

CITY COUNCIL MEETING
October 16, 1978
7 p.m.

COUNCIL CHAMBERS

1323rd Meeting

The one thousand three hundred twenty-third meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 16th day of October, 1978, with the following councilpersons present:

Jerry Hutchison	Allen Manuel
Charles Swan	Mayor Bill Hupp
Joy Burgess	

Also present:

Steven Hall, City Mgr. pro tem	Myer Avedovech, City Attorney
Cyrus Nims, Planning Director	Dorothy E. Farrell, Sec'y
Victor Boulanger, Fire Chief	

The invocation was given by the Reverend Simon Maier, Concordia Evangelical Lutheran Church, and the Pledge of Allegiance was recited.

CRAG SLIDE SHOW ON LIGHT RAIL TRANSPORTATION

CRAG representatives Lorelle Bennett and Chuck Hayden, and Carl Wilson, Clackamas County Transportation Planner assigned to CRAG, presented slide show on transportation.

AUDIENCE PARTICIPATION

1. Mayor presented appreciation certificate to Jan Mandaville, who has resigned as Neighborhood Council Coordinator.
2. Manager pro tem introduced Mary Walston, newly-appointed Neighborhood Council Coordinator.

PUBLIC HEARING - FREEMAN PLANNED UNIT DEVELOPMENT - PRC-78-1, ZC-78-6 - PD-77-1

Public hearing was declared open at 7:45 p.m. The Planning Commission has recommended the City Council adopt the following plan and zone changes:

1. An amendment to the Comprehensive Plan Map which would change the area between Lake Road and the Milwaukie Expressway near Freeman Road from Industrial and High Density Residential categories to Medium Density Residential and Commercial.
2. An amendment to the Zoning Ordinance map which would change the zone categories for properties in the same vicinity as above from Limited Manufacturing-Industrial (M-L) to Residential R-10, and to change property east of Freeman Way from M-L and R-10 to Neighborhood Commercial (C-N).

3. An amendment to the Zoning Ordinance which would apply the Planned Development Zone (PD) to the applicant's property as a superimposed zone.

Staff report was given by Planning Director.

Letter in favor:

Letter dated October 11, 1978 from Dr. and Mrs. Robert Hurd,
1719 SE Oak Shore Lane, Milwaukie

Letters against:

Letter from Al Salazar, ZigZag, Oregon, undated
Letter dated October 13, signed by 23 persons

Letter asking questions:

Letter dated August 8, 1978, from Donald E. Kopp, 4624 SE
Harrison Street

Applicant's presentation was made by Ray Bartel.

Speaking in opposition:

Frank L. Larsen, 12909 Kuehn Road

Thelma Savage, representing Neighborhood Council No. 1

Bill Thompson, 12989 SE WhereElse Lane

Dedi Juhala, 12845 SE WhereElse Lane

Asking questions/making comments:

Ann Nickel, 12216 SE 38th

John Palmer, 6224 SE Aspen

Public hearing was declared closed at 10 p.m.

It was MOVED by Hutchison, SECONDED by Swan, to set the matter over to the next regular meeting. MOTION CARRIED unanimously.

(Meeting recessed at 10:05 p.m., reconvened at 10:15 p.m. with all present.)

AUDIENCE PARTICIPATION

1. Gene Lambird, 12006 SE McLoughlin Boulevard, stated he is concerned about wildlife preservation aspects at Kellogg Lake, and listed possible avenues for private acquisition of lands that are not developed.

CONSENT CALENDAR

- a) Approval of minutes - October 2, 1978 Council meeting
- b) Application for appointment to Traffic Safety Commission
- c) Liquor license application - 7-Eleven Store, 10435 SE 42nd
- d) Final payment - side sewer laterals
- e) Memo from Fire Chief re Professional Activities
- f) Progress payment/retainage release - Roswell paving
- g) Information - auto repair supplies bid
- h) Information - unleaded gas bid
- i) Memo re HUD drainage project

It was MOVED by Burgess, SECONDED by Hutchison, to accept the Consent Calendar. MOTION CARRIED unanimously.

NEIGHBORHOOD COUNCIL REPORTS

1. Jessie Higley, Neighborhood Council #3 Board, has resigned. It was MOVED by Hutchison, SECONDED by Swan, to accept the resignation of Jessie Higley. MOTION CARRIED unanimously.

2. Neighborhood Council Coordinator has submitted summary of Neighborhood Council activities.

3. Neighborhood Council #1 Board has written memo, dated October 12, asking if it is possible to have more duck crossing signs on Lake Road. Public Works Director stated it costs about \$57 every time a sign is put up, and he feels there are higher traffic safety priorities at this time. No action was taken by Council.

MEMO RE REDUCED SEWER USER CHARGES

Finance Director has written memo, dated October 4, 1978, concerning application for sewer rate reduction from a residence located outside the city. It was Council consensus that staff prepare an ordinance eliminating out-of-city residents from the program, and that a letter be written to the applicant to this effect.

MEMO RE OAK LODGE WATER DISTRICT ABILITY TO SERVICE ISLAND STATION AREA

At the last meeting, staff was asked to investigate whether or not Oak Lodge Water District could service the Island Station area, in view of the fact that Island Station water improvements will not be completed as planned. Public Works Director has written memo, dated October 11, 1978, in response to the question. He pointed out that Public Works will be working to complete the loop system on a time-available basis with city crews.

