

## CITY COUNCIL MINUTES

June 5, 1978

7 p.m.

COUNCIL CHAMBERS1314th Meeting

The one thousand three hundred fourteenth meeting of the Council of the City of Milwaukie, Oregon, was held on the 5th day of June, 1978, with the following councilpersons present:

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

Also present:

Harold L. Schilling, City Mgr.	Cyrus Nims, Planning Dir.
Donald Oblander, Finance Dir.	Myer Avedovech, City Att'y
Steven Hall, P.W. Director	Dorothy E. Farrell, Sec'y

The invocation was given by the Reverend Noel E. Ravan, Milwaukie First Assembly of God, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - May 15 and 22, 1978 meetings
- b) Liquor license application - Laws Monroe Street Market (new owner)
- c) Planning Commission minutes of 5/9/78 meeting
- d) Application for appointment to Neighborhood Council
- e) Letter from Parks & Recreation Branch D.O.T. re Greenway funds
- f) Letter from Highway Division re trees and crosswalks
- g) LEAA grant status
- h) Thank you letter from Jim Schuld

It was MOVED by Burgess, SECONDED by Manuel, to accept the Consent Calendar. Burgess requested items c and g removed for discussion.

- b) Police Department finds no reason to deny issuance of package store liquor license for new owner of Laws Monroe Street Market, 5010 SE Monroe.
- c) Council has received copy of minutes of Planning Commission special meeting on May 9, at which there was discussion concerning Planning Commission-Council relations. It was MOVED by Burgess, SECONDED by Swan, that City Council meet with Planning Commission at a dinner meeting at 6:30 p.m. June 28. MOTION CARRIED unanimously.
- d) Paul Gleason, 12111 SE River Road, has applied for appointment to Neighborhood Council.
- e) Parks and Recreation Branch, State Department of Transportation, has sent letter, dated May 26, concerning funds for land acquisition in the Greenway.
- f) State Highway Division, in letter dated May 30, acknowledges city's May 19 letter regarding city concerns for sequoia trees and elevated crosswalks on McLoughlin.
- g) Housing and Community Development Director, in memo dated June 1, reports on LEAA grant status for Police Department. Burgess asked questions about the grant.
- h) James Schuld, 5603 SE Aldercrest Road, has written letter dated May 24, concerning meeting held May 22 on North Clackamas Park.

On the motion to accept, MOTION CARRIED unanimously.

AUDIENCE PARTICIPATION

Singing Bluebirds (Campfire) group presented donation of \$25.43

raised by selling candy, to be used for development of Water Tower Park.

PHILOSOPHY OF SITE SELECTION - SENIOR MULTI-PURPOSE COMMUNITY CENTER

Mayor read Council's policy statement on philosophy of site selection for Senior Multi-purpose Community Center. It was MOVED by Manuel, SECONDED by Hupp, to adopt the policy statement on philosophy of site selection, as delineated in agenda item 9e. MOTION CARRIED unanimously.

DECISION ON BASKETBALL HOOPS

Owners of basketball hoops and neighborhood councils, as well as other city advisory bodies, were notified that the Council would make a decision on allowing basketball hoops in the public right-of-way at this meeting.

Letter received opposing basketball hoops:

Richard and Onda Polier, 8625 SE 30th

Speaking in favor:

George Buckley, 8605 SE 30th

Ron Peterson, 11105 SE Wood

Gary Nebergall, 8626 SE 30th

Kim Shuell, 8635 SE 30th

James Miller, 8615 SE 30th

Speaking against:

Ross Fulmore, 4026 King Road

Richard Polier, 8625 SE 30th

It was MOVED by Hutchison, SECONDED by Manuel, to establish a policy of allowing basketball hoops in the public right-of-way on local streets, details to be worked out later. MOTION PASSED with the following roll-call vote: AYES: Hutchison, Swan and Manuel. NOES: Hupp and Burgess. It was Council consensus that people in the audience be asked to leave their names if interested in serving on a committee to propose rules and conditions for basketball hoops.

PRESENTATION OF ROADWAY AND TRAFFIC SAFETY MANAGEMENT PLAN

Leonard Schoolcraft, Transportation Planning and Management, Inc., presented the city's Roadway and Traffic Safety Management Plan.

