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CITY COUNCIL MEETING

February 25, 1974

7 p. m.

COUNCIL CHAMBERS

1214th Meeting

The one thousand two hundred fourteenth meeting of the Council of the City of Milwaukie, Oregon, was held on the 25th day of February, 1974. The meeting was called to order by Mayor Donald W. Graf, with the following councilpersons present:

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

Also present:

Harold L. Schilling, City Manager	Myer Avedovech, City Attorney
J. Wayne Daigle, Dir. of P. W.	Dorothy E. Farrell, Secretary

CONSENT CALENDAR

- a) Approval of minutes - February 4, 1974 meeting
- b) Presentation of Manager's performance bond to Mayor
- c) Report from Executive Secretary on IPMA meeting
- d) Letter from Oak Lodge Fire Department re "Castle" fire
- e) Letter from Manager to William Lubersky re SB 15
- f) Letter from Tom Moyer re Southgate Theatre
- g) Liquor license renewal applications
 - 1) 7-11 Food Store - 735 42nd Street (PS)
 - 2) Monroe Street Grocery - 4910 Monroe (PS)
 - 3) Lisac's Food Market - 9035 SE 32nd (PS)
 - 4) Chalet L'Abbe - 2311 6th Avenue (DA)
 - 5) Chico's Pizza - 1921 SE River Road (R)
 - 6) Vic's Tavern - 1049 SE McLoughlin (RMB)
 - 7) Plaid Pantry Market #79 - 9310 SE 32nd (PS)
 - 8) Red's Coach Inn - 625 Main Street (DA)
 - 9) Disco Mart (Dieringer's) - 42nd and King Road (PS)
 - 10) Safeway Store #349 - 720 N. Main Street (PS)
 - 11) Open Pantry Market - 8929 SE 41st (PS)
 - 12) Speed's Mainstreeter - 1208, 1212, 1214 Main Street (DA)

It was MOVED by Stochosky, SECONDED by Hupp, that the Consent Calendar be accepted, with the exception of items b, c, f and g, removed for further discussion. MOTION CARRIED and so ordered.

Councilman Hupp questioned the amount of \$7500 for performance bond for those people signing city checks, and stated he feels it should be larger. It was pointed out the charter calls for a \$5000 bond. The Manager stated he would look into the premium cost for a higher bond amount.

Councilman Hupp stated he hoped serious study would be given report on IPMA meeting, and Councilwoman Burgess wished to emphasize a portion of the report stating that the U. S. Civil Service Commission and Local Government Personnel Institute are working with Milwaukie Civil Service Commission to sponsor a meeting of governmental agencies to explore the possibility of joint testing and joint eligible lists. The report concerned a regional Intergovernmental Personnel Management Association meeting held in April, 1973.

Letter from Thomas P. Moyer, dated February 5, 1974, is in answer to letter from City Manager pro tem, dated January 23, regarding the Southgate Quad Cinema.

Councilman Hupp stated he had given the City Attorney the name of the person who had made a complaint against the theatre.

Councilwoman Burgess asked if there had been any police reports on the liquor license renewal requests, and was told that the Police Department had investigated and had no objection to the renewals. City Manager stated he intended to suggest to the OLCC that the license application include a statement that a reasonable time be given the city to process the application. It was MOVED by Hupp, SECONDED by Stochosky, that the liquor license renewal applications be approved. MOTION CARRIED and so ordered.

Letter from Oak Lodge Fire District thanks the Milwaukie Fire Department for their rapid response and assistance at the February 7 "Castle" fire.

Letter from Manager to William F. Lubersky, dated February 19, 1974, is in response to Mr. Lubersky's letter of February 7 questioning a meeting of the Milwaukie City Council in light of Senate Bill 15, the "open meeting" law.

AUDIENCE PARTICIPATION

1. Don Wertheimer, 8645 SE 36th, presented a petition signed by 15 residents on 36th Street, asking the city to negotiate with Portland and Multnomah County to continue the 40 feet of road access into Johnson Creek Boulevard, eliminating the hazard of entering Johnson Creek Boulevard on the now existing 20-foot right-of-way, and also to restore, or see that those who are responsible restore the original road bed of 36th Street to county specifications and resurface. The matter was referred to staff and a report requested as soon as possible.
2. Jeanette Baker, 2607 Monroe, invited Council members to attend a meeting of the Milwaukie Homeowners Association at 7:30 p. m. March 7, 1974, in the library at Rowe Junior High School, concerning summer recreation programs.

APPOINTMENT TO PLANNING COMMISSION

Memorandum has been received from City Manager stating there are two vacancies on the Planning Commission and three vacancies on the Budget Committee as of February, 1974. Mayor Graf stated Byron Foreman had indicated he would be willing to continue to serve on the Planning Commission, and therefore the Mayor reappointed Mr. Foreman to the Planning Commission for a four-year term, ending in February, 1978. Mayor Graf asked Council members who have suggestions for an appointment to replace John Foster, who has resigned, to get these suggestions to all members of the Council prior to the next meeting.

APPOINTMENTS TO BUDGET COMMITTEE

Mayor Graf asked Council members who have suggestions for appointments to the Budget Committee to get these suggestions to all members of the Council prior to the next meeting.

LETTER FROM EMPLOYEES ASSOCIATION RE CLASSIFICATION STUDY

Letter has been received from Bertha O'Shea, president of Milwaukie Employees Association, pointing out that 1973-74 contract between the association and city calls for a classification survey and resulting reclassification by February 28, 1974. City Manager stated the Civil Service Commission, which has the responsibility for changes in classifications, had not been able to reach a final determination, and a number of questions had come up, therefore it would not be possible to meet the deadline. Mrs. O'Shea stated that had been satisfactorily explained to the employees.

