

CITY COUNCIL MEETING  
March 10, 1969  
7:30 p. m.

COUNCIL CHAMBERS

1098th Meeting

The one thousand ninety-eighth meeting of the Council of the City of Milwaukie, Oregon, was held on the 10th day of March, 1969. The meeting was called to order by Mayor Frank C. Clore with the following councilmen present:

- |                  |                      |
|------------------|----------------------|
| Bill E. Hupp     | Dale M. Harlan       |
| David S. Strauss | Mayor Frank C. Clore |
| Donald W. Graf   |                      |

Also present:

- |                               |                                |
|-------------------------------|--------------------------------|
| Fred C. Dyer, City Mgr.       | Robert L. Mills, City attorney |
| Max Thompson, Ass't City Mgr. | Wesley Baker, Fire Chief       |
| J. Wayne Daigle, Dir. P.W.    | Dorothy E. Wilson, Sec'y       |

The invocation was given by the Reverend W. Elwood Irby, Assembly of God Church.

It was moved by Harlan, seconded by Graf, that the minutes of the regular meeting of February 24, 1969 be approved as written. Motion carried and so ordered.

AUDIENCE PARTICIPATION

R. M. O'Brien, 6420 Plum Drive, addressed the Council concerning over 40 residents of Cedarcrest who have joined together in an effort to remove a partially constructed house. The group is asking the City Council to authorize a meeting of representatives of the city, the homeowners, and the builder of the house. It was moved by Graf, seconded by Strauss, that the City Manager be authorized to enter into negotiations with the builder and the citizens' group, and that the City Manager be allowed to have with him other interested parties from the city, including the Planning Commission and Building Department, and any others he deems necessary. Motion carried and so ordered.

CORRESPONDENCE

1. Letter from Governor Tom McCall was read, in reply to the Council's letter favoring reexamination of the route of Highway I-205.
2. Letter from J. E. Laing, Chairman "Citizens for Service District No. 2," was read, in reply to the Council's request for a report on formation of Service District No. 2. It was moved by Strauss, seconded by Harlan, that the letter be received, and no further action be taken for 90 days. Motion carried and so ordered.
3. Letter from the Attorney General was read, concerning retention of employees beyond the mandatory retirement age.
4. Letter from South Milwaukie Community Association was read, concerning hours of operation and live entertainment at the Chalet l'Abbe. It was moved by

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Harlan, seconded by Hupp, that correspondence go to the Liquor Commission stating it is the feeling of the City Council that it wishes to express no opinion at this time upon the direct issue of whether the Liquor Commission should or should not issue the licenses applied for. However, it is the feeling of the Council that granting of unlimited licenses as applied for as far as hours of operation and live entertainment are concerned would not be in the interests of the neighborhood or the city. Motion carried and so ordered.

5. Letter from Governor's Willamette River Park System Committee was read, stating cut-off date for receiving applications for assistance to acquire lands along the Willamette River is April 15, 1969. It was moved by Hupp, seconded by Harlan, that the City Manager, with the help of the City Engineer or whoever else it is necessary to meet with, try and come up with a somewhat realistic figure on the amount of money that is involved should the Council deem it proper to float a bond issue to develop the waterfront. Motion carried and so ordered.

6. Letter from the City of Portland was read, transmitting copy of resolution favoring legislation to enlarge the boundaries of the Port of Portland and urging legislation which would direct the Port of Portland to provide mass transit service to the Portland Metropolitan Area. It was moved by Graf, seconded by Strauss, that the matter be tabled to the next meeting awaiting further information. Motion carried and so ordered.

PUBLIC HEARING, DOWNTOWN PARKING L. I. D. ASSESSMENT

Hearing was opened at 8:20 p. m. on the assessment for the downtown parking L. I. D. Notices published and posted as required.

- Speaking against were: George Van Bergen, 2120 Monroe
- Genevieve Zelasko, 2805 Washington
- John Kennard, 6607 S. E. Queen Road
- I. N. Iverson, 1146 - 21st Street
- Fred Schmidt, 1316 Monroe Street
- representative of Marie Derwey, 2206 Washington

Hearing was declared closed.

(Meeting recessed at 9 p. m. , reconvened at 9:10 p. m. with all present.)

ORDINANCE NUMBER 1192, DECLARING PARKING L. I. D. ASSESSMENT

It was moved by Harlan, seconded by Strauss, that Ordinance Number 1192 (AN ORDINANCE DECLARING THE ASSESSMENT FOR THE DEVELOPMENT AND CONSTRUCTION OF A MUNICIPAL PARKING FACILITY BY THE PURCHASE OF PROPERTY, BY THE CONSTRUCTION THEREON OF ALL THINGS NECESSARY FOR THE DEVELOPMENT OF SAID PROPERTY AS A MUNICIPAL PARKING FACILITY AND DECLARING AN EMERGENCY) be read the first time. Motion carried and so ordered. After reading, it was moved by Harlan, seconded by Strauss, that the City Manager direct the City Engineer to get together with the

parking committee and see if any better assessment formula can be worked out than the one presently on file, to be considered when this ordinance is brought up for second reading, at the next Council meeting March 24, 1969. Motion carried and so ordered.

RETENTION OF EMPLOYEES BEYOND MANDATORY AGE LIMIT

It was moved by Strauss, seconded by Graf, that the Council interpret the correspondence sent as being sufficient to state its intent, which would be the termination of employment of six retirees previously given a one-year extension of employment, the termination date being December 31, 1968. After discussion, Harlan moved the previous question, seconded by Strauss. Motion carried and so ordered. On the motion by Strauss to interpret the correspondence sent as being sufficient to state its intent, the motion failed to carry.

