

CITY COUNCIL MEETING
November 6, 1978
7 p.m.

COUNCIL CHAMBERS

1324th Meeting

The one thousand three hundred twenty-fourth meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 6th day of November, 1978, with the following councilpersons present:

Jerry Hutchison	Allen Manuel
Charles Swan	Mayor Bill Hupp
Joy Burgess	

Also present:

Harold L. Schilling, City Mgr.	Myer Avedovech, City Att'y
Cyrus Nims, Planning Director	Dorothy E. Farrell, Sec'y
Donald Oblander, Finance Dir.	

The invocation was given by the Reverend Lewis Davies, First United Pentacostal Church, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - October 16, 1978 Council meeting
- b) Appreciation letter from S. Wills
- c) Progress pay estimate - water reservoir
- d) Civil Service Commission Annual Report
- e) Final pay estimate - Island Station water line

It was MOVED by Burgess, SECONDED by Hupp, to accept the Consent Calendar. Mrs. Burgess asked to have item e removed for discussion.

- b) Sylvia Wills, 4848 SE Mason Lane, has written letter, dated October 24, thanking Fire Department for assistance.
- c) City Manager and Public Works Director recommend approval of Progress Pay Estimate No. 2 on EDA-LPW Project #07-51-23551, 3-million gallon water reservoir, to Weil Contracting Service, Inc., in the amount of \$61,585.72.
- d) Civil Service Commission has forwarded annual report for fiscal year 1977-78.
- e) City Manager and Public Works Director recommend approval of Progress Pay Estimate No. 2 (final) on LPW-EDA Project No. 07-51-23551, Island Station waterline, to Riverside Construction Inc., in the amount of \$724.44.

Mrs. Burgess asked questions about the project.

On the motion to accept, MOTION CARRIED unanimously.

NEIGHBORHOOD COUNCIL REPORTS

Neighborhood Council Coordinator has furnished report of Neighborhood Council activities. Mayor asked that Council be informed of time and place of Neighborhood Council "constitutional convention."

CORRESPONDENCE

1. North Clackamas Chamber of Commerce has sent letter, dated November 2, 1978, concerning the city's appointment of Downtown Business Study Committee. It was Council consensus that staff draft a letter in response, thanking the Chamber for their letter, and saying the Council is looking forward to their continued interest.

2. Parks and Recreation Commission has sent memo, dated November 2, 1978, concerning Plans for Senior/Multipurpose Center. It was pointed out a proposal later in the agenda would include a representative of the Parks and Recreation Commission on a committee to work with the architect on the plans for the Center.

FREEMAN PLANNED DEVELOPMENT - SE 43RD BETWEEN HWY. 224 AND LAKE ROAD

It was MOVED by Swan, SECONDED by Hupp, that the matter be set over to the next meeting. MOTION CARRIED unanimously. Councilmembers listed concerns they feel need further discussion.

MEMO RE SENIOR/COMMUNITY CENTER ADVISORY COMMITTEE

Manager has written memo, dated November 2, 1978, concerning proposed advisory committee on Senior/Community Center. Suggested composition of the committee:

- a representative from each of the five Neighborhood Councils
- a representative from the Senior Citizen Council
- a representative from the Parks and Recreation Commission
- a representative from the Loaves and Fishes organization
- a representative from community schools.

It was MOVED by Hutchison, SECONDED by Hupp, to let the various groups know of the Council's intention to appoint such a committee, and ask for two recommended names from each group. Burgess and Hupp would prefer a majority of seniors on the committee. It was MOVED by Burgess, SECONDED by Hupp, to amend the motion to include a representative on the committee from the Committee for a Greater Milwaukie Adult Center, making a ten-member group. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Burgess and Hupp. NOES: Manuel. ABSTAIN: Swan. On the original motion, MOTION CARRIED unanimously. Staff was asked to prepare a resolution formally establishing the committee.

DESIGNATION OF ARCHITECT FOR SENIOR/COMMUNITY CENTER

The city's appointed Architect Selection Committee has recommended two architectural firms to the City Council. It was MOVED by Swan, SECONDED by Hutchison, that the firm of Englund, Plummer & Associates be appointed architects for the city's Senior/Community Center.

(Meeting recessed at 8:05 p.m., reconvened at 8:12 p.m. with all present.)

