

MILWAUKIE
CITY COUNCIL MEETING
February 17, 1981
7 p.m.

COUNCIL CHAMBERS

1378th Meeting

The one thousand three hundred seventy-eighth meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on February 17, 1981, with the following councilors present:

Mel Paulson	Roger Hall
Anne Nickel	Mayor Joy Burgess
Donald W. Graf	

Also present:

Kenneth S. Whorton, City Mgr.	Richard Bailey, Fire Chief
Steven Hall, P.W. Director	Greg Eades, City Attorney
Gordon Erickson, Finance Dir.	Dorothy E. Farrell, Sec'y

The invocation was given by Steven Hall, and the Pledge of Allegiance was recited.

AUDIENCE PARTICIPATION

1. James Backenstos, 3626 SE Harrison, said on tour of city facilities, there were many things he noticed that are inadequate, including the city shops; asked if city-owned property had been appraised; asked that Budget Committee receive financial report each month, as well as listing of bills payable.

2. Gus Rivera, Metro Yard Debris Coordinator, said Metro has requested a grant from EPA for a demonstration project on how to deal with yard debris. He is looking for locations to process the debris. It was MOVED by Paulson, SECONDED by Hall, that the city participate in the effort. MOTION CARRIED unanimously.

PUBLIC HEARING - ACCEPTANCE OF AND APPORTIONMENT OF ASSESSMENT ON STREET IMPROVEMENTS - INTERNATIONAL WAY, 36TH AVENUE, EDISON STREET

Public hearing on S. E. 36th Avenue (from SE Roswell Street to Johnson Creek Boulevard) Local Improvement District was opened at 7:42 p.m. Staff report was given by Public Works Director.

Correspondence received:

Walter Noack, 8555 SE 36th Avenue, asked for an explanation of variance in cost per foot from one property owner to another and stated the cost presented is \$1650 over the estimate.

Albert A. Craddick, 8835 SE 36th, questioned the correctness of his assessment.

Herbert A. Bohlmann, 8805 SE 36th, asked for discussion on time elements, quality of project, credits allowed, interest charges, and costs.

Anna Marie Foltz, 8527 SE 36th, asked for a breakdown of assessment.

James Pappadimas, 8735 SE 36th, said five lots had existing curbs and four lots had existing driveways, that were not replaced, and asked for credit.

Florene G. Shipley, 8605 SE 36th, asked for information on how the figures were arrived at, and options for methods of payment. Those speaking to Council:

Albert Craddick, 8835 SE 36th, said the cost had gone up since the project was first discussed, and asked if he would

receive credit for curb and driveway that was in place before the project started.

Herbert Bohlman, 8805 SE 36th, requested credit for curb and driveway, and quoted prices on concrete, rock, etc., saying he thinks the cost of the project is too high.

Walter Noack, 8555 SE 36th Avenue, asked for a breakdown on costs.

Daniel C. Kalibak, 8725 SE 36th, asked how the city puts bids out.

Herbert Bohlman, 8805 SE 36th, said the contractor cracked his driveway, and did not patch it properly, and the sidewalk has cracks.

Florence Shipley, no address given, asked how persons on fixed incomes would be allowed to pay their assessments.

Staff discussed questions and statements with residents, and it was stated those with pre-existing curbs and driveways would be given credit.

Public hearing was closed at 8:16 p.m.

Public hearing on SE Edison Street (from SE 37th to SE 40th Avenue) Local Improvement District was opened at 8:17 p.m. Staff report was given by Public Works Director.

No correspondence was received.

No one appeared to speak at the public hearing.

Public hearing was closed at 8:22 p.m.

Public hearing on SE International Way (from the east boundary of Freeman Industrial Park to SE 40th Avenue) Local Improvement District was opened at 8:23 p.m. Staff report was given by Public Works Director.

Correspondence received:

John C. Freeman, Freeport Properties Ltd., 9570 SW Barbur Boulevard, Portland, in letter dated February 17, objected to three items in the assessment: extra amount paid to contractors for pump rental and operation; change in specifications and increase in cost of emergency access road; and cost charged by contractor for drilling holes into manhole bases.

Speaking to Council:

John C. Freeman, address above, discussed disputed items with staff and Council.

Public hearing was closed at 9:19 p.m.

It was MOVED by Nickel, SECONDED by Graf, to read (AN ORDINANCE OF THE CITY OF MILWAUKIE DECLARING THE ASSESSMENTS FOR STREET IMPROVEMENT PROJECTS) the first time by title only, with Tax Lots 7200, 7300, 7500, 7600 and 9300 in the 36th Avenue LID being given credit for pre-existing curbs and driveways. MOTION CARRIED unanimously. The ordinance will be read the second time at the next Council meeting.

(Meeting recessed at 9:30 p.m., reconvened at 9:40 p.m. with all present.)

PAYMENT OF BILLS

It was MOVED by Nickel, SECONDED by Graf, that the bills listed for February 17, 1981 payment be approved for payment. MOTION CARRIED unanimously.

TERMS OF OFFICE OF ADVISORY COMMISSION MEMBERS - ORDINANCE NO.

It was MOVED by Nickel, SECONDED by Paulson, to read (AN ORDINANCE OF THE CITY OF MILWAUKIE PROVIDING FOR EXPIRATION OF TERMS OF OFFICE FOR MEMBERS OF CITY COMMISSIONS) the first time by title only. MOTION CARRIED unanimously. The ordinance will be read the second time at the next Council meeting.

RESIDENCE OF SENIOR CITIZEN ADVISORY COMMISSION MEMBERS - ORDINANCE NO.

