

CITY COUNCIL MEETING
March 5, 1979
7 p.m.

COUNCIL CHAMBERS

1332nd Meeting

The one thousand three hundred thirty-first meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 5th day of March, 1979, with the following councilpersons present:

Mel Paulson	Robert Ewald
Anne Nickel	Mayor Allen Manuel
Joy Burgess	

Also present:

Harold L. Schilling, City Mgr.	Myer Avedovech, City Att'y
Steven Hall, Public Works Direct.	Dorothy E. Farrell, Sec'y
Donald Oblander, Finance Direct.	

The invocation was given by the Reverend Alfred Enns, Wichita Evangelical Church of North America, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - February 20, 1979 Council meeting
- b) Applications for appointment to Traffic Safety Commission
- c) Liquor license renewal application
 - 1) Fernwood Inn, 2122 SE Sparrow - DA
- d) Bid award - Ardenwald storm drainage
- e) Letter from Portland re 36th Avenue L.I.D.

It was MOVED by Burgess, SECONDED by Nickel, to adopt the Consent Calendar. Paulson asked that 4 (b) be removed for later discussion, and Manager said he would need some direction from Council in connection with 4 (d).

b) Applications for appointment to Traffic Safety Commission have been received from Brenda Breames, 12418 SE Shell Lane; Don Kopp, 4624 SE Harrison Street; and Ernest Fraser, 2946 SE Harrison #21. These names will be considered under agenda item 8 (d).

c) Police Department finds no reason to deny issuance of liquor license renewal to Jewell B. Aebi, Satyr Corporation, dba Fernwood Inn, 2122 SE Sparrow Street (DA).

d) Public Works Director recommends the bid on HUD project B77DS410004, Ardenwald storm drainage, be awarded to Marshall Associated Contractors, Inc. for \$126,498.65. The bid is for construction on 29th, 32nd and 33rd/34th Avenues and Mary Court. Available from HUD is \$123,750, less advertising and engineering \$15,500, or available for construction \$108,250. The bid, plus contingency, comes to \$130,000, leaving a shortfall of \$21,750. Manager gave several alternatives for making up the shortfall, including not doing part of the work. Staff recommends making up the shortfall from a combination of other funds: the coming year's gas tax and revenue sharing.

It was MOVED by Burgess, SECONDED by Nickel, that Council accept the bid of Marshall Associated Contractors, Inc., in the amount of \$126,498.65, and plan to designate sources for the estimated shortfall of \$21,750, possibly from gas tax and revenue sharing. MOTION CARRIED unanimously.

e) City of Portland has sent letter, dated February 28, saying the Portland City Council on February 28 continued to the March 7

meeting the improvement of SE 36th Avenue from Roswell to Johnson Creek Boulevard.

On the MOTION to adopt the Consent Calendar, MOTION CARRIED unanimously.

AUDIENCE PARTICIPATION

Mayor presented plaque and two albums of pictures to Captain Matson of the 442nd Engineering Detachment, Oregon National Guard, for their help in building an addition to the city's fire station.

NEIGHBORHOOD COUNCIL REPORTS

Neighborhood Council Coordinator has reported, in memo dated February 27, on Neighborhood Council activities.

CORRESPONDENCE

1. Area Agency on Aging, Clackamas County Department of Human Resources, has sent letter dated February 23, congratulating the Council on development of senior programs, and the city's moving forward on development of Community Center/Senior facility.
2. Tri-Met has sent letter, dated February 26, concerning January service changes affecting Milwaukie.
3. Kids, Incorporated has sent letter, dated February 8, asking \$300 contribution from city. The letter was referred to the Parks and Recreation Commission for report and recommendation.
4. Area Agency on Aging, Clackamas County Department of Human Resources, has sent letter, dated March 1, inviting Milwaukie to apply for Area Agency on Aging funds. Staff proposals will be on the next Council agenda.

REPORT ON A & B TOWING COMPANY

Petition has been received, dated February 25, signed by residents of SE 41st Court, asking for discontinuance of business activities by Jack Benson of A & B Towing at 10215 SE 41st Court. Manager has referred the matter to the Planning Commission for clarification of the "home occupation" section of the zoning ordinance.

PROCLAMATION - YOUTH ART MONTH

Mayor read proclamation setting the month of March, 1979 as Youth Art Month.

PUBLIC HEARING - PROPOSED USE OF REVENUE SHARING FUNDS

This hearing is required by the Federal Government, to allow for citizen suggestions for the use of Revenue Sharing funds. Notices were published as required.

Public hearing was declared open at 7:30 p.m.

Speaking on the use of Revenue Sharing funds:

Bill Hupp, 2626 SE Washington, asked that final determination be made after Budget Committee meetings.

Public hearing was declared closed at 7:37 p.m.

STAFF REPORT ON AREA HOUSING OPPORTUNITY PLAN

Metropolitan Service District asks city participation in the Areawide Housing Opportunity Plan. Herb Beals, member of MSD staff, explained all city and county governments in the Portland area are being asked to issue a letter of participation supporting the Plan in concept, but are not being asked to adopt the plan.

It was MOVED by Nickel, SECONDED by Paulson, to support the Housing Opportunity Plan program of MSD as outlined in the form letter provided by MSD. MOTION CARRIED unanimously. Mayor requested a chance to clarify some of the matters discussed with county housing staff.

(Meeting recessed at 8:25 p.m., reconvened at 8:35 p.m. with all present.)

