

MILWAUKIE
CITY COUNCIL MEETING
February 2, 1982

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COUNCIL CHAMBERS

1401st Meeting

At 6:40 p.m. prior to the regular Council meeting at 7 p.m. the City Council met to interview candidates for appointment to the Budget Committee.

Present: Mel Paulson Roger Hall
Wallace Bischoff Donald Graf
Mayor Joy Burgess

Also Present: Laurie Perkin, Secretary
Jo Durand, Administrative Assistant

The following persons were interviewed:

Alfred Liane, 4809 SE Montoe Street
Kenneth Upton, 11175 SE 30th

The one thousand four hundred and first meeting of the Council of the City of Milwaukie, Oregon was held at 7 p.m. on February 2, 1982 with the following councilors present:

Mel Paulson Donald Graf
Wallace Bischoff Roger Hall
Mayor Joy Burgess

Also present:

Richard D. Bailey, City Manager Pro Tem Gordon Erickson
Greg Eades, City Attorney Finance Director
Steve Hall, Public Works Director Laurie Perkin, Sec'y
Topaz Faulkner, Planning Director

AUDIENCE PARTICIPATION

The following people spoke in support of the Senior Services Serial Levy: Cathryn Boyles, Friends of The Milwaukie Center; Irene Suchland, Center Advisory Board; Doris Olson, Senior Citizens Advisory Commission; Ralph Groener, Clackamas County Board of Commissioners.

Jane Tomlin, 4760 SE Logus Road, answered questions concerning the levy; the amount of money going to the cities and the kinds of services provided which would be as stated in the levy.

The following people spoke in opposition to the levy:

Arnold Callan, Wood Avenue; James Backenstos, 3626 SE Harrison; Bill Hupp, 2626 Washington Street.

There was general discussion on the difference in the tax rate if the levy passed. Graf pointed out that if the levy passed, the Center would get over twice as much money as the city could provide through their budget and the tax rate for Milwaukie residents would be slightly less. It was

MOVED by Graf, SECONDED by Hall, that the Council support the Senior Services Serial Levy. The MOTION CARRIED with the following roll call vote: AYES: Paulson, Bischoff, Graf, Hall. NO: Burgess.

Cable T.V. Report

City Attorney reported that several firms have expressed interest in the city franchise and have submitted the \$2000 non-refundable fee. He requested that the Council not ask for details at this point however, since there have been very few discussions and it would not be in the best interests of the city to make it known what companies are

city chose to change the traffic pattern of the other streets, that was alright with them.

Pete Sinclair, Bank of Milwaukie, presented a memorandum dated February 1, 1982, from the Milwaukie Business Association recommending acceptance of the Chevron site. The recommendation contained a list of eight requirements to be agreed upon between the city and Tri-Met.

There was more discussion on the problems involved in relocation. Steve Hall, Public Works Director, endorsed the second site and said that there were very few sites in Milwaukie where the Transit Center could be located. Time was running out, said Hall, and staff was recommending that the Council approve the site, the plan in concept, and the requirements listed by the Milwaukie Business Association. Mr. Floyd Jones, owner of the Chevron Gas Station, asked the Council to consider another site, since he did not want to move and would have problems relocating.

There was more discussion on the design of the plan and possible parking problems as a result of the Transit Center. It was MOVED by Paulson, SECONDED by Hall, that the Council approve site # 2 as proposed by Tri-Met, including recommendation by Steve Hall, that Council accept the concept plan, authorize Tri-Met to proceed with the grant application and accept recommendations of the Milwaukie Business Association. MOTION CARRIED unanimously.

Request to serve liquor at The Milwaukie Center

Nan Hermann, John Inskeep Environmental Learning Center, addressed the Council, requesting permission to serve wine at the Center. Their organization would provide security guards and a refundable deposit. Sara Hite, Center Director, has prepared memo dated February 2, recommending that no exceptions be made to the present policy regarding alcohol until more research could be done and a new policy formulated. It was MOVED by Hall that the matter be tabled until the next Council meeting. Jo Durand explained that The Center Advisory Board wanted direction from the Council regarding alcohol use at the Center. Bailey offered the suggestion that the Council make an exception for the John Inskeep Environmental Learning Center and consider a proposed policy at a later meeting. Hall WITHDREW the motion. It was MOVED by Graf, SECONDED by Bischoff, that the Learning Center be allowed to serve wine on a one time basis. MOTION CARRIED unanimously.

Offer to purchase property

It was MOVED by Paulson, SECONDED by Bischoff, that the city accept Chuck Swan's offer to purchase property at 32nd Street as outlined in his agreement. Graf announced a potential conflict of interest. The MOTION CARRIED with the following roll call vote: AYES: Paulson, Bischoff, Burgess, Hall. ABSTAIN: Graf.

involved. Eades said that Liberty had not yet paid the non-refundable \$2000 fee and that since he had assured the other companies involved that the city's intentions were to treat each application equally and for this reason, even though Liberty did pay the initial fee, he did not think that the city should negotiate with them at this time if they refuse to pay the additional \$2000.

Sylvia Sycamore, Liberty T.V. representative, said that Liberty felt that they were being penalized for being the first company to bid. She did not agree that Liberty should have to pay two fees.