It was MOVED by Hall, seconded by Graf, to read (AN ORDINANCE OF THE CITY OF MILWAUKIE AMENDING ORDINANCE NO. 1451 ESTABLISHING A SENIOR CITIZENS ADVISORY COMMISSION) the first time by title only. MOTION CARRIED unanimously. The ordinance will be read the second time at the next Council meeting.

ADOPTION OF RIVERFRONT GUIDELINES

Council held a special meeting on February 5 to discuss riverfront guidelines. Changes were agreed upon, and the guidelines have been re-written.

There was considerable discussion by members of City Council and by City Manager concerning changes in the Riverfront Guidelines. It was Council consensus that the Manager rewrite the guidelines, making changes to incorporate concerns that there is a lack of clarity with regard to the total scope of the project; that language needs to be revised to improve the form of the document, to delete language included in the first draft, which was in the form of a memorandum from the Manager to the Council; that the guidelines do some of the consultant's work for him.

Included in the proposed changes are:

1. Page 1, General Guidelines, Section 5: "The project shall be designed in such a way as to..."
2. Page 1, General Guidelines, Section 6: "A determination shall be made as to..."
3. Page 1, General Guidelines, Section 7: "Consideration should be given to whether the civic center is permanent in the downtown area."
4. Page 3, Commercial Activities, Section 1: "Since a large portion of our existing riverfront property has been donated to the city, it shall be deemed inappropriate for the city to sell it for commercial purposes; therefore, long-term leases shall be deemed appropriate rather than outright sale. By proceeding..."
5. Page 3, Commercial Activities, Section 1: "Since the area between the treatment plant and Johnson Creek is zoned commercial, but requires a conditional use permit for development, the following list of appropriate and inappropriate uses shall provide guidance for potential investors and developers."

There was discussion of eliminating Section 7 on Page 1; defining the project area; adding Kellogg Lake; clarification of item 2 under Commercial Activities on page 3; rewriting Sections 1, 2 and

3 under Pedestrian Access - Vehicle Access - Parking, on page 4. Manager was asked to have Jerry Draggoo, the consultant, give an estimate of the cost of including Kellogg Lake in the master plan.

CONSENT AGENDA

a) Approval of Minutes - January 29, February 3 and 5, 1981

b) Liquor License Application

1) 7-11 Food Store No. 19325, 6303 SE Harmony Road (The Southland Corporation) - Package Store

c) Final Acceptance and Payment - Sewer Telemetry System

d) Tri-Met Interim Transit Center Layout

It was MOVED by Nickel, SECONDED by Hall, to approve the Consent Agenda. MOTION CARRIED unanimously.

b) Police Chief finds no reason to deny issuance of the requested license.

c) Public Works Director recommends final acceptance of sewer telemetry system and transfer of costs, in the amount of \$34,038, into the capital assets account, and that 5% retainage be maintained for 30 days.

d) Public Works Director has written memorandum, dated February 12, 1981, outlining proposed revisions to interim transit center layout to take into account additional lines to be added in June, 1981. Traffic Safety Commission, Public Works Director and Office Engineer recommend Option A, the "Jackson Street option," as shown in letter from Tri-Met dated February 5, 1981.

REESTABLISHMENT OF PLANNING DEPARTMENT

City Manager has written memorandum, dated February 13, 1981, recommending reestablishment of Planning Department, which has been, for approximately a year, a division under the Public Works Department. Also recommended is salary of \$2000 per month, range 293, step D, for Topaz Faulkner, to be appointed as Planning Director. Salary of Public Works Director will remain the same. It was MOVED by Nickel, SECONDED by Burgess, to reestablish the Planning Department, making Topaz Faulkner Director at the stated salary. MOTION CARRIED unanimously.

PROPOSED LOCAL IMPROVEMENT DISTRICT - SE 40TH AND WISTER

Public Works Director has written memorandum, dated February 10, 1981, concerning proposed Local Improvement District at SE 40th and Wister. It was Council consensus to hold a public hearing on the L.I.D.

It was MOVED by Nickel, SECONDED by Paulson, to extend the meeting for 10 minutes. MOTION CARRIED with the following roll-call vote: AYES: Nickel, Burgess, Graf and Hall. NOES: Paulson.

APPOINTMENTS TO SENIOR CITIZEN ADVISORY COMMISSION

It was MOVED by Nickel, SECONDED by Graf, to retain Gail Bassett on the Senior Citizen Advisory Commission, as one of the non-resident members. MOTION CARRIED unanimously.

The following persons were candidates for the four remaining open positions on the Senior Commission: Joe Keller, Gertrude Sherk,

Ruby Chervin, Ronald Kinsella, Cathryn Boyles, Hurlene Rager, Jim Tomlin, Bernice Johnson, Alice Measure, Carolyn Troychak, and David Larson. Council members voted for four, with their first choice receiving four points, second choice three points, third choice two points, and fourth choice one point. The vote was as follows: Hall voted for Tomlin, Boyles, Sherk and Larson; Graf voted for Boyles, Rager, Measure and Johnson; Burgess voted for Keller, Boyles, Sherk and Measure; Nickel voted for Tomlin, Boyles, Measure and Rager; Paulson voted for Keller, Boyles, Sherk and Measure. The totals were as follows: Boyles 16, Keller 8, Tomlin 8, Sherk 6, Measure 6, Rager 4, Johnson 1 and Larson 1. Boyles, Keller and Tomlin were appointed, there was a tie between Sherk and Measure. It was MOVED by Nickel, SECONDED by Burgess, to accept Alice Measure as the fourth appointee. MOTION CARRIED unanimously.

The meeting adjourned at 11:10 p.m.

Joy Burgess, Mayor

ATTEST:

Dorothy E. Farrell, Secretary

