

CITY COUNCIL MEETING

May 15, 1978

7 p.m.

COUNCIL CHAMBERS1313th Meeting

The one thousand three hundred thirteenth meeting of the Council of the City of Milwaukie, Oregon, was held on the 15th day of May, 1978, with the following councilpersons present:

Jerry N. Hutchison	Allen Manuel
Charles Swan	Mayor Bill Hupp
Joy Burgess	

Also present:

Harold L. Schilling, City Mgr.	Dorothy E. Farrell, Sec'y
Steven Hall, Dir. of P.W.	

The invocation was given by the Reverend Don Crawford, Linwood Alliance Church, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - May 1 and 8, 1978 Council meetings
- b) Letters from Congressmen re regional power plan
- c) Letter from CRAG re Park and Ride Lot
- d) Metro Water Resources Study Newsletter
- e) Applications for Library Board and Design Review Board appointment
- f) Final payment on EDA project - Majestic Lightweight and Concrete
- g) Progress payment - well - Strausser Drilling
- h) Liquor License application - Little Grocery, 2936 Washington (new owner)

It was MOVED by Burgess, SECONDED by Hutchison, to accept the Consent Calendar. Manager suggested adding item h, application for package sales at Little Grocery on SE Washington, which has been checked by Police Department, which finds no reason to deny application. Burgess requested items c and e be removed for discussion.

b) Senator Hatfield, Representative AuCoin and Senator Packwood have written letters, dated May 1, 5 and 4, acknowledging city's resolution supporting a fair and equitable reorganization of regional power plans for the Pacific Northwest.

c) CRAG has sent letter, dated May 1, concerning city's request for information on availability of funds for a Park and Ride lot in the City of Milwaukie. Burgess asked for concurrence of Council that a letter be written to the McLoughlin corridor working group, asking that the sequoia trees be preserved, and that one or more pedestrian overpasses be constructed over McLoughlin. It was Council consensus that such a letter be written.

d) Portland-Vancouver Metropolitan Area Water Resources Study Newsletter No.5 has been received.

e) Robert E. Wagner has sent application for appointment to Library Board; Molly Jo Hanthorn has sent application for appointment to Library Board; Riley Whitcomb has sent application for appointment to Design Review Board. Burgess asked that Council be kept informed as to necessary appointments.

f) Manager and Public Works Director recommend payment of final pay estimate for that portion of EDA project 07-51-23551 contracted to Majestic Lightweight and Concrete Co., in the amount of \$264.

g) Manager and Public Works Director recommend payment of pro-cess payment estimate for EDA Project #07-51-23551, water well, to R. J. Strausser Drilling Company, in the amount of \$16,679.74. On the motion to accept, MOTION CARRIED unanimously.

AUDIENCE PARTICIPATION

1. Mayor presented badges to James Ehnes, Michael Leahy, Mark Tidwell, and Craig Wenrick, graduating recruits from Milwaukie Fire Department Academy, and City Manager administered oath of office.
2. Eloise Hobson, Chairman of Parks and Recreation Commission, described a controversy which has developed over the placement of horse arena and ball diamond at North Clackamas Park. At the Parks Commission meeting a motion was passed to attempt to delay the use of ball diamond No. 3 by rescheduling groups, pending a meeting to try to settle the controversy. However, there are no other facilities available for the groups, and the first game is scheduled for May 20. The Parks and Recreation Commission therefore requests Council authorization to go ahead with construction of ball diamond No. 3. Mayor has called a meeting of Council and Parks Commission May 22 at 7 p.m. to discuss the situation. It was MOVED by Manuel, SECONDED by Hupp, that the staff be directed to proceed with construction of ball diamond No. 3. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Swan, Manuel and Hupp. ABSTAIN: Burgess.
(Meeting recessed at 7:50 p.m., reconvened at 8:04 p.m. with all present.)

NEIGHBORHOOD COUNCIL REPORTS

Neighborhood Council No. 1 recommends that the vacant alternate position on the NC #1 board be filled by former board member Joanne Baker. It was MOVED by Swan, SECONDED by Hutchison, that Joanne Baker be appointed as alternate on NC #1 board. MOTION CARRIED unanimously.

PUBLIC HEARING - FRANKO OIL BUSINESS LICENSE DENIAL

It was MOVED by Swan, SECONDED by Hupp, that this matter be moved to the second regular Council meeting in July. MOTION CARRIED unanimously.

FEASIBILITY STUDY ON TENNIS COURT FACILITY

Manager has written memo, dated May 12, on feasibility study for tennis-handball-racquetball facility. Parks and Recreation Commission will be asked to visit the facility in Vancouver, Washington.

