

CITY COUNCIL MEETING
December 4, 1978
7 p.m.

COUNCIL CHAMBERS

1326th Meeting

The one thousand three hundred twenty-sixth meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 4th day of December, 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
Donald Oblander, Finance Direct.	Dorothy E. Farrell, Sec'y

The invocation was given by the Reverend Orval Clay, Battin Baptist Church, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a. Approval of minutes - November 15 and 20, 1978 Council meetings
- b. Letter from State Parks and Recreation Branch re Willamette Greenway

c. Cargni office building sewer connection charge

d. Progress payment- HUD storm drainage project

It was MOVED by Swan, SECONDED by Hutchison, to adopt the Consent Calendar. Mrs. Burgess requested item b removed for discussion.

b) Parks and Recreation Branch, State Department of Transportation, has written letter, dated November 16, concerning city's request to revise the Willamette Greenway boundary to include Kellogg Lake. Mrs. Burgess asked for time schedule for city to approach LCDC for compliance with Goal 15, which is the time the request can be made.

c) Manager and Public Works Director recommend Council set commercial connection fee for sanitary sewer for John Cargni office building at \$550.

d) Manager and Public Works Director recommend approval of payment of progress payment on Storm Drain Design, Phase I, HUD block grant for Ardenwald Storm Sewer, to Kramer, Chin & Mayo, Inc., in the amount of \$1057.

MOTION CARRIED unanimously.

AUDIENCE PARTICIPATION

Nancy McCarthy, 2544 NE 41st, Portland, who has covered Milwaukie news for The Oregonian and Community Press, will be transferred to Vancouver effective immediately, and her replacement will be Ken Roth for The Oregonian.

NEIGHBORHOOD COUNCIL REPORTS

1. Neighborhood Council Coordinator has reported on Neighborhood Council activities, dated November 28.

2. Neighborhood Council Coordinator has written memo, dated November 28, concerning resignation and appointment recommendation to NC 5 board. It was MOVED by Hutchison, SECONDED by Swan, to accept the resignation of Bill McConnel from the Executive Board of Neighborhood Council 5, and appoint Tim Holder to fill the vacancy.

MOTION CARRIED unanimously.

3. Neighborhood Council Coordinator has written memo, dated November 28, concerning appointment to NC 1 Board. It was MOVED by Burgess, SECONDED by Manuel, that Mrs. Helen Hughson be appointed to the Neighborhood Council 1 Executive Board. MOTION CARRIED unanimously.

CORRESPONDENCE

1. Senior Citizen Advisory Council has written memo, dated November 7, concerning objectives for maximum utilization of Community Center. Hutchison suggested the memo be sent to the committee which will be working with the architect; Swan suggested it also be sent to the Budget Committee.

2. Senior Citizen Advisory Council has written memo, dated November 15, regarding senior low-cost housing. The memo was referred to the Planning Commission and Comprehensive Planning Steering Committee.

3. Tri-Met has written letter to Mayor, dated November 22, in response to two letters from city regarding fare schedule. Staff was asked to write another letter, since Tri-Met didn't answer the request of the city.

4. Parks and Recreation Commission has written memo, dated November 28, concerning city-owned property at SE 32nd and Boyd. It was MOVED by Burgess, SECONDED by Hupp, that Council accept the recommendation and that the property be considered as a future park site. MOTION CARRIED unanimously.

5. Parks and Recreation Commission has written memo, dated November 30, concerning riverfront float project, asking that money remaining from the project be returned to the Parks and Recreation Commission. It was Council consensus the money will revert to the General Fund.

6. Parks and Recreation Commission has written memo, dated November 30, concerning modification of North Clackamas Park master plan. It was MOVED by Hupp, SECONDED by Burgess, that the project before Council be approved. There was discussion of details of how the master plan is being changed if this motion passes. MOTION PASSED with the following roll-call vote: AYES: Hutchison, Swan and Burgess. NOES: Manuel and Hupp.

