CITY COUNCIL MEETING
October 21, 1974
7 p. m.

COUNCIL CHAMBERS 1230th Meeting

The one thousand two hundred thirtieth meeting of the Council of the City of Milwaukie, Oregon, was held on the 21st day of October, 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
William M. Keller
Mayor Donald W. Graf

Also present:

Harold L. Schilling, City Manager
J. Wayne Daigle, Dir. of P.W.
Donald Jones, Police Chief
Richard White, Fire Chief
Myer Avedovech, City Attorney
Dorothy E. Farrell, Secretary

The invocation was given by the Reverend Clifford Douglas, and the pledge of allegiance was recited.

CONSENT CALENDAR

a) Approval of minutes - October 7 and 15, 1974 meetings
b) "701" grant application
c) Letter from DEQ re STP
d) Memo from Finance Director re Marvin Lines payment
e) Coalition of Social Services minutes and meeting notice
f) Letter from Highway Department re special projects fund meeting
g) Contract with Portland for personnel services
h) Dismissal order - Gambell case
i) Letter from Carolyn Clark re police services
j) Letters re council candidates
k) Letter to Weber re default
l) Certificate to Police Department
m) Letters re use of Manager's name in real estate promotion
n) Letter to Chris McDonald re Bicentennial Committee

It was MOVED by Stochosky, SECONDED by Keller, that the Consent Calendar be accepted, with the exception of items b, f, h, j, and n. MOTION CARRIED and so ordered.

b) A notice of intent to apply for 701 Comprehensive Planning Assistance grant-in-aid funding for 1975-76 has been sent to CRAG, to be used, if granted, for revision of city's comprehensive plan.

c) Letter from Department of Environmental Quality, dated October 9, 1974, states the results of survey samplings at the sewage treatment plant are satisfactory.

d) Council has received copy of memorandum from Finance Director, giving the computation of payment due Marvin Lines as a result of Circuit Court order dated September 4, 1974, in the case of Marvin Lines vs. City of Milwaukie. It was questioned whether the method of computation has the effect of compounding the interest.

e) Council has received minutes of Coalition of Social Services October 3, 1974 meeting, and notice that the next meeting will be 7:30 a. m. October 22 in the County Commissioners Board Room, Oregon City.

f) Council has received copy of letter from State Highway Division, dated October 9, re special projects fund meeting Manager will check to see if funding might be available for Furnberg Park.

g) Agreement has been signed by Milwaukie Civil Service Commission chairman, for city of Portland to furnish personnel examination services to Milwaukie.
h) The Court of Appeals has dismissed the appellant's appeal in the case of Gambell vs. Burgess, et al, and remanded the case to the court below.
i) Council has received copy of letter dated October 10 from Carolyn Clark, thanking the police department for their services.
j) City has written the elections department, asking that the names of Raymond M. Stomps and Jeannette Baker be removed from the November ballot for Council position No. 4, as they have withdrawn. Council has received copy of letter from Mrs. Baker, dated October 9, withdrawing as a council candidate.
k) Council has received copy of letter from City Attorney, dated October 16, to Fred C. Weber, re Mr. Weber's default on completing storm drainage for Cedarcrest No. 8.
l) Clackamas Association for Retarded Citizens has presented certificate of appreciation to Milwaukie Police Department for their help during annual bike-hike.
m) Copies of letters have been received sent by Spring Creek Nevada representative to prospective buyers of property, clarifying a statement made that the City Manager of Milwaukie had purchased property there, by stating it is not the present City Manager.
n) Council has received copy of letter to Mrs. William McDonald, confirming her appointment by Mayor Graf to be Milwaukie's representative on the Bicentennial Committee.

GAMBELL CASE

Council has received copy of affidavit of attorney for Lillian M. Gambell, moving that Councilman Bill Hupp be disqualified from sitting in judgment as a member of the City Council on the zone change application of Mrs. Gambell. City Attorney has written a memorandum on the subject, dated October 21. Mr. Hupp stated he did not believe he was prejudiced in the case, and asked other councilmembers for their opinion. It was the consensus that Mr. Hupp should discuss this with the city attorney.

AUDIENCE PARTICIPATION

1. Marlene Brandt, 9506 Winsor Drive, described a drainage problem at that address. City Manager was asked to look into the problem and report back to the Council.

CORRESPONDENCE

Council has received letter from Milwaukie Lutheran Church, dated October 9, concerning the drainage problem on their property. The drainage program in Boss Lane area, which was approved at the last meeting, will take care of the problem, so the letter will be acknowledged and filed.

STAFF REPORT ON TRAFFIC SAFETY COMPLAINT

At the last council meeting there was expression of concern by Clair Kuppenbender about a traffic problem at 27th and Washington. Police Chief has written a staff report in response, dated October 16. A copy will be sent to Mr. Kuppenbender.

CLACKAMAS TOWN CENTER

Council has received additional material not available at the last council meeting. Copies of that material will be given to Planning Commission at their October 8 meeting. It was MOVED by Hupp, SECONDED by Burgess, to table council discussion until a council meeting November 25, and until the Planning Commission has had a chance to review the latest information. MOTION CARRIED and so ordered.

