

CITY COUNCIL MEETING

July 21, 1975

7 p.m.

COUNCIL CHAMBERS

1248th Meeting

The one thousand two hundred forty-eighth meeting of the Council of the City of Milwaukie, Oregon, was held on the 21st day of July, 1975, with the following councilpersons present:

C. Mervin Englund	Jerry N. Hutchison
Charles E. Swan	Mayor Bill E. Hupp
Joy Burgess	

Also present:

Harold L. Schilling, City Mgr.	Myer Avedovech, City Attorney
J. Wayne Daigle, Dir. of P.W.	Dorothy E. Farrell, Secretary

The invocation was given by Dr. Leonard Ludwig, Milwaukie Lutheran Church, and the pledge of allegiance was recited.

Mayor Hupp announced as an experiment in efficiency, the meeting would be chaired by Councilman Swan.

CONSENT CALENDAR

- a) Minutes of July 7 and July 14 meetings
- b) Thank you letter from Ken Levstone
- c) Letter from Senator Brown re legislative bills
- d) Final payment - Fieldcrest-Mason Lane sewer L.I.D.
- e) Letter from Fire Chief re Heselton check
- f) Oregon Transportation plan regional meetings
- g) Building Codes Division memo re legislative action
- h) Memo re Furnberg Park
- i) Memo re cash carryover
- j) League of Oregon Cities legislative summary
- k) CRAG interim transportation plan
- l) Thank you letter from Kids, Inc.
- m) Letter from Rural Metro Fire Department, Inc.
- n) ICMA Municipal Management Policy update

Councilwoman Burgess requested items b, e, g, i, m and n be removed from the consent calendar. Councilman Hutchison requested item d and f, and Councilman Englund item l.

b) Councilwoman Burgess read letter from Kenneth J. Levstone, dated July 7, in appreciation of performance of Milwaukie firemen at an incident July 3 at Southgate Theater parking lot.

c) Council has received copy of letter from Senator Walter Brown, dated July 7, concerning legislative bills.

d) There was discussion concerning memorandum from Public Works Director, dated July 7, regarding final payment to Esta, Inc. on Fieldcrest-Mason Lane Sanitary Sewer L.I.D., in the amount of \$5,738.52.

e) Councilwoman Burgess read letter from Fire Chief to Mrs. Bertha Heselton, dated June 25, in response to Mrs. Heselton's letter of thanks to Fire Department.

f) Council has received notice of Oregon Transportation Plan regional meetings from Department of Transportation. Councilman Hutchison suggested a member of staff attend.

g) Council has received letter from State Department of Commerce, dated July 1, concerning legislative action affecting building departments. Councilwoman Burgess noted that the city has increased building permit surcharge in accordance with recent legislation.

- h) Council has received copy of memo from Dave Phelps, Administrative Assistant to Public Works Director, concerning Furnberg Park acquisition grant.
- i) There was discussion of a memorandum from Finance Director, dated July 17, concerning cash carry forward.
- j) Council has received summary of bills enacted at 1975 Legislature from League of Oregon Cities.
- k) Council has received copy of letter from CRAG, dated July 9, enclosing copy of CRAG Interim Transportation Plan adopted on June 18.
- l) Councilman Englund discussed letter from Frank Mello, Director of Kids! Inc. baseball tournament, thanking city officials for their support.
- m) Council has received copy of letter from Rural/Metro Fire Dept., Inc., dated July 8, regarding a date for Council visit. Manager was asked to arrange meeting the first or second week in November.
- n) Council has received copy of ICMA Update No. 7, July 15, 1975. Councilwoman Burgess suggested Manager might want to comment as suggested in the article on Community Development funds.
- It was MOVED by Hutchison, SECONDED by Hupp, that all items on the Consent Calendar be accepted. MOTION CARRIED and so ordered.

PUBLIC HEARING - COLE ADDITION SEWER L.I.D. - ORDINANCE NUMBER 1319  
Public hearing was declared open at 7:30 p.m. Notices published and posted as required. Manager stated the proposed ordinance forming the district includes the larger area in which Portland must participate to make the district cost feasible. If Portland does not participate as required, Council will be asked to reduce the area to include only Mary Court. The hearing is for the purpose of hearing remonstrances against formation of the L.I.D.

Asking questions:

Gerald A. Huntlev. 3464 SE Sherrett

(Meeting recessed at 7:35 p.m., reconvened at 7:40 p.m. with all present. There were no written or verbal remonstrances to the formation of the L.I.D.

