

MILWAUKIE
CITY COUNCIL MEETING
FEBRUARY 3, 1987

COUNCIL CHAMBERS

1521ST MEETING

The one thousand five hundred and twenty-first meeting of the Milwaukie City Council was called to order at 7:00 p.m. on February 3, 1987, with the following Councilors present:

Roger A. Hall,
Mayor
Donald W. Graf

William Fitzgerald
Chere' Sandusky
Mike Richmond

Also present:

Hugh H. Brown,
City Manager
Greg Eades,
City Attorney
Jerri L. Widner,
Finance Director
Steve Hall,
Public Works Dir.

William B. Adams,
Community Development Dir.
Anne Nickel,
Development Coordinator
Pat DuVal,
Executive Secretary

GOOD NEWS

Mayor Hall expresses his thanks to all of the citizens of Milwaukie and particularly the committee headed by Betty Roholt for making the Celebrate! Participate! Milwaukie '87! party such a success.

Mayor Hall announced "Pioneer Days" at Milwaukie Elementary on February 6, 8:30 a.m. - 11:30 a.m.

AUDIENCE PARTICIPATION

Mary Ellen Householder, 5092 SE Monroe, spoke to Council requesting Council to reconsider the Traffic Safety Commission's denial of a 4-way stop at Monroe and Home Ave. Mayor Hall suggested a formal appeal be made to Council at the next meeting. City Manager Hugh Brown suggested either the meeting of February 17 or March 3 so Council could be provided with necessary background information for evaluation. Ms. Householder and other residents within the notification area would receive notice of the hearing date.

Jim Backenstos asked for an update on the cost of repairing Engine 55. He also questioned if the \$20,000 allotted for repairs to the Ardenwald Community Club would be sufficient; he requested detailed information of the cost of permits and repairs. Mr. Backenstos then questioned the rezoning of Oak/224. He asked for future taxation plans and expressed concern for the resident's ability to accept higher rates.

Charles Swan, 11822 SE 36th, spoke on the rezoning proposal for Oak/224. He said he believed commercial zoning would provide the highest and best use of the property. He told Council commercial development would enhance, rather than detract, from the downtown area and requested approval of the rezoning.

Al Liane read a letter written by Mel Paulson regarding the Sheriff's levy of 1984 and the inequity of double taxation. Mayor Hall replied both Council and staff are giving consideration to the issue. City Manager Hugh Brown said that the County and cities were looking at an intergovernmental agreement, and the current levy would appear on the March 31 ballot. He said the City would be looking seriously at costs incurred and what services would be received.

Mayor Hall introduced Webcam Den #193, who were observing a Council meeting for their Citizenship badge.

PUBLIC HEARING

Annexation File Nos. AN-86-06 and AN-76-01; properties west and south of King-Linwood Intersection. Mayor Hall opened the public hearing at 7:30 p.m. No ex parte contacts or conflicts of interest were declared. Community Development Coordinator Anne Nickel said both annexation proposals are based on the same criteria and impact the same public facilities and services. Because of this, she would present a single staff report. She pointed out that the differences between the two would be in the method of annexation and the reasons for annexations. She also pointed out that the difference would be reflected in some of the findings presented.

Due to the fact that requests to annex four additional lots were received after the staff report was prepared, Mrs. Nickel asked Council to add these four lots to application No. AN-86-06. A resolution was prepared offering this application to the Boundary Commission under the triple majority method, since 100% of the owners had consented. There were no non-owner occupants and it was necessary to approve annexation of this parcel to meet the deadline for including the value of the property in the tax base. The one lot that does contain non-owner occupants, the existing mobile home park, would be offered separately as AN-87-01, under the Council resolution method. Mrs. Nickel recommended Council adopt both resolutions, based on the findings listed.

No testimony was offered either in favor in opposition to the request.

No further correspondence had been received.

Mayor Hall closed the public hearing at 7:50 p.m.

There was no Council discussion

It was moved by Councilmember Sandusky and seconded by Councilmember Graf to adopt the resolution. The motion passed 5 - 0.

RESOLUTION NO. 6-1987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE. (AN-86-06).

It was moved by Councilmember Sandusky and seconded by Councilmember Graf to adopt the resolution. The motion passed 5 - 0.

RESOLUTION NO. 7-1987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE. (AN-87-01).

OTHER BUSINESS

City Council Goals 1987-88. It was moved by Councilmember Richmond and seconded by Mayor Hall to adopt the City Council Goals for 1987-88. Motion passed 5 - 0. Copies are available at the City Manager's Office.

Bill Hupp requested a timetable on item #1 of the adopted goals. Mayor Hall stated all goals would be accomplished no later than June, 1988, and work on all goals would proceed during that time period.

