

CITY COUNCIL MEETING

July 14, 1969

7:30 p. m.

COUNCIL CHAMBERS

1106th Meeting

The one thousand one hundred sixth meeting of the Council of the City of Milwaukie, Oregon, was held on the 14th day of July, 1969. The meeting was called to order by Mayor Frank C. Clore with the following councilmen present:

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

Also present:

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

The invocation was given by Dr. Harvey Schmidt, Milwaukie Presbyterian Church.

It was moved by Harlan, seconded by Hupp, that the minutes of the regular meeting of June 23, 1969 be approved as written. Motion carried and so ordered. It was moved by Strauss, seconded by Harlan, that the minutes of the special meeting of June 26, 1969 be approved as written. Motion carried and so ordered. It was moved by Strauss, seconded by Graf, that the minutes of the special meeting of June 30, 1969 be approved as written. Motion carried and so ordered. It was moved by Harlan, seconded by Hupp, that the minutes of the special meeting of July 7, 1969 be approved as written. Motion carried and so ordered.

CORRESPONDENCE

1. Letter of June 28, 1969 from W. F. Nebert, 325 S. E. 40th, was read, concerning surface water drainage problems. It was moved by Strauss, seconded by Hupp, that the City Manager be instructed to have the proper department start work on street improvement and storm drainage L.I.D. formation to alleviate the water problem on 40th Street. Motion carried and so ordered.
2. Memo dated July 8, 1969 from the City Manager re Health and Welfare Committee was read. It was moved by Harlan, seconded by Graf, to approve the City Manager's memo re Health and Welfare Committee formation, the committee to study the programs to be purchased under the budgeted employee health and welfare funds. Motion carried and so ordered.
3. Civil Service Commission Annual Report was presented to the Council. It was moved by Graf, seconded by Strauss that the Civil Service Commission report be received and filed. Motion carried and so ordered.
4. Letter from Southern Pacific Company dated July 11, 1969 was read, asking the City of Milwaukie to approve Southern Pacific's revised petition to amend the 1955 train speed order, and so advise the Public Utility Commissioner. It was moved by Graf, seconded by Harlan, that the Council instruct the City Manager to write a

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letter to the Public Utility Commissioner informing him the City is interested in the hearing on the matter, and would like to be notified so that it may appear, and that in the meantime information be obtained as to the crossings, safety-wise and speed-wise. Motion carried and so ordered.

(Meeting recessed at 8:50 p. m. , reconvened at 9 p. m. with all present.)

HEARING - REQUEST OF CHALET L'ABBE FOR "DB" LIQUOR LICENSE

Hearing was opened at 9 p. m. It was moved by Strauss, seconded by Graf, that the hearing be tabled until the conclusion of a previously suggested meeting or series of meetings between the Council and the Planning Commission on the subject. Motion failed to pass.

Speaking in favor of approving the liquor license application:

Mrs. Jewell Watkins, owner of Chalet L'Abbe, 2311 - 6th Avenue
 Cecil Nickles, 1202 Main
 Page Yaw, president of National Restaurant Assn. , 2001 N. E.
 40th Avenue, Portland
 David L. Hawkins, 2120 - 5th Avenue
 Jack Smith, 2216 - 4th Street
 Irwin Adams, 2453 Lake Road
 Mrs. Miles Drum, 1924 S. E. 4th Avenue
 Mrs. William G. Spady, 16911 S. E. Oatfield
 Winnie Lyons, 7856 S. E. 16th, Portland
 Mildred McDuffee, 5024 S. E. 43rd, Portland
 Mrs. Eve Kloster, 15307 S. E. East Avenue, Oak Grove

Mrs. Miles Drum presented a petition in favor of approving the liquor license, signed by property owners in the area.

Speaking against approving the liquor license application:

R. M. Francis, 2205 - 3rd Avenue
 Allen Pynn, attorney for South Milwaukie Community Association
 Mrs. Lois Freeman, 825 - 5th Street
 Mrs. Joy Burgess, 2208 S. E. River Road
 Mrs. Louise Packard, 2222 S. E. River Road

Allen Pynn presented a petition signed by property owners in the area, opposing the granting of the license.