MEMO FROM MRS. BURGESS RE 75TH ANNIVERSARY

Mrs. Burgess has written memo, dated May 2, concerning 75th Anniversary project. Staff was asked to prepare and submit to the Council a more detailed cost estimate of the points of interest map suggested in the memo.

RESIGNATION LETTER FROM BERNARD

Mr. Bernard has requested this be put on the next agenda.

FUNDING REQUEST FROM COALITION OF SOCIAL SERVICES

Coalition of Social Services, in letter dated April 20, 1978, requests the city to include Coalition funding in the 1978-79 budget, with their target goal a city contribution of \$1 per city resident. Council consensus was to delay consideration until after the budget election.

REPORTS FROM COMMITTEES ON BASKETBALL HOOP QUESTION

Reports have been received from Traffic Safety Commission, Neighborhood Councils, Senior Citizen Advisory Council, and Parks and Recreation Commission, on the subject of basketball hoops within the public right-of-way. It was MOVED by Swan, SECONDED by Burgess, to table the matter. MOTION FAILED to pass with the following roll-call vote: AYES: Swan and Burgess. NOES: Hutchison, Manuel, and Hupp.

It was MOVED by Swan, SECONDED by Hupp, that the City Attorney prepare a legal opinion on the city's liability in case of accident, if hoops are allowed in the right-of-way, and that the owners of hoops presently in the right-of-way be notified that the Council will consider the question at the next meeting, and that the general public also be notified. MOTION CARRIED unanimously.

MEMO FROM PLANNING COMMISSION RE WILLAMETTE GREENWAY

Planning Commission has sent memo, dated May 11, concerning expansion of the Milwaukie Willamette Greenway boundary to include all of Kellogg Lake within the city.

MEMO FROM PLANNING COMMISSION RE MORATORIUM

Planning Director has written memo, dated May 11, concerning a Planning Commission hearing on proposed ordinance on moratorium.

APPOINTMENTS TO PERSONNEL STUDY COMMITTEE

Names of prospective appointees to Personnel Study Committee have been submitted. It was Council consensus to appoint Stephen M. Telfer, Local Government Personnel Institute; David Nemo, Administrative Assistant, City of Milwaukie; Ronald Moran, Firefighter and Fire Department Bargaining Representative; and Gail Bassett, Lillie Moore and Peter Walker from Neighborhood Councils. Staff was asked to prepare a resolution establishing the committee for the next meeting, and to contact personnel directors of local industry to find a volunteer, or a number of them, and appointment will be made at the next meeting.

AUTHORIZATION TO FILE APPEAL - KELLOGG LAKE PROJECT

A proposal is before Clackamas County to construct an apartment complex on 79 acres of property just outside the city limits between Kellogg Lake and McLoughlin Boulevard; the project was originally proposed for 159 units, under a variance, but was withdrawn, and the project now under consideration would include approximately 90 units. On May 11 the County Hearings Officer approved the application. It was MOVED by Hutchison, SECONDED by Manuel, that staff be authorized to file an appeal of the Hearings Officer decision. MOTION CARRIED unanimously.

CCH633

PROCLAMATION - NATIONAL PUBLIC WORKS WEEK

Mayor read proclamation designating May 21-27, 1978 as National Public Works Week.

ORDINANCE NUMBER 1395 - ZONING OF ANNEXED AREA AT 12421 SE KUEHN CT.

It was MOVED by Hutchison, SECONDED by Swan, for first reading by title only of Ordinance 1395 (AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM CLACKAMAS COUNTY MR-1 ZONE TO CITY OF MILWAUKIE A-2 ZONE, AND AMENDING ORDINANCE NUMBER 1316 AS AMENDED). Motion CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Swan, for second reading by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Swan, to adopt Ordinance 1395. Ordinance 1395 was put on its passage with the following roll-call vote: AYES: Hutchison, Swan, Hupp, Burgess and Manuel. NOES: None. Ordinance 1395 passed the Council and was so declared by the Mayor.

APPOINTMENT TO PARKS AND RECREATION COMMISSION

Parks and Recreation Commission has written memo regarding vacancy. It was MOVED by Hutchison, SECONDED by Hupp, to appoint Gary Lisman to fill the vacancy left by the resignation of Steve Morrison. MOTION CARRIED unanimously.

MEMO FROM RECREATIONAL STAFF RE BALL DIAMONDS

Recreational Staff has written memo, dated May 11, concerning baseball diamonds. This was taken care of earlier in the meeting.

