

## CITY COUNCIL MEETING

August 5, 1974

7 p. m.

COUNCIL CHAMBERS1225th Meeting

The one thousand two hundred twenty-fifth meeting of the Council of the City of Milwaukie, Oregon, was held on the 5th day of August, 1974. The meeting was called to order by Mayor Donald W. Graf, with the following councilpersons present:

Bill E. Hupp

Robert G. Stochosky

Joy Burgess

Mayor Donald W. Graf

Absent: William M. Keller (excused)

Also present:

Harold L. Schilling, City Manager

Dorothy E. Farrell, Secretary

Myer Avedovech, City Attorney

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

CONSENT CALENDAR

- a) Approval of minutes - July 15 and July 29, 1974 meetings
- b) Boundary Commission Policy on Regional Land Use Planning
- c) Letter from attorney for Jack Majors re sewer easement
- d) Exhibits - Fire Department arbitration hearing
- e) Letter from DEQ re STP
- f) Letter from Loaves and Fishes re mini-bus

It was MOVED by Hupp, SECONDED by Burgess, that the Consent Calendar be accepted, with the exception of Item c, and the following correction to the July 15, 1974 minutes, page 2, under "COFFEE AT COUNCIL MEETINGS": "... that the City Council out of City Council's budgeted funds. . . ." MOTION CARRIED and so ordered

- b). Council has received copy of letter from Portland Metropolitan Area Local Government Boundary Commission, dated July 22, 1974, enclosing their Policy on Regional Land Use Planning, adopted May 1, 1974.
- d) Council has received copies of exhibits presented the arbitrator at the Fire Unit arbitration hearing.
- e) Letter has been received from Department of Environmental Quality reporting their inspection of the Sewage Treatment Plant shows its operation to be satisfactory.
- f) Council has received letter from Secretary of Milwaukie Loaves and Fishes, thanking the Council for their support of the program.
- c) Councilwoman Burgess asked questions concerning letter to the city from the attorney for Jack B. Majors, dated July 15, 1974, which letter states the city placed a sewer on the Majors property without consent, easement or consideration. City Manager asked if this matter could be discussed individually since it is a matter under discussion between the city attorney and the attorney for Mr. Majors.

AUDIENCE PARTICIPATION

Jean Baker, 2607 Monroe, stated the group circulating petitions for the purchase of Crystal Lake for park property has almost enough signatures, and asked when the Council could meet to set an election date. If confirmation is received of the required number of signatures on the initiative petition for a bond issue to purchase Crystal Lake property for a city park, staff was requested to prepare the necessary ordinance calling a special election

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MANAGER'S REPORT ON FESTIVAL COSTS

Manager stated he was compiling the information received from the various departments, and would be able to present a report at the next meeting.

STAFF REPORT ON REFUSE COLLECTION ORDINANCE AND RATE INCREASE REQUEST

Staff has submitted a memorandum answering questions raised by Council at a work session on refuse collection. City Attorney explained that Council has no authority to set rates, since there is no valid franchise agreement, but Council could, if it wishes, pass a motion saying it is the Council intent to pass a franchise ordinance, and that a rate increase is probably justified. It was moved by Hupp "what the attorney said." The motion died for lack of a second. It was MOVED by Stochosky, SECONDED by Hupp, that the Council recognize the right of the refuse collectors to raise their rates in light of inflationary costs, and the necessity for their doing so. It was MOVED by Hupp, SECONDED by Stochosky, that the motion be amended to include the words "but that the Council reserves the right to change those fees if it deems it right to do so, at a time when fees are set in conjunction with an ordinance." The amendment to the motion failed to pass. The main motion failed to pass.

(Meeting recessed at 8:35 p. m. , reconvened at 8:50 p. m. with all present.)

It was MOVED by Stochosky, SECONDED by Hupp, that the Council table any further discussion of refuse collection fees until a full Council is present. MOTION CARRIED and so ordered.

APPOINTMENT TO PLANNING COMMISSION

Mayor Graf appointed Gerry Mesander to the vacant position on the Planning Commission, to serve until February, 1977.

RESOLUTION NUMBER 18-1974 - FEE FOR MOVING BUILDINGS

It was MOVED by Burgess, SECONDED by Stochosky, that Resolution Number 18-1974 (A RESOLUTION AMENDING RESOLUTION NUMBER 65-1968, AND ESTABLISHING A FEE FOR PERMIT TO MOVE STRUCTURE) be read. MOTION CARRIED and so ordered. It was MOVED by Stochosky, SECONDED by Burgess, that Resolution 18-1974 be adopted. MOTION CARRIED and so ordered. Councilman Hupp wished the record to show that he abstained from voting.

