

CITY COUNCIL MEETING

February 18, 1975

7 p. m.

COUNCIL CHAMBERS

1238th Meeting

The one thousand two hundred thirty-eighth meeting of the Council of the City of Milwaukie, Oregon, was held on the 18th day of February, 1975, with the following councilpersons present:

C. Mervin Englund

Jerry N. Hutchison

Joy Burgess

Mayor Bill E. Hupp

Absent: Charles E. Swan (excused)

Also present:

Harold L. Schilling, City Manager

Tim Holder, Planning Assistant

J. Wayne Daigle, Dir. of P. W.

Dorothy E. Farrell, Secretary

The invocation was given by Larry Gaskin, Church of Christ, and the pledge of allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - February 3, 1975 Council meeting
- b) Liquor license renewals
 - 1. Red's Coach Inn - DA
 - 2. Mac's Pit - DA
 - 3. Plaid Pantry #79 - PS
 - 4. Vic's Tavern - RMB
 - 5. Speed's Lounge - DA
 - 6. Safeway Stores #349 - PS
 - 7. Monroe Grocery - PS
 - 8. Albertson's Food Center #517 - PS
 - 9. Lisac's Market - PS
- c) Annual report - Traffic Safety Commission
- d) Notice of CRAG general assembly meeting
- e) Memo re appointment to Board of Appeals
- f) Assistant Planner's response to League of Women Voters questions
- g) Thank you letter from Omark
- h) Letter from Clackamas County Coalition of Social Services
- i) Memo re unfair labor practices hearing
- j) Memo re police bargaining representative
- k) Letter from school district attorney to Lutheran Church attorney

It was MOVED by Burgess, SECONDED by Hutchison, that the consent calendar be accepted, with the exception of items c, g and j. MOTION CARRIED and so ordered.

b) Routine checks have been made by the Police Department, and each of the requests for renewal has been recommended for approval by the Police Chief.

c) Council has received first annual report of the Milwaukie Traffic Safety Commission. The Commission reported they had written letters to two property owners regarding clear vision, and Councilwoman Burgess asked the location and response to the letters.

d) Council has received notice of CRAG general assembly meeting February 7, 1975.

e) John Foster has responded to the Council-directed inquiry in the affirmative, indicating that he would accept appointment to the Building Code Board of Appeals.

f) Council has received copy of memorandum from Assistant Planner, dated February 13, 1975, giving answers to questions asked by the League of Women Voters.

g) Council has received copy of letter from Omark Industries, dated February 3, 1975, expressing appreciation for fire protection training put on by Assistant Chief Al Jones.

DDE291

- h) Letter has been received from Clackamas County Coalition of Social Services, dated February 11, 1975, acknowledging receipt of \$5000 revenue sharing commitment from Milwaukie.
- i) Council has received memorandum from the Manager, dated February 13, 1975, with a resume of PERB Unfair Labor Practice hearing February 7, and one to be held February 28.
- j) Council has received copy of letter from police union shop steward, dated February 13, 1975, regarding election of police union bargaining agent.
- k) Council has received copy of letter from attorney for North Clackamas School District to attorney for Milwaukie Lutheran Church, dated February 10, 1975, concerning the drainage problem in the area surrounding the church.

PROCLAMATION

Mayor Hupp read proclamation naming February 23 as Johnson Creek Race Day.

AUDIENCE PARTICIPATION

- 1. Edythe Knaub, 5005 SE Brookside Drive, gave further details of the Johnson Creek Yacht Club race on February 23, and presented membership cards to members of Council and staff.
- 2. Marlene Brandt, 9506 Winsor Drive, read letter to the Council concerning drainage problem caused by a duplex constructed on property adjoining her property. Staff was asked to report to Council on the problem at the next Council meeting.