Hearing was declared closed.

It was moved by Strauss, seconded by Hupp, that the City Council request a meeting with the Planning Commission Monday, July 21, 1969 at 7:30 p. m. for a work session on the Chalet L'Abbe question. Motion carried and so ordered. A request was made for a map marked with the location of the addresses of the signers of the two petitions.

ORDINANCE NUMBER 1203 - 30th AVENUE L. I. D.

It was noted this ordinance was read the first time and moved to second reading at the June 23 meeting of the Council. After reading, Ordinance Number 1203 was put on its passage with the following roll call vote: AYES: Hupp, Strauss, Graf, Harlan and Clore. NOES: None. Ordinance Number 1203 passed the Council, and was so declared by the Mayor. (AN ORDINANCE PROVIDING FOR STREET IMPROVEMENT OF 30TH AVENUE...)

REPORT ON "SLEEPERS" IN FIRE DEPARTMENT

The City Manager stated he had not received an answer to his letter requesting more information from the shop stewards on the matter. It was moved by Graf, seconded by Strauss that the matter be tabled until it has been handled administratively, with the proper exchange of information, possibly meetings, and whatever is necessary to come to a formal agreement or formal disagreement. If it is disagreement this can be so stated in writing to the Council with documentation. Motion carried and so ordered.

Councilman Harlan made the following statement for the record:
"It is my understanding that this action taken now does not mean the end of the matter. In other words, both sides will attempt to come up with an answer, and the Council is tabling with the understanding that steps are being taken now to set up a grievance procedure so that these matters will not be so apt to come to the Council until everybody has worked on them at the administrative and employee level."

Councilman Graf made the following statement for the record:
"I also would like to have it in the record that I have no objection to them following the procedures laid out and bringing it to the Council if it is necessary to do so. I am only suggesting that there should be a certain procedure and it should be followed, and if it eventually comes to the Council, so be it, and we can take care of it; but I am not saying at any time that they cannot bring it to the Council."

PLANNING COMMISSION APPOINTMENTS

The Mayor placed in nomination the name of Orville Hampton. It was moved by Hupp, seconded by Strauss and Harlan, that Orville Hampton be appointed to the Planning Commission. Motion carried and so ordered.

(Meeting recessed at 10:25 p. m. , reconvened at 10:35 p. m. with all present.)

ABOLISHING TRAFFIC OFFICER POSITION

Speaking against abolishing Traffic Officer position:
Sol Menashe, 1031 Main Street
Cecil Nickles, 1202 Main Street
E. E. Timm, 2016 Monroe

Cecil Nickles presented a petition signed by merchants on Main Street, opposing the abolition of the position.

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It was moved by Harlan, seconded by Hupp that the ordinance be held in abeyance. Motion carried and so ordered.

REQUEST FOR LEAVE OF ABSENCE, ROBERT HEDENSTEN

It was moved by Hupp, seconded by Harlan, that the request of Sgt. Hedensten for extended sick leave be granted. Motion carried and so ordered.

AMENDMENT TO ORDINANCE NUMBER 1183

Memo from the Planning Commission dated June 25, 1969 was read, recommending amendment to Ordinance No. 1183 (zoning ordinance). It was moved by Graf, seconded by Harlan, that an ordinance be prepared amending Ordinance Number 1183 as stated in the memo of the Planning Commission. Motion carried and so ordered.

MONTHLY ESTIMATE - BOYD STREET L. I. D.

Monthly estimate on Boyd Street L. I. D. was read. Total amount now due Cascade Construction Company is \$9768.22. It was moved by Strauss, seconded by Graf, that this amount be paid as soon as funds are available, and that the contractor be notified in the meantime the reason for the delay. Motion carried and so ordered.

UNREIN ANNEXATION - ORDINANCE NUMBER 1204

It was moved by Harlan, seconded by Graf, that Ordinance Number 1204 (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. After reading, it was moved by Graf, seconded by Harlan, that the ordinance be read the second time by title only. Motion carried and so ordered. After reading, Ordinance Number 1204 was put on its passage with the following roll call vote: AYES: Hupp, Strauss, Graf, Harlan and Clore. NOES: None. Ordinance Number 1204 passed the Council, and was so declared by the Mayor.

