

CITY COUNCIL MEETING
January 22, 1979
7 p.m.

COUNCIL CHAMBERS1329th Meeting

The one thousand three hundred twenty-ninth meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 22nd day of January, 1979, with the following councilpersons present:

Anne Nickel

Mel Paulson

Joy Burgess

Mayor Allen Manuel

Also present:

Harold L. Schilling, City Mgr.

Dorothy E. Farrell, Sec'y

Myer Avedovech, City Att'y

The invocation was given by the Reverend Malcolm L. Hazel, Jr., Concord Christian Church, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - January 8, 1979 Council meeting
 - b) Letter from State Marine Board
 - c) Letter from Freedoms Foundation at Valley Forge
 - d) Liquor License Renewal applications
 - (1) Red's Coach Inn, 10477 SE Main St. (DA)
 - (2) Albertson's, 3232 SE Harrison St. (PS)
 - (3) Pietro's Pizza Parlor, 10300 SE Main St. (RMB)
 - (4) Vic's Tavern, 10901 SE McLoughlin Blvd. (RMB)
 - (5) Disco Mart, 4300 SE King Rd. (PS)
 - e) Surplus Property Auction
 - f) Progress payment - Rowe Tennis Court
 - g) MSD letter & certificate to Mrs. Burgess
- It was MOVED by Burgess, SECONDED by Nickel, to accept the Consent Calendar. MOTION CARRIED unanimously.

AUDIENCE PARTICIPATION

1. Jeff Baker, 2607 SE Monroe, asked why the bus stop was moved from Perry's Pharmacy to City Hall. Manager replied that the bus stop was moved at the request of the downtown merchants and Tri-Met. Jeff Baker asked if the buses might interfere with fire trucks; the reply was that that had been investigated and determined not to be a problem.
2. Forrest Sandberg, 2425 Lake Road, said the street gets plugged up even without buses, and asked if Tri-Met will put up a shelter; the answer is that a shelter will be built.
3. Charles Smith (no address given) asked about regulations on stoves in garages, saying they are a hazard; also said he had heard complaints about high school students using private parking lots. Staff was asked for follow-up report on regulations on stoves in garages.
3. Robert Wagner, Administrator of Dwyer Hospital, asked City Council to send a letter of comment to Northwest Oregon Health Systems on their Summary Draft of Health Systems Plan and Annual Implementation Plan. It was Council consensus that a letter be written objecting to long range action policy proposal which

states: "It is recommended that available excess capacity located in Planning Area 1, which could reasonably meet the needs of Planning Area 6, be used in lieu of new construction through 1981."

NEIGHBORHOOD COUNCIL REPORTS

1. Neighborhood Council Coordinator has reported on Neighborhood Council activities.
2. Neighborhood Council Coordinator has written memo, dated January 18, 1979, concerning NC Steering Committee's concern with use of Community Center. Staff was asked to send copy of policy statement on Center adopted by Council June 5, 1978, to Community Center Advisory Committee and to Neighborhood Council Steering Committee, with a thank-you note to NC Steering Committee for their communication. Staff was also asked to send the memo from NC Steering Committee to the Center Advisory Committee, with the request that they respond to the Steering Committee.
3. Staff was asked to insure that all information that goes to Budget Committee also go to Neighborhood Council Boards, and the suggestion was made that the Finance Director meet with the NC Steering Committee on budget activities. Mayor suggested the first Budget Committee meeting be a joint meeting with NC boards.

CORRESPONDENCE

1. Parks and Recreation Commission has sent memo, dated January 18, 1979, concerning Pitch, Hit and Run Baseball Program.
2. Irwin Adams, Riverfront Development Subcommittee to Parks and Recreation Commission, has sent letter to Council, dated January 18, enclosing letter from J. Earl Jones, dated January 13, concerning Parks and Recreation Commission letter to subcommittee on function of the subcommittee.
3. Mail-Well Envelope has sent letter, dated January 19, thanking Fire Administrative Staff for their help during power outage.
4. Chairman of NC #3 has sent letter, dated January 20, concerning one of the candidates for Budget Committee appointment.
5. Council has received copies of letter, dated January 18, that went to initial six candidates for City Council position, and newly-drafted letter that went to subsequent candidates for the position.
6. Council has received letters of candidacy from four additional individuals interested in being considered for Council vacancy.

COMMITTEE APPOINTMENTS

1. It was MOVED by Burgess, SECONDED by Manuel, that Mark Landis be reappointed to the Planning Commission. MOTION CARRIED unanimously.

It was decided to delay other committee appointments until after the Council vacancy is filled. Staff was asked to advertise for further applicants for Budget Committee.

ORDINANCE NUMBER 1419- MORATORIUM ORDINANCE

It was MOVED by Burgess, SECONDED by Nickel, to read Ordinance Number 1419 (AN ORDINANCE SUSPENDING ENFORCEMENT OF ORDINANCE NO. 1407, AND PROVIDING FOR A TEMPORARY MORATORIUM ON CERTAIN BUILDING PERMITS WITHIN THE CITY OF MILWAUKIE, OREGON, PENDING

RESOLUTION OF LCDC PETITION NO. 78-034; SETTING TIME LIMITS AND DECLARING AN EMERGENCY) the second time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Nickel, to adopt Ordinance 1419. Ordinance 1419 was put on its passage with the following roll-call vote: AYES: Paulson, Nickel, Manuel and Burgess. NOES: None. Ordinance 1419 passed the Council and was so declared by the Mayor.

