

CITY COUNCIL MEETING
May 13, 1968

COUNCIL CHAMBERS

1079th Meeting

The one thousand seventy-ninth meeting of the Council of the City of Milwaukie, Oregon, was held on the 13th day of May, 1968. The meeting was called to order by Mayor Robert Richmond, with the following Councilmen present:

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|-----------------------|------------------|
| Frank C. Clore | David S. Strauss |
| Donald W. Graf | Robert Richmond |
| Dr. Paul J. Slominski | |

also present:

- | | |
|------------------------------|---------------------------|
| Fred C. Dyer, City Mgr. | Barbara J. Watson, Sec'y. |
| Robert L. Mills, City Att'y. | |

Invocation was given by Mr. Bobb Gowan, Linwood Church of Christ, 10110 Linwood Avenue, Milwaukie.

It was moved by Slominski, seconded by Clore, that the minutes of the regular meeting of April 22, 1968, be approved as written. Motion carried and so ordered,

APPOINTMENT TO PLANNING COMMISSION

Appointment to the Planning Commission was officially announced, with the Mayor introducing the newly appointed member, Norma Wardwell. M's. Wardwell will finish out the 4 year term of office that since February, 1968, has been filled on a temporary basis by Mervin Englund.

PETITIONS BY JAYCEES

Mr. Milo Haas, member of the Jaycees, addressed the Council with regard to a proposal for a State Constitutional Convention. Petitions were circulated among the audience for their signatures.

NAMING OF NEW CITY PARKS

Note was made of letters received from Mrs. J. D. Kroeker and Grace Otto suggesting names for the new City parks. Replies were received from the Parks and Beautification Committee and the Historical Society in answer to the Council's request for consideration of naming the parks after past Mayors. Both groups resubmitting their earlier recommendation for Century and Weber as the names for the parks.

It was moved by Slominski, seconded by Graf, that the Council accept the recommendation of the Historical Society and the Parks and Beautification Committee, naming the park on 37th & Sellwood, Century Park; and the newly acquired park on Harmony Road as Weber Park. Motion carried and so ordered.

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REQUEST FOR STREET VACATION

Petition was presented from Mr. R. A. Samuel, Mr. Eldee Buhite and Dr. Paul Slominski, requesting the unused and undeveloped street abutting their property (Extension of 22nd St, south of Washington), be vacated.

It was moved by Graf, seconded by Clore, that this matter be referred to the Planning Commission for their review and recommendation. Motion carried and so ordered.

PUBLIC HEARING

Application for Class B Dispenser Liquor License for Chalet L'Abbe, Mr. and Mrs. Watkins - Applicants.

Speaking in favor:

James Redman	Attorney for Mr. & Mrs. Watkins
D. Hawkins	2120 Fifth Ave.
M. Jacobson	Works in the area
Irwin Adams	735 - 23rd Street
Keith Kern	Lake Oswego
Mrs. Smith	Ex-employee at Chalet L'Abbe
Carl Sherman	Refrigeration Co. representative
Mr. Watkins	Part owner of Chalet L'Abbe
Jack Smith	2216 - 4th Street
Carl McQueeney	2025 - 7th Avenue
Leo Beckman	3200 Washington Street

Remonstrating against:

Dale Harlan	Attorney for the opposition
D. Packard	2222 River Road
John Burgess	2208 River Road
Lois Freeman	1825 - Fifth Street
Mrs. Burgess	2208 River Road
Walt Huber	2304 - Fifth Avenue
Bessie Gambell	2080 - Third Avenue

(Recess was called at 9:10, reconvened at 9:15 with all present)

It was moved by Graf, seconded by Strauss, that the Council recommend the issuance of a Class B Dispenser License for Chalet L'Abbe be denied. Motion carried with Councilman Clore dissenting.

ZONE CHANGE

ZC #68-6, Jim Ritchie - Applicant, 9510 - 41st St., 3-R-1 to 3-R-2 Special

Ord. No. 1173, (AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE), was taken from the table for its second reading, and was put on its passage with the following roll call vote:

AYES: Strauss, Slominski, Graf, Clore and Richmond. NOES: None
Ord. No. 1173 passed the Council and was so declared by the Mayor.

RESOLUTION #47-1968

It was moved by Graf, seconded by Slominski, that Resolution No. 47-1968, (A RESOLUTION ESTABLISHING A FEE FOR APPEAL BEFORE THE CITY'S APPEAL BOARD), be taken up for reading and adoption. Motion carried, with the Mayor dissenting, and so ordered.

RESOLUTION #48-1968

It was moved by Slominski, seconded by Strauss, for the reading and adoption of Resolution No. 48-1968, (A RESOLUTION PROVIDING AN ASSESSMENT TO BE APPLIED TO STREET IMPROVEMENT COSTS). Motion carried and so ordered.

