

CITY COUNCIL MEETING
August 18, 1975
7 p.m.

Council Chambers

1250th Meeting

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

C. Mervin Englund

Jerry N. Hutchison

Joy Burgess

Mayor Bill Hupp

Absent: Charles E. Swan (excused)

Also present:

Harold L. Schilling, City Manager

Myer Avedovech, City Attorney

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

Dorothy E. Farrell, Secretary

The pledge of allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - August 4, 1975 meeting
- b) "See the ... City Council"
- c) Memo re Keller house occupancy
- d) Minutes - Bike Footway Advisory Committee - July 24, 1975
- e) Clipping - Municipal Labor Relations
- f) Memo re Planning Commission recommendations
- g) Memo re Milwaukie Plywood inspections and fire calls
- h) Memo from DEQ re STP
- i) Memo re Council Members Presiding over Council Meetings
- j) Memo re Baker v. Milwaukie
- k) Memo re Moran v. Milwaukie
- l) Coalition of Social Services meeting notice

Councilwoman Burgess requested removal of items b, c, g and h.

b) Council received copies of poem titled "SEE THE ... CITY COUNCIL." Councilwoman Burgess asked the name of the author, but the author is unknown.

c) Council has received memo from Building Official, dated June 25, regarding occupancy of the Keller house on city park property. Councilwoman Burgess requested staff to report at a later date what are the best use alternatives for the Keller house before, during and after park development, and how do they comply with BOR rules and regulations.

d) Council has received copy of Bike/Footway Advisory Committee July 24 minutes.

e) Council has received copy of article from The August 1975 American City Magazine, on Municipal Labor Relations.

f) Council has received memo from City Attorney, dated August 11, on Judicial treatment of Council review of Planning Commission recommendations.

g) Council has received list of fire prevention bureau inspections and plant fires for Milwaukie Plywood for 1973, 1974 and 1975. Councilwoman Burgess asked for additional information. Councilman Englund asked, in view of the number of fire calls to Milwaukie Plywood, if there is any way to provide service on the basis of reimbursement. Councilman Englund also asked for the status of 31st Street.

h) Council has received copy of memo from Department of Environmental Quality, dated August 8, re Milwaukie Sewer Treatment Plant. Councilwoman Burgess noted continuing odors from Kellogg Creek Plant.

i) Council has received copy of memorandum from City Attorney, dated August 14, concerning Council members presiding over Council meetings.

j) Council has received copy of memorandum from City Attorney, dated August 11, giving progress report on the case of Baker v. Milwaukie.

k) Council has received progress report from City Attorney on the case of Moran v. Milwaukie.

l) Council has received notice of Clackamas County Coalition of Social Services meeting cancellation.

It was MOVED by Hutchison, SECONDED by England, to adopt consent calendar, items a through l. MOTION CARRIED and so ordered.

AUDIENCE PARTICIPATION

1. Jean Baker, 2607 Monroe, representing TIME (Those Interested in Milwaukie's Environment), told Council the group is circulating petitions to place Crystal Lake on the ballot, and asked Council to set an election date now in anticipation the group will soon have the required number of signatures. It was MOVED by Burgess, SECONDED by England, that the Council call a special meeting upon notification by the Manager that petitions are validated and a resolution calling for election has been drafted, and this will probably occur within a week to ten days. MOTION CARRIED and so ordered.

CORRESPONDENCE

Councilwoman Burgess has received letter from Richard Nase, Cinderella Realty, with nuisance complaint against 3805 SE Jefferson. She asked that staff report to Mr. Nase on what action will be taken.

NUISANCE COMPLAINTS

1. Mayor Hupp asked that action be taken on nuisance complaint on property at 30th and Penzance.

2. Letter has been received from Mrs. Clifford V. Ackley, 5005 SE Park Street, complaining about tall grass and weeds on vacant lot at Park Street and Home Avenue.

CORRESPONDENCE

Letter has been received from Rural/Metro Fire Dept., Inc., dated August 12, saying Council trip to Scottsdale can be scheduled the second half of the first week or the first half of the second week of November. At the next Council meeting the date will be decided.

LETTER FROM HIGHWAY DIVISION RE FURNBERG PARK

Council has received copy of letter from Oregon State Highway Division to Bureau of Outdoor Recreation Seattle office, dated August 13, concerning Furnberg Park audit.