SERVICE DISTRICT #4, RESOLUTION NUMBER 19-1969

Winston Kurth, Deputy Director of Public Works, Clackamas County, discussed Service District #4, to provide storm sewer services. The area covered that is within the city of Milwaukie is roughly the area south of King Road, west of Price Fuller Road, east of Linwood and north of Harmony Road. It was moved by Harlan, seconded by Strauss, that Resolution Number 19-1969 (A RESOLUTION APPROVING THE FORMATION OF A SERVICE DISTRICT FOR DISPOSAL OF STORM SURFACE WATER WITHIN CLACKAMAS COUNTY AND THE CITY OF MILWAUKIE) be read.

Motion carried and so ordered. After reading, it was moved by Graf, seconded by Strauss, that Resolution Number 19-1969 be adopted. Motion carried and so ordered.

OTHER BUSINESS

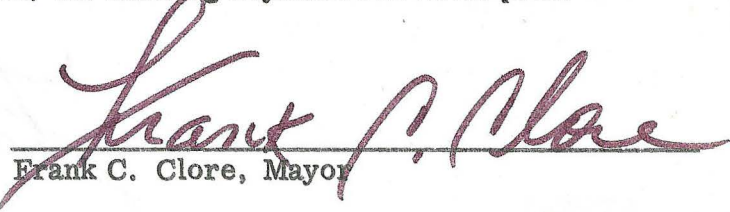
1. It was announced that Miss Milwaukie was selected first runner-up in the Miss Oregon pageant. Thursday night, July 17, at 8 p. m. the Junior Chamber of Commerce is having a reception honoring Miss Milwaukie and thanking her for her performance. It was moved by Strauss, seconded by Graf, that an appropriate certificate of appreciation be prepared and presented to Miss Milwaukie. Motion carried and so ordered.

2. It was announced that two Council members will be unable to be at the July 28 meeting, and possibly a third. There will be a meeting unless notice to the contrary is given.


3. In June the Council invited the North Clackamas Human Relations Council to the July 28 Council meeting. They have been notified there was a possibility there would not be a meeting and have asked for a date in August.

4. Memo from the Fire Chief, dated July 14, 1969, concerning Central Dispatch equipment, was read. Central Dispatch has voted to lease a system of transmitting fire alarms that automatically sends a written message to all stations simultaneously. It was moved by Hupp, seconded by Harlan, that the Council approve leasing of the equipment, and that the amount of the lease be reported back to the Council. Motion carried and so ordered.

Upon motion duly made and seconded, the meeting adjourned at 11:45 p. m.


Frank C. Clore, Mayor

ATTEST:


Dorothy E. Wilson, Secretary

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CITY COUNCIL AGENDA

July 14, 1969

7:30 p. m.

COUNCIL CHAMBERS1106th Meeting

1. CALL TO ORDER
2. INVOCATION - Dr. Harvey Schmidt, Milwaukie Presbyterian Church
3. APPROVAL OF MINUTES - Regular Meeting, June 23, 1969, Special Meetings
June 26, June 30 and July 7, 1969
4. AUDIENCE PARTICIPATION
5. CORRESPONDENCE
 - a) Letter from W. F. Nebert re drainage problem
 - b) Memo from City Manager re Health and Welfare Committee
 - c) Civil Service Annual Report

9 p. m. 6. Hearing - Chalet L'Abbe Liquor License

7. OLD BUSINESS
 - a) Ordinance No. 1203 - 30th Avenue L. I. D
 - b) Report on "sleepers" in Fire Department
 - c) Planning Commission appointments
 - d) Ordinance No. _____, abolishing traffic officer position
8. CONSIDERATION
 - a) Request for leave of absence, Robert Hedensten
 - b) Amendment to Ordinance No. 1183
 - c) Monthly Estimate - Boyd Street
 - d) Unrein Annexation - Resolution No. _____
 - e) Service District #4 - Resolution No. _____

9. OTHER BUSINESS

10. PAYMENT OF BILLS

11. ADJOURNMENT