

MILWAUKIE CITY COUNCIL MEETING

April 16, 1979

7 p.m.

COUNCIL CHAMBERS1335th Meeting

The one thousand three hundred thirty-fifth meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 16th day of April, 1979, with the following councilpersons present:

Mel Paulson	Joy Burgess
Anne Nickel	Mayor Allen Manuel
Robert Ewald (entered meeting at 8:25 p.m.)	

Also present:

Harold L. Schilling, City Mgr.	Myer Avedovech, City Att'y
Donald Oblander, Finance Direct.	Dorothy E. Farrell, Sec'y
Steven Hall, P. W. Director	

The invocation was given by Councilwoman Joy Burgess, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - April 2, 1979 Council meeting
- b) Memo re light-rail routes
- c) Letter from county re block grant funds application
- d) Progress Payment - Rowe Tennis Court
- e) Award of contract - Edison Street L.I.D.
- f) Letter from Commerce Secretary re funding request

It was MOVED by Burgess, SECONDED by Paulson, to accept the Consent Calendar. Burgess requested item (c) be removed for discussion.

b) Council has received memorandum, dated April 3, 1979, concerning legislative consideration of light rail routes.

c) Department of Human Resources, Housing and Community Development, has sent letter, dated March 30, 1979, concerning city's application for block grant funds. Mrs. Burgess asked for comments, Manager reported on his understanding of the policy advisory board's action on the city's application. The board's policy on contingency funds is that that fund will be only for emergency use; the board directed the county staff to look for current available resources under a planning title of the program, and determine whether or not any monies are available for the city's request.

d) Manager and Public Works Director recommend progress payment on Rowe tennis court to Jim Turin and Sons, Inc., in the amount of \$6255.97.

e) Manager and Public Works Director recommend award of contract to Alpha Engineering, Inc., for engineering work for Edison Street LID, in the amount of \$2750, award to be withheld until the Ordinance forming the LID is passed by the City Council.

f) Council has received copy of letter from Secretary of Commerce, dated March 12, 1979, concerning city's request for EDA funds for comprehensive plan for redevelopment of city's waterfront.

On the motion to adopt, MOTION CARRIED unanimously by those present.

AUDIENCE PARTICIPATION

1. Mayor presented certificates to donors of trash receptacles for the downtown area. Larry Iverson accepted certificate for Oregon Mutual Savings Bank, Eleanor Berg accepted certificate

for First State Bank, and Arlie Brown accepted certificate for Kiwanis. Representatives of Hamilton's, Willamette Savings and Loan, and Far West Federal Savings and Loan were unable to be present.

2. Bill Ockert, Metropolitan Service District Transportation Director, spoke on transit planning as it affects McLoughlin Boulevard.

3. Dave Nemo, President of Milwaukie Festival Daze, spoke on letter, dated April 12, sent by Milwaukie Festival Daze to City Council, and the requests made therein. The Festival will be held August 17, 18 and 19. It was MOVED by Burgess, SECONDED by Manuel, that the Milwaukie City Council give conceptual approval for the use of the areas noted in the letter, with a follow up requested on the use of library grounds, and on the permission for live animals to be sheltered and allowed to transport people on public property or right-of-way. MOTION CARRIED unanimously by those present.

NEIGHBORHOOD COUNCIL REPORTS

Neighborhood Council Coordinator has reported, in memo dated April 10, on activities of Neighborhood Councils.

Neighborhood Council 5 Executive Board has written memo, dated April 16, concerning memo from City Council of March 22, concerning sight obstructions. It was decided to discuss the matter when Mr. Ewald is present.

CORRESPONDENCE

1. Council has received the following letters concerning proposed swimming pool ordinance:

In support:

Six members of Milwaukie Neighborhood #1-4 of Columbia River Girl Scout Council,

Membership of Milwaukie Jaycees,

Glen H. and Joan M. Wilcox, owners and operators of Play Haven Swim & Day Camp,

Janice Walker, 6530 SE Plum Drive,

Colleen S. Kobs, 6680 SE Kern Court,

Six residents of Doncaster Drive and Devonshire Drive.

Neighborhood Council 3 Executive Board reported a vote of one in favor of the proposed ordinance, three in opposition.

2. Area Agency on Aging, Department of Human Resources, has sent letter dated April 10, concerning proposals for services to the elderly.

3. Insurance Services Office of Oregon has sent letter, dated April 12, 1979, saying protection class 3, an improvement from the previous class 4, has been authorized for dwellings in the city, as well as for most properties other than dwellings when located within 500 feet of a hydrant. This puts Milwaukie among the top eight fire districts in the state. It was MOVED by Burgess, SECONDED by Nickel, that Council send congratulations to the Fire Department and Water Department. MOTION CARRIED unanimously by those present.