MEMO AND SCHEDULE RE BUS SHELTERS

Council has received memo from Public Works Director, recommending provisional approval of Bus Passenger Shelter Site Locations No. 336, 340, 353, 354, 559, and 560. It was MOVED by Burgess, SECONDED by England, that Council give provisional approval for the specified locations of the bus shelter sites as they appear in the agenda. MOTION CARRIED and so ordered.

(Meeting recessed at 7:50 p.m., reconvened at 8 p.m. with all present.)

DDJ309

PUBLIC HEARING - FIELDCREST-MASON LANE SEWER L.I.D. - ORDINANCE NO.

On July 21 there was a public hearing on acceptance of Fieldcrest-Mason Lane sanitary sewer L.I.D. One issue was raised which has been settled. It was MOVED by Hutchison, SECONDED by Burgess, to accept the Fieldcrest-Mason Lane sewer L.I.D. completion. MOTION CARRIED and so ordered.

Elmer Westover, 4646 Fieldcrest, raised a question as to whether or not the interest paid by the city on money borrowed by the sewer fund from the general fund could be deducted as interest by a citizen on his personal income tax return. It was suggested Mr. Westover consult his accountant and if this procedure is possible, staff will endeavor to break out the amount of interest involved.

Public hearing was declared open at 8:25 p.m. Notices mailed as required, and published. There were two written remonstrances on the assessment for the L.I.D., and those people also appeared and spoke:

Mr. and Mrs. Paul Davis, 4215 SE Fieldcrest

Mr. and Mrs. Robert Pierce, 4205 SE Fieldcrest

Public hearing was declared closed at 9:05 p.m.

It was MOVED by Burgess, SECONDED by Englund, to read (AN ORDINANCE DECLARING THE ASSESSMENT FOR THE CONSTRUCTION OF SANITARY SEWERS AND LATERALS IN THE FIELDCREST-MASON LANE AREA) the first time. Hutchison abstained from voting because he had discussed the matter with one of the persons remonstrating. MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Englund, that the ordinance be read the second time at the next regular Council meeting. MOTION CARRIED and so ordered.

NORTH CLACKAMAS PARK

Council has received memo from Manager concerning city takeover of North Clackamas Park. Staff was asked to find out the status of an easement into the park.

It was MOVED by Hutchison, SECONDED by Burgess, to authorize staff to draft a letter of intent to acquire the property to the county, and proceed with acquisition of the property, subject to full disclosure of any encumbrances or restrictions unknown at this time. MOTION CARRIED and so ordered.

MEMO FROM MAYOR RE SENIOR CITIZEN COUNCIL

Mayor did not discuss his memo to Council re Senior Citizen Council and Senior Citizen Center.

RESOLUTION NUMBER 29-1975 - CREATING NEIGHBORHOOD COUNCILS

It was MOVED by Hutchison, SECONDED by Englund, that Resolution Number 29-1975 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE - CREATING NEIGHBORHOOD COUNCILS) be read the first time by title only. MOTION CARRIED and so ordered. It was MOVED by Hutchison, SECONDED by Burgess, that Resolution 29-1975 be adopted. MOTION CARRIED and so ordered.

PUBLIC HEARING ON SUPPLEMENTAL BUDGET - CHANGE OF COUNCIL MEETING DATES

It was decided to hold Council meetings in September on the 2nd and 4th Mondays, because of the Labor Day holiday, and the public hearing on the supplemental budget will be held September 8.

DEFERRED ASSESSMENT PROGRAM

Because of questions raised about the proposed deferred assessment

ordinance, it was decided to defer consideration until the next Council meeting.

OTHER BUSINESS

1. City Attorney, in a memorandum, gave a progress report on the Brandt drainage matter.
2. Hearing before the Employment Relations Board on objections of the city to the Board Agent's proposed rulings in the case of Fire Captains Management issue, will be held at 9 a.m. August 27.
3. Councilwoman Burgess asked staff to look into: a) weed removal from sidewalk at Scott Street and McLoughlin, b) weed removal from beautification triangle at 21st and Washington, c) items being stored on sidewalk at Coulter's, 21st and Jefferson and d) staff recommendation for development of city parking lot west of Thriftway.
4. Mayor Hupp asked staff to check on garbage drop box on sidewalk on north side of Washington east of 21st.
5. Meeting with Senator Hatfield field representative is scheduled for 7 p.m. August 19.
6. Mayor appointed Library Dedication Committee, as follows: June Routson, Chairman; Marie Daigle, Ruth and Hal Payn; Dave Phelps; Sol Menashe; Betty Stephens; Merv Englund; Jerry Hutchison; Joy Burgess; Bill Hupp. Library Grounds will be dedicated in September.
7. Mayor requested a resolution setting up an official Parks and Beautification Committee.
8. Mayor requested council consideration of reduced utility rates for persons on low and fixed incomes.