CORRESPONDENCE

- 1. Council has received letter from Oak Lodge Sanitary District, dated February 11, 1975, relative to lines and services completed within the district. The matter was referred to staff.
- 2. Council has received letter from Andrew Hanners, dated February 6, 1975, indicating that he would be unable to accept reappointment to the Milwaukie Traffic Safety Commission.
- 3. Letter has been received from Faith Evangelical Church, dated February 12, 1975, protesting the city decision to hold an election on Sunday.
- 4. Letter has been received from Bob Hawkins, 2515 Lake Road, indicating an interest in being appointed to the Milwaukie Traffic Safety Commission.
- 5. Council has received notice of work session meeting of the board of directors of the Clackamas County Coalition of Social Services at 7:30 a. m. February 20, 1975.
- 6. Councilwoman Burgess has received copy of February 18 minutes of the Clackamas County Citizens Bikeway Committee.
- 7. Mrs. Burgess noted receipt of communication from North Clackamas Chamber of Commerce relative to court action against Tri Met.
- 8. CRAG Clackamas County caucus is meeting this evening at 7:30 p. m.
- 9. Council has received communication from the city of Sandy inviting Milwaukie's participation in Sandy's centennial celebration. The letter was turned over to Chris McDonald, Milwaukie's centennial representative.

ORDINANCE NUMBER 1305 - CIVIL SERVICE RULES AND REGULATIONS

It was MOVED by Burgess, SECONDED by Hutchison, that Ordinance Number 1305 (AN ORDINANCE ESTABLISHING REGULATIONS FOR THE CIVIL SERVICE SYSTEM OF THE CITY OF MILWAUKIE, INCLUDING THE QUALIFICATIONS, TERMS OF OFFICE, RESPONSIBILITIES AND AUTHORITIES OF THE COMMISSIONERS, AND THE RIGHTS OF THE EMPLOYEES, INCLUDING WORKING CONDITIONS) be read the first time. It was MOVED by Hutchison that the motion be amended to change "first reading" to "second reading." On the amendment, MOTION CARRIED and so ordered. On the main motion, MOTION CARRIED and so ordered.

(Meeting recessed at 7:45 p. m. , reconvened at 7:50 p. m. with all present.)

It was MOVED by Burgess, SECONDED by Hutchison, that Ordinance 1305 be adopted. There was discussion of whether or not a public hearing should be held on important ordinances and resolutions, and it was decided to discuss this at the Council orientation sessions. Ordinance 1305 was put on its passage with the following roll-call vote: AYES: Englund, Burgess and Hutchison. NOES: Hupp. Absent: Swan. Ordinance 1305 passed the Council and was so declared by the Mayor.

APPOINTMENT TO CIVIL SERVICE COMMISSION

Council has received recommendation from Civil Service Commission that Miss Margaret Evans be appointed to the Commission vacancy. Mayor appointed Miss Evans to fill the vacancy created by the resignation of Gordon Morterud.

STREET NUMBERING AND STREET NAME CHANGES

Council has received memorandum from Fire Chief and a Fire Captain concerning the problems caused by confusing street names and house numbers in the city. It was decided to discuss the matter further at the work session February 24. There was discussion of holding a public hearing and also of requiring standard uniform house numbers.

APPOINTMENTS TO BOARDS AND COMMISSIONS AND LIAISON APPOINTMENTS

Staff was asked to formally notify John Foster of his appointment to the Building Code Board of Appeals. Mayor appointed Dick Samuels, 3300 Harvey, and Eloise Hobson, 9416 Winsor Drive, to the Traffic Safety Commission. Mayor appointed Donald Graf to the Budget Committee to fill the position vacated by Jerry Hutchison when he was elected to the Council. Joy Burgess was appointed as Council liaison to the Parks and Beautification Committee. Councilman Englund was appointed as Councilman liaison to the Planning Commission.

MEMORANDUM RE STREET PATCHING

Council has received copies of memorandum from Manager to Public Works Director and answering memoranda from Public Works Director and Public Works Superintendent relative to street maintenance procedures and techniques. Staff was asked to report to Council on the cost factor and give a recommendation as to the feasibility of using heated dump trucks in the street patching procedure.