Hall said that he was concerned that the city be fair with Liberty and would be in favor of waiving the additional fee. It was MOVED by Hall, SECONDED by Bischoff, that the Council waive the \$2000 fee, making it \$200 with the purpose of equalizing the amount paid by other companies; that the City Council go on record as being favorable to Liberty's continued participation; that Council instruct staff to conduct the negotiating process in such a manner as to insure that all companies receive equal consideration. MOTION CARRIED unanimously.

LEGISLATION

Tri-Met Transit Center

Planning Director said that Tri-Met was going to make a recommendation on the site of the transit center and was requesting that the city council make a decision tonight on that recommendation.

Rick Gleason, Tri-Met, said that after conferring with both the businessmen and city staff, Tri-Met was recommending the Chevron site, between Jackson and Monroe.

Jack Baker, representative of Chevron, expressed disappointment in the selection of the Chevron site, saying that the Company had long range plans for this site and they did not want to move. Burgess asked City Attorney what the role of the city should be in a matter of this sort. Eades said that the city should not take an active role. Council was being asked only to give tentative approval to a site.

Bill McDonald, 10851 SE Main, expressed concern about the maintenance of this facility. He said that the city needed assurances on some controls.

Rick Gleason said that Tri-Met would take the lead in any land acquisition process. They are required to submit a plan with the grant application. As far as maintenance was concerned, there would probably be some sort of deal worked out with Greyhound to take care of the maintenance. He said that Tri-Met is also required to come up with a relocation plan and will reimburse the property owners for the costs incurred.

There was general discussion on the one-way grid. Rick Gleason from Tri-Met said that Monroe Street would be the only street that it would be necessary to change to two-way as far as Tri-Met was concerned but if the

Recommendation for Utility Rate Increases

Public Works Director has prepared report dated January 27, 1982, recommending water and sewer rate increases.

It was MOVED by Graf, SECONDED by Hall to extend the meeting 20 minutes. MOTION CARRIED unanimously.

Public Works Director broke down the cost of the increases and talked about alternatives, one of which would be to cut services.

Ted Havlicek, 1520 SE Eton Lane, presented a list of suggestions for Water service costs/rates to the City Council.

It was MOVED by Graf, SECONDED by Hall, that a Public Hearing be held on rate increases in water and sewer rates at the next council meeting on February 16, 1982. MOTION CARRIED unanimously. There was concurrence by the Council that the information be sent to the Key Communicators.

Systems Development Charges

Public Works Director has prepared a memo dated January 27, 1982 recommending acceptance of Systems Development Charges.

Hall explained that these charges would have to do with new construction. He requested that staff be directed to come up with an ordinance to implement these charges at the next meeting. It was MOVED by Graf, SECONDED by Bischoff that the Council accept the recommendation as stated in Hall's memo. MOTION CARRIED unanimously.

Appointment to Budget Committee

It was MOVED by Paulson, SECONDED by Burgess, that Alfred Liane be nominated for the Budget Committee. It was MOVED by Graf, SECONDED by Hall, that Kenneth Upton be nominated for the Budget Committee. Kenneth Upton was appointed to the Budget Committee by the following vote: voting for Liane: Paulson, Burgess. voting for Upton: Graf, Hall, Bischoff.

Payment of Bills

It was MOVED by Graf, SECONDED by Hall, that the bills listed for February 2, 1982 be approved for payment. MOTION CARRIED unanimously.

It was MOVED by Graf, SECONDED by Burgess, that the meeting be extended for 20 minutes. MOTION CARRIED with the following roll call vote: AYES: Bischoff, Burgess, Hall, Graf. NO: Paulson
ORDINANCE 1513 REQUIRING AUTOMATIC SPRINKLER SYSTEMS

Bailey explained that the ordinance was an attempt to get private industry to share responsibility for fire protection. There was discussion regarding insurance rates and cost of system.

It was MOVED by Hall, SECONDED by Graf, to read Ordinance Number 1513 (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, REQUIRING AUTOMATIC SPRINKLER SYSTEMS IN CERTAIN STRUCTURES) the first time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall to adopt Ordinance Number 1513. MOTION CARRIED with the following roll call vote: AYES: Paulson, Bischoff, Burgess, Hall, Graf. NOES: none.

Recommendation for increased fees at Milwaukie Center
It was MOVED by Graf, SECONDED by Paulson, that the Council accept the recommendation of the Center Advisory Board regarding increased fees at The Milwaukie Center. MOTION CARRIED unanimously.

There was council concurrence that there be a public hearing for systems development charges at the February 16 meeting.

CONSENT AGENDA

It was MOVED by Paulson, SECONDED by Graf, that the Consent Agenda be approved. MOTION CARRIED unanimously.

Community Development Block Grant

Planning Director has prepared memo dated February 2, 1982, requesting that the city rescind previous approval of CDBG request, and direct staff to develop a new grant application for funds to improve the downtown. It was MOVED by Graf, SECONDED by Bischoff to rescind the previous approval of CDBG request and direct staff to prepare new application for grant. MOTION CARRIED unanimously.

The meeting was adjourned at 10:40 to go into executive session under ORS. 192.660 (1) (a) to discuss employment of staff.

The executive session adjourned at 11 p.m.

Laurie Perkin, City Recorder

ATTEST:

Joy Burgess, Mayor