MOTION FAILED TO PASS with the following roll-call vote: AYES: Hutchison and Swan. NOES: Hupp and Burgess. ABSTAIN; Manuel. It was MOVED by Hupp, SECONDED by Burgess, that the Council select The ORB Organization as architects for the Senior/Multi-purpose Center. MOTION FAILED TO PASS with the following roll-call vote: AYES: Hupp and Burgess. NOES: Hutchison and Swan. ABSTAIN: Manuel.

It was decided to delay consideration to later in the meeting.

ORDINANCE NUMBER 1411 - ELIMINATING NON-RESIDENTS FROM REDUCED SEWER RATES

It was MOVED by Hupp, SECONDED by Burgess, to read Ordinance Number 1411 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1371, ESTABLISHING SEWER RATE REDUCTIONS FOR CERTAIN LOW INCOME UTILITY CUSTOMERS,

BY ADDING REQUIREMENT OF RESIDENCY) the first time by title only. MOTION CARRIED unanimously. It was MOVED by Hupp, SECONDED by Burgess, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hutchison, to adopt Ordinance 1411. Ordinance 1411 was put on its passage with the following roll-call vote: AYES: Hutchison, Swan, Hupp, Burgess and Manuel. NOES: None. Ordinance 1411 passed the Council and was so declared by the Mayor.

METHOD OF NOTIFYING BUSINESSES OF UNIFORM FIRE CODE HEARING

Manager asked Council for a decision on method of notifying businesses of a public hearing on the proposed Uniform Fire Code. Direct mail notification to each business in the community would involve some staff time and expense. Other possibilities include notice in the Chamber of Commerce bulletin, newspaper articles, and legal advertisements. It was Council consensus to leave the decision to the newly-constituted Council in January.

PORTLAND'S CLOSER LOOK PUBLICATION

Mayor had requested this item be on the agenda. All members of Council have received copies of periodical from Portland. It was Council consensus no action is required.

MULTNOMAH COUNTY PINBALL ORDINANCE

Council previously asked that a copy of the Multnomah County ordinance prohibiting in-line pinball machines be furnished when available, and it has been provided. City Attorney was asked to keep Council advised of result of lawsuit challenging Multnomah County's ordinance.

AUDIT REPORT PRESENTATION

James Savage, of Coopers & Lybrand, presented 1977-78 audit report and management letter.

URBAN COUNTY CONTRACT

Staff has some concerns about the proposed contract submitted by Clackamas County; it will require further study, and will be presented at a later meeting.

ORDINANCE NUMBER 1412 - ZC-78-9 - HANNA INDUSTRIES HELIPORT

Planning Commission recommends approval, with conditions, of a request to apply the LF, Aircraft Landing Facility, zone as a superimposed zone in a M-L, Limited Manufacturing, zone, to allow construction of a personal use heliport at 2000 SE Harvester Drive. It was MOVED by Burgess, SECONDED by Hupp, to read Ordinance Number 1412 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1316 AS AMENDED BY PROVIDING A SUPERIMPOSED AIRCRAFT LANDING FACILITY (LF) ZONE ON LIMITED MANUFACTURING (M-L) ZONED PROPERTY IN THE CITY OF MILWAUKIE, OREGON) the first time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hutchison, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Burgess, SECONDED by Hupp, to adopt Ordinance 1412. Ordinance 1412 was put on its passage with the following roll-call vote: AYES: Hutchison, Swan, Hupp, Burgess

and Manuel. NOES: None. Ordinance 1412 passed the Council and was so declared by the Mayor.

RESOLUTION NUMBER 36-1978 - INFILTRATION INTO SEWER SYSTEM

It was MOVED by Hutchison, SECONDED by Hupp, to read Resolution Number 36-1978 (A RESOLUTION THAT THE CITY OF MILWAUKIE WILL BEGIN A SYSTEMATIC PROGRAM TO DETERMINE THE EXTENT OF INFILTRATION ENTERING THE EXISTING SEWER SYSTEM) by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Hupp, to adopt Resolution 36-1978. MOTION CARRIED unanimously.

COUNCIL REPORTS

1. Mayor requested ashtrays be purchased for Council Chambers.
2. Oak Lodge Study Committee is meeting this week to discuss telephone survey results.