RECONSIDERATION OF ELECTION DATE

It was MOVED by Burgess, SECONDED by Englund, that Council request staff to prepare a resolution amending the election date for charter revision and street and storm sewer bond issue ballot measures to Tuesday, April 8, and have it ready by the next Council meeting. MOTION CARRIED and so ordered. Councilman Hutchison wished his vote recorded as "no. "

(Meeting recessed at 9:40 p. m. , reconvened at 9:50 p. m. with all present.)

SIGN ORDINANCE

It was MOVED by Burgess, SECONDED by Hutchison, that the proposed sign ordinance be read the first time. After discussion, this motion was withdrawn. It was MOVED by Burgess, SECONDED by Englund, that all suggestions and ideas from any of the people in the audience or Council members be forwarded to the Sign Ordinance Committee and Planning Commission, and after their study, the ordinance be sent to the Council for final approval. After discussion, this motion was withdrawn. It was MOVED by Burgess,

DDE291

seconded by Hutchison, that any interested citizens who would like to give input as to any revisions or changes at all to the proposed ordinance before us, submit their information to the City Manager, who will then direct the ideas or suggestions to the proper parties, the Planning Commission and the Sign Ordinance Committee, for their recommendation as to whether they favor or disfavor these ideas, and that this material be submitted back to the City Council no later than Monday, April 7 for their agenda on that day.

It was MOVED by Hutchison to amend the motion to state that the designation of information from the City Manager be directed only to the Planning Commission and Sign Committee chairmen, and that they can take it up with their committees. On the amendment, MOTION CARRIED and so ordered. On the main motion, MOTION CARRIED and so ordered. It was noted the deadline for submitting written recommendations is to be March 7.

MEMORANDUM FROM COUNCILWOMAN BURGESS RE COMMUNITY SURVEY.

Council has received memorandum from Councilwoman Burgess, dated February 13, 1975, relative to the community survey. Staff was requested to supply Council with a cost estimate of the community survey, the number of people required, and it was decided to discuss the matter further at the work session February 24.

LETTER RE COST OF DOGWOOD PINS

Council has received copy of memorandum from staff and copy of letter from Sterling Agencies, Ltd., dated November 20, 1974, in answer to a Council request that staff investigate the possibility of obtaining dogwood pins for presentation to citizens who have served the community. Council requested that staff find out if it is possible to add the name "Milwaukie" to the pin and get prices.

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Council has received copy of the city's pre-application for community development block grant funding. It was MOVED by Burgess, SECONDED by Englund, that Council concur with the Manager's recommendation and submit the pre-application for consideration. MOTION CARRIED and so ordered.

ACCEPTANCE OF MALLARD DUCK LANE

Mallard Duck Lane, within Omark Park, presently a private street, is being proposed for dedication to the city, and acceptance is recommended by the Planning Commission. When all the details, such as a legal description, are resolved, the matter will be presented to the Council for final action.

LETTER TO SCHOOL DISTRICT RE MILWAUKIE JUNIOR HIGH SITE

Councilwoman Burgess requests that staff write a letter to the North Clackamas School District asking for a time estimate as to when the Milwaukie Junior High School property might be for sale, and reiterating that the city would like to be given first right of refusal.

LICENSE REVOCATION - WHITLOW PLUMBING

Staff recommends revocation of sewerman's license of Whitlow Plumbing. It was MOVED by Hutchison, SECONDED by Englund, that the sewerman's license of Whitlow Plumbing be revoked. It was MOVED by Burgess, SECONDED by Hutchison, to amend the motion to include the notation that Whitlow Plumbing be notified that they must appear before the Council if they wish the license reinstated. On the amendment, MOTION CARRIED and so ordered. On the main motion, MOTION CARRIED and so ordered.

