MILWAUKIE
CITY COUNCIL MEETING
September 21, 1982
7 p.m.

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COUNCIL CHAMBERS

1416th Meeting

The one thousand four hundred and sixteenth meeting of the City Council of the City of Milwaukie was held on September 21, 1982 with the following Councilors present:

Mel Paulson
Wallace Bischoff
Mayor Joy Burgess
Roger Hall
Don Graf

Also present:

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

The invocation was given by Wallace Bischoff and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Bill Hupp, 2626 SE Washington, protested Tri-Met's changes in fare zones for Milwaukie. City Manager said he had been in contact with Tri Met and would have further information on the zone changes at a later date.

PUBLIC HEARING- Street Vacation-Freeman Industrial Park

Public Works Director made staff presentation, using overhead projector to indicate location of parcel of land to be vacated. He has prepared memo dated July 27 stating that a portion of public right-of-way from the International Way alignment denoted on the subdivision accepted by the city did not include the vacation of the southeast corner of International Way and Freeman Way which was originally intended as part of the vacation. It was MOVED by Graf, SECONDED by Paulson, to read Ordinance 1530 the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE VACATING A PORTION OF THE INTERSECTION OF SE INTERNATIONAL WAY AND FREEMAN WAY). MOTION CARRIED unanimously. It was MOVED by Hall, SECONDED by Bischoff, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall, to adopt Ordinance 1530. MOTION CARRIED with the following roll call vote. AYES: Paulson, Bischoff, Burgess, Graf, Hall. NOES: none.

LEGISLATION

It was MOVED by Hall, SECONDED by Bischoff, that bills listed for September 21, 1982 be approved for payment. MOTION CARRIED unanimously.

Request for garbage rate increase

Mayor Burgess stated she could not support an increase at this time for the following reasons: 1) The city should look at added sources of revenue and set a meeting to renegotiate the garbage franchise fee. 2) Metro has asked the city to participate in a recycling program and she would like to see this written into the franchise agreement. 3) She would like to wait until the November election, after which the issues regarding the garbage burning plant would be decided, before acting on this. There was further discussion on Metro's

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recycling program.
Bill McDonald, Administrative Assistant, has been researching garbage rates and addressed the Council regarding his study in the area of rate analysis. He has done research in Clackamas County, Washington County and Forest Grove. He attended a Metro seminar and studied a report by the Bureau of Governmental Research. He said that based on the 10% profit figure, the result of the study showed that the haulers are having serious financial problems and recommends an 18% increase. Mayor Burgess asked for a response to her concerns stated earlier. McDonald said that an increase in the franchise fee would simply mean a decrease in revenues for the haulers and would result in higher rates for customers. As to the recycling, there is no market for recycling so that this too would have a negative impact on the haulers. He said that the resource recovery plant would have no effect at all on the question of need for an increase.
Dale Harlan, Attorney for the garbage collectors, addressed the Mayor's concerns. He said the garbage collectors would be glad to participate in a recycling program but it was ridiculous to tie this request to that issue since the increase is needed regardless. He said the resource recovery plant had nothing to do with the issue, that the transfer station which is definitely going to be built would be the only possible connection with this request. Harlan expressed disappointment that he has had so much trouble convincing the Council of the need for an increase. Bischoff said that an increase in the franchise fee is just another way of taxing customers and that although there should be guidelines set up, there was no need to wait to take action. City Manager said that much of the data provided was out of date and offered to come to the Council with more recent information. Harlan said that although it was true the data was old, more research would only indicate that the haulers should get a higher increase. There was discussion on educating people on rates, recycling, etc. Burgess asked if the garbage companies would participate in mailings. Harlan said they were already educating the people, that they could not do an additional mailing if they were not granted an increase.
Arnold Callan, 12012 SE Wood, addressed the Council, stating that although the haulers deserved a raise, the citizens could not afford it. He urged Council to consider the average man before taking action on this. It was MOVED by Burgess, SECONDED by Paulson, that the matter be tabled until November 3 or later for her reasons stated earlier. Graf said that if the haulers go out of business the people would suffer then too, that Council has received two recommendations from staff and that it was time to act on them. On the MOTION to delay action until November, MOTION CARRIED with the following roll call vote: AYES: Bischoff, Paulson, Burgess. NOES: Graf Hall.

