

CITY COUNCIL MEETING

January 22, 1973

8 p. m.

COUNCIL CHAMBERS

1188th Meeting

The one thousand one hundred eighty-eighth meeting of the Council of the City of Milwaukie, Oregon, was held on the 22nd day of January, 1973. The meeting was called to order by Mayor Donald W. Graf, with the following councilmen present:

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| Bill E. Hupp | William M. Keller |
| Robert G. Stochosky | Mayor Donald W. Graf |
| Joy Burgess | |

Also present:

- | | |
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| Myer Avedovech, City Manager Pro Tem | |
| J. Wayne Daigle, Dir. P. W. | Dorothy E. Farrell, Secretary |
| Rod Sandoz, Planning Assistant | |

The invocation was given by Dr. Dean Vermillion, Staff Chaplain, Bess Kaiser Hospital.

CONSENT CALENDAR

- a) Approval of minutes - January 8, 1973 Council meeting
- b) Summary report re negotiations with Clackamas Water District
- c) Letter from Department of Environmental Quality re Sewage Treatment Plant

It was moved by Stochosky, seconded by Burgess, that the Consent Calendar be approved. Motion carried and so ordered.

Memorandum from Director of Public Works to City Manager and City Council, dated January 17, 1973, reports on negotiations with Clackamas Water District. Letter from Department of Environmental Quality, dated January 8, 1973, states the Sewage Treatment Plant meets their objectives.

AUDIENCE PARTICIPATION

1. Dr. Stephen Page and Dr. Helmuth Hermann asked the Council for recognition of Dental Health Week, and Mayor Graf read a proclamation urging all citizens and community organizations to join in the observance of Children's Dental Health Week February 4 through 10, 1973.
2. Floyd Woody, General Manager of Broadway Cab Co., stated his company is applying for a license in the City of Milwaukie.
3. Donald Cohen, 6505 Plum Drive, and Dexter Garey, 6506 Plum Drive, explained their problem with a hazardous open ditch filled with water on private property in back of Mr. Cohen's property, and stated they had complained to the contractor who refused to take any action.

The Public Works Director stated he had proposed many times that the city pass an ordinance giving the city absolute control over all the contracts for all development in subdivisions. It was moved by Hupp, seconded by Keller, that staff prepare an ordinance as suggested by the Public Works Director. After discussion of holding a

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work session before drafting an ordinance, Mr. Hupp withdrew his motion, with the consent of the seconder of the motion.

It was pointed out to Mr. Cohen and Mr. Garey that the city has no jurisdiction over what happens on private property, at the present time, and apparently their only recourse would be a civil suit.

4. Schuyler Southwell, owner of property at 816 McLoughlin, and Frank Dorn, of D & S Cycle Parts, who leases part of the building at the above address from Mr. Southwell, stated Mr. Dorn had received a building permit to remodel the building, but had then been notified the business did not meet the zoning criteria for the area, in that there is not provision for sufficient parking.

It was moved by Stochosky, seconded by Hupp, that the city staff be instructed not to enforce the parking restriction as relates to this zone for a period of 120 days, or pending a recommendation from the Planning Commission in the area of rezoning to a strict commercial zone. It was moved by Hupp to amend the motion to extend the time to six months. The motion to amend failed for lack of a second. On the main motion, the motion carried and so ordered.

(Meeting recessed at 9:15 p. m. , reconvened at 9:20 p. m. with all present.)

PUBLIC HEARING - EASEMENT VACATION IN OMARK INDUSTRIAL PARK
ORDINANCE NUMBER 1271

Public hearing was declared open. Notices published and posted as required. No one appeared to speak either in favor of or against the vacation, and no correspondence has been received. Public hearing was declared closed. It was moved by Stochosky, seconded by Hupp, that Ordinance Number 1271 be read the first time. Motion carried and so ordered. It was moved by Hupp, seconded by Burgess, that Ordinance 1271 be read the second time by title only. Motion carried and so ordered. Ordinance 1271 was put on its passage with the following roll-call vote: AYES: Hupp, Stochosky, Burgess, Keller and Graf. NOES: None. Ordinance 1271 passed the Council and was so declared by the Mayor.

PUBLIC HEARING - SUPPLEMENTAL BUDGET - GRANTS FROM TRAFFIC
SAFETY CONTROL COMMISSION

Public hearing was declared open. Notices published as required. No one appeared to speak on the supplemental budget. Public hearing was declared closed. It was moved by Keller, seconded by Stochosky, to accept the supplemental budget as approved by the Budget Committee, on the grants from the Traffic Safety Control Commission. Motion carried and so ordered.