VOTING PROCEDURE ON COUNCIL APPOINTMENT

It was Council consensus that the voting procedure would be as follows: Each Councilperson will vote yes or no on whether each candidate of the ten candidates would be an acceptable Councilmember. There will be two rounds of this type of voting, with no appointment made, and any candidate with less than two votes will be removed from the list. Beginning with the third round of voting, Council will decide on rules at the time of voting.

(Meeting recessed at 8:58 p.m., reconvened at 9:10 p.m. with all present.)

RESOLUTION NUMBER 3-1979 - AMENDING CENTER ADVISORY COMMITTEE RESOLUTION

It was MOVED by Nickel, SECONDED by Burgess, to read Resolution Number 3-1979 (A RESOLUTION AMENDING RESOLUTION NUMBER 37-1978, A RESOLUTION ESTABLISHING A COMMUNITY CENTER DEVELOPMENT ADVISORY COMMITTEE, BY ADDING A REPRESENTATIVE OF THE PARENT/TEACHER ORGANIZATION OR THE PARENT/TEACHER ASSOCIATION) by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Nickel, to adopt Resolution 3-1979. MOTION CARRIED unanimously.

RATIFY NEW MEMBER OF CENTER ADVISORY COMMITTEE

It was MOVED by Nickel, SECONDED by Burgess, to ratify the appointment of Virginia Van Schoiack to the Community Center Development Advisory Committee as a PTA/PTO representative. MOTION CARRIED unanimously.

METHOD OF NOTIFYING BUSINESSES OF FIRE CODE PUBLIC HEARING

It was Council consensus that staff be asked to draft a resolution for the next meeting, establishing an ad hoc committee to study the proposed Fire Code, and make recommendations to the City Council.

WYSE LETTER ON CITY BEAUTIFICATION - MEMO RE STREET TREES

William W. Wyse, Waverley Greens, has sent letter, dated December 7, 1978, concerning city beautification, which Council had asked to have returned to the agenda in January. Public Works Department has sent memo, dated January 18, 1979, with preliminary report on street tree planting. Staff was asked to provide budget implications of program. Mayor suggested selecting a city block and doing a sample planting. Staff was asked to prepare an amendment to the Subdivision Ordinance, requiring street trees. The letter from Mr. Wyse will be sent to the Parks and Recreation Commission.

RESOLUTION NUMBER 4-1979 - BUDGET REAPPORTIONMENT

It was MOVED by Burgess, SECONDED by Nickel, to read Resolution Number 4-1979 (A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO REAPPORTION THE 1978-79 BUDGET) by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Paulson, to adopt Resolution 4-1979. MOTION CARRIED unanimously.

OTHER BUSINESS

It was decided, since there are now ten candidates for the Council vacancy, to conduct interviews on both Monday, January 29 and Tuesday, January 30, starting at 7 p.m. Staff will notify candidates, scheduling interviews in the order the applications came in.

COUNCIL REPORTS

1. Councilwoman Nickel reported on her discussions with the person in Corvallis who has been working on a trust for public land project in Corvallis. Mrs. Nickel is gathering information for possible use in Milwaukie, mainly for Kellogg Lake.
2. Mayor stated there will be a Citizen Advisory Board meeting on urban county block grant funding.
3. Manager has been appointed to the Citizen Advisory Board on Libraries in Clackamas County.
4. Mayor noted the Clackamas County budget process is underway. It was Council consensus to ask the county for funds to help run the Community Center.

OTHER BUSINESS

1. It was MOVED by Burgess, SECONDED by Paulson, that the Council award framed certificates of appreciation and publicly honor those civic organizations and businesses which contributed money toward purchase of the city's new trash receptacles, to be handed out at a public meeting. MOTION CARRIED unanimously.
2. Councilman Paulson said he had heard from a citizen that Tri-Met had cut off service to Hillside Manor, and asked that staff look into it.

PAYMENT OF BILLS

It was MOVED by Nickel, SECONDED by Burgess, that the bills listed for January 22, 1979 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 10 p.m., to go into executive session under ORS 192.660 (2) (d), to discuss pending litigation.

OTHER BUSINESS

1. The meeting returned to regular session, at 10:40 p.m., and it was MOVED by Nickel, SECONDED by Paulson, that staff go forward with administrative proceedings in the case of 1000 Friends of Oregon v. City of Milwaukie, LCDC Case No. 78-034. MOTION CARRIED unanimously.

City Council Meeting

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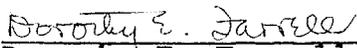
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2. It was Council consensus that after the new Councilmember is elected, Council will have a dinner for outgoing and incoming Councilmembers.

The meeting adjourned at 10:45 p.m.


Allen Manuel, Mayor

ATTEST:


Dorothy E. Farrell, Secretary