DDE291

CORRESPONDENCE

Councilwoman Burgess has received letter from W. P. Walker, 3706 Harrison, dated February 22, 1974, concerning truck traffic, which was referred to staff for study.

ORDINANCE NUMBER 1289 - RE ADVERTISING BENCHES

It was MOVED by Stochosky, SECONDED by Hupp, that Ordinance Number 1289 (AN ORDINANCE PERMITTING THE PLACING AND MAINTAINING ON SIDEWALKS OR SIDEWALK PARKING STRIPS, BENCHES, ESTABLISHING RULES REGULATING THE SAME; FIXING LICENSE FEES; PROVIDING PENALTIES; AND DECLARING AN EMERGENCY) be read the first time. MOTION CARRIED and so ordered.

It was MOVED by Hupp, SECONDED by Burgess, that Ordinance 1289 be read the second time by title only. MOTION CARRIED and so ordered. Ordinance 1289 was put on its passage with the following roll-call vote: AYES: Hupp, Stochosky, Burgess, Keller and Graf. NOES: None. Ordinance 1289 passed the Council and was so declared by the Mayor.

RESOLUTION NUMBER 3-1974 - AUTHORIZING SIGNATURES ON CITY CHECKS

It was MOVED by Stochosky, SECONDED by Burgess, that Resolution Number 3-1974 (A RESOLUTION AUTHORIZING SIGNATURES ON CITY OF MILWAUKIE CHECKS) be read. MOTION CARRIED and so ordered. Mr. Hupp wished to have it recorded that he abstained from voting. It was MOVED by Burgess, SECONDED by Stochosky, that Resolution 3-1974 be adopted. MOTION CARRIED and so ordered.

(Meeting recessed at 8:45 p. m. , reconvened at 8:55 p. m. with all present.)

REPORT ON FIRE SAFETY REQUIREMENTS

Council has received memorandum from City Manager, dated February 22, 1974, concerning fire safety requirements by State Fire Marshal for police building and city hall. It was MOVED by Burgess, SECONDED by Keller, that Council accept the recommendation of the City Manager and adopt alternative 3 in the memorandum, which calls for sprinkler system throughout all three levels of city hall, and minimal life safety measures to police building, and authorizes award of police building alterations to Westwood Construction Company in an amount not to exceed \$3,728, and firming up of sprinkler system bid for city hall, to be presented for Council adoption. MOTION CARRIED and so ordered.

EMPLOYMENT CONTRACT FOR CITY MANAGER

It was MOVED by Hupp, SECONDED by Stochosky, that the employment contract for City Manager be accepted, with the word "exclusive" being stricken from Section 6, and that the Mayor be authorized to sign the contract. MOTION CARRIED and so ordered.

ORDINANCE NUMBER 1290 - ADOPTING UNIFORM BUILDING CODE

It was MOVED by Stochosky, SECONDED by Keller, that Ordinance Number 1290 (AN ORDINANCE ADOPTING UNIFORM BUILDING CODE, 1973 EDITION, UNIFORM MECHANICAL CODE, 1973 EDITION, UNIFORM HOUSING CODE, 1973 EDITION, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1973 EDITION, UNIFORM SIGN CODE, 1973 EDITION, UNIFORM BUILDING CODE STANDARDS, 1973 EDITION. . . .) be read the first time. MOTION CARRIED and

so ordered. It was MOVED by Burgess, SECONDED by Keller, that Ordinance 1290 be read the second time by title only. MOTION CARRIED and so ordered. Ordinance 1290 was put on its passage with the following roll-call vote: AYES: Hupp, Stochosky, Burgess, Keller and Graf. NOES: None. Ordinance 1290 passed the Council and was so declared by the Mayor.

OTHER BUSINESS

1. Council has received memorandum from City Manager, dated February 22, 1974, concerning long-term disability insurance.
2. City Manager was asked to study Resolution Number 11-1965, concerning competitive bids on city insurance.
3. City Manager was authorized to call the city auditors into consultation on budget matters.

PAYMENT OF BILLS

It was MOVED by Stochosky, SECONDED by Hupp, that the bills listed for payment on February 26, 1974, be approved for payment. MOTION CARRIED and so ordered.

The meeting adjourned at 9:50 p. m.

Donald W. Graf

 Donald W. Graf, Mayor

ATTEST:

Dorothy E. Farrell

 Dorothy E. Farrell, Secretary

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CITY COUNCIL AGENDA
February 25, 1974
7 p. m.

COUNCIL CHAMBERS

1214th Meeting

DDE291

1. CALL TO ORDER
2. INVOCATION
3. CONSENT CALENDAR
 - a) Approval of minutes - February 4, 1974 Council meeting
 - b) Presentation of Manager's performance bond to Mayor
 - c) Report from Executive Secretary on IPMA meeting
 - d) Letter from Oak Lodge Fire Department re "Castle" fire
 - e) Letter from Manager to William Lubersky re SB 15
 - f) Letter from Tom Moyer re Southgate Theatre
 - g) Liquor license renewal applications
 - 1) 7-11 Food Store
 - 2) Dieringer's
 - 3) Lisac's
 - 4) Monroe Grocery
4. AUDIENCE PARTICIPATION
5. CORRESPONDENCE
 - a) Memo from Manager re Planning Commission and Budget Committee appointments
 - b) Letter from Employees Association re classification study
6. OLD BUSINESS
 - a) Ordinance No. _____ - re advertising benches
 - b) Resolution No. _____ - Authorizing signatures on city checks
 - c) Report on fire safety improvements
7. CONSIDERATION
 - a) Employment contract for City Manager
 - b) Ordinance No. _____ - adopting Uniform Building Code
8. OTHER BUSINESS
9. PAYMENT OF BILLS
10. ADJOURNMENT