PUBLIC HEARING - APPEAL OF SCHOOL DISTRICT RE C-72-19

Public hearing was declared open. Notices mailed as required. School District No. 12 has appealed Planning Commission denial of request to facilitate the construction of two concrete block dugouts in R-7 at high school physical education field on the north side of Lake Road between 28th and 31st Streets.

Speaking for the granting of the appeal:

David Church, representing North Clackamas School District No. 12
 John Rohde, athletic director, Milwaukie High School
 Joe Clark, 5911 SE Firwood, officer in Milwaukie High School Dads' Club

Speaking against the granting of the appeal:

Kathleen Hulme, 1701 - 30th Street
 Al Jager, 5577 Aldercrest

Hearing was declared closed at 9:50 p. m. It was moved by Stochosky, seconded by Keller, to concur with the Planning Commission denial of C-72-19. Motion carried and so ordered.

CORRESPONDENCE

1. Mayor Graf received letter from Kenneth J. Levstone, Chairman Mustang Inaugural Committee, dated January 16, 1973, thanking the Council for the \$1000 contribution toward the expenses of sending the Milwaukie High School Band to march in the inaugural parade.
2. Mayor Graf received letter from M. W. Falk, 9627 SE 44th Place, dated January 18, 1973, concerning the police department.
3. Councilman Hupp received letter from W. P. Walker, 3706 Harrison, concerning motor vehicle traffic in Milwaukie. The City Attorney was requested to provide Council with information as to what ordinances are now in effect pertaining to truck traffic.

STUDY ON FLOOD CONTROL MEASURES ON JOHNSON CREEK

CRAG has asked Milwaukie to sponsor application for federal funds to investigate flood control measures on Johnson Creek. It was moved by Stochosky, seconded by Burgess, to table the matter until more information is received as to what cost could be incurred as a result of sponsoring the application. Motion carried and so ordered.

RESOLUTION NUMBER 2-1973 - REQUIRING MEN TO GROW BEARDS AND WOMEN TO WEAR PANTALOONS OR LONG SKIRTS DURING MILWAUKIE FESTIVAL

It was moved by Stochosky, seconded by Burgess, that Resolution Number 2-1973 (A RESOLUTION REQUIRING MEN TO GROW BEARDS AND WOMEN TO WEAR PANTALOONS OR LONG SKIRTS DURING MILWAUKIE FESTIVAL DAZE IN JULY, 1973) be adopted. Motion carried and so ordered.

OTHER BUSINESS

1. It was moved by Burgess, seconded by Keller, that Council authorize purchase of 10 seat cushions for chairs in Council Chambers. Motion carried and so ordered.
2. Council authorized movement of oversized house from 9447 SE Taylor, Portland, to 4365 Monroe, Milwaukie, for a fee of \$25 for permit.

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PAYMENT OF BILLS

It was moved by Stochosky, seconded by Keller, that the bills listed for January 23, 1973 payment be approved for payment. Motion carried and so ordered.

The meeting adjourned at 10:50 p. m.



Donald W. Graf, Mayor

ATTEST:



Dorothy E. Farrell, Secretary

CITY COUNCIL AGENDA

January 22, 1973

8 p. m.

COUNCIL CHAMBERS1188th Meeting

1. CALL TO ORDER
2. INVOCATION - Dr. Dean L. Vermillion, Faith Evangelical Church
3. CONSENT CALENDAR
 - a) Approval of minutes - January 8, 1973 Council meeting
 - b) Summary report re negotiations with Clackamas Water District
 - c) Letter from Department of Environmental Quality re Sewage Treatment Plant
4. AUDIENCE PARTICIPATION
 - a) Dr. Stephen Page and Dr. Helmuth Hermann - re Dental Week proclamation

8:30 p. m. 5. PUBLIC HEARING - Easement vacation - Ordinance No. _____

8:45 p. m. 6. PUBLIC HEARING - Supplemental budget - grants from Traffic Safety Control Comm.

9 p. m. 7. PUBLIC HEARING - Appeal of School District re C-72-19

8. CORRESPONDENCE

9. CONSIDERATION

- a) Motion re study on flood control measures on Johnson Creek

10. OTHER BUSINESS

11. PAYMENT OF BILLS

12. ADJOURNMENT