MILWAUKIE
CITY COUNCIL MEETING
February 21, 1980
7 p.m.

COUNCIL CHAMBERS 1354th Meeting

The one thousand three hundred fifty-fourth meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 21st day of February, 1980, with the following councilpersons present:

Anne Nickel
Joy Burgess
Robert Ewald
Mayor Allen Manuel

Absent: Mel Paulson (excused)

Also present:

Kenneth S. Whorton, City Mgr.
Donald Oblander, Finance Direct.
Steven Hall, P.W. Director
Gregory Eades, City Att'y
Dorothy E. Farrell, Sec'y

The invocation was given by Pastor Gwynn Richardson - Seventh Day Adventist Church, and the Pledge of Allegiance was recited.

RESOLUTION NUMBER 13-1980 - LIFELINE RATES FOR ELECTRICITY

It was MOVED by Burgess, SECONDED by Nickel, to read Resolution Number 13-1980 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, SUPPORTING "LIFELINE" ELECTRIC RATES) by title only. It was Council consensus to change the word "encourages" in the third line of the third paragraph to "urges," and to change the word "company" in the third line of the fourth paragraph to "parties." MOTION CARRIED unanimously by those present. It was MOVED by Ewald, SECONDED by Nickel, to adopt Resolution 13-1980. Various representatives of Oregon Fair Share spoke in support of the resolution. MOTION CARRIED unanimously by those present.

STATE ACCIDENT INSURANCE FUND RATE REFUND

Nancy Cogar, representative of State Accident Insurance Fund, explained refund of $28,551, and expected dividend of approximately $14,500 in June, based on the city's individual record of controlling claim costs, having elected to change to a partially self-insured accident insurance program.

AUDIENCE PARTICIPATION

1. Bill Hupp, 2929 SE Washington, presented a memo to City Council concerning waterfront park adjoining sewage treatment plant. It was Council consensus that the Public Works Director be authorized to enter into negotiations with the county relative to the suggestions made by Mr. Hupp for city use of the area as a park. The memo will be forwarded to the Parks and Recreation Commission.
2. James Backenstos, 3626 SE Harrison, said he feels the contract in the amount of approximately $7000 for cleaning up city parks after the storm is in violation of Chapter 9, page 16 of the City Charter. Mr. Backenstos also said he would like the speakers in the hall turned on and the fire code relative to seating capacity enforced in the Council Chambers. He also asked for a report on what storm damage clean-up cost the city.

STREET AND STORM SEWER BOND ISSUE COST ESTIMATE

Public Works Director has sent memo, dated February 12, concerning street/storm bond issue estimated costs, totaling $12,392,500. Manager suggests a work session to discuss the matter in detail. There was discussion of the possibility of forming a storm drainage utility to provide for the ongoing maintenance costs and the beginning of a depreciation/replacement reserve account, as suggested by the Public Works Director. Burgess requested information on the bond issue and a storm drainage utility be given to the Budget Committee as well as the Council. Mayor asked that the possibility of federal funding be looked at, as well as whether or not to include contingency funds in the bond issue.

UTILITY RATE REQUESTS

This matter was tabled at the last Council meeting. Finance Director has sent memo, dated January 31, concerning utility rate requests, saying about a year ago the Council authorized the concept of a three-year series of small increases in utility rates. Council agreed, but asked staff for a detailed analysis after which a public hearing will be held.

PROFESSIONAL SERVICES - TELEMETRY DESIGN

Public Works Director has written memo, dated February 13, concerning professional services for telemetry design. Manager and Public Works Director recommend STRAAM Engineers, Inc. be retained for this work. Proposals for engineering services were requested from four firms. Burgess questioned whether the city could legally retain a firm without going to bid. It was MOVED by Ewald, SECONDED by Nickel, that the Public Works Director be authorized to negotiate a contract with STRAAM Engineers, Inc., for design of telemetry for four sanitary sewage lift stations, subject to approval of the City Attorney. MOTION CARRIED unanimously by those present.

BUDGET SCHEDULE

Finance Director has developed schedule for budget hearings, publications, etc., in order to comply with legal requirements.