ORDINANCE NUMBER 1298 - AMENDING ORDINANCE RE MOVING STRUCTURES

It was MOVED by Burgess, SECONDED by Stochosky, that Ordinance Number 1298 (AN ORDINANCE AMENDING ORDINANCE NUMBER 592, PROVIDING FOR A PERMIT FOR MOVING STRUCTURES WHICH ARE ORDINARILY ATTACHED TO REAL PROPERTY) be read the first time. MOTION CARRIED and so ordered. Councilman Hupp wished the record to show that he abstained from voting. It was MOVED by Burgess, SECONDED by Stochosky, that the ordinance be read the second time at the next regular meeting of the Council. MOTION CARRIED and so ordered.

OPINION RE CHARTER REVISION.

Council has received memorandum from City Attorney, dated August 2, 1974, stating there is no provision in city charter or ordinances covering when an election to amend the Charter can be held, therefore a charter revision can be voted on at either a general or special election.

MANAGER'S LETTER TO JUDGE AND HIS REPLY RE UNRETURNABLE BAIL DISPOSITION

Council has received copies of manager's letter of July 8, and Judge Morgan's reply of July 18 regarding the question of the disposition of non-returnable bail. It was MOVED by Burgess, SECONDED by Stochosky, to table the matter until the staff can research the legal questions and report to the Council. MOTION CARRIED and so ordered.

EMPLOYEES ASSOCIATION BARGAINING CONTRACT

It was MOVED by Burgess, SECONDED by Stochosky, that Council authorize the Mayor to sign the 1974-75 salary and benefit agreement with the Milwaukie Employees Association. MOTION CARRIED and so ordered.

RESOLUTION NUMBER 19-1974 - RE SIGN PERMITS

It was MOVED by Stochosky, SECONDED by Burgess, that Resolution Number 19-1974 (A RESOLUTION PROVIDING FOR CONDITIONAL SIGN PERMITS) be read. MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Stochosky, that Resolution 19-1974 be adopted. MOTION CARRIED and so ordered.

AWARD OF SANITARY SEWER BIDS - SCHEDULE II

Council has received copy of letter from Stevens, Thompson & Runyan, dated August 1, 1974, and memorandum from Public Works Director recommending acceptance of Stevens, Thompson & Runyan's recommendation to award Unit A to Hannan Bros. Construction, Inc., for \$193,605.20, and Units B and C to Bryan Morrison, Inc., for \$205,764.50 and \$125,824.50. It was MOVED by Stochosky, SECONDED by Hupp, to concur with the recommendation and award the contracts as above. MOTION CARRIED and so ordered.

OTHER BUSINESS

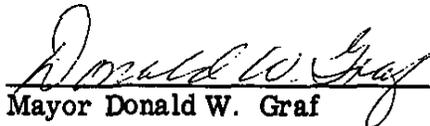
1. Mayor Graf appointed the following members to the Suburban Transit (Park and Ride) Station Citizens' Contact Committee:

- Mr. Alfred L. Haij
- Mr. Harry B. Huffman
- Mr. Joseph Garbarino
- Mr. Dean L. Vermillion
- Jean Higgenbottom

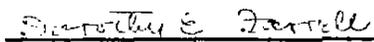
PAYMENT OF BILLS

It was MOVED by Stochosky, SECONDED by Hupp, that the bills listed for August 6, 1974 payment be approved for payment. MOTION CARRIED and so ordered.

The meeting adjourned at 10:20 p. m.

  
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Mayor Donald W. Graf

ATTEST:

  
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Dorothy E. Farrell, Secretary

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CITY OF MILWAUKIE  
BILLS PAYABLE ON AUGUST 6, 1974