REPORT ON 41st and HARVEY INTERSECTION

Manager reported that after a study of the traffic in the area of 41st and Harvey Streets, it was his opinion, and that of the Public Works and Police Departments, that a 3-way stop as petitioned by residents in the area, would not alleviate the problem.

This intersection is among those earmarked for future study and as soon as the matter is taken up and a solution presented, appropriate measures will be taken.

RESOLUTION #49-1968

It was moved by Slominski, seconded by Graf, that Resolution No. 49-1968, (A RESOLUTION AMENDING AND CORRECTING RES. NO. 43-1968), be taken up for reading and adoption at this time. Motion carried and so ordered.

*(Omission - See end of minutes)

ACCEPTANCE OF DAPHNE COURT

It was moved by Strauss, seconded by Slominski, that Daphne Court in Cedarcrest No. 6 subdivision be accepted by the City. (City Engr. certified in memo dated May 10, 1968, as to construction and submission of a maintenance bond) Motion carried and so ordered.

It was moved by Graf, seconded by Clore, that the City accept the sanitary sewers and water mains in Cedarcrest No. 5 and 6, as shown on Sheet 1 of 3, revision date of 5/8/68. Motion carried and so ordered.

RELOCATION OF CURBS ON MAIN STREET

Mr. M. Payne, State Highway Dept., came before the Council with a proposal on the curb relocation on the west side of Main Street, from Milport Road northerly approximately 1100 ft.

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It was moved by Strauss, seconded by Graf, that this matter be held over to the next regular meeting of the Council to allow for more thorough study and to provide time for the Manager to poll the businesses bordering this portion of Main Street, for an expression of the change. Motion carried and so ordered.

BIDS - STREET IMPROVEMENTS - WAKE ST.

Tabulation of bids on the above street improvement were as follows:

	<u>Total Bid</u>
Portland Rd. & Driveway Co.	17,287.70
Crosswhite Excavating, Inc.	17,789.25
Oregon Asphaltic Paving Co.	20,195.00
Korack Corp.	23,538.75

It was moved by Slominski, seconded by Strauss, that the contract be awarded to low bidder, Portland Road and Driveway Co., with a total bid price of \$17,287.70. Motion carried and so ordered.

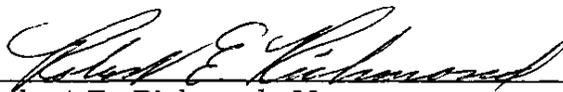
ORDINANCE #1174

It was moved by Strauss, seconded by Slominski, that Ordinance No. 1174, (AN ORDINANCE CONTROLLING THE DISPOSITION OF DISMANTLED MOTOR VEHICLES IN THE CITY OF MILWAUKIE...), be taken up for its first reading at this time. Motion carried and so ordered.

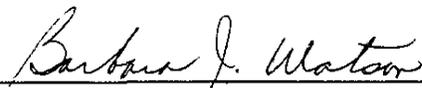
PAYMENT OF BILLS

It was moved by Slominski, seconded by Clore, that the bills listed for May 14, 1968, payment be approved and that warrants be drawn for the payment of same. Motion carried and so ordered.

On motion duly made and seconded, the meeting adjourned at 11:00 p. m.


Robert E. Richmond, Mayor

ATTEST:


Barbara J. Watson, Secretary

*It was moved by Graf, seconded by Clore, that Resolution No. 50-1968, (A RESOLUTION RATIFYING THE CONSTITUTION OF COLUMBIA REGION ASSOCIATION AND ENTERING AN AGREEMENT ESTABLISHING THE COLUMBIA REGION ASSOCIATION), be taken up for reading and adoption at this time. Motion carried and so ordered.

RESOLUTION NUMBER 58-1968

A RESOLUTION RATIFYING THE CONSTITUTION OF COLUMBIA REGION ASSOCIATION AND ENTERING AN AGREEMENT ESTABLISHING THE COLUMBIA REGION ASSOCIATION.

WHEREAS, the City of Milwaukie, Oregon, became associated with the Columbia Region Association on the 8th day of August, 1966, and

WHEREAS, there is a public need for the establishment of an association of City and County governments within the Portland-Vancouver standard metropolitan statistical area to provide services and employees to the intergovernmental association within said area, and

WHEREAS, the City of Milwaukie is empowered under existing laws to form such an association for the purposes stated and to enter into agreements and expend public funds for the execution of such, and

WHEREAS, a constitution for such an association has been presented and submitted to the Council of the City of Milwaukie for adoption and ratification, and

WHEREAS, the City Council for the City of Milwaukie deems it to be in the best interests and general welfare of the Citizens of Milwaukie to become members of and participate in the association known as Columbia Region Association;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the City of Milwaukie adopt and ratify the constitution of the Columbia Region Association, and