Hearing was declared closed at 7:45 p.m.

It was MOVED by Hutchison, SECONDED by Burgess, that Ordinance Number 1319 (AN ORDINANCE PROVIDING FOR CONSTRUCTION OF SANITARY SEWERS IN THE REPLAT OF COLE ADDITION 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 by title only. MOTION CARRIED and so ordered. It was MOVED by Hutchison, SECONDED by Burgess, that Ordinance 1319 be read the second time by title only. MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Hutchison, that Ordinance 1319 be adopted. Ordinance 1319 was put on its passage with the following roll-call vote: AYES: Englund, Swan, Burgess, Hutchison and Graf. NOES: None. Ordinance 1319 passed the Council and was so declared by the Mayor.

#### AUDIENCE PARTICIPATION

1. Jean Baker, 2607 Monroe, asked for information on statements made by Councilpersons at the July 14 meeting concerning T.I.M.E. committee request for city to obtain appraisal on Crystal Lake property. It was suggested she come to City Hall and listen to tape of the meeting.
2. Pierre Brunelle, 5556 Logus Road, asked if there was a recent appraisal of the property available, and was told no appraisal is available.

CORRESPONDENCE

1. Council has received copy of letter from Rainier Bank, dated July concerning a city of Milwaukie check dated December 6, 1963.
2. Council has received letter from Helen Shoemaker, 2235 SE Oatfield, received July 17, concerning traffic ticket. Manager was asked to write her a letter saying the city has an obligation to enforce its ordinance.

SEWER RATE STUDY

Councilman Englund has presented data on computation of sewer assessments. It was decided the data will be presented to the committee to be formed to study assessments, and a report from the committee and a staff report presented to the Council for study and action.

PUBLIC HEARING ON COMPLETION - FIELDCREST-MASON LANE SEWER L.I.D.

Public hearing was declared open at 8 p.m. Notices posted as required.

Speaking on completion:

Elmer Westover, 4646 Fieldcrest

Manager stated staff will follow up on his complaints.

Public hearing was declared closed at 8:10 p.m.

ZC-75-2 - ORDINANCE NUMBER 1320

At the July 7 meeting a decision was postponed to the present meeting. It was MOVED by Burgess, SECONDED by Englund, to read Ordinance Number 1320 the first time by title only. (AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM M-L ZONE TO R-7 ZONE, AND AMENDING ORDINANCE NUMBER 1183, AS AMENDED) MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Englund, that Ordinance 1320 be read the second time by title only. MOTION CARRIED and so ordered. Ordinance 1320 was put on its passage with the following roll-call vote: AYES: Englund, Burgess, Hutchison and Hupp. NOES: Swan. Ordinance 1320 passed the Council, and was so declared by the Mayor.

CLACKAMAS WATER DISTRICT CONTRACT

Council has received memorandum from Public Works Director, recommending signature of agreement with Clackamas Water District, changing the price charged for purchase of water from the district. It was MOVED by Hutchison, SECONDED by Swan, to accept the contract. MOTION CARRIED and so ordered.

RESOLUTION NUMBER 26-1975 - BUILDING PERMIT SURCHARGE FEE

It was MOVED by Hupp, SECONDED by Hutchison, that Resolution 26-1975 (A RESOLUTION AMENDING RESOLUTION NUMBER 65-1968, AS AMENDED, BY 28-1973 AND ESTABLISHING A BUILDING PERMIT SURCHARGE FEE) be read. MOTION CARRIED and so ordered. It was MOVED by Hupp, SECONDED by Burgess, that Resolution 26-1975 be adopted. MOTION CARRIED and so ordered.

(Meeting recessed at 9:05 p.m., reconvened at 9:10 with all present)

ASSESSMENT REVIEW COMMITTEE

The following were recommended for the Assessment Review Committee: Terry Stein, Bob Stochosky, Walter Noack, Tom Hopkins and John Wright.