REPORT ON ARCHITECT SELECTION PROCEDURE - SENIOR/COMMUNITY CENTER

Manager has written memo, dated October 13, on architect selection. His recommendation is the architect selection committee be comprised of the Public Works Director, the Planning Director, the Community Development Director, a designee from the City Council, and a community member to be solicited from the Senior Council. It was MOVED by Hutchison, SECONDED by Hupp, to accept the composition of the committee as proposed, and that Charles Swan be appointed as the Council representative. MOTION CARRIED unanimously.

It was MOVED by Hutchison, SECONDED by Hupp, to ask the Senior Citizen Advisory Council to name a member to the Committee, and Council will accept that member. MOTION CARRIED unanimously.

RESOLUTION NUMBER 35-1978 - SURPLUS PROPERTY PROGRAM

It was MOVED by Hutchison, SECONDED by Swan, to read Resolution Number 35-1978 (A RESOLUTION GRANTING AUTHORIZATION OF CERTAIN EMPLOYEES OF THE CITY OF MILWAUKIE, OREGON, TO ACQUIRE FEDERAL SURPLUS PROPERTY FROM THE OREGON STATE AGENCY FOR SURPLUS PROPERTY) by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Swan, to adopt Resolution 35-1978. MOTION CARRIED unanimously.

BID AWARD - CAB AND CHASSIS WITH DUMP BOX FOR TRUCK

Public Works Director has written memo, dated October 13, 1978, recommending bid award on 6-8 cubic yard truck to International Harvester Truck. It was MOVED by Burgess, SECONDED by Hupp, to accept the bid of International Harvester in the amount of \$17,478.98, for cab and chassis with dump box for truck. MOTION CARRIED unanimously.

ORDINANCE NUMBER 1409 - INDUSTRIAL COST RECOVERY

It was MOVED by Burgess, SECONDED by Hupp, to read Ordinance Number 1409 (AN ORDINANCE ADOPTING INDUSTRIAL COST RECOVERY PROCEDURES IN MILWAUKIE, CLACKAMAS COUNTY, OREGON, AS CONTAINED IN A REPORT BY STRAAM ENGINEERS, INC.) the first time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hupp, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hupp, to adopt Ordinance 1409. Ordinance 1409 was put on its passage with the following roll-call vote: AYES: Hutchison, Swan, Hupp, Burgess and Manuel. NOES: None. Ordinance 1409 passed the Council and was so declared by the Mayor.

RATIFICATION OF AGREEMENT FOR SERVICES RE DOG LICENSING

Police Chief has written memo, dated October 3, 1978, concerning agreement for services with Clackamas County Animal Control. It was MOVED by Hutchison, SECONDED by Swan, to ratify the agreement with Clackamas County Animal Control, establishing the fees charged to Milwaukie when entering current year dog licensing information into the county computer system. MOTION CARRIED unanimously.

ORDINANCE NUMBER 1410 - COMPRESSION BRAKES

It was MOVED by Hupp, SECONDED by Swan, to read Ordinance Number 1410 (AN ORDINANCE REGULATING THE USE OF COMPRESSION BRAKES CAUSING UNNECESSARY NOISE IN THE CITY OF MILWAUKIE, AND SETTING PENALTIES) the first time by title only. MOTION CARRIED unanimously. It was MOVED by Hupp, SECONDED by Burgess, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Hupp, SECONDED by Burgess, to adopt Ordinance Number 1410. Ordinance 1410 was put on its passage with the following roll-call vote: AYES: Hutchison, Swan, Hupp, Burgess and Manuel. NOES: None. Ordinance 1410 passed the Council and was so declared by the Mayor.

LETTER TO TRI-MET RE FARES

Mrs. Burgess reported that anyone getting off a Tri-Met bus at the Perry Pharmacy stop pays 45¢. If they get a transfer and board another bus to Island Station they pay no additional fare. However, a person staying on the same bus and going to Island Station must pay a total of 70¢. It was MOVED by Burgess, SECONDED by Swan, that staff write a letter to Tri-Met and request the fares be 45¢ anywhere within the Milwaukie city limits. MOTION CARRIED unanimously.

ORDINANCE ADOPTING UNIFORM FIRE CODE

Fire Chief has written memo, dated October 3, 1978, concerning adoption of Uniform Fire Code. Manager pro tem recommended that Council set a date for a public hearing, and notify those that would be affected by the adoption of the code, and Council agreed.

OTHER BUSINESS

1. It was Council consensus to wait until after the November election to hold a Budget Committee meeting.
2. Public Works Director reported on CRAG committee on McLoughlin improvements. CRAG wants to know if money is available, and if projects are recommended by CRAG, would the city consider any participation. It was Council consensus the city would consider participation.
3. A work session with the Planning Commission will be scheduled.
4. Council members have received a letter from Portland Mayor Goldschmidt, and a publication called "Closer Look." This will be an agenda item at the next meeting.

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PAYMENT OF BILLS

It was MOVED by Swan, SECONDED by Hutchison, that the bills listed for October 16, 1978 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 11:45 p.m.

Bill Hupp
Bill Hupp, Mayor

ATTEST:

Dorothy E. Farrell
Dorothy E. Farrell, Secretary