NEIGHBORHOOD COUNCIL REPORTS

1. Dave Bukovi reported on Neighborhood Council No. 3's Bike Safety Clinic.
2. Neighborhood Council No. 1 has sent memorandum, dated May 16, concerning broken and overgrown sidewalks. Manager explained that sidewalk repair is the responsibility of the property owner, but if the property owner fails to take corrective measures, the only option is for the city to have the work done and place a lien on the property. Since the only time the lien would be paid is when the property is sold, this has a budgetary impact, and there is no fund for this expense. Staff was asked for an estimate of manpower and dollars needed to take care of the situation, and any other options the city has. Mayor mentioned overhanging shrubs on Harrison between the entrance to the Police station and the next intersection.
3. Neighborhood Council No. 1 has sent memorandum, dated June 1, concerning resignation and appointment recommendation. It was

MOVED by Burgess, SECONDED by Hupp, to accept Walter Huber's verbal resignation, and send him a certificate and letter of appreciation. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hupp, that Paul Gleason be appointed to fill the vacancy. MOTION CARRIED unanimously.

PUBLIC HEARING ON SUPPLEMENTAL BUDGET - RESOLUTION NUMBER 15-1978

Public hearing was declared open at 9:30 p.m. No one appeared to speak on the proposed supplemental budget, and no correspondence has been received. Public hearing was declared closed. It was MOVED by Hutchison, SECONDED by Swan, to read Resolution Number 15-1978 (A RESOLUTION ADOPTING A 1977-78 SUPPLEMENTAL BUDGET AND MAKING APPROPRIATIONS) by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Swan, to adopt Resolution 15-1978. MOTION CARRIED unanimously.

CORRESPONDENCE

Letter has been received from J. B. Carpenter, 4116 SE Harrison Street, concerning traffic on Harrison Street. The letter was referred to the Traffic Safety Commission, and a letter will be written to Mr. Carpenter.

MEMO RE DRY WELL ON PROPERTY ADJACENT TO BRANDT RESIDENCE

Public Works Department has written memo, dated May 16, concerning dry well at 9405 SE 55th, which was discussed by Marlene Brandt, 9903 SE 49th, at the Council meeting on March 20.

RESOLUTION NUMBER 16-1978 - ESTABLISHING PERSONNEL STUDY COMMITTEE

It was MOVED by Burgess, SECONDED by Swan, that Resolution Number 16-1978 (A RESOLUTION BY THE CITY COUNCIL ESTABLISHING AN AD HOC ADVISORY COMMITTEE TO REVIEW THE CIVIL SERVICE SECTION OF THE CITY CHARTER, STUDY ALTERNATIVE PERSONNEL SYSTEMS, AND DESIGN A PRACTICAL PERSONNEL SYSTEM FOR THE CITY) be read by title only. MOTION CARRIED unanimously.

APPOINTMENTS TO PERSONNEL STUDY COMMITTEE

It was MOVED by Hupp, SECONDED by Burgess, to appoint Richard Bauer, Personnel Director of Ford Industries, as the seventh member of the Personnel Study Committee. MOTION CARRIED unanimously. Letter has been received from James Backenstos, Clackamas County Labor Council, dated May 10, requesting appointment of a member of the Labor Council to the committee. A letter will be written notifying the group that a representative of labor has already been appointed.

LETTER FROM OAK LODGE SANITARY DISTRICT

Council has received copy of letter from Oak Lodge Sanitary District to Mrs. Burgess. City has previously sent a letter to CRAG supporting Oak Lodge's position that the management of each jurisdiction should be left to local control. Staff was asked to send another letter to CRAG expressing the same opinion.

RESIGNATION FROM BUDGET COMMITTEE

It was MOVED by Hupp, SECONDED by Swan, to accept the resignation

of Joe Bernard from the Budget Committee, and express appreciation of his willingness to continue on the Civil Service Commission. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hupp, to appoint Bob Ewald to the Budget Committee. After discussion, the motion was withdrawn, and staff was asked to get names suggested appointees from Neighborhood Councils.

#### REPORT ON KIOSK PROJECT

Manager reported on progress of the kiosk project.

#### EDA PROJECT PRIORITIES

Housing and Community Development Director has written memo, dated May 30, concerning projects for possible EDA funding. It was MOVED by Hupp, SECONDED by Swan, that the projects be prioritized as follows:

- 1 - Park acquisition and development,
- 2 - Industrial park development,
- 3 - Waterfront development,
- 4 - Industrial development improvement,
- 5 - Storm drain improvement,
- 6 - Land acquisition and improvement,
- 7 - Downtown redevelopment-revitalization.

MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Swan and Hupp. NOES: Burgess and Manuel.

It was MOVED by Swan, SECONDED by Burgess, to request the Technical Assistance Grants as listed, adding as the fourth a space needs study. MOTION CARRIED unanimously.

#### NORTH CLACKAMAS BALL DIAMOND BID

It was MOVED by Hutchison, SECONDED by Manuel, to approve the bid on the North Clackamas Ball Diamond, as explained in memo from Public Works Director dated May 24. MOTION CARRIED unanimously.