PAYMENT OF BILLS

It was MOVED by Burgess, SECONDED by Hutchison, that the bills listed for August 19, 1975 payment be approved for payment. MOTION CARRIED and so ordered.

The meeting adjourned at 12:30 p.m.

Bill Hupp
Bill Hupp, Mayor

ATTEST:

Dorothy E. Farrell
Dorothy E. Farrell, Secretary

DDJ309

CITY COUNCIL AGENDA
August 18, 1975
7 p.m.

COUNCIL CHAMBERS

1250th Meeting

1. CALL TO ORDER
2. INVOCATION - The Reverend Howard E. Harmon - Clackamas Park Friends Church
3. PLEDGE OF ALLEGIANCE
- ✓ 4. CONSENT CALENDAR
 - ✓ a) Approval of minutes - August 4, 1975 meeting
 - ✓ b) "See the City Council"
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 - d) Minutes - Bike Footway Advisory Committee - July 24, 1975
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✓ 5. AUDIENCE PARTICIPATION

✓ 6. CORRESPONDENCE

✓ 7. PUBLIC HEARING - *+ Acceptance of Project* Fieldcrest-Mason Lane Sewer L.I.D. assessment

Ordinance No. _____

✓ 8. OLD BUSINESS

- a) Resolution No. _____ - Neighborhood Councils
- b) Memo from Mayor re Senior Citizen Council
- c) Schedule public hearing on supplemental budget
- d) Memo and schedules re bus shelters
- e) Ordinance No. _____ - Deferred assessments
- f) Letter from Rural/Metro Fire Dept.
- g) Letter from Highway Division re Furnberg Park

Set # 4-15

✓ 9. CONSIDERATION

- a) North Clackamas Park

10. OTHER BUSINESS

11. PAYMENT OF BILLS

12. ADJOURNMENT

DDJ309

CITY OF MILWAUKIE

BILLS PAYABLE ON AUGUST 18th, 1975

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
1. Ads Systems Consultants <i>Change payroll program (SMT)</i>	175.00	1-13	175.00
2. Julie August	65.00	1-8	65.00
3. Badger Meter	171.69	30-	171.69
4. Baker & Taylor	114.25	1-6	114.25
5. Joy Burgess	50.00	1-1	50.00
6. Charlie Helwig	201.57	1-4	15.43
		1-5	17.60
		1-10	15.88
		1-13	152.66
7. Chas. Lilly Company <i>Fertilizer - 1/2 ton - 1/2 ton - 1/2 ton</i>	84.46	1-7	84.46
8. Chevron Asphalt	601.80	12-	601.80
9. Circulation Department <i>Subscription</i>	20.00	1-10	20.00
10. Clackamas County Service District #1 <i>Treatment</i>	8,537.40	20-	8,537.40
11. Councilmembers Seminar	140.00	1-1	140.00
12. Diversified Industries <i>Regs & Unif. Subscriptions</i>	18.00	4-	18.00
13. Emergency Product News <i>Subscription</i>	12.00	1-4	12.00
14. Merv Englund	50.00	1-1	50.00
15. Flexible Pipe Tool	9.26	20-	9.26
16. Ray Grimshaw	52.24	1-4	25.24
		4-	27.00
17. Hazeltine Leasing	100.00	1-5	100.00
18. Ken Hood Construction <i>Frame</i>	135.00	1-7	135.00
19. Bill Hupp	50.00	1-1	50.00
20. Jerry Hutchison	50.00	1-1	50.00
21. International Association of Chiefs of Police <i>Reg. 13. Cont. Serv.</i>	40.00	1-5	40.00
22. IBM	78.30	1-2	78.30
23. Jury Fees	85.00	1-8	85.00
24. K & K Color Lab	20.32	1-4	6.44
		1-5	13.88
25. Landeen Medical Gas & Equipment <i>Sp. 1</i>	18.00	1-4	18.00
26. Lavelle Landfill	51.30	4-	51.30
27. Main Street Cleaners	40.14	1-4	40.14
28. Milwaukie Auto Parts	7.39	4-	7.39
29. Milwaukie Automotive Service	41.66	1-5	41.66
30. Milwaukie Hardware	21.50	4-	21.50
31. Milwaukie Lumber	93.08	1-3	50.50
		1-4	5.08
		4-	37.50
32. Milwaukie Travel <i>Residual Air</i>	482.92	1-1	482.92
33. Mobil Oil Company	1,651.36	30-	1,651.36
34. Mobile Repair	74.18	1-4	74.18
35. Moore's Audio Visual	3.64	1-6	3.64
36. Northwest Natural Gas	23.12	1-6	9.85
		4-	4.74
		30-	8.53
37. Myles O'Donnell	710.95	1-3	423.25
		1-5	287.70
38. Oregon City Laundry	82.94	1-4	82.94
39. Pacific Coast Industrial Laundry	45.00	4-	45.00

