

## CITY COUNCIL MEETING

May 12, 1969

7:30 p. m.

COUNCIL CHAMBERS1102nd Meeting

The one thousand one hundred second meeting of the Council of the City of Milwaukie, Oregon, was held on the 12th day of May, 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.

Dorothy E. Wilson, Sec'y

J. Wayne Daigle, Dir. P. W.

The invocation was given by the Reverend Frank Poole, Milwaukie Covenant Church.

It was moved by Harlan, seconded by Strauss, that the minutes of the April 28, 1969 meeting be approved as written. Motion carried and so ordered.

AUDIENCE PARTICIPATION

Ted Havlicek, 1520 S. E. Eton Lane, Chairman of the Save the Interurban Right of Way Committee, addressed the Council in regard to the old Oregon City streetcar line running from Golf Junction to Oregon City, which the Committee wishes made available for public use. The purposes of the committee are primarily to investigate and publicize, and to determine: (1) how the right of way might be obtained, (2) whether the people really want it, and (3) if the people want it, and if it can be obtained, how much it will cost and how best to administer it.

It was moved by Hupp, seconded by Strauss, that the City of Milwaukie officially approve the efforts to obtain the property for the purpose of a public walkway, if it is feasible to do so, and if the proper supervision and control of it can be brought about. Motion carried and so ordered.

Frank Hennessy, liability insurance carrier for the city, reported that he had requested a rate on coverage for personal liability for Council members, and was quoted a rate, but a week later the rate was withdrawn. Mr. Hennessy stated only one Oregon company has not withdrawn coverage for tort liability.

It was moved by Harlan, seconded by Hupp, that the City Manager be directed, in cooperation with the insurance agent of record, or any other necessary source, to find out what the situation is with regard to getting full liability coverage for members of the Council under the new tort claims act which was passed in 1967. Motion carried and so ordered.

Mrs. William Dessert, 5005 Rainbow Lane, presented a petition signed by 400 persons, requesting action be taken by the Mayor and City Councilmen of Milwaukie

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to protect and preserve the natural beauty of Kellogg Lake and Kellogg Creek, free them of pollution, and mentioning that a large unsightly fill is also being made in Kellogg Lake, against the wishes of property owners along the shores. It was requested the City Attorney research the problem of cleaning up the lake and getting property rights.

Mrs. Clyde Lawrence, 3145 Myrtle Street, was unable to be present, but her letter was read, protesting that dogs were running at large in her neighborhood, but she had been unable to get action from the Police Department. It was brought out that the city ordinance makes it unlawful for any dog to run at large on the streets, alleys or highways, but does not include private property, and that the best solution is for the citizen to sign a complaint, either at the Police Department or City Attorney's office, appear and testify to the facts at a court hearing. It was suggested that Mrs. Lawrence be contacted and asked to call the City Manager.

Mr. J. C. Kinney, 156 - 37th, asked that he be given information on fire protection and coverage by a follow-up department when the truck at station 5-A is away from the station on another call.

PUBLIC HEARING - ORDINANCE NUMBER 1198, WITHDRAWAL FROM MILWAUKIE RURAL FIRE PROTECTION DISTRICT

Hearing was opened at 8:30 p. m. Notices published and posted as required. As there was no one present speaking either for or against the proposed withdrawal, the Mayor declared the hearing closed. It was moved by Graf, seconded by Strauss, that Ordinance Number 1198 (AN ORDINANCE WITHDRAWING FROM MILWAUKIE RURAL FIRE PROTECTION DISTRICT NO. 56 THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON) be read the first time. Motion carried and so ordered. After reading, it was moved by Graf, seconded by Harlan, that Ordinance Number 1198 be read the second time by title only. Motion carried and so ordered. After reading, Ordinance Number 1198 was put on its passage with the following roll call vote: AYES: Hupp, Strauss, Graf, Harlan and Clore. NOES: None. Ordinance Number 1198 passed the Council, and was so declared by the Mayor.

PUBLIC HEARING - ORDINANCE NUMBER 1199, WITHDRAWAL FROM WICHITA ZONING DISTRICT

Hearing was opened at 8:45 p. m. Notices published and posted as required. As there was no one present speaking either for or against the proposed withdrawal, the Mayor declared the hearing closed. It was moved by Strauss, seconded by Graf, that Ordinance Number 1199 (AN ORDINANCE WITHDRAWING FROM THE WICHITA ZONING DISTRICT, CLACKAMAS COUNTY, OREGON, THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON) be read the first time. Motion carried and so ordered. After reading, it was moved by Harlan, seconded by Graf, that Ordinance Number 1199 be read the second time by title only. Motion carried and so ordered. After reading, Ordinance Number 1199 was put on its passage with the following roll call vote: AYES: Hupp, Strauss, Graf, Harlan and Clore. NOES: None. Ordinance Number 1199 passed the Council, and was so declared by the Mayor.