BIDS ON NORTH CLACKAMAS BALL DIAMOND

Bid has been received on North Clackamas Ball Diamond. Manager asked that this matter be delayed to the next meeting.

RATIFICATION OF PARK ROAD DRIVE TRANSFER AT NORTH CLACKAMAS PARK

Manager and Public Works Director recommend approval of agreement for county to relocate and repave that section of County Road 2237 in North Clackamas Park, after which the city will take over ownership of the road. It was MOVED by Swan, SECONDED by Hutchison, to taker over ownership of the road. MOTION CARRIED unanimously.

CITY COUNCIL REPORTS

1. Manuel gave progress report on community center site selection committee. On the next agenda will be Council discussion of policy relative to alternatives and priority needs of the community center.
2. Human Services Coordinator has obtained a videotape program on the adult center in Beaverton. Council will view the videotape at 6:30 p.m. June 5.
3. Burgess and Shirley Brown have been appointed to Governor's Library Conference.
4. Burgess will attend the CRAG general assembly meeting May 25. It was MOVED by Swan, SECONDED by Manuel, that Mrs. Burgess, as Milwaukie representative, vote for a CRAG assessment of anything from 10¢ to 48¢ per capita. MOTION CARRIED unanimously.

OTHER BUSINESS

1. Area Agency on Aging has requested Milwaukie authorize a change

in the contract between Milwaukie and Clackamas County for \$7500 grant for home repair, to allow \$2000 of that amount to be used for assisting Clackamas County Senior Citizen Council in meeting unforeseen expenses. It was MOVED by Hutchison, SECONDED by Hupp, to release the \$2000 to the County Senior Citizen Council. MOTION CARRIED unanimously.

2. Manager gave progress report on the downtown survey of merchants regarding proposed committee.

3. Chris McDonald has set up a display of 75 years of Milwaukie history at Rowe Junior High School.

4. Public Works Director gave a report on water storage tank bids.

5. Burgess asked that Council set a date for a work session on the Lord and Leblanc economic report.

PAYMENT OF BILLS

It was MOVED by Swan, SECONDED by Hupp, that the bills listed for May 15, 1978, payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 9:48 p.m. to go into executive session on labor negotiations and property purchase, under ORS 192.660 (2)(a).

Bill Hupp
Bill Hupp, Mayor

ATTEST:

Dorothy E. Farrell
Dorothy E. Farrell, Secretary

DDE291

CITY COUNCIL AGENDA

May 15, 1978

7 p.m.

COUNCIL CHAMBERS1313th Meeting

1. CALL TO ORDER
2. INVOCATION - The Reverend Don Crawford, Linwood Alliance Church
3. PLEDGE OF ALLEGIANCE
4. CONSENT CALENDAR
 - a) Approval of minutes - May 1 and 8, 1978 Council meetings
 - b) Letters from Congressmen re regional power plan
 - c) Letter from CRAG re Park and Ride Lot
 - d) Metro Water Resources Study Newsletter
 - e) Applications for Library Board and Design Review Board Appointment
 - f) Final payment on EDA project - Majestic Lightweight and Concrete
 - g) Progress payment - well - Strausser Drilling
5. AUDIENCE PARTICIPATION
 - a) Presentation of badges to new Firefighters
6. NEIGHBORHOOD COUNCIL REPORTS
 - a) Appointment recommendation from Neighborhood Council 1
7. CORRESPONDENCE

7:30 pm PUBLIC HEARING - Franko Oil business license

8. OLD BUSINESS
 - a) Cost of feasibility study on tennis court facility
 - b) Memo from Mrs. Burgess re 75th Anniversary
 - c) Resignation letter from Bernard
 - d) Funding request from Coalition of Social Services
 - e) Reports from committees on basketball hoops
 - f) Memo from Planning Commission re Willamette Greenway
 - g) Memo from Planning Commission re moratorium
 - h) Appointments to Personnel Study Committee
 - i) Authorization to file appeal - Kellogg Lake project (Pollock)
9. CONSIDERATION
 - a) Proclamation - National Public Works Week
 - b) Ordinance No. _____ - ZC-78-4 - Zoning of annexed area at 12421 S.E. Kuehn Court
 - c) Recommendation from Parks and Recreation Commission re appointment
 - d) Memo from Recreational staff re ball diamonds
 - e) Bids on North Clackamas Ball diamond
 - f) Ratification of Park Road Drive transfer at North Clackamas
10. COUNCIL REPORTS
11. OTHER BUSINESS
12. PAYMENT OF BILLS
13. ADJOURNMENT
14. EXECUTIVE SESSION re labor negotiations and property purchase (ORS 192.660(2)(a))