Sewer Assessments - Ordinance 1531

It was MOVED by Hall, SECONDED by Graf, to read Ordinance 1531 the second time by title only. (AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON AMENDING ORDINANCE 1514) MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Bischoff, to adopt Ordinance 1531. MOTION CARRIED with the following roll call vote. AYES: Bischoff, Paulson, Burgess, Graf, Hall. NOES: none.

Request to purchase property

Public Works Director has requested authorization to purchase property located at the intersection of Milwaukie Expressway (Highway 224) and Lake Road, for the purpose of constructing future well # 8. The state is willing to sell the land for $10,000 which is a very good price, Hall said. Also it is the only remaining site in the city which meets all the state requirements for the installation of wells. There was discussion on right-of-way, use of Downes property, size of property to be purchased and the possibility of building a larger water main. Hall said the funds would come out of the construction fund for well # 7 or the replacement reserve fund. It was MOVED by Graf, SECONDED by Bischoff, to authorize purchase of property as recommended by Public Works Director. MOTION CARRIED unanimously.

Municipal Services

The state has requested certification of city services, which is requested every 10 years and enables the city to be eligible for distribution of state shared cigarette, liquor and highway taxes. It was MOVED by Graf, SECONDED by Bischoff, to adopt Resolution No. 29-1982 (A RESOLUTION CERTIFYING MUNICIPAL SERVICES PROVIDED BY THE CITY OF MILWAUKIE, OREGON) MOTION CARRIED unanimously.

CONSENT AGENDA

Approval of minutes- September 7, and 16, 1982

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

OTHER BUSINESS

The Council has received a recommendation from the Senior Citizen Advisory Commission and the Center Advisory Board recommending that Loaves and Fishes pay the city at least the cost of the utilities used to serve meals. City Manager requested authorization to continue negotiations with Loaves and Fishes. Council agreed to this request.

Appt. of United Nations Day Chairman

Mayor Burgess has received a letter stating that Al Liane was appointed U.N. Day Chairman. There was some confusion over this since the City did not send a letter appointing Mr. Liane. Staff was directed to look into this.

INFORMATION

There was discussion on whether to send a letter to Tri Met requesting a change in zone fares. City Manager said he had talked to Jim Cowens from Tri-Met and was encouraged to write, that Tri-Met would be looking at changes in the next three months. There was discussion on how Tri-Met would offset revenue losses if Milwaukie was changed to Zone 2. It was

concurrence of Council that a letter be sent to Tri-Met requesting that all of Milwaukie be placed in Zone 2.
There was discussion on litter at the bus shelter and the fact that Tri-Met uses city facilities. City Manager said there was a possibility of getting payment for that.
City Attorney has prepared memo dated 9/20/82 stating that after investigation of the problem with the roof at the Center, it appears the problems are due to construction or material defects that can't be repaired by patching. He has requested Council authorization of emergency expenditure of up to $15,000 to repair roof. He said he will continue to negotiate with contractors, suppliers,etc. for reimbursement. It was MOVED by Paulson, SECONDED by Bischoff, to approve request with the understanding that the city's portion not exceed $6,000. MOTION CARRIED unanimously.

The following topics were discussed: change in city's auditors, communication from the City of Portland regarding highway improvements, attendance at the League of Oregon Cities Convention. It was Council concurrence that Ronald Kinsella as a future member of the Council be invited to attend as well. It was suggested that in the event that Bischoff was not reelected, his replacement be allowed to attend. There was Council concurrence on this. City Manager, Burgess, Graf would definitely attend the convention and staff was directed to make housing arrangements.
Steve Hall, Public Works Director addressed Council regarding the changeover in the 2-way grid. He thanked the merchants, staff, and American Legion Post 180 for their assistance and commented on Public Works Superintendent, Cliff Harshman's fine planning and organization. Council directed staff to send a letter of thanks to those involved.

The meeting was adjourned at 9:15 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary