

CITY COUNCIL MEETING

July 1, 1974

7 p. m.

COUNCIL CHAMBERS1223rd Meeting

The one thousand two hundred twenty-third meeting of the Council of the City of Milwaukie, Oregon, was held on the 1st day of July, 1974. The meeting was called to order by Mayor Donald W. Graf, with the following councilpersons present:

Bill E. Hupp	William M. Keller
Robert G. Stochosky	Mayor Donald W. Graf
Joy Burgess	

Also present:

Harold L. Schilling, City Manager	Ruth Green, Librarian
J. Wayne Daigle, Dir. of P.W.	Myer Avedovech, City Attorney
Rod Sandoz, City Planner	Dorothy E. Farrell, Secretary

The invocation was given by the Reverend Wayne Allen, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - June 17, June 21 and June 27, 1974 Council meetings
- b) Letter from DEQ re STP
- c) Letter from Security Bank re Police Department assistance
- d) Memo from P.W. Director re street oiling schedule
- e) Letter from Wilsonville Mayor re CRAG
- f) Letter from Forrest Sandberg re refuse collection
- g) Letter from Foster and Kleiser re Festival Daze billboard
- h) Letter from Clackamas County P.W. Department re STP operation
- i) Letter from Clackamas County Library Board and answers from Milwaukie

It was MOVED by Keller, SECONDED by Burgess, to approve the Consent Calendar with the exceptions of items d, e, g and i. MOTION CARRIED and so ordered.

- b) Letter from Department of Environmental Quality, undated, states a field inspection on May 21 shows the survey samplings on the Sewage Treatment Plant are satisfactory.
- c) Letter from Milwaukie Branch of Security Bank, dated June 18, thanks the Police Department for their protection during an electrical blackout.
- f) Letter from Forrest Sandberg, dated June 24, detailed his complaints about the quality of refuse collection.
- h) Letter from Clackamas County Public Works Director, dated June 25, 1974, explains interim operation of the Milwaukie Sewage Treatment Plant.
- d) Memo from Public Works Director, dated June 10, details schedule for street oiling. Councilwoman Burgess listed streets in Island Station that need attention.
- e) Letter from Mayor of Wilsonville, dated June 20, is in response to letter from Milwaukie re CRAG's budget. Councilman Hupp questioned the city's ability to pay the assessment, and suggested Milwaukie might withdraw from CRAG, but was told that is impossible.
- g) Letter from Foster and Kleiser, dated June 24, praises the Milwaukie Festival Daze billboard, and Councilwoman Burgess read the letter aloud.
- i) Letter from Clackamas County Library Board, dated June 17, notes that the County Commissioners have cut the County Library budget, thus forcing cuts to city libraries. Both the Milwaukie Library Board and the City Manager protested the cut in letters to the County Commissioners.

AUDIENCE PARTICIPATION

Esther Thornton, on behalf of 1st Assembly of God Church, 10680 SE Grant Street, requested permission for a temporary sign in public right-of-way at the corner of King Road and SE Grant Street; to advertise the church's Daily Vacation Bible School. It was MOVED by Hupp, SECONDED by Keller, that permission be given for a 24" x 30" sign to be erected with the top of the sign to be no more than 36 inches above the ground, and permission to be revocable if there is a safety hazard. MOTION CARRIED and so ordered.

PUBLIC HEARING - APPEALS ON C-74-7 AND VR-74-5

Applicants James K. August and Robert Molner have appealed the rulings of the Milwaukie Planning Commission concerning C-74-7 (request to facilitate the construction of two duplexes in R-10 Single Family Residential zone) and VR-74-5 (request to facilitate the construction of two duplexes with a lot size of 11,610 square feet) on the east side of Shell Lane approximately 365 feet south of Lake Road. Public hearing was declared open at 7:30 p. m. Rod Sandoz, City Planner, gave the staff report. No correspondence was received in connection with the public hearing.

Speaking in favor: James August, applicant
Speaking in opposition: George Jacobs, 2326 Shell Lane
Public hearing was declared closed at 7:50 p. m.

It was MOVED by Burgess, SECONDED by Keller, to uphold the recommendation of the Planning Commission and deny C-74-7 and VR-74-5, on the basis that allowing the variance would permit three more dwelling units on the lot than existing regulations would allow, and that according to the zoning ordinance this area is designated to be low residential density. MOTION CARRIED and so ordered.

PUBLIC HEARING - FIELDCREST, MASON LANE SEWER L. I. D.

Public hearing was declared open at 8 p. m. on the Fieldcrest, Mason Lane Sewer L. I. D. The Public Works Director briefed the Council on the written remonstrances received, which totaled 24.05% of the total front footage in the district.

Speaking in favor of the district:
Noel Nelson, 4691 Fieldcrest Drive

No one spoke in opposition to the district. Public hearing was declared closed at 8:15 p. m. It was MOVED by Stochosky, SECONDED by Burgess, that Ordinance Number 1297 (AN ORDINANCE PROVIDING FOR CONSTRUCTION OF SANITARY SEWERS IN THE FIELDCREST AND MASON LANE AREA OF THE CITY OF MILWAUKIE, OREGON, AS MORE PARTICULARLY SET OUT IN THE ATTACHED LEGAL DESCRIPTION MARKED "EXHIBIT A" AND BY THIS REFERENCE INCORPORATED HEREIN, AND DECLARING AN EMERGENCY) be read the first time. MOTION CARRIED and so ordered. It was MOVED by Hupp, SECONDED by Keller, that Ordinance 1297 be read the second time by title only. MOTION CARRIED and so ordered. Ordinance 1297 was put on its passage with the following roll-call vote: AYES: Hupp, Stochosky, Burgess, Keller and Graf. NOES: None. Ordinance 1297 passed the Council and was so declared by the Mayor.

(Meeting recessed at 8:13 p. m. , reconvened at 8:28 p. m. with all present.)

CORRESPONDENCE

Letter has been received from Solid Waste Administrator of Clackamas County Public

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Works Department, dated June 24, with a complaint about an accumulation of solid waste at 13796 SE 89th Street, which property was willed to the city by Joseph Shock. The letter has been passed along to the executor of the estate.

2. Letter has been received which indicates the next meeting of the Coalition of Social Services is 7:30 a. m. Thursday, July 11 in the Commissioners' Board Room in Oregon City.

REPORT ON REQUEST OF MRS. ERNST FOR PERMISSION FOR FLAGPOLE

Council has received staff report, dated June 12, from City Planner, concerning request by Mrs. Jacob Ernst, 1746 - 30th Street for permission to erect a flagpole on the parking strip in front of her property. It was MOVED by Stochosky, SECONDED by Hupp, that permission be granted to Mrs. Ernst to erect the flagpole, provided she sign a hold-harmless agreement. MOTION CARRIED and so ordered.

RESOLUTION NO. 17-1974 - APPROVING MSD SOLID WASTE MANAGEMENT PLAN

Jim Robinette of Happy Valley is the representative of Clackamas County cities to the Metropolitan Service District, and it was suggested a letter be sent to him asking him to keep Milwaukie informed of developments in the future.

It was MOVED by Stochosky, SECONDED by Keller, that Resolution Number 17-1974 (A RESOLUTION APPROVING IN CONCEPT THE MSD SOLID WASTE MANAGEMENT PLAN FOR THE CITY OF MILWAUKIE) be read. MOTION CARRIED and so ordered.

It was MOVED by Stochosky, SECONDED by Burgess, that Resolution 17-1974 be adopted. MOTION CARRIED and so ordered.

PROPOSAL TO OFFER CITY SEWER TREATMENT PLANT AND PROPERTY FOR PUBLIC SALE

At the last meeting in June, Brod-McClung proposed to the city their purchase of at least a portion of the sewer plant property. Clackamas Community College is interested in developing a training program for treatment plant operators, and has expressed interest in the Milwaukie plant. Clackamas County Service District No. 1 will be operating the Milwaukie plant until about October, when the Kellogg Treatment Plant will take over. Staff is recommending that the plant and property be put up for competitive bid now, and the section of the land Brod-McClung is interested in immediately could be made available to them, if they are successful bidder, without interfering with the operation of the treatment plant until it is no longer needed.

It was MOVED by Hupp, SECONDED by Keller, that the city be authorized to advertise the property for bid, with the right to reject any bid, and with the stipulation that the city would retain usage of the plant until it is no longer required. MOTION CARRIED and so ordered.

OTHER BUSINESS

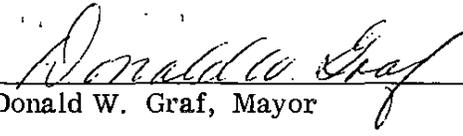
1. There will be a work session at 7 p. m. July 8 on the refuse collection ordinance.
2. Monday, July 23 was set tentatively for a work session with Stanley Water District.
3. Monday, July 29 at 7 p. m. there will be a work session on measures for the November election.
4. Councilwoman Burgess asked if a proclamation could be prepared to be read at the next meeting, designating the week of July 15 through 19 as Clean-up Week for Milwaukie.
5. Councilman Hupp asked for a report on the Furnberg Park situation.
6. Councilman Hupp mentioned that he missed the Suspense Calendar, which has not been included recently in the agenda.

- 7. Councilman Hupp asked for a report on the extent of city subsidization of Milwaukie Festival Daze.
- 8. Councilman Hupp asked if Hanna Industries had complied with all permits and requirements in connection with five new signs on Main Street.
- 9. Councilman Hupp asked for a copy of the police car lease contract and maintenance contract.
- 10. Mayor Graf, Councilwoman Burgess and Councilman Keller made statements concerning a recent column in The Press by Councilman Hupp, and Councilman Hupp responded.

PAYMENT OF BILLS

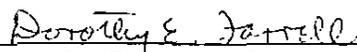
It was MOVED by Keller, SECONDED by Burgess, that the bills listed for July 2, 1974 payment be approved for payment. MOTION CARRIED and so ordered.

The meeting adjourned at 10:35 p. m.



 Donald W. Graf, Mayor

ATTEST:



 Dorothy E. Farrell, Secretary

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CITY OF MILWAUKIE
BILLS PAYABLE ON JULY 2, 1974

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
1. All State Leasing Co.	45.32	102	45.32
2. American Society for Testing & Materials	17.50	1-10	17.50
3. John Bassett	50.00	1-8	50.00
4. Brod & McClung-Pace Co.	142.50	4-	142.50
5. Burroughs Corporation	346.66	1-2	346.66
6. Business Equipment Bureau	138.39	1-4	138.39
7. Collegiate Distributing Co.	15.00	1-10	15.00
8. Columbia Equipment Inc.	275.00	4-	275.00
9. Consolidated Supply Co.	136.20	30-	136.20
10. County Clerk, Clackamas County	.50	5-	.50
11. Dick's Concrete Service Inc.	138.40	4-	126.00
		20-	62.40
12. Ebsco Subscription Services	793.22	1-6	793.22
13. Engineered Control Products	9.13	20-	9.13
14. Feenaughty Machinery Co.	89.30	4-	89.30
15. Fire Chief Magazine	7.50	1-4	7.50
16. I B M	138.66	1-2	25.66
		1-5	115.00
17. Jurors	50.00	1-8	50.00
18. The Kirkus Service Inc.	33.00	1-6	33.00
19. Lind-Fagenstrom Corp.	59,567.31	5-	59,567.31
20. Lord Bros. Construction	13,010.41	5-	13,010.41
21. Marshall Associated Contractors	97,319.70	5-	97,319.70
22. Olson Bros. Shell	40.75	1-4	.75
		7-61	40.00
23. Oregon Dept. of Commerce - Boiler and Pressure Vessel Section	25.00	4-	25.00
24. The Review	102.77	1-1	92.66
		1-9	10.11
25. Rub A Dub Car Washes	50.25	1-5	50.25
26. South Portland Auto Pain Shop Inc.	45.00	4-	45.00
27. State of Oregon -Dept. of M.V.	95.00	1-8	95.00
28. Superior Systems	57.00	1-6	57.00
29. West Chemical Products Inc.	23.80	1-3	23.80
30. Willamette Hi Grade Concrete Co.	4,679.89	4-	4,679.89
31. The H. W. Wilson Co.	135.50	1-6	135.50

\$177,628.66

1-1 GENERAL	132.66
1-2 ADMINISTRATION & FINANCE	415.64
1-3 CITY HALL	23.80
1-4 FIRE	146.64
1-5 POLICE	165.25
1-6 LIBRARY	1,018.72
1-8 MUNICIPAL COURT	195.00
1-9 PLANNING	10.11
1-10 PUBLIC WORKS	32.50
4- STREET	5,382.69
20- SEWER	71.53
30- WATER	136.20
5- SEWER IMPROVEMENT	169,897.92