OTHER BUSINESS

1. Dwyer Hospital has sent letter, dated November 2, requesting letter of endorsement from City Council to aid in gaining permission from the state for expansion project. Manager pointed out a conditional use process would be required; also, the Comprehensive Plan shows medical facilities at this location. Staff was asked to draft a letter of support.
2. Planning Director has sent letter, dated November 3, to Manager of River Program and Special Projects, stating the Comprehensive Planning Steering Committee feels it is important for the city to move ahead on a revision of Greenway boundaries to include Kellogg Lake.
3. Manager stated the Public Utility Commissioner has notified the city that based on the high number of accidents at the Lake Road railroad underpass, the project for modification of the underpass is eligible for assistance from the crossing fund, and is tentatively being placed at the top of their priority. The city would be responsible for a 10% contribution to the cost of the project. It was MOVED by Manuel, SECONDED by Burgess, to proceed with the grant application. MOTION CARRIED unanimously. Staff was asked to keep Council apprised of the impact of the project on neighboring properties.
4. Manager has been appointed to the League of Oregon Cities Legislative Committee for the 1979 Legislative Session.

DESIGNATION OF ARCHITECT FOR SENIOR/COMMUNITY CENTER

There was a continuation of discussion of designation of architect for Senior/Community Center. It was unanimously agreed to hold a special meeting of the Council at 7 p.m. Thursday, November 9, prior to the work session with Planning Commission, for the purpose of arriving at a decision on architect selection.

OTHER BUSINESS

Mrs. Burgess and the Manager's office have been called by a citizen who refused to identify herself, complaining that the city's fire station is being used by a Fire Department employee to teach a community college class on basic fire prevention, for which he is being paid.

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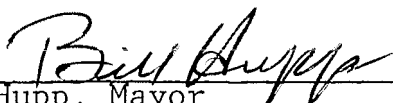
Page 5.

Mrs. Burgess asked if Council supports this endeavor. It was pointed out that the class is being held on the employee's off-duty time, and that it is common practice for these classes to be held on Fire Department premises. It was Council consensus that they support this program.

PAYMENT OF BILLS

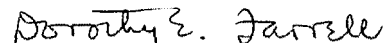
It was MOVED by Swan, SECONDED by Hupp, that the bills listed for November 6, 1978 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 10:35 p.m.



Bill Hupp, Mayor

ATTEST:



Dorothy E. Farrell, Secretary

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CITY COUNCIL AGENDA
November 6, 1978
7 p.m.

COUNCIL CHAMBERS

1324th Meeting

1. CALL TO ORDER
2. INVOCATION - The Reverend Lewis Davies, First United Pentecostal Church
3. PLEDGE OF ALLEGIANCE
4. CONSENT CALENDAR
 - a) Approval of minutes - October 16, 1978 Council meeting
 - b) Appreciation letter from S. Wills
 - c) Progress pay estimate - water reservoir
 - d) Civil Service Commission Annual Report
 - e) Final pay estimate - Island Station waterline
5. AUDIENCE PARTICIPATION
 - a) Audit report presentation
6. NEIGHBORHOOD COUNCIL REPORTS
 - a) Report on NC activities
7. CORRESPONDENCE
 - a) Letter from Chamber of Commerce re Study Committee
 - b) Letter from PARC re Senior/Multi-purpose Community Center
8. OLD BUSINESS
 - a) Ordinance No. _____, No. _____, No. _____
Freeman Planned Development - SE 43rd between Hwy. 224 and Lake Road
 - b) Memo re Senior/Community Center advisory committee
 - c) Designation of architect for Senior/Community Center
 - d) Ordinance No. _____ - Eliminating non-residents from reduced sewer rates
 - e) Decision on method of notifying businesses of Uniform Fire Code hearing
 - f) Portland's "Closer Look" publication
 - g) Multnomah County pinball ordinance
9. CONSIDERATION
 - a) Urban County Contract
 - b) Ordinance No. _____ - ZC-78-9 - Hanna Industries heliport
 - c) Resolution No. _____ - Infiltration into sewer system
10. COUNCIL REPORTS
11. OTHER BUSINESS
 - a) Letter from Dwyer Hospital
 - b) Letter re Willamette Greenway
12. PAYMENT OF BILLS
13. ADJOURNMENT