M.F.O.A. CERTIFICATE OF CONFORMANCE

Finance Director has sent memo, dated February 13, concerning Municipal Finance Officers Association Certificate of Conformance. The city has been advised that in the future, the certificate will not be issued to districts lacking fixed asset records, which is the case with Milwaukie.

MEMO RE AUDIT REPORT COMMENTS

City Manager has written report, dated February 15, on audit report comments. It was MOVED by Ewald, SECONDED by Manuel, that the $28,000 refund from State Accident Insurance Fund (mentioned earlier in these minutes) be applied to update the city's engineering records and provide for accurate current listing of fixed assets. It was noted that city staff is currently in the process of upgrading the engineering drawing data base, which will take a minimum of one year. It is impossible to have accurate fixed

asset records without first updating the engineering data base. Using the refund would allow contracting with an outside professional firm to shorten the process.
Mayor asked staff to find out from M.F.O.A. if a qualifying city that has the certificate and can demonstrate a timetable for attaining the fixed asset records, could maintain the certificate based on that timetable.
It was MOVED by Ewald, SECONDED by Nickel, to amend the motion to add the $14,000 that may be forthcoming in June from SAIF, if needed. MOTION FAILED to pass with the following roll-call vote: AYES: Nickel and Ewald. NOES: Burgess and Manuel.
On the main motion, MOTION CARRIED with the following roll-call vote: AYES: Nickel, Manuel and Ewald. NOES: Burgess.

(Meeting recessed at 8:45 p.m., reconvened at 8:55 p.m. with all present.)

SUPERVISING ACCOUNTANT HIRING
Finance Director has written memo, dated February 12, concerning Supervising Accountant hiring, requesting a change in salary range. It was MOVED by Nickel, SECONDED by Manuel, to accept the new salary schedule and change in title to Assistant Finance Director, as proposed. MOTION FAILED with the following roll-call vote: AYES: Nickel and Manuel. NOES: Burgess and Ewald.

SALARY ADJUSTMENT FOR PUBLIC WORKS DIRECTOR
Administrative Assistant to City Manager has written memo, dated February 6, concerning position description and salary adjustment recommendation for Public Works Director. It was MOVED by Nickel, SECONDED by Manuel, to accept the job description as proposed, and accept the new salary schedule for the Public Works Director. MOTION CARRIED with the following roll call vote: AYES: Nickel, Manuel and Ewald. NOES: Burgess.

CREATION OF ASSISTANT PLANNING DIRECTOR'S POSITION AND DELETION OF PLANNING DIRECTOR'S POSITION
Administrative Assistant to City Manager has written memo, dated February 6, concerning Assistant Planning Director position. It was MOVED by Nickel, SECONDED by Manuel, to accept the recommendation for changing from Planning Director to Assistant Planning Director. MOTION CARRIED with the following roll-call vote: AYES: Nickel, Manuel and Ewald. NOES: Burgess.

ADDITION OF NEW POSITION IN LIBRARY
Administrative Assistant to City Manager has written memo, dated February 4, concerning Library request for PSE-CETA position. Manager asked that this matter be referred to the Budget Committee.

PERS SICK LEAVE OPTION
It was MOVED by Burgess, SECONDED by Ewald, to authorize staff to contact Public Employee Retirement System (PERS) and enroll the city in the PERS sick leave/retirement option, as called for in bargaining contracts. MOTION CARRIED unanimously by those present.

RESOLUTION NUMBER 14-1980 - SALARY CHANGES

Manager requested that reference to change in Supervising Accountant salary be deleted from the proposed resolution, because of previous Council action this evening. It was MOVED by Ewald, SECONDED by Nickel, to read Resolution Number 14-1980 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE ADOPTING A SALARY RANGE FOR THE POSITIONS OF ASSISTANT PLANNING DIRECTOR AND PUBLIC WORKS DIRECTOR, AND AMENDING RESOLUTION 33-1979) by title only. MOTION CARRIED with the following roll-call vote: AYES: Nickel, Manuel and Ewald. NOES: Burgess. It was MOVED by Ewald, SECONDED by Nickel, to adopt Resolution 14-1980. MOTION CARRIED with the following roll-call vote: AYES: Nickel, Manuel and Ewald. NOES: Burgess.