OTHER BUSINESS

1. Mayor Hupp has received letter from HUD, dated July 18, concerning Community Development Block Grants.
2. City Attorney has reported on litigation involving city.
3. Council has received copy of letter from Dana Lee Prowell, 1223 - 21st Street, requesting Permission for six parking spaces on 21st Street for students. It was MOVED by Hutchison, SECONDED by Hupp, to deny the request and inform her in writing. MOTION CARRIED and so ordered.
4. Council has received copy of letter from Tri-Met and memo from Public Works Director concerning Tri-Met bus stop signs. It was MOVED by Hutchison, SECONDED by Burgess, to direct staff to proceed in accordance with the recommendation in the memo. MOTION CARRIED and so ordered.
5. City has received copy of letter from Governor's office to Corps of Engineers, opposing marina project (Milport Marina)
6. Manager gave Council copies of city's civil defense plan.
7. Tour of new sewage treatment plant has been set for 6 p.m. Thursday, July 24.
8. Manager discussed additional CETA funds available to city for additional personnel. Manager was asked to find out which departments need additional personnel, prioritize, and Council will consider the list.
9. Manager gave progress report on Library funding issue.
10. Councilman Hutchison reported he is working on Council rules, and Council goals.
11. Council asked that Manager come forward with suggestions as to the refurbishing of City Hall.

PAYMENT OF BILLS

It was MOVED by Burgess, SECONDED by Hupp, that the bills listed for July 22, 1975 payment be approved for payment. MOTION CARRIED and so ordered.

OTHER BUSINESS

12. Councilwoman Burgess asked if fallen tree in Library grounds had been removed.
13. Councilman Swan asked if the list of bills could briefly list what the bills are for.
14. Councilman Swan asked if filing cabinets could be provided Council.

EXECUTIVE SESSION

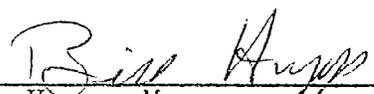
Meeting adjourned to executive session at 10 p.m. to discuss bargaining contracts. Returned to regular session at 10:45 p.m.

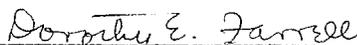
LABOR NEGOTIATIONS

It was MOVED by Hutchison, SECONDED by Burgess, that the Mayor be authorized to sign the Firefighters and Employees Association contracts. MOTION CARRIED and so ordered.

Meeting adjourned at 10:55 p.m.

ATTEST:

  
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 Bill Hupp, Mayor

  
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 Dorothy E. Farrell, Secretary

DDJ309

BILLS PAYABLE ON JULY 21, 1975

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
1. Allen Trucking & Excavating	642.48	5-	642.48
2. AMACOM	18.00	1-2	18.00
3. Arrow Striping	50.00	1-7	50.00
4. Julie August	100.00	1-8	100.00
5. Baker & Taylor	656.73	1-6	656.73
6. Scott Bell	24.00	1-10	24.00
7. Elise Bisio	18.50	1-1	18.50
8. Blake, Moffitt, & Townesend	11.14	1-9	11.14
9. Books for Libraries	11.25	1-6	11.25
10. Edward Brekke	322.50	1-8	322.50
11. Bud's Radiator Repair	24.75	1-4	24.75
12. Clackamas County Service District #1	4,596.80	20-	4596.80
13. Columbia Battery Mnfg.	148.00	1-4	148.00
14. Dr. James Donkle	267.00	1-14	267.00
15. EBSCO Subscription Service	994.09	1-6	994.09
16. Electromatic	186.75	1-5	186.75
17. Esta	5,738.52	5-	5738.52
18. Feenaughty Mach. Company	38.45	5-	38.45
19. Fideler	8.27	1-6	8.27
20. Fitch's Health Care Equipment	19.95	1-5	19.95
21. Tony Forbes	72.68	1-7	72.68
22. General Learning Corporation	6.60	1-6	6.60
23. Graham's Book & Stationery Store	18.05	1-5	15.80
		1-9	2.25
24. Hazeltine Leasing	100.00	1-5	100.00
25. Hill Construction	426.75	5-	426.75
26. Jack Heraty & Associates	495.00	1-6	495.00
27. Horton Electric	40.50	1-4	9.50
		30-	31.00
28. International Conference of Building Officials	100.00	1-10	100.00
29. International Personnel Management	115.00	1-14	115.00
30. Jury Fees	135.00	1-8	135.00
31. K & K Color Lab	43.22	1-5	43.22
32. Kilgore Corporation	26.73	1-7	26.73
33. Landeen Medical Gas & Equipment	18.00	1-4	18.00
34. Lanson/Tremaine	6.95	1-6	6.95
35. Lavelle Landfill	35.10	4-	35.10
36. Layton Sales & Supply	28.10	4-	28.10
37. League of Oregon Cities	3,843.00	1-1	3843.00
38. Main Street Cleaners	208.53	1-4	77.05
		1-5	131.48
39. McNaughton Book Service	71.22	1-6	71.22
40. M. Meghrig & Sons	13.46	1-6	13.46
41. Milwaukie Auto Parts	1.43	4-	1.43
42. Milwaukie Automotive Service	49.84	1-5	49.84
43. Milwaukie Glass Co.	3.93	1-4	3.93
44. Milwaukie Hardware	3.00	1-5	3.00
45. Mit Press	13.07	1-6	13.07
46. Milwaukie Lumber	91.12	1-3	55.22
		30-	35.90
47. Milwaukie Plumbing	5.60	4-	5.60
48. Mobile Repair	363.80	1-4	363.80
49. Moore's Audio Visual Center	6.70	1-6	6.70
50. Robert J. Morgan	35.00	1-8	35.00
51. Mountain Plains Supply Company	23.50	1-6	23.50
52. Paul Mueller	152.00	5-	152.00
53. Multnomah County Oregon	41.06	1-4	41.06

