CITY COUNCIL MEETING
March 19, 1979
7 p.m.

COUNCIL CHAMBERS 1333rd Meeting

The one thousand three hundred thirty-third meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 19th day of March, 1979, with the following councilpersons present:

Mel Paulson
Anne Nickel
Joy Burgess
Robert Ewald
Mayor Allen Manuel (entered meeting at 8:30 p.m.)

Also present:

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

Mrs. Burgess announced Mayor Manuel would be late arriving, and she would conduct the meeting. The invocation was given by the Reverend Don Crawford, Linwood Alliance Church, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

a) Approval of minutes - March 5 and 12, 1979 Council meetings
b) Memo re budget schedule
c) Letter from Loaves and Fishes
d) Copy of letter from Clackamas County Commission to MSD re HOP
e) Memo re Community Center policy
f) Copy of letter to MSD re LEAA funds
g) Letters from UP Railroad Co. and Portland Traction re interurban right-of-way
h) Liquor license renewal applications
   1) Laws Monroe St. Market - 5010 Monroe - PS
   2) 7-11 Food Store - 10435 SE 42nd - PS
i) Order - Firefighters vs. Milwaukie
j) Letter from Area Agency on Aging re AAA allocation level
k) Letter from MSD re assessment
l) Final progress payment - sanitary sewer pump station

It was MOVED by Nickel, SECONDED by Paulson, to accept the Consent Calendar. Mrs. Burgess asked that items b and c be removed for discussion, and Paulson requested item j.

b) Finance Director has written memo, dated March 12, concerning budget schedule. The first meeting will be April 4 at 7 p.m.

c) Milwaukie Loaves and Fishes has written letter, dated March 9, concerning funding for the city's Community Center. It was Council consensus that the Manager will discuss the letter with Dolora Hegg, Director of Milwaukie Loaves and Fishes.

d) Council has received copy of March 5 letter from Clackamas County Board of Commissioners to Metropolitan Service District, concerning Areawide Housing Opportunity Plan.

e) Manager has written letter to Community Center Development Advisory Committee, dated March 12, concerning Community Center policy.

f) Council has received copy of letter from Police Chief to Criminal Justice Planning, Metropolitan Service District, dated March 5, concerning application for LEAA funds.

g) Union Pacific Railroad Company, Law Department, and Portland Traction Company, Real Estate Department, have written letters, dated March 8 and 12, concerning interurban right-of-way through

Milwaukie.
h) Police Department has investigated and finds no reason to deny issuance of liquor licenses to Laws Monroe St. Market, 5010 Monroe, and 7-11 Food Store, 10435 SE 42nd.
i) Council has received copy of Judge's Memorandum Opinion and Order in case of Firefighters vs. City of Milwaukie.
j) Area Agency on Aging, Clackamas County Department of Human Resources, has written letter dated March 5, concerning AAA allocation level. There was discussion of the amount of money available, and the city's application.
k) Metropolitan Service District has written letter, dated March 7, saying the city's dues payment is $3654.
l) Manager and Public Works Director recommend payment of final progress payment on sanitary sewer pump station at SE 59th and Harrison, in the amount of $533.36, to Riverside Construction, Inc.
On the motion to accept, including items b, c and j. MOTION CARRIED unanimously by those present.

AUDIENCE PARTICIPATION
Gary DiCenzo, County Human Resources Department, discussed the Housing Assistance Plan and Housing Opportunity Plan, and how they work together.

NEIGHBORHOOD COUNCIL REPORTS
Neighborhood Council Coordinator has reported, in memo dated March 13, on Neighborhood Council activities.

CORRESPONDENCE
1. Rex Putnam High School Executive Council has written letter, dated March 6, concerning the city's Community Center, expressing the desire that the Center be available for the entire community's use. A copy of the letter will be sent to the Community Center Development Advisory Committee, and the city will respond to the letter.
2. Peter Courtney, Councilmember, City of Salem, has sent letter, dated January 18, concerning the Oregon Olympics for the Physically Disabled. It was Council consensus that a letter be written saying the city supports the concept, but is unable to contribute.
3. John E. Laing, 11964 SE 37th, has written letter, dated March 15, concerning proposed increased water rates. It was Council consensus that his letter be acknowledged, and he be invited to attend the public hearing on the matter.
4. Council has received letter signed by 23 citizens, opposing proposed swimming pool ordinance sponsored by Neighborhood Council 5. The letter will be held and presented again when the proposed ordinance is presented.
5. Jack W. Deines, Vice-President Deines Bros., Inc., has written letter, dated March 16, saying it is the request of the franchised refuse haulers of Milwaukie that the city consider a rate adjustment. Staff was directed to obtain information to help Council come to a decision.

