

CITY COUNCIL MEETING

November 10, 1969

7:30 p. m.

COUNCIL CHAMBERS1113th Meeting

The one thousand one hundred thirteenth meeting of the Council of the City of Milwaukie, Oregon was held on the 10th day of November, 1969. The meeting was called to order by Acting Mayor Graf, in the absence of Mayor Clore, with the following councilmen present:

Bill E. Hupp

Dale M. Harlan

David S. Strauss

Donald W. Graf

Absent: Mayor Frank C. Clore (excused)

Also present:

Max C. Thompson, City Mgr. pro tem

John Bassett, City Attorney

J. Wayne Daigle, Dir. P.W.

Dorothy E. Wilson, Sec'y

Paul F. Helton, Finance Director

The invocation was given by the Reverend Carl Gustafson, Milwaukie United Church of Christ.

It was moved by Harlan, seconded by Strauss, that the minutes of the October 27, 1969 meeting be approved as written. Motion carried and so ordered. It was moved by Strauss, seconded by Hupp, that the minutes of the November 3, 1969 special meeting be approved as written. Motion carried and so ordered.

AUDIENCE PARTICIPATION

1. Curtis Coyle, 4711 White Lake Road, asked the Council for an answer as to why his building permit for Lots 1 and 3, Block 7, Robertson's Addition, had been cancelled. It was suggested he meet with the City Manager to discuss the matter.

2. June Routson, Chairman of the Parks and Beautification Committee, reported to the Council that most of the rock work and the fountain has been completed on the Library grounds, and that the dedication of the amphitheater, fountain and benches will be postponed until possibly next summer. Mrs. Routson requested a meeting with the City Council and the Committee to discuss future activities of the committee, and a meeting was set for 7 p. m. November 13 at City Hall.

CORRESPONDENCE

1. Letter from the OLCC, dated October 31, 1969, was read, stating no transcript of the hearing on the Chalet L'Abbe request for "DB" liquor license was made, but the recording of the hearing would be made available at the Commission offices if desired.

2. Letter from Glenda Feser, 1225-29th Street, was read, dated October 31, asking the city to take action to improve 37th Street. The City Manager reported major street improvement should not be undertaken until completion of major street plan and possible change in location of the street requiring a different right-of-way.

3. Letter from Eric Carlson, dated November 6, was read, giving a total cost for classification and salary survey of \$1650.

4. Robert L. Ransom, Personnel Examiner for the Portland Civil Service Board, gave the Council a letter, dated November 10, which was then read. He gave a price of \$700 for a salary survey, and \$1200 for both salary survey and job classification review.

It was moved by Strauss, seconded by Hupp, to table the matter of a salary and classification survey until the next regular Council meeting. Motion carried and so ordered.

5. Memo from the Mayor, dated November 7, was read, stating an invitation has been received from the City of Sandy to dedication ceremonies for their new City Hall and Library on November 15 at 2 p. m.

6. Memo from the City Manager, dated November 7, was read, stating an annexation request has been received from Gerald and Sharon L. McCoy, covering Lot 16-2 of Gibson's Subdivision of Logus Tracts, and has been referred to the Planning Commission.

7. Memo from the Mayor, dated November 10, was read, stating J. Gary McClain has resigned from the Civil Service Commission, and the Mayor would like to appoint Jack Spencer to the Commission to fill the vacancy.

It was moved by Hupp, seconded by Harlan, to table the appointment until the Mayor is present. After discussion, Hupp withdrew the motion, with the consent of the second, and moved, seconded by Harlan, that the appointment of Jack Spencer to the Civil Service Commission be approved. It was moved by Strauss this motion to approve be tabled until the next regular Council meeting. The motion to table died for lack of a second. The main motion failed to pass.

DATE FOR BIDS ON WATER SYSTEM IMPROVEMENTS

Letter from Stevens, Thompson & Runyan, dated November 10, was read, stating they are transmitting two sets of plans and specifications and bidding documents for improvements to the city water system.

Letter from Herman Adcox, Sales Manager of Northwest Pipe & Casing Company, dated November 7, was read, suggesting that steel pipe be used rather than cast iron pipe, as called for in the specifications.