OTHER BUSINESS

1. City Manager requested an executive session be schedule following the Council orientation on Wednesday, February 26, to discuss with the city negotiator collective bargaining for 1975-76.
2. Manager notified Council that Franko Oil Company was doing construction work on the once-operative station on McLoughlin at the end of Harrison, after Council had denied their application for conditional use permit to reopen the station. A stop work order was posted but the work continued, so a complaint was filed in municipal court and served on the foreman of the work crew.
3. City Manager notified the Council he would be out of the city on February 20 and 21.
4. Councilwoman Burgess stated there was still evidence of Lions Christmas tree sale on the lot across from Thriftway. Staff will contact the Lions Club and request that they return the area to its former condition.
5. There will be further discussion of deferment of sewer assessment for senior citizens at the work session February 24, as well as the data Mr. Englund submitted relative to sewer assessment formula.
6. Mayor requested agenda for work session February 24 as well as for the Council orientation February 25 and 26.
7. Mayor requested staff obtain from the League of Oregon Cities ordinances from other cities relative to removal of non-operating service stations.

PAYMENT OF BILLS

It was MOVED by Burgess, SECONDED by Englund, that the bills listed for February 19, 1975 payment be approved for payment.

The meeting adjourned at 11:55 p. m.

Bill Hupp

 Bill Hupp, Mayor

ATTEST:

Dorothy E. Farrell

 Dorothy E. Farrell, Secretary

DDE291

CITY COUNCIL AGENDA

February 18, 1975

7 p. m.

COUNCIL CHAMBERS

1238th Meeting

- 1. CALL TO ORDER
- 2. INVOCATION - Larry Gaskin, Church of Christ
- 3. PLEDGE OF ALLEGIANCE
- 4. CONSENT CALENDAR
 - a) Approval of minutes - February 3, 1975 Council meeting
 - b) Liquor license renewals
 - 1. Red's Coach Inn - DA
 - 2. Mac's Pit -- DA
 - 3. Plaid Pantry Market #79 - PS
 - 4. Vic's Tavern - RMB
 - 5. Speed's Lounge - DA
 - 6. Safeway Stores #349 - PS
 - 7. Monroe Grocery - PS
 - 8. Albertson's Food Center #517 - PS
 - 9. Lisac's Market - PS
 - c) Annual report - Traffic Safety Commission
 - d) Notice of CRAG general assembly meeting
 - e) Memo re appointment to Board of Appeals
 - f) Assistant Planner's response re League of Women Voters questions
 - g) Thank you letter from Omark
 - h) Letter from Clackamas County Coalition of Social Services
 - i) Memo re unfair labor practices hearing
 - j) Memo re police bargaining representative
 - k) Letter from school district attorney to Lutheran Church attorney
- 5. AUDIENCE PARTICIPATION
- 6. CORRESPONDENCE
 - a) Letter from Oak Lodge Sanitary District re connections
 - b) Letter from Mr. Hanners re Traffic Safety Commission
- 7. OLD BUSINESS
 - a) Ordinance No. _____ - Civil Service regulations
 - b) Applications for appointment to Civil Service Commission
 - c) Memorandum re street numbering
 - d) Council appointments to boards and commissions and liaison positions
 - e) Memoranda re street patching
- 8. CONSIDERATION
 - a) Ordinance No. _____ - Sign ordinance
 - b) Memo from Councilwoman Burgess re status of community survey
 - c) Letter re cost of dogwood pins
 - d) Community Development Block Grant application
 - e) Acceptance of Mallard Duck Lane
 - f) Councilwoman Burgess' request for reconsideration of Sunday election
 - g) Councilwoman Burgess' request for letter of inquiry as to time estimate when Milwaukie Junior High site will be offered to city for first option to purchase

DDE291

8. CONSIDERATION (cont.)
 - h) License revocation - Whitlow Plumbing
9. OTHER BUSINESS
10. PAYMENT OF BILLS
11. ADJOURNMENT