

CITY COUNCIL MEETING

December 18, 1972

8 p. m.

COUNCIL CHAMBERS

1186th Meeting

The one thousand one hundred eighty-sixth meeting of the Council of the City of Milwaukie, Oregon, was held on the 18th day of December, 1972. The meeting was called to order by Mayor Donald W. Graf, with the following councilmen present:

Bill E. Hupp	Edgar D. Fuller
Robert G. Stochosky	Mayor Donald W. Graf

Absent: Charles T. Martin

Also present:

Paul F. Helton, City Manager	Rod Sandoz, Planning Assistant
J. Wayne Daigle, Dir. P.W.	Myer Avedovech, City Attorney
Richard White, Fire Chief	Dorothy E. Farrell, Secretary

The invocation was given by the Reverend Orval Clay, Battin Baptist Church.

CONSENT CALENDAR

- a) Approval of minutes - December 4, 1972 meeting

It was moved by Stochosky, seconded by Fuller, that the consent calendar be approved, with the correction on page two of the minutes, under "PUBLIC HEARING - BUSINESS LICENSE FEES" that the third name speaking in opposition should read "Leo Beckman." Motion carried and so ordered.

AUDIENCE PARTICIPATION

1. Hal Abelsen, Clackamas County Peace Officers Association, stated he had received a letter from the City Manager, dated December 5, 1972, stating the City Council does not recognize that the Peace Officers Association is in a position to present a new proposal for the balance of fiscal year 1972-73. Mr. Abelsen asked that a committee of the Council meet with the appropriate representatives of the union and enter into good faith bargaining. It was stated the majority of the Council is not in favor of reopening bargaining for the present fiscal year.
2. Gordon Rood, representing Milwaukie Rotary Club, read a resolution which was adopted at their meeting December 12, 1972, stating recent publicity regarding the city of Milwaukie has created an adverse image, and requesting that members of the city government use every method possible to resolve the conflict.
3. Stanley K. Whipple, Rt. 8, Box 616H, Pleasant Hills, Oregon, 97401, owner of Tax Lot 8200, T1S, R2E, Sec. 31BD, stated he had received a notice of proposed assessment and lien on a nuisance abatement, but stated that he had not received notification previously, except one time, and then he had cut the grass himself. The City Manager stated he would document all the events involved and discuss them with Mr. Whipple.

CORRESPONDENCE

1. Letter has been received from Frank Fairly, of Lampert, Fairly & Company,

DDE291

auditors for the city, stating he had been out of town, but would prepare a reply to the city's letter asking for a breakdown of the auditors' billing as soon as possible.

2. Report by Ann Hupp has been presented to the Council on comments made to her in the course of her survey on proposed increased business license fees.
3. There will be a meeting at 7:30 p. m. Wednesday, December 20, in the County Commissioners' offices, Oregon City Courthouse, concerning a committee report on the role that CRAG should play in the tri-county area.

LETTER FROM DR. DONKLE RE EUGENE MILLER

Letter has been received from Dr. James B. Donkle, dated December 15, 1972, stating Dr. Donkle feels at this time Mr. Miller is not qualified physically for the position of firefighter. James Redman, attorney for Eugene Miller, asked the Council to extend Mr. Miller's leave of absence for an additional three months.

It was moved by Hupp, seconded by Stochosky, that the leave of absence for Eugene Miller be extended for 30 days from December 28, 1972, with a report from Dr. Payne to the Council, that the Council be kept informed as to his physical condition, and at the end of that time that the matter be reconsidered. Motion failed to pass.

APPOINTMENTS

1. William Keller was appointed to fill the vacancy created by the resignation of Charles Martin from the City Council, effective December 19, 1972.
2. Byron Foreman was appointed to fill the vacancy created by the resignation of Daniel Croft from the Planning Commission, effective December 18, 1972.
3. Kenneth Levstone was reappointed to the Civil Service Commission for a four-year term, effective November 12, 1972.
4. Charles Martin was appointed to fill the vacancy created on the Budget Committee by the appointment of William Keller to the City Council.
5. Joe Bernard, Jr., was appointed to fill the vacancy created on the Budget Committee by the election of Joy Burgess to the City Council.

REPORT FROM CITY ATTORNEY ON COSTS OF APPEAL IN LINES CASE

Council has received a memorandum from the City Attorney, dated December 18, 1972, giving approximate cost of appeal in the Marvin Lines case. It was moved by Fuller, seconded by Stochosky, that Council authorize the appeal of the Lines case. Motion carried and so ordered. Councilman Hupp requested the record show that he abstained from voting.

ORDINANCE NO. - AMENDMENTS TO ZONING ORDINANCE

It was moved by Stochosky, seconded by Fuller, that (AN ORDINANCE AMENDING ORDINANCE NUMBER 1183, AN ORDINANCE REGULATING THE USE OF LAND AND STRUCTURES IN MILWAUKIE, OREGON, AND ESTABLISHING ZONES FOR THAT PURPOSE) be read the first time. Motion carried and so ordered. It was moved by Fuller, seconded by Hupp, that the ordinance be read the second time at the next regular Council meeting. Motion carried and so ordered.

CONTRACT WITH MUNICIPAL EMPLOYEES ASSOCIATION

Council has received copies of contract with Municipal Employees Association, signed by bargaining agents for the association.

OTHER BUSINESS

- 1., Councilman Stochosky announced he had received from Fire Chief White a report on the proposed training program and restructuring of the present training program in the Fire Department, and it should be the topic of a work session.
2. Mayor Graf announced work sessions will be held on Monday nights that are not regular Council meetings.

PAYMENT OF BILLS

It was moved by Stochosky, seconded by Fuller, that the bills listed for December 19, 1972 payment be approved for payment. Motion carried and so ordered.

The meeting adjourned at 10:20 p. m.

Donald W. Graf

 Donald W. Graf, Mayor

ATTEST:

Dorothy E. Farrell

 Dorothy E. Farrell, Secretary

DDE291

CITY COUNCIL AGENDA

December 18, 1972

8 p. m.

COUNCIL CHAMBERS1186th Meeting

1. CALL TO ORDER
2. INVOCATION - The Reverend Orval Clay, Battin Baptist Church
3. CONSENT CALENDAR
 - a) Approval of minutes - December 4, 1972 meeting
4. AUDIENCE PARTICIPATION
5. CORRESPONDENCE
 - a) Reply from City Auditor to request for billing breakdown
6. OLD BUSINESS
 - a) Letter from Dr. Donkle re Eugene Miller
 - b) Appointments to Traffic Safety Commission
 - c) Appointment to Civil Service Commission
 - d) Appointment to Planning Commission
 - e) Report from City Attorney on costs of appeal in Lines case
7. CONSIDERATION
 - a) Ordinance No. _____ - Amendments to Zoning Ordinance
 - b) Contract with Municipal Employees Association
8. OTHER BUSINESS
9. PAYMENT OF BILLS
10. ADJOURNMENT