the bills listed for November 21 payment be approved for payment. MOTION CARRIED unanimously by those present.

The meeting adjourned at 11:35 p.m.



Bill Hupp, Mayor

ATTEST:



Dorothy E. Farrell, Secretary

CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 19th, 1977

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
1. A.C. Distributing	40.80	4-	40.80
2. Act 1 Uniform Service	29.71	1-3	8.50
		1-4	10.31
		1-5	2.65
		1-6	8.25
3. Allen's Press Clipping Bureau	17.50	1-2	17.50
4. Andrew Heating	166.50	1-4	67.50
		1-6	99.00
5. Baker and Taylor	122.73	1-6	122.73
6. Balzer Pacific Eqpt.	17.07	4-	17.07
7. Bernie's Upholstery	9.00	1-4	9.00
8. Bruce Bischof	483.33	1-1	483.33
9. Boise Cascade	301.58	1-2	14.84
		1-5	79.05
		1-6	71.55
		1-8	2.51
		1-9	4.97
		1-10	5.88
		1-13	122.78
10. Brooks Products	177.00	30-	177.00
11. Business Machines	50.00	1-13	50.00
12. Cantel, Inc.	297.00	4-	297.00
13. Cessco, Inc.	87.23	4-	87.23
14. Clackamas County	24.18	1-8	24.18
15. Juli Clark	11.70	1-15	11.70
16. Jim Clay	72.00	1-5	72.00
17. Coalition of Social Services	8,500.00	12-	8,500.00
18. Columbia Hydraulic Service	5.87	4-	5.87
19. E.S. Constant	72.17	4-	72.17
20. Copeland Lumber Yards	153.60	1-10	153.60
21. Cornell Mfg.	23.00	20-	23.00
22. D.S.G., Inc.	13.95	1-5	13.95
23. Dick's Concrete Service	2,271.00	12-	2,271.00
24. Division of State Lands	295.80	1-7	295.80
25. Dwyer Memorial Hospital	36.00	1-14	36.00
26. Elks Club	405.00	1-16	405.00
27. Far West Federal	126.25	13-	126.25
28. Marianne Fellner Design	205.60	1-1	205.60
29. Fire Dept. Personnel Reporter	27.00	1-4	27.00
30. Fowler Mfg.	745.80	20-	745.80
31. Francis Ford	62.37	4-	62.37
32. Gaylord Bros., Inc.	5.95	1-6	5.95
33. General Binding Sales Corp	75.50	1-2	75.50
34. Dan Gibbs Signs	795.00	11-	795.00
35. Hearne Bros.	131.00	1-4	131.00
36. Horton Elec.	26.00	1-7	26.00
37. Interior Space Design	264.10	12-	264.10
38. IBM	153.25	1-1	153.25
39. Jury Fees	141.25	1-8	141.25
40. K & R Plumbing	6,066.45	13-	6,066.45

CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 19th, 1977 (cont.)

VENDOR	TOTAL	DEPT.	AMOUNT
41. Lavelle Landfill	161.64	4-	161.64
42. Layton Sales and Supply	331.01	4-	331.01
43. Burt Lindsay Photography	24.85	1-5	24.85
44. Little, Brown & Co.	6.36	1-12	6.36
45. Main Street Cleaners	287.40	1-4	47.60
		1-5	239.80
46. Janet Mandaville	8.98	1-15	8.98
47. Mannings Radio and Television	7.50	1-5	7.50
48. City of Milw. Petty Cash	141.22	1-2	6.00
		1-3	24.40
		1-4	31.87
		1-5	18.63
		1-6	8.46
		1-7	2.34
		1-8	8.84
		1-10	19.70
		1-12	10.34
		1-13	1.50
		1-15	5.50
		4-	3.64
49. Milw. Family Prac. Group	255.00	1-4	51.00
		1-14	204.00
50. Milw. Plumbing	7.00	1-7	7.00
51. Milw. Printing	15.95	1-15	15.95
52. Milw. Tour and Travel	414.00	13-	414.00
53. Jim Mishler	28.10	1-10	28.10
54. Mobil Oil	1,149.25	1-00	1,149.25
55. Multigraphics	144.92	1-13	144.92
56. Nat. Fire Prot. Assoc.	72.00	1-4	72.00
57. New York Public Library	3.50	1-6	3.50
58. Northwest Law Enforcement Equipment	265.34	1-5	265.34
59. Northwest Natural Gas	36.29	4-	21.13
		30-	15.16
60. Nudelman Bros.	292.80	1-4	292.80
61. Office of Sec. of State	36.00	1-12	36.00
62. Oregon Blueprint	42.00	1-5	42.00
63. Oregon City Laundry	79.46	1-4	79.46
64. Oregon Fire Chiefs Assoc.	4.00	1-4	4.00
65. Oregonian Publishing Co.	11.34	1-14	11.34
66. PM Printing	123.50	1-15	123.50
67. Pac. Coast Ind. Laundry	191.50	4-	63.84
		20-	63.83
		30-	63.83
68. Pacific Diesel Power	24,825.00	12-	24,825.00
69. Pac. Northwest Bell	1,803.76	1-00	7.72
		1-3	663.43
		1-4	469.25
		1-5	459.90
		1-6	89.18
		4-	9.00
		13-	100.88
		30-	4.40

CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 19th, 1977 (cont.)

VENDOR	TOTAL	DEPT.	AMOUNT
70. Payline Northwest Co.	14.10	4-	14.10
71. Pipeline Products	2,534.02	12-	1,269.00
		30-	1,265.02
72. Pixler Auto Parts	298.16	4-	298.16
73. Plush Pippin	12.30	1-14	12.30
74. PGE	9,103.15	1-1	9,103.15
75. Portland Observer	7.50	1-2	7.50
76. Portland Road and Driveway	329.03	6-	329.03
77. Progress Electronics	9.60	4-	9.60
78. Review	172.15	1-1	44.15
		1-4	35.00
		1-14	5.50
		1-15	87.50
79. Paul J. Richards	843.00	13-	843.00
80. Safety Kleen Corp.	24.50	4-	24.50
81. Sanderson Safety	80.45	1-4	80.45
82. Seattle Post Intelligencer	11.84	1-14	11.84
83. State Treasurer	52.00	1-1	52.00
84. Stevens Thompson & Runyan	8,299.73	13-	8,299.73
85. Frank Strange	135.00	1-14	135.00
86. William Sugahird	50.00	1-8	50.00
87. Traffic Safety Supply	131.76	1-4	109.16
		1-10	12.00
		4-	10.60
88. Trailer Eqpt.	49.94	1-7	49.94
89. Transp. Planning & Mgmt.	4,497.28	4-	4,497.28
90. Ward Harris	1,747.38	11-	1,747.38
91. Water Metrics	109.80	30-	109.80
92. Waterworks Supplies	2,575.91	30-	2,575.91
93. Wes Notz Exc.	10,649.60	12-	10,649.60
94. Western City Magazine	36.00	1-14	36.00
95. Western Pacific Const.	967.35	12-	967.35
96. Wichita Feed & Hardware	80.08	1-4	15.10
		1-7	4.50
		1-10	45.60
		4-	14.88
97. Wilco Fire	197.91	1-4	197.91
98. Wilcox Printery	42.50	1-4	25.00
		1-9	7.00
		1-16	10.50
99. Willamette Week	18.00	1-2	18.00
100. Xerox	220.10	1-13	220.10
			<u>\$96,579.05</u>

CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 19th, 1977 (cont.)

1-00	GENERAL FUND	\$1,156.97
1-1	GENERAL GOVERNMENT	10,041.48
1-2	ADMINISTRATION	139.34
1-3	CITY HALL	696.33
1-4	FIRE	1,755.41
1-5	POLICE	1,225.67
1-6	LIBRARY	408.62
1-7	PARKS AND GROUNDS	385.58
1-8	MUNICIPAL COURT	226.78
1-9	PLANNING	11.97
1-10	PUBLIC WORKS	264.88
1-12	LEGAL	52.70
1-13	FINANCE	539.30
1-14	CIVIL SERVICE	451.98
1-15	NEIGHBORHOOD COUNCILS	253.13
1-16	CITY COUNCIL	415.50
4-	STREET	6,041.89
6-	STREET IMPROVEMENT	329.03
11-	FISCAL ASSISTANCE	2,542.38
12-	REVENUE SHARING	48,746.05
13-	COMMUNITY DEVELOPMENT	15,850.31
20-	SEWER	832.63
30-	WATER	4,211.12