It was moved by Strauss, seconded by Hupp, that the Council request from the engineer further information on selection of materials, to be presented at the next Council meeting. Motion carried and so ordered.

(Meeting recessed at 9:15 p. m., reconvened at 9:20 p. m. with all present.)

OPINION FROM CITY ATTORNEY RE LEGAL STATUS OF CENTRAL DISPATCH

The City Attorney reported that ORS 478.305 covers the legal status of Central

CCG404

Dispatch, and that there is no problem as far as the way Central Dispatch is set up.

It was moved by Strauss, seconded by Harlan, that the Council go on record as being happy to cooperate with Central Dispatch in the matter of putting their employees under Milwaukie's jurisdiction, with the understanding it would not be added cost to the city. Motion carried and so ordered.

REPORT ON LISAC NUISANCE ABATEMENT

The Council has received copies of a letter from Herbert Graham, the contractor who mowed and cleaned the lot owned by Michael Lisac at 32nd and Wake Street. It was moved by Hupp, seconded by Harlan, that the City Manager be instructed to negotiate with Mr. Lisac as to the degree of work which was his responsibility under the posted abatement notice, and report to the Council at the next meeting as to the results of the negotiations. Motion carried and so ordered.

REPORT FROM CITY ENGINEER RE CAMPBELL STREET AT HARRISON STREET

The City Engineer reported that Campbell Street will be returned to a two-way street at the request of the owners of the Milwaukie Bowl, with a right turn only on entering Harrison Street. Mr. Daigle made the following statement: "I want it understood that if there be problems and someone is injured, I want it on the record that this concept we will be doing is extremely poor, it is not my recommendation, but we will be doing it to satisfy a particular client within the city on a temporary basis only."

REPORT ON MULLAN OFFER OF PROPERTY FOR PARK

The City Manager reported the County Assessor's appraisal on the property is \$17,100, and it is felt the price offered on the property is too high. The matter will be held in abeyance until further information is received.

MEMO ON CARL FURNBERG OFFER OF PROPERTY FOR PARK

Mr. and Mrs. Carl Furnberg, in September, 1968, offered approximately three acres to the city for a park, half to be donated, the other half to be purchased by the city at the prevailing price for acreage in the area. The Furnberg letter was referred to the Parks and Beautification Committee, and was held in abeyance by them pending the election on the County Park District.

It was moved by Harlan, seconded by Strauss, that the City Manager be authorized to contact an appraiser to appraise the acreage. Motion carried and so ordered.

MEMO FROM CITY ATTORNEY REGARDING CONDEMNATION BY SERVICE DISTRICTS

The City Attorney stated the law provides that a county may acquire property by condemnation.

LIQUOR LICENSE RENEWALS

1. It was moved by Strauss, seconded by Harlan, that the Council recommend renewal of PB license for Monroe Grocery, 4910 S. E. Monroe. Motion carried and so ordered.
2. It was moved by Harlan, seconded by Strauss, that the Council recommend renewal of DA license for Speed's, 1212 - 14 Main Street. Motion carried and so ordered.
3. It was moved by Strauss, seconded by Hupp, that the Council recommend renewal of PB license for Safeway, 720 N. Main. Motion carried and so ordered.
4. It was moved by Strauss that the Council recommend renewal of RMBA and PB license for Vic's Tavern, 1049 S. E. McLoughlin Blvd. The motion died for lack of a second. It was moved by Harlan, seconded by Hupp, that the Council table this license renewal until a further report is received from the Police Department, covering complaints for the last five years, and that a report be requested from the OLCC. Motion carried and so ordered.
5. It was moved by Strauss, seconded by Hupp, that the Council recommend renewal of RB license for Chalet L'Abbe, 2311 - 6th. Motion carried and so ordered.
6. It was moved by Hupp, seconded by Harlan, that the Council recommend renewal of DB license for Mac's Pit, 1916 Washington. Motion carried and so ordered.
7. It was moved by Strauss, seconded by Harlan, that the Council recommend renewal of PB license for Disco Mart, 42nd and King Road. Motion carried and so ordered.
8. It was moved by Harlan, seconded by Hupp, that the Council recommend renewal of PB license for Albertson's, 3232 Harrison. Motion carried and so ordered.
9. It was moved by Hupp, seconded by Strauss, that the Council recommend renewal of PB license for Milwaukie Thriftway, 1414 Main. Motion carried and so ordered.
10. It was moved by Harlan, seconded by Hupp, that the Council recommend renewal of PB license for Lisac's Food Market, 9035 S. E. 32nd. Motion carried and so ordered.
11. It was moved by Strauss, seconded by Hupp, that the Council recommend renewal of PB license for Open Pantry Market. Motion carried and so ordered.

