

MILWAUKIE
CITY COUNCIL MEETING
May 4, 1982
7 p.m.

COUNCIL CHAMBERS

1407th Meeting

At 6:40 prior to the regular Council meeting the City Council interviewed Mr. Warren Bottemiller, 4307 SE Jackson Street for a position on the Traffic Safety Commission.

The one thousand four hundred and seventh meeting of the City Council of the City of Milwaukie, Oregon was held at 7 p.m. on May 4, 1982 with the following councilors present:

Mel Paulson	Roger Hall
Mayor Joy Burgess	Don Graf
Wallace Bischoff	

Also present:

Hugh Brown, City Manager
Greg Eades, City Attorney
Steve Hall, Public Works Director
Ron Schanaker, Police Chief
Laurie Perkin, Secretary

The invocation was given by Mayor Burgess and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Mayor Burgess presented certificates of appreciation to Mr. Bob Sherman, Cubmaster, Pack 153 and Mr. David Bilby, Boy Scout Troop 144 for work done on city property.

Mayor Burgess read a proclamation declaring the month of May, 1982 Older Americans month and May 15, 1982 as Older Americans Day.

LEGISLATION

Payment of bills

It was MOVED by Hall, SECONDED by Graf that the bills listed for May 4, 1982 be approved for payment. MOTION CARRIED unanimously.

Island Station Waterline Easement

Public Works Director has prepared memo explaining request for approval of escrow instructions re waterline easement. The city wants to acquire an easement for construction of a water main across property owned by Allen B. Pynn, 11 to 12 acres of 300 unit high density multi-family property adjacent to south boundary of the City of Milwaukie. Pynn has agreed to grant the easement providing the city agrees to certain conditions as stated in the escrow instructions. There was discussion on fire and water services. Steve Hall said that the city would install a fire hydrant. The water service fee would be the same as for any other outside user. It was MOVED by Graf, SECONDED by Paulson, that Mayor be authorized to sign agreement. MOTION CARRIED unanimously.

Noise Control Ordinance

Ron Schanaker, Police Chief, spoke to the Council concerning history of development of the ordinance. The police now have no effective way of dealing with the problem. Other jurisdictions have noise control ordinances and Bill McDonald, Administrative Assistant, has done research in his development of the ordinance. Schanaker said that the police would like to be able to respond to complaints but would try to avoid taking legal action. He said that the Police Department has sound meters, issued by the Department of Environmental Quality at no cost to the city.

Bill Hupp, 2626 SE Washington addressed the Council. He said that there were too many problems with the ordinance in its present form including lack of manpower to enforce it, the fact that it does not address some of the worst offenders e.g. Tri-Met and school busses, and the fact that the meters will be challenged in court.

Terry Obteshka from the Dept. of Environmental Quality addressed the Council. He said that the DEQ does have the authority to stop busses that are particularly offensive. Obteshka answered questions from Council about DEQ requirements. There was discussion on city standards and enforceability. Graf asked if the city could refer to DEQ standards and Obteshka said that DEQ does not have staff to enforce minor noise complaints. The City Manager suggested referring the matter to staff for further study. It was MOVED by Graf, SECONDED by Bischoff to table the ordinance until the first meeting in June. MOTION CARRIED unanimously.

State Grant-in-Aid allocation

The city has qualified for a state Grant-in-Aid allocation of \$1,400 which requires a 25% local match or \$350. Staff has recommended that the funds be used for rehabilitation of the playground at Century Park. Randy Westrick, Parks and Recreation Director, explained the project which will be scheduled for completion in late summer or early fall. It was MOVED by Hall, SECONDED by Bischoff to approve staff's recommendation. MOTION CARRIED unanimously.

Wichita Water District Agreement

Public Works Director has requested approval of agreement between Wichita Water District and the City providing for city maintenance of the District. The agreement is renewable each year and can be cancelled within 30 days. It was MOVED by Graf, SECONDED by Hall, that the Mayor be authorized to sign the agreement. MOTION CARRIED unanimously.

CONSENT AGENDA

Approval of Minutes- April 15 and 20, 1982.

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

Request from Clackamas County Senior Citizen's Council

Sara Hite, Center Director, answered questions from the Council regarding recommendation from the Center Advisory Board. Because of extra staff time, security, and potential problems that could occur as the result of the use of liquor, the board has advised against the change of policy. However, they voted unanimously to allow one last exception for the Senior Citizens Council.

Ralph Clifford, 13480 SE Ruscliff Lane, protested the use of liquor at the Center. He said there had been problems because of use of alcohol at North Clackamas Park and if liquor were used in the Center this problem would be aggravated and would result in lack of support for city programs. It was MOVED by Hall, SECONDED by Bischoff, to accept the recommendation of the Center Advisory Board. Burgess said that she was not in favor of granting the exception to the Senior Citizens Council. There was more discussion on the problems that could result from the use of liquor. Hall WITHDREW the motion. It was MOVED by Burgess, SECONDED by Hall, that the present policy be continued and that no further exceptions be made. MOTION CARRIED with the following roll call vote: AYES: Burgess, Bischoff, Hall. NOES: Graf, Paulson. Graf and Paulson asked to go on record as being opposed to the motion since in denying the request for an exception, Council is not following recommendation of Advisory Board.

Clackamas County Corrections request for expansion of Conditional Use.

Terry Gassoway, Director of the County Corrections facility addressed the Council regarding request to use existing vacant State Corrections facility for consolidated State Work Release and County Residential Center operation, into one complex housing non-dangerous felony adult offenders at 9200 McBrod Ave. Milwaukie. These people are either put in jail or on the streets now, neither solution being satisfactory. The people involved in the program are screened by staff, required to have a job and pay room and board. They are also put on a counseling program. The extra facility would be used for overflow and would house 46 persons maximum.

Ron Schanaker, Police Chief, said that he supported the program and has had no problems with it. The city could always revoke its approval if the conditions were not met. It was MOVED by Graf, SECONDED by Bischoff to approve request the with stipulation that the occupancy of the facility be limited to 46 and no person convicted of a violent crime be admitted to the program. MOTION CARRIED unanimously.

OTHER BUSINESS

The Council agreed to send a letter to the editors of all newspapers in the area expressing their support of the budget and pointing out that the proposed budget has the full support of the budget committee and maintains present levels of service.

Bischoff brought up the City Manager evaluation procedure which Council had discussed previously. It was suggested that a work session on this be scheduled at a later date.

It was MOVED by Graf, SECONDED by Bischoff to appoint Warren Bottemiller to the Traffic Safety Commission. MOTION CARRIED unanimously.

APPROVED:

Joy Burgess, Mayor

Laurie Perkin, Secretary