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(Meeting recessed at 8 p.m., reconvened at 8:10 p.m. with all present.)

MEMO FROM CITY PLANNER RE CRAG INTERIM REGIONAL DEVELOPMENT POLICY
Council has received memorandum from City Planner, dated September 20, assessing the impact of CRAG's Interim Regional Development Policy on the city of Milwaukie. It was MOVED by Stochosky, SECONDED by Keller, that a letter be drafted to CRAG indicating approval of the council as to the position of priority area No. 1 established by CRAG, and that aid be asked to prepare the city for the growth that could be expected MOTION CARRIED and so ordered. Councilman Hupp wished his vote recorded as "no."

REPORT ON POLICE CAR MAINTENANCE PROGRAM
Manager reported city has contracted with Gladstone Lincoln Mercury to provide vehicle maintenance, as local vendors were not interested in a flat rate vehicle maintenance contract.

DISCUSSION RE COST OF VEHICLE LEASE PROGRAM
Councilman Hupp had requested this item be on the agenda, but has since indicated he needs more information and would like to postpone the discussion.

FRANCHISE AGREEMENTS UNDER REFUSE COLLECTION ORDINANCE
Individual franchises have been prepared by attorney for refuse collectors, as provided in Ordinance 1301, and maps showing area to be served by each individual franchisee It was MOVED by Hupp, SECONDED by Burgess that the franchise contracts be accepted and the Mayor be authorized to sign MOTION CARRIED and so ordered. The matter of setting rates was tabled until the next regular meeting

OTHER BUSINESS
1. Public Works Director has attended a CRAG meeting on Johnson Creek
2. Public Works Director attended a CRAG highway meeting, and said it won't be too long before Milwaukie is contacted for some input on future changes on McLoughlin Blvd. It was suggested the citizen survey might include a question on this subject. Public Works Director will report on future developments.

HEARING DATE ON GAMBELL CASE
There was discussion on setting a hearing date on the Gambell zoning matter, and on whether the Planning Commission should be present. City Attorney stated he would look into whether or not zone change applications should have a full hearing before both the Planning Commission and Council. The setting of a hearing date was tabled until the next regular meeting.

PAYMENT OF BILLS
It was MOVED by Stochosky, SECONDED by Hupp, that the bills listed for October 22, 1974 payment be approved for payment. MOTION CARRIED and so ordered.

EXECUTIVE SESSION
The meeting adjourned into executive session at 10:47 p.m., under ORS 192.660, Section 6, paragraph 2, subsection a, to discuss labor negotiations.

LABOR NEGOTIATIONS

In open meeting, it was MOVED by Keller, SECONDED by Hupp, that the City Manager be authorized to negotiate with Public Works Field personnel regarding working hours. MOTION CARRIED and so ordered.

The meeting adjourned at 11 p. m.

Donald W. Graf

Donald W Graf, Mayor

ATTEST:

Dorothy E. Farrell

Dorothy E. Farrell, Secretary

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CITY OF MILWAUKIE
BILLS PAYABLE ON OCTOBER 22, 1974

VENDOR	TOTAL	DEPT.	AMOUNT
1. A.C. Distributing Co,	1.08	4-	1.08
2. American Brush Co.	710.00	4-	710.00
3. Automotive Jobers Warehouse	6.10	4-	6.10
4. Baker & Taylor	230.77	1-6	230.77
5. Lyle Baldwin	29.00	4-	29.00
6. Badger Meter Inc,	595.94	30-	595.94
7. J.M. Bernard's Garage	523.35	1-5	502.21
		4-	19.64
		20-	1.50
8. Braniff Airlines	261.28	1-2	261.28
9. Burroughs Corp.	793.67	1-2	793.67
10. The Cake Co.	100.13	1-5	100.13
11. Center for Urban Education	15.00	1-9	15.00
12. Chevron Ashpalt	2854.20	4-	2854.20
13. The Children Book Council Inc.	12.55	1-6	12.55
14. Circuit Court, Clackamas County	20.00	5-	20.00
15. Clackamas County	644.50	1-1	100.00
		1-5	544.50
16. Clackamas County-Dept. of Public Works	6561.57	20-	6561.57
17. James B. Donkle, M.D.P.C.	10.00	1-4	10.00
18. Dun-Donnelley Publishing Corp.	24.00	1-4	24.00
19. Engineering News Record	24.00	1-10	24.00
20. Eugene Overall/Blue Seal	79.53	1-3	20.64
		1-4	34.85
		1-5	5.10
		1-6	18.94
21. Elke Gribskov	496.05	1-1	496.05
22. Harris-Roberts Inc.	74.00	1-4	74.00
23. Hazeltine Leasing Inc.	100.00	1-5	100.00
24. The Hearst Magazines	7.00	1-6	7.00
25. Charlie Helwig	80.78	1-2	36.46
		1-4	10.08
		1-5	24.88
		1-8	7.36
		1-9	2.00
26. Industrial Specialties Co.	11.18	4-	11.18
27. Jobs Available	25.00	1-14	25.00
28. Jury	75.00	1-8	75.00
29. K & K Color Lab	10.60	1-5	10.60
30. Landeen Medical Gas & Equipment	14.40	1-4	14.40
31. Lavelle Landfill	25.38	4-	25.38
32. Layton Sales	83.98	4-	83.98
33. Legislation Counsel Committee	225.00	1-2	3.00
		1-5	210.00
		1-12	12.00
34. Main Street Cleaners	155.05	1-4	30.95
		1-5	124.10
35. M. Meghrig & Sons Inc.	13.87	1-6	13.87
36. Milwaukie Auto Parts	12.38	4-	12.38
37. Milwaukie Hardware	30.98	1-4	8.14
		1-5	2.85
		1-7	5.44
		30-	14.55
38. Milwaukie Lumber	46.69	1-5	31.69
		4-	15.00