ZONE CHANGE ZC-69-6, AMERICAN CONDOMINIUM HOMES

The Planning Commission has recommended the zone change application for change from R-7 to A-2 for Tax Lot 109, Lot Whitcomb DLC, be denied. It was moved by Strauss, seconded by Harlan, that the City Council, in keeping with the Planning

CCG404

Commission recommendation, deny the application for zone change. Motion carried and so ordered.

MEMORIAL PROCLAMATION - WILLIS WARNER

Memorial Proclamation for Willis Warner, deceased City Planner, was read. It was moved by Harlan, seconded by Hupp, the Council adopt the proclamation. Motion carried and so ordered.

SET DATE FOR HEARING ON 30TH STREET IMPROVEMENT

It was moved by Strauss, seconded by Harlan, that 8:30 p. m. December 8, 1969, be set for acceptance of completion certificate, and assessment hearing on 30th Street Improvement. Motion carried and so ordered.

OTHER BUSINESS

1. It was requested that the Court Reporter be asked when the Council could expect the finished transcript of the Fire Department hearings.

2. Letter from Clackamas County Health Department, dated November 6, was read, stating that sewage disposal facilities for four families on Beckman Street have been malfunctioning for several years, and asking that they be allowed to connect to the sewer line installed by Kenneth Waymire. The Public Works Director stated it is his belief that the Council should institute an LID for sewers on Beckman Street.

It was moved by Strauss, seconded by Harlan, that the City Engineer prepare a design, and an LID ordinance be prepared and presented to the Council at the next regular meeting. Motion carried and so ordered.

3. The City Manager reminded the Council they are to meet with the High School Board on November 13 at 8 p. m.

4. A special meeting of the Council was scheduled for Monday, November 17 at 7 p. m. to consider the capital improvement program, and to go over City Manager applications.

PAYMENT OF BILLS

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

The meeting adjourned at 11:20 p. m.

ATTEST:

Dorothy E. Wilson
Dorothy E. Wilson, Secretary

Frank C. Clore
Frank C. Clore, Mayor

Donald W. Graf
Donald W. Graf, Acting Mayor

CITY COUNCIL AGENDA

November 10, 1969

7:30 p. m.

COUNCIL CHAMBERS

1113th Meeting

CCG404

1. CALL TO ORDER
2. INVOCATION - The Reverend Carl Gustafson, Milwaukie United Church of Christ
3. APPROVAL OF MINUTES - October 27 and November 3, 1969
4. AUDIENCE PARTICIPATION
5. CORRESPONDENCE
 - a) Letter from OLCC re hearing on Chalet L'Abbe
 - b) Letter from Glenda Feser re 37th Street
 - c) Letter re salary and classification surveys
 - d) Letter from City of Sandy re dedication ceremonies
 - e) Memo from City Manager re McCoy annexation request
6. OLD BUSINESS
 - a) Set date for bids on water system improvements
 - b) Opinion from City Attorney re legal status of Central Dispatch
 - c) Report on Lisac nuisance abatement
 - d) Report from City Engineer re Campbell St. at Harrison St.
 - e) Report on Mullan offer of property for park
 - f) Memo on Carl Furnberg offer of property for park
 - g) Ordinance No. _____ = business license fees
 - h) Memo from City Attorney re condemnation by service districts
7. CONSIDERATION
 - a) Liquor license renewals
 1. Monroe Grocery
 2. Speed's
 3. Safeway
 4. Vic's Tavern
 5. Chalet L'Abbe
 6. Mac's Pit
 7. Disco Mart
 8. Albertson's
 - b) Zone change ZC-69-6 - American Condominium Homes
 - c) Memorial proclamation - Willis Warner
 - d) Set date for hearing on 30th Street improvement
8. OTHER BUSINESS
9. PAYMENT OF BILLS
10. ADJOURNMENT