#### ORDINANCE NUMBER 1396 - AMENDING ZONING ORDINANCE RE FLAG LOTS

It was MOVED by Burgess, SECONDED by Hutchison, to read Ordinance Number 1396 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1316 AS AMENDED, RELATING TO STREET ACCESS REQUIREMENTS FOR DIFFERENT ZONES; REQUIRING OFF-STREET PARKING FOR FLAG LOTS; EXCLUDING ACCESS DRIVE AND TURN AROUND FROM MINIMUM AREA OF A BUILDABLE LOT) the first time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hutchison, to read Ordinance 1396 the second time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hutchison, to adopt Ordinance 1396. Ordinance 1396 was put on its passage with the following roll-call vote: AYES: Hutchison, Swan, Hupp, Burgess and Manuel. NOES: None. Ordinance 1396 passed the Council and was so declared by the Mayor.

#### RESERVOIR BID AWARD

Public Works Director and City Manager recommend awarding bid on LPW-EDA project No. 07-51-23551, 3 million gallon reservoir, to the low bidder. It was MOVED by Hutchison, SECONDED by Swan, to award the bid, as recommended, to Weil Contracting Services, Inc., in the amount of \$324,136.16. MOTION CARRIED unanimously.

PROCLAMATION - ROSE GARDEN CONTEST

Mayor read proclamation concerning rose garden contest within the city, sponsored by Royal Rosarians. It was decided presentation of the trophy to the winner will be at the next regular Council meeting.

ANNEXATION PETITION - CHELSEA STREET AT FREEMAN ROAD (TROTTERS)

It was MOVED by Hutchison, SECONDED by Swan, to refer the annexation petition from Jack and Catherine Trotters, 3025 SE 18th, Portland, for property at Chelsea Street at Freeman Road, be referred to the Planning Commission. MOTION CARRIED unanimously.

COUNCIL REPORTS

1. Manuel suggested members for Economic Development Committee. It was MOVED by Hutchison, SECONDED by Burgess, that the following be appointed to the Economic Development Committee:

Robert Franz, President, First State Bank  
 Ed Chadwick, Trammell Crow Company  
 Keith Thye, Operations Manager, United Grocers  
 Dick Jacobsen, Industrial Development, Southern Pacific  
 Railway Co.

Don Pope, Vice President of Manufacturing, Omark Industries  
 MOTION CARRIED unanimously.

2. Burgess reported she will be attending national conference on libraries in Washington, D.C.

OTHER BUSINESS

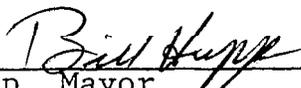
1. Council has received report on merchant/property owner survey on question of establishing a downtown business committee. A decision will be made at the next meeting.
2. Environmental Protection Agency has approved agreement with Stevens, Thompson & Runyan for development of an industrial cost recovery program.
3. Council has received memo, dated June 1, concerning problem of utility customer.
4. City has filed appeal with Clackamas County on the Kellogg Lake (Pollock) apartment project.
5. Tri-Met is in the process of adopting zone fare schedule for bus users. Manager said Milwaukie is discriminated against because the zone begins at the Portland boundary. Staff will send a letter to Tri-Met proposing Milwaukie be included in the urban zone.
6. HUD has sent letter, dated June 2, stating funds are not available from the Community Development Block Grant to operate the community center.
7. Burgess requested a tree-cutting ordinance be submitted to the City Council.
8. Burgess requested a work session be set for further discussion of the Lord and Leblanc economic report. A resolution adopting the economic report will be prepared, and sent to Planning Commission and Comprehensive Planning Steering Committee.
9. It was MOVED by Burgess, SECONDED by Swan, that construction be suspended until further approval of the Council, on the parking lot shown on the master plan of North Clackamas Park, immediately west of ball diamond No. 3. MOTION CARRIED unanimously.

10. It was MOVED by Burgess that a fence be erected west of ball diamond No. 3 at North Clackamas Park, for separation and protection of the horse arena, and that shrubs be planted immediately west of the fence to improve esthetics. After discussion of the fact that this had been referred to the Parks and Recreation Commission, the motion was withdrawn.

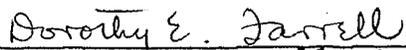
PAYMENT OF BILLS

It was MOVED by Hutchison, SECONDED by Swan, that the bills listed for June 5, 1978 payment be approved for payment.  
MOTION CARRIED unanimously.

The meeting adjourned at 11:25 p.m.

  
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Bill Hupp, Mayor

ATTEST:

  
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Dorothy E. Farrell, Secretary