PROPOSALS FOR AAA FUNDING
City is making application for AAA funding to continue the city's Human Services Coordinator, and to hire a Director for the city's Community Center. It was MOVED by Nickel, SECONDED by Paulson, to authorize the Manager to sign and submit the grant applications. MOTION CARRIED UNANIMOUSLY by those present.

MEMO REGARDING ORDINANCE 1106 - ESTABLISHING CITY PLANNING COMMISSION
City Attorney has written memo, dated March 7, concerning Ordinance 1106, which established the city Planning Commission.

STAFF REPORT ON PROPOSED WATER RATE INCREASE
Finance Director has written memo, dated March 9, concerning water rate adjustment alternatives.
(Meeting recessed at 8:30 p.m., reconvened at 8:40 p.m. with all present.)
(Mayor Manuel entered meeting at 8:30 p.m.)
Staff was asked to report on the difference between the federal subsistence level and the low income criteria used for the school lunch program.
It was MOVED by Nickel, SECONDED by Paulson, to have a public hearing on April 2 on Option 3, Phase 1, as spelled out in the staff memo. MOTION CARRIED unanimously.

COUNCIL DISCUSSION ON MSD ADVISORY COMMITTEE
It was MOVED by Nickel, SECONDED by Ewald, that Mrs. Burgess be the city representative on the MSD Local Officials Advisory Committee. MOTION CARRIED unanimously.

LETTER FROM PORTLAND RE 36TH AVENUE L.I.D.
Portland has sent letter, dated March 8, saying Portland has approved improvement of SE 36th Avenue from Roswell to Johnson Creek Boulevard.

APPOINTMENTS TO CIVIL SERVICE COMMISSION
It was MOVED by Nickel, SECONDED by Ewald, that Wanda Rulifson be appointed to the Civil Service Commission. MOTION CARRIED unanimously. It was MOVED by Nickel, SECONDED by Manuel, that Rudy Acuna be appointed to the Civil Service Commission. MOTION CARRIED with the following roll-call vote: AYES: Nickel, Paulson, Ewald and Manuel. NOES: Burgess.
It was MOVED by Ewald, SECONDED by Nickel, to appoint Rudy Acuna to the four year term. Motion was WITHDRAWN, and it was MOVED by Ewald, SECONDED by Nickel, to appoint Wanda Rulifson to the four-year term, Rudy Acuna to the two-year term. MOTION CARRIED unanimously.

MEMO REGARDING WEED ABATEMENT ON SOUTHERN PACIFIC PROPERTY
Staff has followed up on complaint by Mrs. Burgess regarding weeds on Southern Pacific property adjacent to Thriftway.

REPORT ON COMMUNITY CENTER CONDITIONAL USE PERMIT
Manager reported on turn of events that led to the discovery that the city is not required to get a conditional use for the Community

Center.

CONSIDERATION
Mayor read proclamation setting March 18 through 24, 1979 as "Poison Prevention Week" in Milwaukie.

COUNCIL REPORTS
Mrs. Nickel reported on first official meeting of "Kellogg Lake Friends" on March 26.

OTHER BUSINESS
1. City today received request from Thriftway to approve a liquor license application at tonight's meeting. There has been no time for Police Department to do a background check. It was MOVED by Manuel, SECONDED by Ewald, that Council approve the license conditionally, allowing staff to sign it at such time as the Police Department has had time to check it. MOTION CARRIED unanimously.
2. It was MOVED by Burgess, SECONDED by Ewald, to make the intersection of 42nd and Monroe a four-way stop. MOTION CARRIED with the following roll-call vote: AYES: Paulson, Nickel, Burgess and Ewald. NOES: Manuel. Manager pointed out this does not meet the criteria of the Uniform Traffic Code.
3. It was Council consensus to ask the Traffic Safety Commission to study the advisability of having 43rd and Howe be a four-way stop.
4. It was Council consensus to ask the Neighborhood Councils to study traffic vision hazards listed in the city's Traffic Safety Study.
5. Staff was asked to research the traffic safety consultant's concern about the city's tort liability, having adopted the Traffic Safety Study.

PAYMENT OF BILLS
It was MOVED by Nickel, SECONDED by Manuel, that the bills listed for March 19, 1979 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 10:30 p.m.

Allen Manuel

Allen Manuel, Mayor

ATTEST:

Dorothy E. Farrell

Dorothy E. Farrell, Secretary