CITY OF MILWAUKIE
BILLS PAYABLE ON OCTOBER 22, 1974 (Continued)

VENDOR	TOTAL	DEPT.	AMOUNT
41. Milwaukie Roofing Co.	78.00	1-7	78.00
42. Mobil Corporation	1465.11	30-	1465.11
43. The Mobil Repair	40.28	1-4	40.28
44. National Cash Register Co.	615.79	1-2	615.79
45. Northwest Natural Gas Co.	25.64	1-6	10.41
		4-	7.48
		30-	7.75
46. Nudelman Bros.	1437.75	1-5	1437.75
47. Myles O'Donnell	885.33	1-3	446.43
		1-5	287.70
		1-6	151.20
48. Oregon City Ambulance Service	26.00	1-5	26.00
49. Oregon City Hospital	59.45	1-5	59.45
50. Oregon City Laundry Co.	82.23	1-4	82.23
51. Oregon Culvert Co. Inc.	237.05	4-	237.05
52. Oregon Liquor Control Commission	1.00	1-7	1.00
53. Pacific Building Materials	114.85	4-	114.85
54. Pacific Coast Industrial Laundry	39.00	4-	39.00
55. Pacific Northwest Bell	1324.52	1-3	500.19
		1-4	27.41
		1-5	627.83
		1-6	76.29
		1-10	4.40
		4-	31.90
		20-	24.60
		30-	31.90
56. City of Portland	656.24	1-4	52.30
		1-5	52.65
		1-6	46.64
		4-	396.34
		20-	56.88
		30-	51.43
57. Portland General Electric	4618.02	1-1	3947.23
		1-5	150.96
		30-	519.88
58. Publishers Central Bureau	112.06	1-6	112.06
59. Radiotronics	68.40	1-4	68.40
60. Rankin, Walsh, Ragen & Roberts	150.00	1-1	150.00
61. The Review	33.16	1-1	33.16
62. Robben Oil Co.	106.11	1-3	106.11
63. Rodale Press Inc.	6.85	1-6	6.85
64. Royale Coffee Service	28.75	1-1	28.75
65. Rub A Dub Car Washes	62.00	1-5	62.00
66. Harold L. Schilling	60.00	1-2	60.00
67. Shell Oil Co.	5.81	1-5	5.81
68. State of Oregon - Dept. of Motor Veh.	70.00	1-8	70.00
69. Taxes of Milwaukie Boom Site	366.71	1-7	185.68
		7-61	181.03
70. Town Concrete Pipe	706.14	4-	706.14
72. Wage & Hour Law Conference	40.00	1-2	20.00
		1-4	20.00
73. Water (August Gasoline)	1255.90	1-2	4.76
		1-4	175.96
		1-5	719.89
		1-10	29.35
		4-	239.31

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CITY OF MILWAUKIE
BILLS PAYABLE ON OCTOBER 22, 1974 (Continued)

VENDOR	TOTAL	DEPT.	AMOUNT
74. Water (September Gasoline)	1159.44	1-2	4.84
		1-4	142.51
		1-5	920,92
		1-10	17.74
		4-	17.26
		20-	56.17
75. Water	280.24	5-	280.24
76. West Chemical Products Inc.	22.50	1-3	22.50
77. Western Drug Label Co.	98.00	1-5	98.00
78. Richard White	54.04	1-2	25.13
		1-4	28.91
79. Wichita Feed & Hardware	18.05	20-	1.15
		5-	16.90
80, Willamette Hi Grade Concrete	1189.53	4-	1189.53
81. Zoning Bulletin	20.00	1-9	20.00
82, Gladstone Lincoln Mercury	12717.17	1-5	12717,17
	$45,370.78		

1-1	GENERAL	4,755.19
1-2	ADMINISTRATION & FINANCE	1,824.93
1-3	CITY HALL	1,095.87
1-4	FIRE	844.42
1-5	POLICE	18,838.79
1-6	LIBRARY	686.58
1-7	PARKS & GROUNDS	270.12
1-8	MUNICIPAL COURT	185.36
1-9	PLANNING	37.00
1-10	PUBLIC WORKS	75.49
1-12	LEGAL	12.00
1-14	CIVIL SERVICE	25.00
4-	STREET	6,746.80
20-	SEWER	6,788.50
30-	WATER	2,686.56
5-	SEWER IMPROVEMENT	317.14
7-61	SUSPENSE	181.03