

CITY COUNCIL MEETING

April 2, 1973

8 p. m.

COUNCIL CHAMBERS

1193rd Meeting

The one thousand one hundred ninety-third meeting of the Council of the City of Milwaukie, Oregon, was held on the 2nd day of April, 1973. The meeting was called to order by Mayor Donald W. Graf, with the following councilmen present: ^{members} (see 4/16 minutes)

Bill E. Hupp

William M. Keller

Robert G. Stochosky

Mayor Donald W. Graf

Joy Burgess

Also present:

Paul F. Helton, City Manager

Myer Avedovech, City Attorney

J. Wayne Daigle, Dir. P. W.

Dorothy E. Farrell, Secretary

Donald Jones, Police Chief

CONSENT CALENDAR

- a) Approval of minutes - March 15 and March 19, 1973 meetings
- b) Letter from Mrs. Rhoda Brant re Officers Gabel and Gadberry
- c) Application for new wholesale wine license - Lemma Wine Company
- d) Copy of Manager's letter to Frank Fairly (already received)
- e) Memorandum from Councilman Stochosky re street improvements (already received)
- f) Partial payment - Main Street sidewalk improvements - Zuber Brothers

Councilman Stochosky asked that item e on the Consent Calendar be removed from the Consent Calendar and placed under "Consideration" on the agenda.

It was moved by Stochosky, seconded by Keller, that the Consent Calendar be approved, with the exception of item "e." Motion carried and so ordered.

Letter to Frank Fairly, dated March 22, 1973, concerns bid for audit services. Letter from Mrs. Rhoda Brant, dated March 6, 1973, is in appreciation for Officers Gabel and Gadberry appearing at Lot Whitecomb School in a Cultural Arts program. Partial payment to Zuber Brothers in the amount of \$11,950.43 is for sidewalk improvements on Main Street between Jackson and Monroe, and short sections on Jackson and Monroe west from Main Street.

PRESENTATION OF INAUGURAL BOOK TO HISTORICAL SOCIETY

"The Inaugural Book, 1973," which was presented to the City Council by the Milwaukie High School Band in appreciation for the Council's contribution to the expense fund for sending the band to Washington, D. C. for the inaugural parade, was presented by the Council to Chris McDonald, President of the Milwaukie Historical Society. Mrs. McDonald presented Amy Smith, whose mother, Maggie Johnson, was the first woman to cast a vote in Milwaukie, and possibly the first to vote in the state.

REQUEST FOR SIGN IN RIGHT-OF-WAY BY SHORESIDE EAST CONDOMINIUM

Shoreside East Condominiums, 1400 SE Lava Drive, has requested clarification and advice on a directional sign proposed at the intersection of Lava Drive and

River Road. The Planning Commission discussed the matter at a work session March 13, 1973, and referred the matter to the Council because the Commission has no jurisdiction in street right-of-way, but as Commission policy signs in the right-of-way are undesirable. It was decided Shoreside East Condominiums should check the possibility of putting the sign on private property, rather than in public right-of-way.

PUBLIC HEARING - CONDITIONAL USE REQUEST C-73-2 - APPEAL BY HEGAR 4 PRODUCTS

Public hearing was declared open at 8:30 p. m. Notices mailed as required.

Speaking in favor of allowing the conditional use request:
Terry Hegar, 16868 Oatfield Road

Speaking against allowing the conditional use request:
Richard Hyttle, 13717 Oatfield Road

Correspondence against allowing the conditional use request:
Roger Sanman and family, 3536 Sellwood Street

Public hearing was declared closed at 8:50 p. m.

It was moved by Stochosky, seconded by Burgess, that the Council concur with the Planning Commission recommendation for denial of the conditional use request to facilitate the erection of an advertising sign in M-L zone. Motion carried and so ordered.

CORRESPONDENCE

1. Letter has been received from Clackamas County Commissioners, dated March 26, 1973, regarding a meeting on Solid Waste Management Study at 7:30 p. m. Tuesday, April 10, in Room 300, Clackamas County Courthouse.

2. Letter has been received by the City Manager from Frank Fairly, dated March 29, 1973, asking Council permission to make a survey of the extent of improvements in the city's financial records to aid in their making a bid on audit contract, and asking to meet with Council to present a billing for services from October 31, 1972 to February 20, 1973. It was the consensus of the Council to authorize the City Manager to write Mr. Fairly a letter concurring in his evaluation of the situation at no cost to the city, and inviting him to appear before the Council at 8:30 p. m. Monday, April 9.

3. Dr. Homer Rice, representing the FISH organization of the metropolitan area, has asked for space to provide storage for canned goods until they can be picked up and taken to churches in the area. It was moved by Burgess, seconded by Keller, that the City Manager be authorized to make a feasible arrangement for the use of a section of City Hall basement. Motion carried and so ordered.

3. Letter has been received from the Firefighters union, stating their representative

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to negotiate with the city's negotiator will be Max Bery.

APPOINTMENT OF CHARTER REVIEW COMMITTEE

The following persons are appointed to a Charter Review Committee:

George Van Bergen

Norman Battaglia

Robert Richmond

Edgar Fuller

Robert Brunelle

Mrs. Marion White

Howard Hopkins

A meeting will be scheduled at a later date.

PROPOSED REVISED ORDINANCE 470 - PROCEDURES FOR LOCAL IMPROVEMENT DISTRICTS

The ordinance will be presented in final form at the next Council meeting.