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
1. A & A Drilling Service	330.40	30-	330.40
2. Acme Signs	666.78	5-	666.78
3. All-States Leasing	45.32	1-2	45.32
4. The Baker & Taylor Co.	11.57	1-6	11.57
5. John Bassett	250.00	1-8	250.00
6. Bennett & Williams	16.36	1-5	16.36
7. J. M. Bernard's Garage	87.31	4-	87.31
8. Clarence Bosteder	26.00	1-10	26.00
9. Edward Brække	100.00	1-8	100.00
10. Business Equipment Bureau	125.34	1-4	125.34
11. Clackamas County Clerk	1.00	5-	1.00
12. Clackamas County	310.00	1-1	100.00
		1-5	210.00
13. Clark Boardman Co., Ltd.	33.37	1-12	33.37
14. Kent J. Collings	1250.00	1-1	1250.00
15. Columbia Equipment Inc.	112.28	4-	112.28
16. George J. Combs & Co.	168.00	1-1	168.00
17. Bill Cook	400.00	20-	400.00
18. Cornell Mfg. Co.	37.60	20-	37.60
19. Cosco Fire Protection Co.	6300.63	12-	6300.63
20. Daily Journal of Commerce	42.75	5-	42.75
21. Department of Commerce	15.00	1-6	15.00
22. Electromatic Associates Inc.	51.70	1-5	51.70
23. Engineered Control Products	9.13	20-	9.13
24. G. F. Joes	24.95	1-3	24.95
25. Gladstone Lincoln Mercury	136.50	1-5	136.50
26. Goodyear Service Stores	163.42	1-5	163.42
27. Grolier Educational Corp.	103.50	1-6	103.50
28. G.T.E. Information Service	310.00	1-5	310.00
29. Charlie Helwig Inc.	165.52	1-2	36.47
		1-4	63.50
		1-5	57.23
		1-8	1.60
		1-10	6.72
30. Homelite	5.72	30-	5.72
31. International Harvester	75.13	4-	9.29
		20-	32.92
		30-	32.92
32. International Office Machines Inc.	57.00	1-5	57.00
33. Instrument Sales & Service	13.93	1-5	13.93
34. Johnson's Fabco Paint Center	7.85	1-3	7.85
35. Jurors	185.00	1-8	185.00
36. Landeen Medical Gas & Equipment	14.40	1-4	14.40
37. League of Oregon Cities	357.00	1-1	357.00
38. Lind-Fagenstrom Corp.	60,547.77	5-	60,547.77
39. Loaves & Fishes	3500.00	12-	3500.00
40. Local Government Personnel Institute	300.00	1-2	300.00
41. Lord Brothers Contractors	38,196.96	5--	38,196.96
42. Main Street Cleaners	115.35	1-5	115.35
43. Benjamin H. McCanna	143.00	5-	143.00
44. McNaughtons Book Service	25.31	1-6	25.31
45. Marshall Associated Contractors	53,304.94	5-	53,304.94
46. Midway Machine Inc.	247.50	4-	247.50
47. Milwaukie Fire Protection District #56	1499.38	1-4	1499.38
48. Milwaukie Lumber	6.48	1-5	6.48
49. Milwaukie Rotary Club	50.00	1-4	50.00

CITY OF MILWAUKIE  
BILLS PAYABLE ON AUGUST 6, 1974 continued

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT</u>	<u>AMOUNT</u>
50. Multnomah Co.	529.50	1-4	77.86
		4-	309.52
		20-	142.12
51. National Chemsearch	50.34	4-	16.78
		20-	16.78
		30-	16.78
52. Northwest Law Enforcement Equipment	65.07	1-5	65.07
53. Northwest Natural Gas	36.58	1-6	19.82
		4-	9.06
		30-	7.70
54. Nurnberg Scientific	36.80	20-	36.80
55. Myles O'Donnell & Co.	710.95	1-3	423.25
		1-5	287.70
56. Olson Bros. Towing	42.05	1-4	42.05
57. Oregon City Laundry	66.50	1-4	66.50
58. Oregon State University	2.68	1-2	2.68
59. Oregonian	182.73	1-14	158.86
		5-	23.87
60. City of Portland	394.82	1-4	46.36
		1-6	5.68
		1-7	9.94
		4-	268.82
		20-	20.17
		30-	43.85
61. Portland General Electric	2879.05	1-1	6.88
		1-3	149.52
		1-4	39.70
		1-6	134.98
		1-7	3.77
		4-	113.34
		20-	759.32
		30-	1671.54
62. Portland Road & Driveway	270.54	4-	210.54
		20-	60.00
63. Revenue Sharing Advisory Service	35.00	1-2	35.00
64. The Review	33.77	1-1	33.77
65. Robben Oil Co.	92.73	1-3	92.73
66. Rub A Dub Car Washes	50.00	1-5	50.00
67. Sanderson Safety Supply Co.	12.80	1-4	12.80
68. Search & Seizure Bulletin	20.00	1-5	20.00
69. Sherwin-Williams Co.	124.00	104	124.00
70. Sears & Roebuck & Co.	31.20	4-	18.68
		30-	12.52
71. Southern Pacific Transportation Co.	100.00	6-	100.00
72. The Southwestern Legal Foundation	50.00	1-12	50.00
73. State of Oregon - Dept. of Motor Vehicles	135.00	1-8	135.00
74. Stevens Thompson & Runyan Inc.	26.40	1-9	4.80
		5-	21.60
75. Street	134.20	20-	29.10
		30-	105.10
76. Subpoena Fees	20.00	1-8	20.00
77. Traffic Engineering	15.00	1-10	15.00
78. Tri County Training Officers School	120.00	1-4	120.00
79. Unitog Company	32.57	1-4	32.57
80. Valley Lock & Key Service	2.00	1-5	2.00