Dissolution of Cable Commission. City Attorney Greg Eades reported that the duties of the Cable Commission have been reduced, particularly due to deregulation of rates effective January 1. Commission members at the last meeting were in agreement with the dissolution proposal. Staff recommended adoption of the ordinance repealing Ordinance No. 1543. It was moved by Councilmember Graf and seconded by Councilmember Fitzgerald to read the ordinance for the first time by title only. The motion passed 5 - 0. The ordinance was read for the first time. It was moved by Councilmember Graf and seconded by Councilmember Fitzgerald to read the ordinance the second time by title only. Motion passed 5 - 0. The ordinance was read for the second time. It was moved by Councilmember Graf and seconded by

City Council Minutes
February 3, 1987
Page 4

Councilmember Fitzgerald to adopt the ordinance. Motion passed with the following vote: Graf, Fitzgerald, Hall, Sandusky, Richmond, aye.

ORDINANCE NO. 1618

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, REPEALING
ORDINANCE NO. 1543 (CABLE COMMUNICATIONS COMMISSION).

Appropriation of Contingency to 1986 - 87 Adopted Budget.
Finance Director Jerri L. Widner presented the report requesting adoption of a resolution appropriating contingency for FY 1986-87. Adjustments are required because of cost of living adjustments, increased medical benefit premiums, and acceptance of the Ardenwald Community Center into the City and improvement commitments. Mayor Hall said this was an example of the City's need for a larger contingency fund. Al Liane questioned the use of the contingency funds and giving raises to City employees. Mayor Hall requested staff provide Mr. Liane with a detailed letter explaining the action. Jim Backenstos asked for a list of specific expenditures on the newly adopted Council goals. Mayor Hall stated the goals were ready for publication, and when staff presented the action plans there would be a better idea of costs.

City Council Minutes
February 3, 1987
Page 5

It was moved by Councilmember Richmond and seconded by Councilmember Sandusky to adopt the resolution appropriating contingency. The motion passed 5 - 0.

RESOLUTION NO. 8-1987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE,
OREGON, APPROPRIATING CONTINGENCY FOR FISCAL YEAR 1986-87.

Bid Award - Asphalt Roller. Public Works Director Steve Hall asked Council to award the bid for a vibratory compactor to Halton Tractor Company, including a trade in of two pieces of equipment. The bid from Halton is the lowest of six received and meets specifications. Councilmember Fitzgerald asked if the City might not realize more money if the equipment were sold outright? Director Hall replied the trade-in method was desirable because of repair costs necessary to make the equipment saleable. It was moved by Councilmember Graf and seconded by Councilmember Richmond to award the bid. The motion passed 4 - 1, with Councilmember Fitzgerald voting against, to award the bid to Halton Tractor Company in the net amount of \$15,504 for a Caterpillar CB-214 Vibratory Compactor.

Commission Appointments. It was moved by Councilmember Fitzgerald and seconded by Councilmember Graf to appoint Dan A. Hunker to the Civil Service Commission. The motion passed 5 - 0. It was moved by Councilmember Graf and seconded by Councilmember Fitzgerald to appoint Gail Roach to the Center/Community Advisory Board. The motion passed 5 - 0.

Tape Recording of Municipal Court Proceedings. City Attorney Greg Eades stated in a memorandum that he had found no municipal courts that taped their proceedings. He said the disadvantages outweigh the advantages. Council agreed and asked City Attorney to send a letter and copy of the Council memo to Mr. Backenstos.

Letter to the Police Department. Mayor Hall expressed his appreciation to the Police Department for their good community relations in the handling of cases and in follow up correspondence.

National League of Cities. Mayor Hall read a letter received from the NLC regarding the upcoming Surface Transportation Act asking support from cities by writing to legislators. City Manager Brown said cities would be heavily impacted by these bills should let it be known what they feel should or should not be supported. Council agreed and directed staff to prepare letters for the Oregon delegation.

Department of Human Resources. Mayor Hall reminded Council of the need for a volunteer on the Community Action Board.

Craig Lomnicki asked about the work session, and Mayor Hall replied, as stated on the agenda page, a session would be held February 4, 9:00 a.m. at the Senior Center to consider retail and industrial real estate information.

CONSENT AGENDA

It was moved by Councilmember Sandusky and seconded by Councilmember Graf to approve the Consent Agenda which consisted of the City Council minutes of January 20, 1987. The motion passed 5 - 0.

INFORMATION

Councilmember Fitzgerald requested staff check into two identical payments made to Eastside Heating.

Mayor Hall announced the first meeting of the Budget Committee to be held Thursday, Feb. 19, 7:00 p.m. at the Center. The remainder of the schedule will be approved at the first meeting.

City Council Minutes
February 3, 1987
Page 6

Councilmember Fitzgerald thanked Public Works Director Steve Hall for providing clarification to some questions he had recently asked.

ADJOURNMENT

Councilmember Richmond moved for adjournment. The meeting was adjourned at 8:40 p.m.

Pat DuVal
Pat DuVal, Executive Secretary