4. Refuse Collectors have requested rate increase. It was MOVED by Manuel, SECONDED by Nickel, to refer the refuse rate collection

request to staff, and ask that it be placed on the next agenda.
MOTION CARRIED unanimously by those present.

PROCLAMATION

Mayor proclaimed the week of May 6 through 13, 1979, as National Music Week.

PUBLIC HEARING - WATER RATE INCREASE PROPOSAL

Finance Director has written memo, dated April 13, on water rates, with eight proposals to give Council a range of alternatives. Corrected Schedule 2 was handed out. Finance Director pointed out the following corrections: on page 1, under Proposal 2, the last line should read "\$6000 less revenue..."; on page 3, under Recommendation, the second paragraph, next to last line, should read "...estimated \$6000 revenue gain..."; and the last paragraph, third line should read "...as much as \$37,000 higher..."

Public hearing was declared open at 8:20 p.m. No one appeared to speak on the proposed water rate increases. Public hearing was declared closed at 8:21 p.m.

(Ewald entered meeting at 8:25 p.m.)

Manager reported on meeting with representatives of Proto Tool, Mailwell and Omark.

It was MOVED by Burgess, SECONDED by Paulson, that the Council adopt proposal 2 for the first year of water rate increase, which would increase the minimum to \$5 bi-monthly for residential use, provide for low income rate relief for those who qualify, and provide a discount of 10%, from 50¢ to 45¢, for large volume use.

MOTION CARRIED with the following roll-call vote: AYES: Paulson, Burgess and Ewald. NOES: Nickel and Manuel.

The effective date for the new rates will be June 1.

RESOLUTION NUMBER 8-1979 - ANNEXATION REQUEST - 9310 SE 55TH

It was MOVED by Burgess, SECONDED by Nickel, that Council instruct staff to proceed with the necessary processing, and to read Resolution Number 8-1979 (A RESOLUTION APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE) by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Nickel, to adopt Resolution 8-1979. MOTION CARRIED unanimously.

APPOINTMENT TO BUDGET COMMITTEE

It was Council consensus to wait until after the 1979-80 budget is adopted to appoint the tenth Budget Committee member. Staff was asked to solicit prospective appointees through press release and by asking Neighborhood Councils and Senior Citizen Advisory Council for suggestions.

PROPOSED SWIMMING POOL ORDINANCE

City Attorney has written memo, dated April 12, concerning enforcement of swimming pool ordinances in other communities, and has enclosed copies of ordinances. Ewald has prepared memo and chart on ordinance provisions. It was Council consensus to schedule a work session to consider a proposed ordinance to be prepared by staff, as well as to consider Council rules.

REPORT ON MEETING WITH PORTLAND TRACTION RE INTERURBAN RIGHT-OF-WAY

Manager reported on his meeting with Mr. Landskroner of Portland Traction. It is a high priority with the Portland Traction Company to sell the old interurban right-of-way. Manager asked that the area be mapped and a value be placed on it.

DISCUSSION OF COUNCIL RULES

A work session will be held Thursday, April 26, for discussion of Council rules.

CABLE TELEVISION FRANCHISE ORDINANCE

City Attorney was asked to draft a proposed ordinance.

STREET VACATION - MORTERUD/KELLOGG PARK PROPERTY TRANSFER

Public Works Director and City Attorney have written memoranda concerning Morterud/Keller Park property transfer, and procedure for street vacation. It was MOVED by Nickel, SECONDED by Ewald, that notices of street vacation be posted, and May 21 be set for public hearing on street vacation of a portion of Lark Street between Keller Park and the Morterud property. MOTION CARRIED unanimously.

REFERRAL OF POLICY ON DONATIONS TO COMMUNITY CENTER ADVISORY COMMITTEE

It was MOVED by Ewald, SECONDED by Nickel, to refer all matters concerning donation of usable items for the Community Center to the Center Advisory Committee. MOTION CARRIED unanimously.

MEMORANDUM FROM NEIGHBORHOOD COUNCIL 5 CONCERNING SIGHT OBSTRUCTIONS

Neighborhood Council 5 Executive Board has written memo, dated April 16, concerning memo from City Council of March 22, concerning sight obstructions. Ewald said his recommendation had been that the intersections in question were identified in the Traffic Safety study; that the Neighborhood Councils could identify those intersections within their area and have a work session or neighborhood clean-up, and approach the property owner with the offer of help in cleaning up the sight obstruction. It was suggested the city could notify the owners of property listed as having clear vision violations that the violation exists. Staff was asked to write a memo to the Neighborhood Council Coordinator and explain the City Council's intent, and ask if there is a Neighborhood Council that would like to start a pilot project as described above.

COUNCIL REPORTS

1. Burgess reported on MSD meeting regarding Local Government Advisory Committee.
2. Burgess went to hearing on per capita funding of libraries.
3. Manuel reported on Urban County Policy Board meeting at which time schedule for next year was adopted. Council asked for copies of schedule when received by staff, as well as copy of new contingency fund rules.
4. Mayor has received letter from County Traffic Safety Commission

asking the city to appoint a representative to the Commission. It was MOVED by Burgess, SECONDED by Nickel, that Bob Ewald's name be forwarded to the county for appointment to the County Traffic Safety Commission. MOTION CARRIED unanimously.

OTHER BUSINESS

1. Manager reported the Southern Pacific Company's vegetation control program will begin the week of April 16.
2. MSD is chartering a Johnson Creek task force and a representative is requested from the City of Milwaukie.
3. Manager said Father Saalfeld will go off the Library Board in July, and Library Board is interested in seeking a replacement. It was Council consensus the Board be encouraged to do that.
4. MSD is asking Milwaukie for a supportive letter to the Oregon House Intergovernmental Affairs Committee on a bill that would memorialize MSD authority to set urban growth boundaries. It was Council consensus that such a letter be written.
5. Manager reported on vandalism to advance warning signs for 4-way stop at 42nd and Monroe, and to street closure signs on Railroad Avenue.
6. Manager said Community Center Development Advisory Committee is circulating to organizations a questionnaire on use of Community Center.
7. Employment Relations Board is suing city in Circuit Court to enforce ERB order on thier cases No. C-2-78 and C-20-78.
8. Ewald asked for information on situation he overheard on police band monitor concerning police follow-up on complaint the barricades closing Railroad Avenue to traffic were down.
9. Paulson questioned wording of questionnaire mentioned in (6) above.
10. Manager has written letter to Dr. Davis, Alderhill Community Group, concerning the city's Community Center.
11. Burgess questioned wording of letter written by Co-chairman of Community Center Development Advisory Committee to Rex Putnam High School Board.

PAYMENT OF BILLS

It was MOVED by Manuel, SECONDED by Nickel, that the bills listed for April 16, 1979 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 10:35 p.m. to go into Executive Session, under ORS 192.660 (2)(a) to discuss labor negotiations.


Allen Manuel, Mayor

ATTEST:


Dorothy E. Farrell, Secretary

MILWAUKIE
CITY COUNCIL AGENDA
April 16, 1979
7 pm

COUNCIL CHAMBERS

1335th Meeting

CCH633

1. CALL TO ORDER
2. INVOCATION - Reverend James D. Tomlin, Milwaukie United Church of Christ
3. PLEDGE OF ALLEGIANCE
4. CONSENT CALENDAR
 - a) Approval of minutes - April 2, 1979 Council meeting
 - b) Memo re light-rail routes
 - c) Letter from county re block grant funds application
 - d) Progress Payment - Rowe Tennis Court
 - e) Award of contract - Edison Street L.I.D.
 - f) Letter from Commerce Secretary re funding request
5. AUDIENCE PARTICIPATION
 - a) Bill Ockert & Tom O'Connor, MSD, re light rail
 - b) Presentation of certificates to donors of trash receptacles
 - c) Milwaukie Festival Daze representative
6. NEIGHBORHOOD COUNCIL REPORTS
 - a) Neighborhood Council Activities
7. CORRESPONDENCE
 - a) Letters re swimming pool ordinance
 - b) Letter from AAA on funding recommendations
8. PROCLAMATION
 - a) National Music Week
9. PUBLIC HEARING
 - a) Resolution No. _____ - Water Rates
10. OLD BUSINESS
 - a) Resolution No. _____ - Annexation - 9310 SE 55th Ave. (Farance)
 - b) Appointment to Budget Committee
 - c) Memo re swimming pool ordinances
 - d) Report on meeting with Portland Traction re interurban right-of-way
 - e) Discussion of Council rules
 - f) Memo re model Cable TV franchise
11. CONSIDERATION
 - a) Street vacation - set public hearing date
 - b) Referral to Community Center Advisory Committee re donation

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12. COUNCIL REPORTS
13. OTHER BUSINESS
14. PAYMENT OF BILLS
15. ADJOURNMENT
16. EXECUTIVE SESSION - Under ORS 192.660(2)(a) to discuss
labor negotiations