

MILWAUKIE  
CITY COUNCIL MEETING  
July 6, 1982  
7 p.m.

THE MILWAUKIE CENTER

1411th Meeting

A meeting of the Milwaukie City Council was held on July 6, 1982 with the following councilors present:

Mel Paulson	Don Graf
Wallace Bischoff	Roger Hall
Mayor Joy Burgess	

Also present:

Hugh Brown, City Manager	Steve Hall, P.W. Director
Greg Eades, City Attorney	Gordon Erickson, Finance Director
Topaz Faulkner, Comm. Services Director	Laurie Perkin, Secretary
Dick Bailey, Fire Chief	

Mayor Burgess gave the invocation and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Bill Hupp, 2626 SE Washington St., commented on signs placed around town on telephone poles etc. and creating a mess and asked if there was not an ordinance prohibiting this kind of thing. City Attorney said there was an ordinance but it had not been a high priority. There was discussion on the enforcing of the ordinance. Mayor Burgess asked that staff review the ordinance and report back to Council on ways of enforcing it.

Mr. Bill Hinckley, 4292 Mason Lane, addressed the council concerning a condition in his neighborhood which is unsightly and disruptive. A rental property in his neighborhood appears to be a car repair business. Topaz Faulkner said that she had sent someone there but found no evidence of a car repair business. She said that she would look into the matter further and report back to Mr. Hinckley.

PUBLIC HEARING - Annexation, Comp. Plan Amendment, Zone Change Property adjacent to city boundary on Harmony Rd.

The public hearing was declared open at 7:22 p.m. No conflict of interest was declared. Topaz Faulkner gave the staff report citing 8 findings of the Planning Commission dated May 25, 1982 and answered questions from Council. Ken Whitmire, applicant, 20096 Creswell, Oregon City, had nothing to add to the staff report but answered questions from Council. Hall asked about the intention of the property and what the access would be. Mr. Whitmire said there was planned a multi-family dwelling with 10 separate 4-plexes. The access would be Harmony Road. There were no further questions. No correspondence has been received and no one appeared to speak either in favor of or in opposition to the annexation. Public Hearing was declared closed at 7:30 p.m. It was MOVED by Graf, SECONDED by Paulson, to adopt Resolution No. 17-1982 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE. A-82-5; PRC-82-4; ZC-82-6) MOTION CARRIED unanimously. It was MOVED by Paulson, SECONDED by Bischoff, to read Ordinance 1525 the first time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Bischoff, to read the ordinance the second time by title only.

MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Paulson, to adopt Ordinance 1525. MOTION CARRIED with the following roll call vote: AYES: Burgess, Bischoff, Paulson Graf. NO: Hall.

PUBLIC HEARING- Water and Sewer Rate Increases

Public hearing was declared open at 7:36 p.m. Steve Hall, Public Works Director made staff presentation. He reported on the number of stations, lines, hydrants and number of staff. He said there were no new projects or staff. He pointed out minor corrections in report. On the resolution regarding water services under No. 3, \$0.6 should be \$0.66 per 100 cubic feet. On page 12, under Water Division Projections, Item A, after Less Construction Reserve, the figure should read \$174,000 rather than \$273,000. Hall presented a pie chart showing how money would be spent. The sewer increase would amount to 14.7% and in the water division the increase would be 22.4%. He recounted problems in the system and spoke of improvements which should be made. There were questions from Council and extended discussion on the city's contract with Clackamas Service District # 1. The Council questioned the large increase. Public Works Director said that the city is obligated to pay 40% for the construction of the plant and explained the method of payment.

Arnold Callan, 12012 SE Wood, addressed the Council stating that the request for increases was a serious blow to the credibility of the city government and the council, that no correspondence had been sent to the citizens regarding this. He criticized the contract with the County and stated that the City has not negotiated with the county for several years.

Jim Backenstos, 2626 SE Harrison, said that the matter should be tabled until the city has a full report from the county.

Also speaking against the increases: Kathleen Hulme, 11517 SE 30th; Al Liane, 4809 SE Monroe; Bill Hupp, 2626 SE Washington.