CITY OF MILWAUKIE  
BILLS PAYABLE ON AUGUST 6, 1974 continued

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
81. Water	1381.06	1-4	139.87
		1-5	760.11
		1-7	13.32
		1-10	41.48
		4-	248.23
		20-	178.05
82. Waterworks Supply Co.	865.31	1-7	5.48
		30-	859.83
83. Western Fire Equipment Co.	3.20	1-4	3.20
84. Richard White	42.40	1-4	42.40
85. West Chemical Products Inc.	23.80	1-3	23.80
86. Wilco Fire Equipment	14.50	1-4	8.50
		1-5	6.00
87. Willamette H <sub>1</sub> Grade Concrete Co.	2911.64	4-	2911.64
88. H. W. Wilson Co.	200.50	1-6	200.50
89. Xerox	72.18	1-5	72.18
90. Riverside Construction Inc.	39,353.75	5-	39,353.75

\$221,117.77

1-1 GENERAL	1,915.65
1-2 ADMINISTRATION & FINANCE	419.47
1-3 CITY HALL ,	722.10
1-4 FIRE	2,508.43
1-5 POLICE	2,401.03
1-6 LIBRARY	516.36
1-7 PARKS & GROUNDS	32.51
1-8 MUNICIPAL COURT	691.60
1-9 PLANNING	4.80
1-10 PUBLIC WORKS	89.20
1-12 LEGAL	83.37
1-14 CIVIL SERVICE	158.86
4 - STREET	4,315.49
20- SEWER	1,969.49
30- WATER	3,086.36
5- SEWER IMPROVEMENT	192,302.42
6- STREET IMPROVEMENT	9,800.63
12 - REVENUE SHARING	100.00

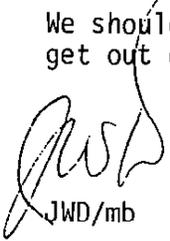
City of Milwaukie  
M E M O R A N D U M

August 2, 1974

TO: City Manager  
FROM: Director of Public Works  
SUBJECT: Sanitary Sewer Bids - Schedule II

Concur in Stevens, Thompson and Runyan's recommendation for making award to Hannan Bros. of Unit A and Bryan Morrison for Units B and C.

We should proceed with contract, etc. as soon as possible so that we can get out of the low land before the winter rains begin.

  
JWD/mb



# Stevens, Thompson & Runyan, Inc.

Engineers / Planners

5505 S E MILWAUKIE AVE • BOX 02201 • PORTLAND, ORE 97202 • TELEPHONE (503) 234-0721

1920

Portland  
Seattle  
Boise  
Spokane

PT-865.014

August 1, 1974

City Manager  
City of Milwaukie  
City Hall  
Milwaukie, Oregon 97222

Dear Sir:

We have reviewed the bids submitted August 1, 1974, for the project Milwaukie Sewers, Schedule II. The low bidders are:

Unit A	Hannan Bros. Construction, Inc.	\$ 193,605.20
Unit B	Bryan Morrison, Inc.	205,764.50
Unit C	Bryan Morrison, Inc.	125,824.50

TOTAL OF ALL LOW BIDS		\$ 525,194.20
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The engineer's estimate for each unit was:

Unit A	\$ 136,809.50
Unit B	172,723.50
Unit C	115,017.80

TOTAL	\$ 424,550.80
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When this schedule was bid in September, 1973, the lowest unconditional bid was \$549,020.25. In addition, the present bids are for 4% more sewer pipe than the previous bid.

We recommend the above listed low bids be accepted by the City.

Very truly yours,

STEVENS, THOMPSON & RUNYAN, INC.

Boyd Davison

BD:vd