CONTINUING STATUS OF COMMUNITY CENTER ADVISORY COMMITTEE

Manager said the resolution that created the Senior/Community Center Development Advisory Committee was drafted in such a way it envisions the involvement of the committee through the ribbon-cutting ceremony. Manager would recommend appointment of a Center Policy Committee to assist in overseeing development of policy and operations of the center when it is underway.

David Graf, 12632 SE 39th Court, Chairman of the Senior/Community Center Development Advisory Committee, said he would hope Council would form a policy committee before the ribbon-cutting so some of the policies could be established; also that the Development Advisory Committee would be willing, if Council wishes, to come up with recommendations. It was Council consensus that the Manager put together a list of policy questions for the present committee to study.

APPOINTMENTS TO TRAFFIC SAFETY COMMITTEE

It was MOVED by Nickel, SECONDED by Ewald to appoint Brenda Breames, 12418 SE Shell Lane, to the Traffic Safety Committee. MOTION CARRIED unanimously.

It was MOVED by Paulson, SECONDED by Nickel, to appoint Dave Bukovi, 9616 SE 43rd, to the Traffic Safety Committee. MOTION CARRIED with the following roll-call vote: AYES: Paulson, Ewald and Manuel. NOES: Nickel and Burgess. It was Council consensus that Brenda Breames be appointed to the longer term.

It was Council consensus that a topic for the next Council work session would be policy on appointing committees.

Ewald asked why the ordinance that establishes the Planning Commission has a penalty clause. Staff will research the question.

QUESTION OF MILWAUKIE'S ROLE AND BENEFITS IN URBAN COUNTY

This item was requested by Mrs. Burgess. Mrs. Burgess listed the following concerns as to Milwaukie's role and benefits in the urban county: 1) excessive county administrative costs, 2) large contingency and other budgetary items that need to be looked at, 3) urban county method of establishing priority list, 4) inadequate time provided for input on county proposals, 5) county staff practice of "double-charging" cities.

Manager recommended that the city do nothing at this time but formally request the county that the process for determining priorities for subsequent fiscal year proceed at the earliest possible time, so that priorities could be determined prior to November, 1979. At that time the city could take an objective, unemotional look at what it would gain from continued participation in the

urban county, and have sufficient time to make a decision.

Mrs. Burgess said she feels it would be to the benefit of the city if a new person were appointed to the urban county committee, and recommended Mel Paulson or Bob Ewald.

Mayor said the Urban County Policy Advisory Board has scheduled a meeting in early April; that their discussion will include some of the problems mentioned by Mrs. Burgess.

It was MOVED by Nickel, SECONDED by Paulson, to nominate Allen Manuel for the city's representative on the Urban County Policy Advisory Board.

It was MOVED by Ewald to nominate Joy Burgess. MOTION FAILED for lack of a second.

On the MOTION to nominate Allen Manuel, MOTION CARRIED with the following roll-call vote: AYES: Paulson, Nickel and Manuel.

NOES: Burgess and Ewald.

PROPOSED WATER RATE ADJUSTMENT

Manager said Council has been apprised a number of times over the past 18 months of the inadequacy of current water rates. Finance Director has written memo, dated February 23, on proposed water rate adjustments. Staff was asked to develop a report showing a system where over the next two years we could get to a rate schedule that would be self-supporting, and the buildup of a maintenance fund. It was decided a public hearing will be held at the first meeting in April.

CLACKAMAS COUNTY LIGHT RAIL FACILITIES

This item was requested by Mayor Manuel. Representative Sandy Richards requests the city support reopening debate on the location of light rail facilities in the southeast urban area. It was Council consensus that a letter be written supporting reopening the discussion.

MSD LOCAL OFFICIALS ADVISORY COMMITTEE - ALTERNATIVE FORMS

This item was requested by Mayor Manuel. MSD is looking for input on the role of the Local Officials Advisory Committee. The matter will be on the next agenda for discussion.

MEMO RE KELLOGG VIEW HEIGHTS SEWER ASSESSMENT

Public Works Department recommends the city accept payment of sewer assessment on Kellogg View Heights subdivision as the lots are sold, rather than in a lump sum. It was MOVED by Nickel, SECONDED by Burgess, that the request be allowed. MOTION CARRIED unanimously.

OTHER BUSINESS

1. Ewald has been asked by a citizen to investigate the possibility of putting a snack van in North Clackamas Park. The request will be referred to the Parks and Recreation Commission.
2. Mayor said the county is proposing a vote on a 2¢ gas tax for road repair, and the city should keep watch on the allocation formula.
3. City Council has received answer from Planning Commission, dated March 1, 1979, on Clackamas County Senior Citizens Council

February 9 letter regarding senior/handicapped housing adjacent to Kellogg Lake.

4. Council has received notice of public hearing March 22 on city's conditional use application for senior multi-purpose community center within North Clackamas Park.

5. A restaurant is being proposed on the Milwaukie waterfront.

6. The Council dinner for outgoing Councilmembers will be Friday, March 30.

7. Mrs. Burgess asked for nuisance abatement of weeds on Southern Pacific property by Milwaukie Thriftway.

PAYMENT OF BILLS

It was MOVED by Manuel, SECONDED by Nickel, that the bills listed for March 5, 1979 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 11:20 p.m.



Allen Manuel, Mayor

ATTEST:



Dorothy E. Farrell, Secretary