The Public Hearing was declared closed at 8:35 p.m.

There was further discussion on the contract with Clackamas Service District #1. It was MOVED by Paulson, SECONDED by Burgess, to postpone both the increases until a clear and accurate report from the County could be obtained.

Graf asked staff to give an accounting of what would happen if the increases were not approved. Public Works Director said that if the sewer increase was not approved, 2 vacancies would not be filled and the department would have to operate out of the Replacement Construction Fund. As to the water increase, the result would be again that the Replacement Construction fund would have to be cut into. On the MOTION to postpone both resolutions, MOTION FAILED with the following roll call vote: AYES; Burgess, Paulson. NOES: Bischoff, Hall, Graf.

It was MOVED by Hall , SECONDED by Graf to adopt Resolution No. 18-1982 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON SETTING FEES FOR WATER SERVICES PROVIDED BY THE CITY UNDER ORDINANCE NUMBERS 1418 and 1424. REPEALING RESOLUTION 8-1981.) MOTION CARRIED with the following roll call vote: AYES: Bischoff, Hall, Graf. NOES: Paulson, Burgess

It was MOVED by Hall, SECONDED by Graf, that Council postpone action on the resolution regarding sewer increases until there is received a clear and accurate report from Clackamas Service District # 1 justifying increases. City Attorney suggested that the Council be involved in negotiating the contract with the county . It was the consensus of the Council that City Attorney research this matter. On the MOTION to postpone the resolution regarding sewer increases, MOTION CARRIED with the following roll call vote: AYES: Burgess, Bischoff, Graf, Hall. NO: Paulson.

#### LEGISLATION

It was MOVED by Hall, SECONDED by Graf, that the bills listed for June 29 be approved for payment. MOTION CARRIED unanimously.

Request to approve sale of Engine 56 and letter of credit.

Fire Chief, Dick Bailey, explained purchasing procedures and replacement needs of Fire Department. He said a buyer was found for Engine 56 and a letter of credit would be used for the purchase of fire related equipment. It was MOVED by Graf, SECONDED by Bischoff, to approve request as stated in Bailey's memo dated July 1, 1982. MOTION CARRIED unanimously.

Request to approve contract with PACC for medical insurance.

City Manager is recommending a change in medical insurance carriers which hopefully will result in a savings to the city and will provide basically the same services. The plan is not completed yet and has to have approval of unions. He requested authorization to sign such a contract if it is acceptable to employees. There was discussion on a self-insurance program for the city. It was MOVED by Graf, SECONDED by Bischoff, to authorize City Manager to sign a contract with PACC for medical insurance as requested. MOTION CARRIED unanimously.

#### CONSENT AGENDA

Approval of Minutes - June 10, 15, 21, 22, 1982

Liquor License - Mont Rouge World Wines Inc.

Renewal of agreement with Clackamas County regarding Animal Control.

It was MOVED by Graf, SECONDED by Bischoff to approve the consent agenda. MOTION CARRIED unanimously.

Paulson said he wished to receive more information regarding liquor licenses from now on.

## INFORMATION

Bill Hupp has written a memo dated June 25, 1982 requesting ordinance prohibiting various pornographic establishments within the City of Milwaukie. City Attorney said he could draft such an ordinance but it would be vague in order to cover a variety of situations and he would prefer dealing with a specific problem. He suggested that he get a copy of the Portland ordinance and Council could review it. Council agreed to this.

## OTHER BUSINESS

Appointments to Commissions.

It was MOVED by Graf, SECONDED by Hall, that Don Kopp be reappointed to the Traffic Safety Commission. MOTION CARRIED unanimously.

It was MOVED by Graf, SECONDED by Hall, to reappoint Brian Coover to the Library Board. MOTION CARRIED unanimously.

It was MOVED by Hall, SECONDED by Bischoff, to reappoint David Larson to the Parks and Recreation Commission.

MOTION CARRIED unanimously.

It was decided to interview applicants for vacancies on the Parks and Recreation Commission prior to the July 20 Council meeting.

The meeting adjourned at 9:50 p.m.