CITY COUNCIL MEETING
November 4, 1974
7 p.m.

COUNCIL CHAMBERS 1231st Meeting

The one thousand two hundred thirty-first meeting of the Council of the City of Milwaukie, Oregon, was held on the 4th day of November, 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.
Myer Avedovech, City Attorney
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 - October 21, 1974 Council meeting
b) Thank you letter from Nancy Stochosky
c) Partial payment - Fielderest Mason Lane sewer L.I.D.
d) Thank you letter to Fire Department from St. Johns school
e) Satisfaction of judgment - Lines case

It was MOVED by Stochosky, SECONDED by Keller, that the Consent Calendar be accepted. MOTION CARRIED and so ordered.

b) Council has received letter from Nancy Stochosky, thanking Council and staff for the flowers sent during her recent hospital stay.

c) Council has received memorandum from Public Works Director, dated October 29, recommending partial payment of $67,514.32 to Esta, Inc., for job marked No. 2--Fielderest-Mason Lane area sanitary sewers.

d) Council has received copy of letter to Fire Department, dated October 23, thanking Chief Al Jones for visiting St. Johns School.

e) Satisfaction of judgment has been filed in the case of Marvin F. Lines vs. City of Milwaukie.

CORRESPONDENCE

Letter has been received, dated October 23, from Security Bank of Oregon, asking permission to put up a sign in the public right-of-way at Lava Drive and River Road, advertising Shoreside East condominiums. It was MOVED by Burgess, SECONDED by Keller, that the Council request staff to research the legality of placing a temporary sandwich board in an appropriate location to aid the realtor in his marketing of Shoreside East. It was MOVED by Keller, SECONDED by Stochosky, to amend the motion by striking the word "legality" and substituting the word "appropriateness." On the amendment, MOTION CARRIED and so ordered. On the main motion, as amended, MOTION CARRIED and so ordered.

MEMORANDUM FROM COUNCILMAN HUPP RE GAMBELL CASE

Council has received memorandum from Councilman Hupp, dated October 28, stating he would not discuss or vote on the Gambell zone change application at the hearing on December 3, in view of Mrs. Gambell's attorney's affidavit of prejudice.

REFUSE COLLECTION RATES - RESOLUTION NUMBER 29-1974

Council has received staff report on refuse collection rates, with exhibits. It was MOVED by Keller, SECONDED by Burgess, that Resolution Number 29-1974 (A RESOLUTION SETTING RATES TO BE CHARGED BY FRANCHISEES UNDER ORDINANCE NUMBER 1301, AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF A SYSTEM OF WASTE AND SOLID WASTE DISPOSAL) be read. MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Keller, that Resolution 29-1974 be adopted. MOTION CARRIED and so ordered.

(Meeting recessed at 8:20 p. m., reconvened at 8:30 p. m. with all present.)

STAFF REPORT ON WATER SERVICE REQUEST

At the September 16 meeting Council considered a letter from Culver Construction Co. re water supply. Council has now received memorandum from Public Works Director, dated November 1, recommending condemnation of the property involved, in view of the city's need for a looped water system into Island Station. It was MOVED by Keller, SECONDED by Burgess, that the City Attorney be instructed to write Walter Nutting, owner of the property in question, requesting that he negotiate an easement, and if negotiations can't be well under way in a satisfactory manner within 45 days, that condemnation proceedings be started. MOTION CARRIED and so ordered.

STAFF REPORT ON DRAINAGE PROBLEM

At the October 21 meeting, Marlene Brandt, 9506 Winsor Drive, described a drainage problem at that address. City Manager stated he had not had an opportunity to view the problem area, and the matter was tabled until the next regular meeting.

REPORT ON FURNBERG PARK FUNDING

City Manager has contacted the State Highway Division, to see if any money might be available from their special projects fund for Furnberg Park, but was told this money was only for acquisition of new land, or completion of projects where previous commitments had been honored. Since Phase I of Furnberg Park has not been completed, no money would be available until this is done.

LABOR RELATIONS

It was MOVED by Keller, SECONDED by Burgess, that the Mayor be authorized to sign the addendum to the 1974-75 contract with Milwaukie Employees Association, which addendum covers the Public Works Field employees. MOTION CARRIED and so ordered. Claim has been made by a Police Officer who is resigning, for payment of accrued sick leave. City Manager explained that reference is made in the 1973-74 police contract to an existing benefit for payment of sick leave upon termination, but that no such benefit is spelled out in any prior contract. It was the consensus of the Council that no agreement was ever made for such a benefit for the Police Department.

OTHER BUSINESS

1. Receipt of 701 grant application has been acknowledged, and the city may appear during the processing.
2. Council has received copy of memorandum from Public Works Director re Johnson Creek drainage meetings, as well as meeting minutes from CRAG.

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3. Notice of CRAG meeting cancellation on November 7 has been received.
4. The public hearing on the Gambell zone change will be at 7 p. m. December 3. Notices will be published and mailed.
5. Council meeting previously scheduled for November 25 was changed to November 19.
6. Councilwoman Burgess reported on a meeting with Tri Met re improved bus service.
7. Full Council consideration of Dorene Marchant grievance will be at 9 p. m. December 3.
8. Charter Review Committee's report and Street and Storm Sewer Study Committee's report will be on the agenda for December 2.
9. Court hearing on the downtown L. I. D. will be 1:30 p. m. December 9.
10. Jean Baker, 2607 Monroe, discussed the problem of sale of pornographic materials, as well as prominent display thereof, at the grocery at 29th and Washington. City Attorney will ask the District Attorney to investigage.