CITY OF MILLWAUKIE

BILLS PAYABLE ON JULY 21, 1975 (continued)

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
54. Nailbenders & Excavators of Oregon	132.50	5-	132.50
55. National Fire Protection Association	32.97	1-4	32.97
56. Northwest Law Enforcement	24.90	1-5	24.90
57. Northwest Natural Gas	72.11	1-4	9.76
		1-6	50.91
		30-	11.44
58. Myles O'Donnell & Co.	287.70	1-5	287.70
59. Oregon City Laundry	88.80	1-4	88.80
60. Pacific Coast Industrial Laundry	62.50	4-	62.50
61. Pacific Northwest Bell	1,639.23	1-3	513.47
		1-4	463.51
		1-6	82.12
		4-	33.17
		7-	489.61
		20-	21.85
		30-	35.50
62. Pacific Waterworks Supplies	167.10	30-	167.10
63. Patterson-Williams	912.00	1-7	912.00
64. Payline Northwest	50.07	4-	50.07
65. City of Portland	724.00	1-5	724.00
66. Portland General Electric	7,615.49	1-1	1036.51
		1-3	190.17
		1-4	607.78
		1-5	78.80
		1-6	171.06
		1-7	3.85
		4-	107.12
		20-	622.89
		30-	1797.31
67. Portland Road & Driveway	859.69	4-	368.43
		20-	15.00
		30-	476.26
68. Publishers Central Bureau	5.70	1-6	5.70
69. Radiotronics	58.15	1-4	58.15
70. Rambo Hayden Ford	60.00	1-5	60.00
71. Royale Coffee	23.00	1-1	23.00
72. Search & Seizure Bulletin	22.50	1-5	22.50
73. Secretary of State	80.00	1-1	80.00
74. State of Oregon	10.00	1-9	10.00
75. State of Oregon, Department of Motor Vehicles	40.00	1-8	40.00
76. Street	32.24	1-4	16.70
		30-	15.54
77. United Pipe & Supply	117.12	5-	117.12
78. VWR Scientific	19.71	20-	19.71
79. Water	1,617.08	1-2	9.93
		1-4	228.66
		1-5	942.07
		1-7	22.08
		1-10	54.47
		4-	338.61
		20-	21.26
80. Waterworks Supplies	1,988.02	5-	2.43
		30-	1985.59
81. Western Drug & Label	9.50	1-9	9.50
82. Wilco Fire Equipment	343.97	1-4	343.97
83. Willamette Hi-Grade Concrete	132.42	4-	25.23
		30-	107.19

DDJ309

CITY OF MILWAUKIE  
BILLS PAYABLE ON JULY 21, 1975 (continued)

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
34. Xerox	386.80	1-13	386.80
35. Tri-County Office Machines	2.00	1-6	2.00
			\$38,088.39

1-1 GENERAL	8,001.01
1-2 ADMINISTRATION	27.93
1-3 CITY HALL	758.86
1-4 FIRE	2,536.39
1-5 POLICE	2,690.01
1-6 LIBRARY	2,618.63
1-7 PARKS AND GROUNDS	1,087.34
1-8 MUNICIPAL COURT	632.50
1-9 PLANNING	32.89
1-10 PUBLIC WORKS	178.47
1-13 FINANCE	386.80
1-14 CIVIL SERVICE	382.00
4- STREET	1,093.81
5- SEWER IMPROVEMENT	7,211.80
7- SUSPENSE	489.61
20- SEWER	5,297.51
30- WATER	4,662.83