

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



COUNCIL CHAMBERS

1396th MEETING

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

Mel Paulson	Roger Hall
Wallace Bischoff	Mayor Joy Burgess
Donald W. Graf	

Also present:

Richard Bailey, City Mgr. Pro Tem	Jo Durand, Adm. Asst.
Gordon Erickson, Finance Dir.	Greg Eades, City Att'y
Steven Hall, P.W. Director	Dorothy E. Farrell, Sec'y
Topaz Faulkner, Planning Dir.	

The invocation was given by Mayor Burgess, and the Pledge of Allegiance was recited.

PRESENTATION BY CITY'S CABLE TV CONSULTANT ON LIBERTY CABLE TV PROPOSAL, AND ADVISORY COMMITTEE COMMENTS

Ken Downes, city's cable TV consultant, answered questions from members of Council on his evaluation of Liberty Cable TV's proposal for cable TV service for the City of Milwaukie.

Council has received the following information:

1. Letter from Storer Cable TV, Inc., dated August 24, and City Attorney's reply, dated September 11.
2. Comments from members of Cable Advisory Commission, including: Bob Wynia, Marilyn Thompson, Bob Walker, George Van Bergen, Susan Koepping and Laird Prouty.
3. Letter from Global Cable TV, dated October 22, saying that company is interested in providing service.
4. Letter to Mayor from Father Saalfeld, St. John's Catholic Church, dated November 11, concerning "cableporn."

There was discussion of the possibility of the Cable Advisory Commission continuing in existence after the franchise is awarded. It was MOVED by Paulson, SECONDED by Bischoff, to hear the presentation by Liberty Cable Television at 6 p.m. December 1, 1981.

MOTION CARRIED unanimously.

(Meeting recessed at 8:35 p.m., reconvened at 8:45 p.m. with all present.)

City Attorney said Liberty is now free to have discussions with anyone except the City Council.

AGREEMENT CONCERNING MARCI'S CLUB

Attorney for Lidio Martini and Marci's Club has sent signed agreement between Martini and City of Milwaukie, which provides that the city will endorse Martini's liquor license application for approval if Martini conducts his business as a tavern only without unusual adult entertainment.

John Foster, no address given, asked for a limitation on the type of operation, even with a new owner. City Attorney explained the liquor license has to be renewed each year, and a new application would have to be made if ownership changes, which gives the Council control.

SALE OF STOCK OF WICHITA SANITARY SERVICE

Council has received letter from Dale M. Harlan, attorney for Ronald E. Hyde, dated November 17, 1981. Ronald E. Hyde is selling all stock of Wichita Sanitary Service Inc. to Anthony E. Catalan and Scott R. Kiser.

It was MOVED by Graf, SECONDED by Bischoff, that the transfer of ownership be approved by the City Council upon proper documentation being received by the City Attorney. MOTION CARRIED unanimously.

PAYMENT OF BILLS

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

APPOINTMENTS TO COMMITTEE TO ASSIST IN CITY MANAGER SELECTION

Manager said he would present names of possible appointees at the next Council meeting. Mayor suggested members of Council also bring names of possible appointees.

DIRECTION TO LEAGUE OF OREGON CITIES REGARDING RECRUITMENT FOR CITY MANAGER POSITION

Executive Director of League of Oregon Cities has sent letter, dated October 30, 1981, saying he has heard of the proposed reorganization plan which does not require a separate manager position, and asking whether the city wishes to terminate the manager recruitment process or continue recruiting while evaluating the reorganization proposal. It was Council consensus that the League should start the recruiting process again.

MEMORANDUM ON PROPOSED ALTERNATIVE MANAGEMENT PROGRAM, AND ADVISORY COMMITTEE REACTIONS

City Manager has written memorandum, dated November 13, 1981, concerning proposed alternative management program. The Parks and Recreation Commission, in memo dated November 10, and the Friends of The Milwaukie Center, in letter dated November 12, have given their reactions to the proposed reorganization and proposed cuts.

Manager said his memorandum discusses options regarding city manager position, but because of Charter language, there is only one option--a full-time city manager.

Manager asked if Council wants staff to proceed with plans for reorganization, and if Council wants to schedule the budget election in March, or whether it would be preferable to wait until May.

It was MOVED by Hall, SECONDED by Bischoff, that the Council go on record as favoring the general outline of reorganization so that the budget statistics may in fact be compiled in the appropriate way. MOTION CARRIED unanimously.

It was MOVED by Graf, SECONDED by Bischoff, to set the election date on the budget in May. MOTION CARRIED unanimously.

Information on possible budget cuts will be brought to the Council on December 15.

(Meeting recessed at 10 p.m., reconvened at 10:05 p.m. with all present.)

It was MOVED by Graf, SECONDED by Burgess, to extend the meeting for an additional 30 minutes. MOTION CARRIED with the following roll-call vote: AYES: Bischoff, Burgess, Graf and Hall. ABSTAIN: Paulson. V
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Graf asked for answers December 15 to the following questions: 1) clarification of changes in Parks Department, 2) reorganization plan calls for coordinated fire and police purchasing--isn't it coordinated now? 3) justification for proposed cut of purchasing agent position, 4) evaluation from each department head of the reorganization plan.