CORRESPONDENCE

- 1) Letter from Atkinson Memorial Church in Oregon City was read, inviting the Council to attend their 125th Anniversary observance on May 25, 1969, with a church service at 11 a. m. and open house from 1 to 5 p. m.
- 2) Washington County has invited representatives of Milwaukie to attend a symposium on tertiary waste treatment at the Sweetbriar Inn Wednesday, May 21 from 9:30 a. m. to 12:30 p. m.
- 3) Bureau of Government Research and Service, University of Oregon, has notified the city they have services available to up-date recently codified ordinances.
- 4) Mayor Clore stated he had sent a telegram to Representative Roger Martin, stating Don Jones, Executive Secretary of the League of Oregon Cities, was accurately representing the City of Milwaukie opposition to Senate Bill 474.

RESOLUTION NUMBER 13-1969, RATIFYING CENTRAL FIRE DISPATCHING AGREEMENT

It was moved by Strauss, seconded by Graf, that Resolution Number 13-1969 (A RESOLUTION RATIFYING CENTRAL FIRE DISPATCHING AGREEMENT BETWEEN MILWAUKIE RURAL FIRE PROTECTION DISTRICT, CLACKAMAS RURAL FIRE PROTECTION DISTRICT, HAPPY VALLEY RURAL FIRE PROTECTION DISTRICT, OAK LODGE RURAL FIRE PROTECTION DISTRICT AND THE CITY OF MILWAUKIE) be read. Motion carried and so ordered.

Councilman Strauss made the following statement for the record: "In the early part of 1967 the fire dispatching problem was brought to a head by many fire calls being sent to Portland, who in turn tried to route them to the proper fire department. The main purpose of Central Dispatch was to give immediate action and get a reported fire to the proper fire department in the shortest time. It is incidental that this plan has saved each of the fire districts quite a sum of money; the main purpose was safety of human life and personal property. When this came up in 1967, the members of that Council, which included three members of the present Council, were given the details and were in agreement; the plan was presented to the Council in a workshop session. It did go to the Council, did receive approval, and the Council gave instructions to the City Manager to proceed with it, all at a workshop session. I would like that as part of the record."

Mayor Clore stated he would like to have the representative from the phone company who participated in the discussions at that time appear before the Council. Councilman Hupp stated he wished the record to show he is not opposed to Central Dispatch. It was moved by Hupp, seconded by Harlan, that the resolution be tabled until at least after the budget hearings and the investigation of the Fire Department. The motion failed to pass. It was moved by Graf, seconded by Hupp, that Resolution Number 13-1969 be adopted. Motion carried and so ordered. The resolution ratifies agreement signed July 1, 1967.

(The meeting recessed at 9:30 p. m., reconvened at 9:40 with all present.)

WIDENING AND RECONSTRUCTION OF HARRISON STREET FROM EXPRESSWAY TO RAILROAD TRACKS

The Director of Public Works recommended the city enter into a contract with the contractor who is constructing the expressway and have the improvement completed at the same time the expressway is completed. The length of the area is approximately 200 feet, and the Director of Public Works' estimate of the cost is \$9000. The City Manager suggested if the Council wants Harrison Street taken care of between the expressway and the railroad, then authorization be given to negotiate a contract, and before signing the contract the city would explore the possibility of financing through auxiliary funds.

It was moved by Harlan, seconded by Hupp, that the City Manager be authorized to negotiate and enter into a contract with the contractor doing the expressway for accomplishing the work Mr. Daigle has recommended in his memorandum dated May 9, 1969 for the improvement of Harrison Street. Motion carried and so ordered.

REPORT ON WATER IMPROVEMENTS WITH CONNECTIONS TO EXISTING WICHITA WATER DISTRICT

It was moved by Harlan, seconded by Strauss, that the recommendations contained in the City Manager's memorandum of May 9, 1969, be adopted as Council policy, and full support be given the City Manager and Director of Public Works in carrying out the water improvements. Motion carried and so ordered. The memorandum states: "To facilitate negotiations with Wichita Water District I recommend the City take the following positions: (1) All connections that exclusively serve city residents be made; (2) Wichita Water District be strongly encouraged to allow the other connections; (3) Wichita be informed as to the water source that will be introduced in the new lines that are still outside city limits (Portland, Clackamas or Milwaukie); (4) City will make restitution payments to Wichita for service taken over by city to remove bond obligations of city residents; (5) City will finance: a) all cost of annexation election, b) all cost of contract to serve, c) one-half cost of election to dissolve district."