It was moved by Harlan, seconded by Hupp, that the Council instruct the City Manager to contact the six employees in question and undertake steps to terminate them, if it is his feeling that they are now not able to continue serving the city and their service be in the public interest. As part of this motion he is authorized to settle with them for less than what their full pay would be until they are properly notified in accordance with the law, and if a set-off of interim wages would be applicable then he is to consider that factor as well. Motion carried and so ordered.

ORDINANCE NUMBER 1193, SETTING GLEASON ANNEXATION HEARING

It was moved by Strauss, seconded by Harlan, that Ordinance Number 1193, (AN ORDINANCE PROVIDING FOR THE PROCEDURE TO ANNEX, WITHOUT ELECTION, CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FIXING A DAY FOR PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ON THE QUESTION OF SUCH ANNEXATION, DIRECTING PUBLICATION OF NOTICE OF SUCH HEARING, AND DECLARING AN EMERGENCY) be read the first time. Motion carried and so ordered. It was moved by Graf, seconded by Strauss, that Ordinance Number 1193 be read the second time by title only. Motion carried and so ordered. After reading, Ordinance Number 1193 was put on its passage with the following roll call vote: AYES: Hupp, Strauss, Graf, Harlan and Clore. NOES: None. Ordinance Number 1193 passed the Council, and was so declared by the Mayor.

RESOLUTION NUMBER 4-1969, SETTING CONWAY STREET VACATION HEARING

It was moved by Hupp, seconded by Graf, that Resolution Number 4-1969 (A RESOLUTION PROVIDING FOR A HEARING ON THE QUESTION OF STREET VACATION ON THAT PORTION OF CONWAY STREET FROM 37TH STREET TO THE STATE OF OREGON HIGHWAY RIGHT-OF-WAY) be read. Motion carried and so ordered. After reading, it was moved by Graf, seconded by Harlan, that Resolution Number 4-1969 be adopted. Motion carried and so ordered.

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ORDINANCE NUMBER 1194, ZONING RECENTLY ANNEXED McCLURE PROPERTY

It was moved by Graf, seconded by Harlan, that Ordinance Number 1194 (AN ORDINANCE PROVIDING FOR ZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, AS M-L ZONE) be read the first time. Motion carried and so ordered. After reading, it was moved by Harlan, seconded by Graf, that Ordinance Number 1194 be read the second time by title only. Motion carried and so ordered. After reading, Ordinance Number 1194 was put on its passage with the following roll call vote: AYES: Hupp, Strauss, Graf, Harlan and Clore. NOES: None. Ordinance Number 1194 passed the Council, and was so declared by the Mayor.

EMPLOYEES OF CENTRAL DISPATCH BECOMING EMPLOYEES OF CITY

It was moved by Harlan, seconded by Graf, that an appropriate ordinance be drawn creating the positions of dispatchers in the Fire Department, and setting compensation, to include employees of Central Dispatch under Milwaukie Civil Service. Motion carried and so ordered.

OTHER BUSINESS

1. It was announced there will be a work session March 17, 1969 at 7:30 p. m. to discuss the street improvement program.
2. It was suggested recommendations be made to the Mayor for an appointment to the Budget Committee.

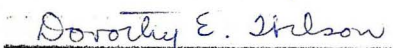
PAYMENT OF BILLS

It was moved by Graf, seconded by Hupp, that the bills listed for March 11, 1969 payment be approved and that warrants be drawn for the payment of same. Motion carried and so ordered.

Upon motion duly made and seconded, the meeting adjourned at 11:10 p. m.

  
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Frank C. Clore, Mayor

ATTEST:

  
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Dorothy E. Wilson, Secretary

**CITY COUNCIL AGENDA**  
**March 10, 1969**  
**7:30 p. m.**

**COUNCIL CHAMBERS**

**1098th Meeting**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. APPROVAL OF MINUTES - Regular meeting, February 24, 1969**
- 4. AUDIENCE PARTICIPATION**
  - a) R. M. O'Brien, 6420 Plum Drive - re partially constructed house on Plum Drive
- 5. CORRESPONDENCE**
  - a) Letter from Governor McCall re Highway I-205
  - b) Letter from J. E. Laing, Chairman of Citizens for Service District No. 2, re progress on setting election
  - c) Letter from Attorney General and City Attorney's memo re retention of employees beyond mandatory age limit
  - d) Letter from South Milwaukie Community Association re Chalet L'Abbe
  - e) Letter from Governor's Willamette River Park System Committee re cutoff date for receiving applications
  - f) Letter from Portland City Auditor and Resolution of Portland City Council favoring legislation to enlarge Port of Portland boundaries
- 8 p. m. 6. PUBLIC HEARING - Downtown parking L. I. D.**
- 7. OLD BUSINESS**
  - a) Ordinance Number \_\_\_\_\_, setting Gleason annexation hearing
  - b) Resolution Number \_\_\_\_\_, setting Conway Street vacation hearing
  - c) Ordinance Number \_\_\_\_\_, zoning recently annexed McClure property
- 8. CONSIDERATION**
  - a) Possibility of employees of Central Dispatch becoming employees of City.
  - b) Ordinance Number \_\_\_\_\_, setting assessment for parking L. I. D.
- 9. City Manager's report on street improvement program**
- 10. OTHER BUSINESS**
- 11. PAYMENT OF BILLS**
- 12. ADJOURNMENT**