Burgess asked for alternatives for the Parks Department at different levels, and alternatives for The Milwaukie Center at different levels; and whether or not there is some way of phasing lay-offs.

LETTER TO PORTLAND SATURDAY MARKET CONCERNING PROPOSED MILWAUKIE SATELLITE MARKET

Milwaukie USA Business Association has drafted letter to Portland Saturday Market, with proposal for the development of a satellite market in Milwaukie.

It was MOVED by Graf, SECONDED by Paulson, to approve the letter. MOTION CARRIED unanimously.

FINAL APPROVAL - WAVERLY LAND OF OREGON PLANNED DEVELOPMENT PD-81-2 (WEST OF 17th AND McBROD INTERSECTION) - ORDINANCE NO. 1505

It was MOVED by Graf, SECONDED by Hall, to read Ordinance Number 1505 (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NO. 1438 BY REZONING CERTAIN PROPERTY IN THE CITY FROM CITY R-10 TO CITY R-10 PLANNED DEVELOPMENT) the first time in full. MOTION CARRIED unanimously. It was MOVED by Paulson, SECONDED by Bischoff, to read Ordinance 1505 the second time by title only. MOTION CARRIED unanimously. It was MOVED by Hall, SECONDED by Graf, to adopt Ordinance 1505. MOTION CARRIED with the following roll-call vote: AYES: Paulson, Bischoff, Burgess, Graf and Hall. NOES: None. Ordinance 1505 passed the Council and was so declared by the Mayor.

BID AWARD - CITY SHOP PAVING

Public Works Director has written memorandum, dated November 13, 1981, concerning bid award for city shop paving.

It was MOVED by Paulson, SECONDED by Bischoff, to award the contract for paving and installing curbs at parking lot at new city shop to Fleck Construction Company, in the amount of \$15,197.

REPLACEMENT OF WATER DIVISION VEHICLE

Public Works Director has written memorandum, dated November 17, concerning replacement for 1976 Datsun Pickup which was stolen from the Public Works Yard and damaged beyond reasonable repair. Public Works is requesting authorization to replace this vehicle with a new 3/4 ton compact pickup.

It was MOVED by Graf, SECONDED by Bischoff, to give authorization for staff to acquire a replacement vehicle. MOTION CARRIED unanimously.

CONSENT AGENDA

- a) Approval of minutes - 10/28/81 and 11/3/81 Council meetings
- b) Election results - 11/3/81 election
- c) Proclamation - Bible Week
- d) Revised state/local agreements for Water Tower Park
- e) Lease/Purchase agreement on Ford Pump Body Fire Truck
- f) Agreement concerning Marci's Club

It was MOVED by Graf, SECONDED by Paulson, to accept the Consent Agenda. MOTION CARRIED unanimously.

- b) Clackamas County Clerk has certified the vote at the November 3 special election as follows:

For Milwaukie City Council position #4:

Wallace L. Bischoff - 573 votes

Alfred G. Liane - 533 votes

over votes - 9

under votes - 16

Total votes cast - 1131

Write-ins: Joseph F. Herzig - 2 votes

Allen Manuel - 1 vote

- c) Mayor Burgess proclaimed November 22-29, 1981 as Bible Week in Milwaukie.
- d) State Parks and Recreation Division has sent revised state-local agreements for Water Tower Park, Phase 2, 1981-83 LWCF project.
- e) City Manager Pro Tem requests approval for Mayor to sign personal property lease-purchase agreement for 1981 LS 9000 Ford Chassis Pump Body Fire Truck, at a total rental amount of \$103,308, with interest at the rate of 11.25% per annum on the unpaid balance.
- f) Frank J. Susak, attorney for Lidio Martini, has sent agreement between Claudio Martini dba Marci's Club and the City of Milwaukie, covering operation of Marci's Club.

INFORMATION ITEMS

- a) Traffic Safety Commission minutes - 10/12/81
- b) Parks and Recreation Commission minutes - 10/25/81
- c) Metro's Focus on Grants - with article on Milwaukie
- d) Milwaukie USA Business Association minutes - 10/1/81
- e) Senior Citizen Advisory Commission minutes - 10/9/81
- f) Center Advisory Board minutes - 10/30/81
- g) Verbal report on Clackamas Community College Community Development Coordinator. (Note: Because of the late hour, this report was not given.)

OTHER BUSINESS

1. Resignations have been received from Jim Tomlin and Cathryn Boyles, members of Senior Citizen Advisory Commission. Staff was asked to advertise the city is taking applications.
2. Don Graf was appointed as the city's voting delegate to the League of Oregon Cities convention November 22-24.
3. It was MOVED by Graf, SECONDED by Bischoff, to extend the meeting for an additional half hour if necessary. MOTION CARRIED

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with the following roll-call vote: AYES: Bischoff, Burgess,
Graf and Hall. ABSTAIN: Paulson.

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The meeting adjourned at 10:32 to go into executive session under
ORS 192.660(1)(d) to discuss labor negotiations.

The meeting returned to open session at 10:55 p.m.

It was MOVED by Paulson, SECONDED by Bischoff, to adopt the City
Manager Pro Tem's recommendations as expressed in executive
session. MOTION CARRIED unanimously.

The meeting adjourned at 10:58 p.m.

Dorothy E. Farrell, Secretary

ATTEST:

Joy Burgess, Mayor