PAYMENT OF BILLS

It was MOVED by Stochosky, SECONDED by Keller, that the bills listed for November 5, 1974 payment be approved for payment. MOTION CARRIED and so ordered.

The meeting adjourned at 10:20 p. m.

Donald W. Graf

Donald W. Graf, Mayor

ATTEST:

Dorothy E. Farrell

Dorothy E. Farrell, Secretary

CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 5, 1974

	VENDOR	TOTAL	DEPT.	AMOUNT
1.	Addressograph Multigraph Corp.	$ 6.75	1-2	$ 6.75
2.	Bancroft-Whitney Co.	17.10	1-12	17.10
3.	Clark Boardman Company, Ltd.	15.00	1-12	15.00
4.	Edward Brekke	60.00	1-8	60.00
5.	Burroughs Corporation	232.87	1-2	232.87
6.	Campbell Lumber Co.	266.00	4	266.00
7.	Chevron Asphalt Co.	403.20	4	403.20
8.	CRAG	6,605.00	1-1	6,605.00
9.	Consolidated Supply Co.	464.00	30	464.00
10.	Day-Timers	11.77	1-12	11.77
11.	Electromatic Associates, Inc.	179.96	1-5	179.96
12.	Esta Inc.	67,514.32	5	67,514.32
13.	Gladstone Lincoln Mercury	2,527.00	1-5	2,527.00
14.	Donald Graf	28.65	1-1	28.65
15.	Hannon Bros. Construction, Inc.	8,207.41	5	8,207.41
16.	Charlie Helwig, Inc.	123.81	1-2	107.07
			1-9	7.06
			1-10	9.68
17.	Horton Electric	25.00	1-3	25.00
18.	Instrument Sales & Service, Inc.	25.00	1-5	25.00
19.	International Business Machines Corp.	24.84	1-2	24.84
20.	International Harvester Co.	178.00	7	178.00
21.	Jury Fees	215.00	1-8	215.00
22.	Kloster Florist	12.50	1-1	12.50
23.	Lord Brothers Contractors	70,171.79	5	70,171.79
24.	Milwaukie Fire Protection District #56	1,499.43	1-4	1,499.43
25.	Milwaukie News Agency	14.25	1-2	14.25
26.	Bryan Morrison, Inc.	87,783.31	5	87,783.31
27.	Multnomah County Oregon	3.56	1-5	3.56
28.	Oregon City Laundry	74.59	1-4	74.59
29.	Oregon Culvert Co., Inc.	7,582.90	7	3,266.50
			20	2,158.20
			30	2,158.20
30.	Oregon Hi-Fi & Recorder Co.	41.28	1-1	41.28
31.	Pacific Building Materials	43.94	4	43.94
32.	Pacific Northwest Bell	117.00	1-5	117.00
33.	P ennwalt	800.00	20	800.00
34.	Portland Police Bureau	240.00	1-5	240.00
35.	Portland General Electric	97.25	1-5	77.14
			4	20.11
36.	Portland Road & Driveway Co.	1,079.44	4	1,079.44
37.	Riverside Construction, Inc.	15,380.50	5	15,380.50
38.	Robben Oil	149.87	1-4	77.71
			4	72.16
39.	Roto-Rooter Service	30.00	1-5	30.00
40.	Joe Schobe, Sheriff	22.50	5	22.50
41.	Southern Pacific Transportation Co.	100.00	6	100.00
42.	Stevens, Thompson & Runyan, Inc.	21.60	20	21.60
43.	Subpoena Fees	5.00	1-8	5.00
44.	Suspension Fees	35.00	1-8	35.00
45.	J & W Urbach	25.00	4	25.00
46.	Waterworks Supplies	162.06	30	162.06

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CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 5, 1974 - Continued

	VENDOR	TOTAL	DEPT.	AMOUNT
47.	Western Drug Label Co.	89.40	1-5	89.40
48.	Wilco Fire Equipment Co.	12.50	1-4	12.50
49.	Willamette Hi-Grade Concrete Co.	376.97	4	376.97
50.	Xerox	5.82	1-5	5.82
51.	Ted McBee Excavating	1,431.00	4	1,431.00
		$ 274,539.14		

1-1	GENERAL	$ 6,687.43
1-2	ADMINISTRATION & FINANCE	385.78
1-3	CITY HALL	25.00
1-4	FIRE	1,664.23
1-5	POLICE	3,294.88
1-8	MUNICIPAL COURT	315.00
1-9	PLANNING	7.06
1-10	PUBLIC WORKS	9.68
1-12	LEGAL	43.87
4-	STREET	3,717.82
5-	SEWER IMPROVEMENT	249,079.83
6-	STREET IMPROVEMENT	100.00
7-	SUSPENSE FUND	3,444.50
20-	SEWER	2,979.80
30-	WATER	2,724.26