ORDINANCE NUMBER 1418 - WATER RULES AND REGULATIONS

It was MOVED by Hutchison, SECONDED by Swan, for first reading by title only of Ordinance Number 1418 (AN ORDINANCE PRESCRIBING THE RULES AND REGULATIONS FOR THE CONDUCT AND MANAGEMENT OF THE MUNICIPAL WATER SYSTEM OF THE CITY OF MILWAUKIE, OREGON; PROVIDING FOR THE COLLECTION OF SEWAGE TREATMENT USERS' CHARGE; PROVIDING THAT SEWER AND WATER CHARGES SHALL BE A LIEN ON THE PREMISES SERVED; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; REPEALING ORDINANCE 772, 1073, AND 1099; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH). It was MOVED by Hutchison, SECONDED by Swan, to delete the words "in the city jail" from Section 9, lines three and four. MOTION CARRIED unanimously. On the motion to read, MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Swan, for second reading, as amended, by title only. MOTION CARRIED unanimously. It was MOVED by

Hutchison, SECONDED by Swan, to adopt Ordinance 1418. Ordinance 1418 was put on its passage with the following roll-call vote: AYES: Hutchison, Swan, Hupp, Burgess and Manuel. NOES: None. Ordinance 1418 passed the Council and was so declared by the Mayor.

MEMO RE TREE RETENTION

City Attorney and Planning Director have written memo, dated November 29, 1978, concerning tree retention or replacement in new developments, as discussed at the November 20 Council meeting. It was Council consensus since there is insufficient staff to enforce such an ordinance amendment, no action should be taken.

MEMO RE MORATORIUM ORDINANCE

City Attorney has written memo, dated November 21, concerning 1975 moratorium ordinance. Ordinance 1330 ceased to exist on January 19, 1978.

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

COMMUNITY CENTER ARCHITECT CONTRACT

Council has received copies of proposed contract with architect for Community Center. After discussion, it was MOVED by Hupp, SECONDED by Hutchison, that the Manager be delegated to sign the contract for the Multi-purpose Community Center. MOTION CARRIED unanimously.

RESOLUTION NUMBER 39-1978 - CANVASSING VOTE AT NOVEMBER 7 ELECTION

It was MOVED by Hupp, SECONDED by Hutchison, to read Resolution Number 39-1978 (A RESOLUTION CANVASSING THE VOTE AT ELECTION HELD ON NOVEMBER 7, 1978) by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Hupp, to adopt Resolution 39-1978. MOTION CARRIED unanimously.

ANNEXATION PETITION - NORTH OF INTERNATIONAL WAY, NW OF HARMONY RD.

Dale G. and Evelyn June Ottenbacher, 15201 SE 172nd, Clackamas, have petitioned for annexation of property on the north side of International Way, northwest of Harmony Road, through the triple majority method. It was MOVED by Hupp, SECONDED by Hutchison, to refer the matter to the Planning Commission. MOTION CARRIED unanimously.

ACCEPTANCE OF PHASE III PLANNING GRANT

It was MOVED by Hutchison, SECONDED by Swan, to ratify Budget Committee action delegating \$12,000 to emergency planning arrangement. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Swan, Burgess, Manuel. NOES: Hupp. It was MOVED by Hutchison, SECONDED by Manuel, to accept the LCDC grant offer to carry out Phase III planning in the amount of \$14,691. MOTION CARRIED unanimously.

AUTHORIZATION FOR MANAGER TO SIGN AAA GRANT - CENTER KITCHEN FACILITIES

Grant application has been prepared, to Clackamas County Area Agency on Aging, for \$16,104 for kitchen equipment for Senior

Multi-purpose Community Center. It was MOVED by Hupp, SECONDED by Hutchison, that the Manager be authorized to sign the grant application, and to make necessary adjustment in the amount of in-kind personal services. MOTION CARRIED unanimously.