CONSIDERATION ON DEVELOPMENT OF MAJOR TRANSIT STATION IN DOWNTOWN MILWAUKIE

Burgess read a statement requesting consideration of a major transit station in downtown Milwaukie, designated as a Tri-Met timed transfer point, with a large parking facility to enable citizens to park free and catch the bus into Portland. It was Council consensus to refer the proposal to the Planning Commission, city staff, City Manager, and if there is support of the concept, that it be introduced by the Public Works Director at Metro as a proposal from the City of Milwaukie.

APPOINTMENT TO PLANNING COMMISSION VACANCY

Planning staff has written memo, dated February 15, saying Virginia Winings, appointed to Planning Commission January 17, has moved out of Milwaukie. It was MOVED by Burgess, SECONDED by Ewald, to appoint Leo Bauman to the Planning Commission to fill vacancy, as per Council action on February 4. MOTION FAILED to pass with the following roll-call vote: AYES: Burgess and Ewald. NOES: Nickel and Manuel.

MEMO FROM SENIOR CITIZEN ADVISORY COUNCIL RE LIFELINE RATE

Senior Citizen Advisory Council has sent memo, dated January 27, supporting Oregon Fair Share proposal for "lifeline" electric rate.

MEMO FROM CITY ATTORNEY RE CABLE TELEVISION

City Attorney has written memo, dated February 14, concerning cable television. It was Council consensus that staff continue discussions with other agencies in Clackamas and Washington countieson the possibility of a joint franchise or at least a plan for sharing information, and that a Milwaukie task force start developing requirements for cable service.

ORDINANCE AMENDING ANIMAL CONTROL ORDINANCE

It was MOVED by Burgess, SECONDED by Nickel, to read (AN ORDINANCE OF THE CITY OF MILWAUKIE AMENDINC ORDINANCE NUMBER 1381 PROVIDING FOR ANIMAL CONTROL) the first time by title only. MOTION CARRIED unanimously by those present. The ordinance will be on the agenda of the next meeting for second reading.

MEMO REGARDING COMMITTEE VACANCIES

Manager has written memo, dated February 21, concerning committee vacancies. Ewald asked the Council to strongly urge the Civil Service Commission to conduct their meetings at night to allow a wider variety of people to serve on that commission. It was suggested the application form for committees be changed to allow people to apply for more than one committee, and that a pamphlet be prepared showing what committees have been established, and the purpose and duties of each.

CONSENT AGENDA

a) Approval of minutes - February 4, 1980 Council meeting
b) Payment of bills
c) TSM projects status report
d) Memo re meeting date change
e) Liquor license applications
   1) 7-11 Store - 10435 SE 42nd Avenue - PS
   2) Naomi's Food Mart - 8929 SE 42nd - PS
   3) Silversmith - 11921 SE 22nd Avenue - RMB
f) Memo re smoke detector ordinance

It was MOVED by Burgess, SECONDED by Nickel, to accept the consent calendar.

It was Council consensus to move payment of bills to the first item under "Legislation," and to change "Late Items" and "Council Reports" to an item called "Other Business."

c) Public Works Director has written memo, dated February 12, concerning TSM projects status report.

d) Work session on Neighborhood Councils has been changed from February 11 to March 13.

e) Police Department finds no reason to deny issuance of liquor licenses to 7-11 Food Store, Naomi's Food Mart, and Silversmith.

f) City Attorney has written memo, dated January 31, concerning smoke detectors, suggesting the city not develop a smoke detector ordinance.

On the motion to accept, MOTION CARRIED unanimously by those present.

OTHER BUSINESS

1. There will be a revenue sharing hearing Monday, February 25.
2. Burgess requested that Manager provide a current progress report on the city's waterfront development.
3. Burgess suggested the city obtain sample standards for solar access, and possibly adopt an ordinance.

The meeting adjourned at 10:45 p.m. to go into executive session under ORS 192.660 (2)(a) to discuss labor negotiations, and finally adjourned at 11:05 p.m.

ATTEST:

Allen Manuel, Mayor

Dorothy E. Farrell

Dorothy E. Farrell, Secretary