CITY OF MILWAUKIE

BILLS PAYABLE ON AUGUST 18th, 1975 (continued)

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>		
40. Pacific Northwest Bell	1,733.24	1-3	523.50		
		1-4	445.91		
		1-6	79.40		
		1-10	9.00		
		4-	32.72		
		7-	585.36		
		20-	21.85		
		30-	35.50		
		41. Payline Northwest Company	27.79	4-	27.79
		42. Petty Cash	127.41	1-1	1.76
				1-2	3.92
				1-3	3.50
				1-4	69.31
1-5	6.38				
1-6	4.93				
1-7	.35				
1-8	5.00				
1-9	6.89				
1-10	.96				
1-12	5.19				
1-13	8.74				
4-	8.84				
30-	1.64				
43. PGE	6,413.26			1-1	4,043.85
				1-3	207.76
				1-4	(521.15)
		1-5	81.04		
		1-7	3.85		
		4-	103.00		
		20-	581.48		
		30-	1,913.43		
		44. Public Productivity Review	10.00	1-2	10.00
		45. RadioTronics	30.00	1-4	30.00
46. Review	104.17	1-1	104.17		
47. Robben Oil	184.10	1-3	36.75		
		4-	147.35		
48. Harold Schilling	22.20	1-2	22.20		
49. Southwestern Legal Foundation	50.00	1-12	50.00		
50. State of Oregon, Department of Motor Vehicles	35.00	1-8	35.00		
51. Stevens, Thompson, & Runyan	20.40	4-	17.40		
		30-	3.00		
52. Street Department	209.90	1-4	33.53		
		4-	35.84		
		20-	59.50		
		30-	81.03		
53. Subpoena Fees	15.00	1-8	15.00		
54. Tri-County Office Machines	27.00	1-6	2.00		
		5-	25.00		
55. Truman Finley Jr.	83.90	5-	83.90		
56. Union Oil Company of California	243.64	4-	243.64		
57. Water Department	1,551.64	1-2	19.42		
		1-4	168.47		
		1-5	1,064.60		
		1-7	16.72		
		1-10	31.74		
		4-	148.15		
		20-	60.10		
		30-	42.42		

DDJ309

BILLS PAYABLE ON AUGUST 18th, 1975 (continued)

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
58. Waterworks Supplies	449.53	1-7	10.77
		30-	438.76
59. Weiler Chevrolet	26.79	4-	26.79
60. West Chemical Products	22.50	1-3	22.50
61. Wilco Fire Equipment	42.18	1-4	42.18
62. Willamette Hi-Grade	19.90	4-	19.90
63. Wolfgang	3,595.00	5-	3,595.00
64. Act 1 Uniform Service	26.23	1-3	6.88
		1-4	11.25
		1-5	1.70
		1-6	6.40
	TOTAL		29,279.25

1-1 GENERAL GOVERNMENT	4,972.70
1-2 ADMINISTRATION	133.84
1-3 CITY HALL	1,274.64
1-4 FIRE	558.95
1-5 POLICE	1,654.56
1-6 LIBRARY	220.47
1-7 PARKS AND GROUNDS	251.15
1-8 MUNICIPAL COURT	205.00
1-9 PLANNING	6.89
1-10 PUBLIC WORKS	77.58
1-12 LEGAL	55.19
1-13 FINANCE	336.40
4- STREET	1,023.85
5- SEWER IMPROVEMENT	3,703.90
7- SUSPENSE	585.36
20- SEWER	9,269.59
30- WATER	4,347.38
12- REVENUE SHARING	601.80