RESOLUTION NUMBER 14-1969, WITHDRAWAL FROM FURNBERG PARK LIGHTING DISTRICT

It was moved by Harlan, seconded by Graf, that Resolution Number 14-1969 (A RESOLUTION DECLARING INTENT TO WITHDRAW FROM FURNBERG PARK LIGHTING DISTRICT NO. 11 THAT PART OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON) be read. Motion carried and so ordered. After reading, it was moved by Graf, seconded by Harlan, that Resolution Number 14-1969 be adopted. Motion carried and so ordered.

PROCLAMATION - SENIOR CITIZENS' MONTH

Mayor Clore read a proclamation being issued making the month of May "Senior Citizens' Month."

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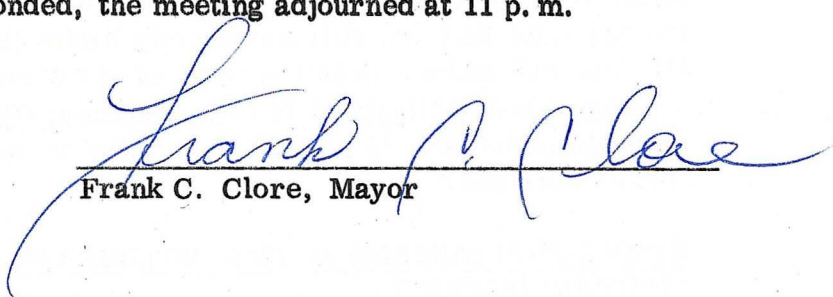
OTHER BUSINESS:

- 1) Councilman Graf asked for a report on a specific fire call, and asked if there is feedback to Central Fire Dispatch after the call is given to the proper fire department.
- 2) Two weeks ago on Arbor Day Future Farmers of America donated a sweet gum tree and it has been planted on City Hall property.
- 3) The American Legion Auxiliary has donated a pink dogwood tree to Century Park.
- 4) Miss Milwaukie represented the city Saturday, May 10 at the cornerstone laying of new City Hall and Library at Sandy, Oregon.
- 5) The Mayor stated three members of the Council had entered into an agreement and stated they would meet with the City Manager in the near future and discuss policy and goals. It was suggested Monday night, May 19 be set for a meeting date, either for the budget or to meet with the City Manager.
- 6) The Council is to meet with Clackamas Water District Tuesday, May 13 at 8 p. m.


PAYMENT OF BILLS

It was moved by Graf, seconded by Strauss, that the bills listed for May 13, 1969 payment be approved, and that warrants be drawn for payment of same. Motion carried and so ordered.

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

  
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Frank C. Clore, Mayor

ATTEST:

  
\_\_\_\_\_  
Dorothy E. Wilson, Secretary

**CITY COUNCIL AGENDA**

May 12, 1969

7:30 p. m.

**COUNCIL CHAMBERS**

1102nd Meeting

**1. CALL TO ORDER**

**2. INVOCATION**

**3. APPROVAL OF MINUTES - Regular Meeting, April 28, 1969**

**4. AUDIENCE PARTICIPATION**

- a) T. L. Havlicek, Chairman of Save the Interurban Right of Way Committee
- b) Frank Hennessy, Liability Insurance Carrier for City
- c) Milwaukie High School students - petition to save natural beauty of Kellogg Creek
- d) Mrs. Clyde Lawrence - re leash law

**8:30 p. m. 5. HEARINGS**

- a) Ordinance No. \_\_\_\_\_, Withdrawal from Milwaukie Rural Fire Protection District
- b) Ordinance No. \_\_\_\_\_, Withdrawal from Wichita Zoning District

**6. CORRESPONDENCE**

- a) Letter from Atkinson Memorial Church

**7. OLD BUSINESS**

- a) Resolution No. \_\_\_\_\_, Ratifying Central Fire Dispatching Agreement

**8. CONSIDERATION**

- a) Widening and reconstruction of Harrison Street from Expressway to railroad tracks
- b) Report on water improvements with connections to existing Wichita Water District
- c) Resolution No. \_\_\_\_\_, Withdrawal from Furnberg Park Lighting District
- d) Proclamation - Senior Citizens' Month

**9. OTHER BUSINESS**

**10. PAYMENT OF BILLS**

**11. ADJOURNMENT**

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