COUNCIL REPORTS

Manuel reported on urban county round II funding.

OTHER BUSINESS

1. City has received approval of two traffic projects: (1) 32nd and Harrison improvements, including traffic signal, and (2) Oatfield and Lake Road improvements, including traffic signal.
2. Planning Commission is having a special meeting December 12.
3. All groups that have been asked to submit recommendations for appointment to the Center Advisory Committee have submitted names, except Parks and Recreation Commission. Burgess asked to be kept informed of Advisory Committee activities, and Hupp asked to be informed of the first meeting date.
4. There was discussion of progress on the Port of Portland river-front study.

PAYMENT OF BILLS

It was MOVED by Hupp, SECONDED by Hutchison, that the bills listed for December 4, 1978 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 9:30 p.m., and went into executive session to discuss labor negotiations, under ORS 192.660 (1)(a), and pending litigation, under ORS 192.660 (2)(d).

The meeting returned to open session at 10 p.m.

AUTHORIZATION TO SIGN EMPLOYEES ASSOCIATION BARGAINING CONTRACT

It was MOVED by Swan, SECONDED by Hutchison, that the Mayor be empowered to sign, when available, the 1978-79 contract with the Milwaukie Employees Association.

AMENDMENT TO POLICE CONTRACT


It was MOVED by Hutchison, SECONDED by Swan, to accept staff recommendation and approve amendment to Police bargaining contract as to the method of paying staff members working in a higher classification. MOTION CARRIED unanimously.


SETTLEMENT OF LAWSUITS

It was MOVED by Hutchison, SECONDED by Swan, to approve settlement of the following cases, as recommended by staff: W. Mae Wilson v. City of Milwaukie, and Fred Weber v. City of Milwaukie. MOTION CARRIED unanimously.

The meeting adjourned at 10:05 p.m.

ATTEST:


Bill Hupp, Mayor


Dorothy E. Farrell, Secretary

CITY COUNCIL AGENDA
December 4, 1978
7 pm

COUNCIL CHAMBERS

1326th Meeting

1. CALL TO ORDER
2. INVOCATION - The Reverend Orval Clay, Battin Baptist Church
3. PLEDGE OF ALLEGIANCE
4. CONSENT CALENDAR
 - a) Approval of minutes - November 15 and 20, 1978 Council meetings
 - b) Letter from State Parks and Recreation Branch re Willamette Greenway
 - c) Cargni office building sewer connection charge
 - d) Progress payment - HUD storm drainage project
5. AUDIENCE PARTICIPATION
6. NEIGHBORHOOD COUNCIL REPORTS
 - a) Neighborhood Council activities
 - b) Resignation from NC 5 board
 - c) Recommendation for appointment to NC 1 board
7. CORRESPONDENCE
 - a) Memo from Sr. Citizen Advisory Council re Community Center
 - b) Memo from Sr. Citizen Advisory Council re Housing
 - c) Letter from Tri Met
 - d) Memo from PARC re property @ 32nd & Boyd
 - e) Memo from PARC re riverfront float project
 - f) Memo from PARC re North Clackamas Park
8. OLD BUSINESS
 - a) Ordinance No. _____ - Water Rules and Regulations
 - b) Memo re tree retention
 - c) Memo re moratorium ordinance
 - d) Community Center architect contract
9. CONSIDERATION
 - a) Resolution No. _____ - Canvassing Vote at Nov. 7 election
 - b) Annexation Petition - north of International Way, NW of Harmony Road
 - c) Acceptance of Phase III Planning Grant
 - d) Authorization for manager to sign AAA grant - Center kitchen facilities
10. COUNCIL REPORTS
11. OTHER BUSINESS
12. PAYMENT OF BILLS
13. ADJOURNMENT
14. EXECUTIVE SESSION - Under ORS 192.660 (1)(a) to discuss labor negotiations