RESOLUTION NUMBER 6-1973 - TRANSFER OF FUNDS

It was moved by Keller, seconded by Burgess, that Resolution Number 6-1973 (A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO REAPPORTION THE 1972-73 BUDGET) be read. Motion carried and so ordered. It was moved by Stochosky, seconded by Hupp, that Resolution 6-1973 be adopted. Motion carried and so ordered.

RESOLUTION NUMBER 7-1973 - AUTHORIZING SIGNING OF SOUTHERN PACIFIC AGREEMENT

It was moved by Stochosky, seconded by Burgess, that Resolution Number 7-1973 (A RESOLUTION AUTHORIZING SIGNATURE ON APPLICATION FOR RAILROAD CROSSING) be read. Motion carried and so ordered. It was moved by Stochosky, seconded by Burgess, that Resolution 7-1973 be adopted. Motion carried and so ordered.

ORDINANCE NUMBER 1275 - PGE FRANCHISE

It was moved by Stochosky, seconded by Burgess, that Ordinance Number 1275 (AN ORDINANCE GRANTING PORTLAND GENERAL ELECTRIC COMPANY... FOR A PERIOD OF TWENTY YEARS... THE RIGHT AND PRIVILEGE TO ERECT, CONSTRUCT, MAINTAIN AND OPERATE... AN ELECTRIC LIGHT AND POWER SYSTEM...) be read the first time. Council accepted the disclosure by Councilman Keller that he is both beneficiary and trustee of a trust that owns shares of PGE stock, and it was the consensus of the Council that he vote on the ordinance. Motion carried and so ordered. It was moved by Stochosky, seconded by Burgess, that Ordinance 1275 be read the second time by title only. Motion carried and so ordered. Ordinance 1275 was put on its passage with the following roll-call vote: AYES: Hupp, Stochosky, Burgess, Keller and Graf. NOES: None. Ordinance 1275 passed the Council and was so declared by the Mayor.

ORDINANCE NUMBER 1276 - ESTABLISHING IMPROVEMENT WARRANT SINKING FUND

It was moved by Stochosky, seconded by Keller, that Ordinance Number 1276 (AN ORDINANCE ESTABLISHING AN IMPROVEMENT WARRANT SINKING FUND FOR SANITARY SEWER LOCAL IMPROVEMENT DISTRICT, AND AUTHORIZING ISSUANCE OF IMPROVEMENT WARRANT FOR ACQUISITION OF EASEMENTS AND PROPERTY, ENGINEERING SERVICES, AND CONSTRUCTION OF SANITARY SEWERS, AND DECLARING AN EMERGENCY) be read the first time. Motion carried and so ordered. It was moved by Stochosky, seconded by Burgess, that Ordinance 1276 be read the second time by title only. Motion carried and so ordered. Ordinance 1276 was put on its passage with the following roll-call vote: AYES: Hupp, Stochosky, Burgess, Keller and Graf. NOES: None. Ordinance 1276 passed the Council and was so declared by the Mayor.

MEMORANDUM FROM COUNCILMAN STOCHOSKY RE STREET IMPROVEMENTS

Council has received memorandum from Councilman Stochosky, dated March 20, 1973, re street improvements. Councilman Stochosky was asked to propose members of a committee to study street improvements, and asked for assistance and recommendations from staff on a street improvement program.

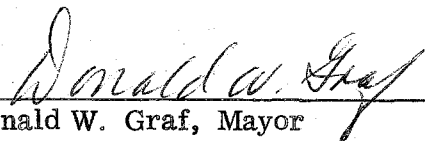
OTHER BUSINESS

1. Mayor Graf asked staff to write letters of congratulation to Stephanie Morterud, Miss Milwaukie of 1973, and Betty Hupfer, Miss Milwaukie of 1972.
2. Councilman Hupp asked staff to check on the problem of a sunken float at the foot of Jefferson Street at the boat ramp.
3. Councilwoman Burgess asked for a solution to the problem of dead animals left in the streets.

PAYMENT OF BILLS

It was moved by Stochosky, seconded by Keller, that the bills listed for April 3, 1973 payment be approved for payment. Motion carried and so ordered.

The meeting adjourned at 11:05 p. m.



Donald W. Graf, Mayor

ATTEST:



Dorothy E. Farrell, Secretary

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CITY COUNCIL AGENDA

April 2, 1973

8 p. m.

COUNCIL CHAMBERS

1193rd Meeting

1. CALL TO ORDER

2. INVOCATION

3. CONSENT CALENDAR

- a) Approval of minutes - March 15 and March 19, 1973 meetings
- b) Letter from Mrs. Rhoda Brant re Officers Gabel and Gadberry
- c) Application for new wholesale wine license - Lemma Wine Company
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4. AUDIENCE PARTICIPATION

- a) Presentation of Inaugural Book to Historical Society
- b) Rosalie Hayes - re sign in right-of-way - Shoreside East Condominium

8:30 p. m. 5. PUBLIC HEARING - Conditional Use Request C-73-2 (appeal by Hegar 4 Products)

6. CORRESPONDENCE

- a) Letter from County Commissioners re meeting on solid waste management study

7. OLD BUSINESS

- a) Appointment of Charter Review Committee
- b) Proposed revised Ordinance 470

8. CONSIDERATION

- a) Resolution No. _____ - Transfer of funds
- b) Resolution No. _____ - Authorizing signing of Southern Pacific agreement
- c) Ordinance No. _____ - PGE franchise
- d) Resolution No. _____ - Establishing improvement warrant sinking fund for sewer L. I. D.

9. OTHER BUSINESS

10. PAYMENT OF BILLS

11. ADJOURNMENT

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