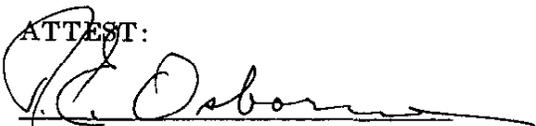
BE IT FURTHER RESOLVED that the City of Milwaukie become a member of the Columbia Region Association and participate therein, and

BE IT FURTHER RESOLVED that the constitution of the Columbia Region Association be spread upon the minutes of the Council for the City of Milwaukie on this date and that the Mayor of the City of Milwaukie be authorized and directed to execute the agreement establishing the Columbia Region Association for and on behalf of the City of Milwaukie and deliver the same, together with a certified copy of this Resolution to the general assembly of the Columbia Region Association at its first meeting.

ADOPTED THIS 13th DAY OF May, 1968.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, Recorder

Original
per Res 50-1966

COLUMBIA REGION ASSOCIATION CONSTITUTION

The Columbia Region Association, hereinafter referred to as CRA, by these presents hereby is established under authority of state law among the present or future signing members as a permanent association for intergovernmental cooperation as is herein authorized and defined.

I.

MEMBERSHIP:

Municipalities, counties, or commissions situated in Oregon in or about the Portland metropolitan area may become members if their proposed membership is approved by the General Assembly by delivering to the Secretary of CRA a signed copy of the CRA Agreement.

The membership of a member shall be terminated upon:

- (a) Dissolution of this association.
- (b) The member delivering notice of its intent to terminate to the Secretary of CRA.
- (c) Failure of the member to comply for six (6) months with the requirements of the CRA Constitution.

II.

FUNCTIONS:

The function or activity of the individual members which shall be carried on by CRA is:

- (a) To provide a staff to the Columbia Region Association of Governments and/or such other association formed under the authority of ORS 190 for the benefit of the Portland Metropolitan area as the General Assembly may authorize.
- (b) To provide for that staff such employee benefits as may be agreed upon between CRA and the contracting association.

To perform the heretofore described functions, CRA shall have the power to:

- (a) Employ such staff as the various associations may from time to time require.
- (b) Enter into contracts.
- (c) Do all things appropriate to attract and maintain said staff.

III.

GENERAL ASSEMBLY:

A General Assembly shall be the policy-making body of CRA. It shall be made up of one delegate from each member organization, which member shall notify CRA of the identity of its delegate by written notice delivered to the Secretary of CRA. The respective members shall be represented at the General Assembly by the delegate who shall have the following number of votes:

- (a) For each county that is a member of CRA the delegate shall have two votes.
- (b) For each city of more than 300,000 population that is a member of CRA the delegate shall have three votes.
- (c) For each other member the delegate shall have one vote.

The term of office of each delegate shall be one (1) year.

The General Assembly of CRA shall meet within fifteen (15) days of the execution of the CRA Agreement and at that meeting designate one of its delegates to act as the Secretary of CRA. The Secretary shall be the executive officer of CRA and shall have the authority to:

- (a) Sign all documents on behalf of CRA.
- (b) Hire and discharge employees as is required.
- (c) Receive and disburse money.
- (d) Call meetings of the General Assembly.
- (e) Delegate administration functions with the approval of the General Assembly.

The General Assembly shall hold regular meetings on the first Tuesday of each month unless 2/3rds of its members present to the Secretary ten (10) days or more before the first Tuesday their signed intent not to hold said meeting.

A quorum of the General Assembly shall be made up of one-half (1/2) its delegates and the said quorum shall be required throughout a meeting. A majority of voters of the delegates present at a meeting shall be required to approve any business before the General Assembly.

IV.

FINANCES:

Prior to employing any personnel to perform services for the various association, CRA must enter into an appropriate contract with the association for which the personnel will be provided. Such contracts shall contain provisions whereby all expenses and

costs involved shall be borne by the association, which association shall reimburse CRA at appropriate intervals. Such contracts shall also provide that the association shall hold CRA harmless for any liability which CRA may incur because of CRA's providing personnel for the association.

V.

AMENDMENTS:

Amendments to this constitution may be proposed by any delegate to the General Assembly for consideration at the next regular meeting, which is more than 45 days after the proposal is presented to the Secretary in writing. Upon receiving said proposal, the Secretary shall deliver a copy of the proposal to each member and shall indicate the date of the meeting at which the proposal will be considered. A majority of votes by the county delegates present and a majority of votes by the city delegates present at the meeting and voting on the question shall be necessary to adopt the amendment.

THIS CONSTITUTION shall take effect upon thirteen (13) eligible subdivisions of government ratifying it, spreading said ratification upon their respective minutes, and providing an executed copy of the CRA Agreement to the General Assembly at its first meeting.