

MEETING OF OCTOBER 12, 1964

COUNCIL CHAMBER

999th MEETING

The nine hundred ninety-ninth regular meeting of the Council of Milwaukie was held on the twelfth day of October, 1964.

The meeting was called to order by Mayor Joseph M. Bernard, Jr.

Those present were Mayor Joseph M. Bernard, Jr.; Councilmen Theron Sedgwick, and Robert Richmond; City Manager Max Thompson, City Attorney John O. Sheldahl, City Engineer Wayne Daigle and Clerk Ellen Martin. Absent: Councilmen Charles Renard and Walter Freeman.

The invocation was given by Rev. Donald R. Baker, of the First Conservative Baptist Church at 42nd and Jackson Streets.

The minutes of a Special meeting of the Council, held on the eighth day of September, 1964, were approved as written.

The minutes of the nine hundred ninety-eighth regular meeting of the Council, held on the fourteenth day of September, 1964, were approved as written.

The minutes of a Special meeting of the Council, held on the twenty-first day of September, 1964, were approved as written.

The minutes of a Special meeting of the Council, held on the twenty-eighth day of September, 1964, were approved as written.

A group of citizens, living at Cedar Crest, being temporarily served water from the Wichita Water District, came before the Council and stated that their water bills were excessive, that as outside users of the Wichita water, they were penalized, that they lived inside the city limits and asked that something be done by the Council, to relieve this situation. After some discussion on the subject Mayor Bernard stated that he and Manager Thompson, and all members of the Council who could, would attend the meeting of the Wichita Water Board on November 2, and ascertain what could be done.

Fire Chief Wickam, and the members of the Fire Department, twenty-eight in all, entered the Council Chamber, the new members of the Department had on their new uniforms, they made a pretty sight and one that Milwaukie may be proud of. Chief Wickam introduced the men to the Council and those citizens present.

Manager Thompson presented a petition, signed by residents along Beckmand Road, requesting that Beckman Road be improved by pavement (black-top) from Railroad Avenue to Park Street. It was shown that the street must be widened before it can be improved. It was moved

by Sedgwich and seconded by Richmond that all property owners along the street be notified by mail of the hearing on the proposed improvement. Motion carried and so ordered. Under discussion it was shown that the owners of properties along the street had promised to give the land necessary to widen the same. It was moved by Richmond and seconded by Sedgwick that the improvement of Beckman Road be tabled until the next meeting of the Council in order that definate proof of the widening program may be procured. Motion carried and so ordered.

A letter from the Milwaukie Planning Commission, in which they recommended a zone change for Tax Lots 38 and 39, Whitcomb D.L.C. was read. It was moved by Sedgwick and seconded by Richmond that the Council approve the recommendation of the Planning Commission. Motion carried and so ordered.

The Mayor read Resolution No. 64-45, of the City of Astoria, Oregon, in which they oppose the Ballot Measure No. 4, at the Oregon General Election on November 3, 1964, and which they requested the City of Milwaukie to adopt. The measure would prohibit commercial fishing for salmon and steelheads. The Council agreed that the adoption of this Resolution would not benefit the City of Milwaukie.

Mayor Bernard read the following Resolution

RESOLUTION NO. 22-1964

WHEREAS, Almighty God, in His infinite wisdom has seen fit to remove from this earthly life, WILLIAM J. DELL, and

WHEREAS, WILLIAM J. DELL was a highly respected citizen of the City of Milwaukie, Oregon, and had faithfully and honorably served the City of Milwaukie

AS COUNCILMAN, JANUARY 1, 1927 to JANUARY 1, 1937

with credit and honor to himself and to the City of Milwaukie, and

WHEREAS, the Council of the City of Milwaukie is appreciative of the service rendered to the City by the said WILLIAM J. DELL and the high type of citizenship which he exemplified, and regret his passing, NOW THEREFORE

BE IT, AND IT IS HEREBY RESOLVED, that the appreciation of the Council of the City of Milwaukie, of the high type of citizenship exemplified by WILLIAM J. DELL, and the creditable and honorable services which he rendered to the City, and further, the regret of said Council at his passing, be conveyed to his surviving relatives, and further, that a copy be spread upon the minutes of the proceedings of this body.

Passed by the Council of the City of Milwaukie, Oregon, this twelvth day of October, 1964

Approved by the Mayor this twelvth day of October, 1964.

*Joseph M. Bernard, Jr.*  
Joseph M. Bernard, Jr., Mayor

*Max C. Thompson*  
Max Thompson, City Manager

ATTEST:

*R. E. Osborne*  
R. E. Osborne, Recorder.

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It was moved by Richmond and seconded by Sedgwick that Resolution No. 22-1964 be adopted. Motion carried and so ordered.

The Mayor read the following Resolution:

RESOLUTION NO. 23-1964

WHEREAS, James Praggastis is developing a market and store plaza within the City of Milwaukie, Oregon, bounded on the east by 21st Street, on the West by Main Street, and bi-sected by Adams Street; and

WHEREAS, the City Council of the City of Milwaukie, Oregon, and the said James Praggastis have come to an agreement relating to plans for street and parking development adjacent to and on said Adams street, and

WHEREAS, the terms and conditions of said agreement have been reduced to writing in the form of duplicate counterparts; and

WHEREAS, the said duplicate counterparts of the said agreement are satisfactory to the City, both as to form and the terms thereof; now therefore,


BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the Mayor of the City of Milwaukie be and he hereby is authorized to sign and execute the said duplicate counterparts of said agreement on behalf of the City of Milwaukie, Oregon, and that the City Recorder of said City be and he hereby is authorized to attest the signature of the Mayor as to the duplicate counterparts of said agreement and to attach the official seal of the City thereto.

Adopted this 12th day of October, 1964.

Signed by the Mayor this 13th day of October, 1964

Joseph M. Bernard, Jr., Mayor

ATTEST:

  
R.E. Osborne, Recorder.

It was moved by Sedgwick and seconded by Richmond that Resolution No. 23-1964 be adopted. Motion carried and so ordered.

Ordinance Number 1042 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance No. 1042 be moved to its second reading. Motion carried and so ordered.

Ordinance Number 1043 was taken up for its first reading. It was moved by Richmond and seconded by Sedgwick that Ordinance No. 1043 be passed to its second reading. Motion carried and so ordered.

Mayor Bernard, announced that there would be a special meeting of the Council on Monday, October 26, in order that these ordinances may be read for their second readings.

Ordinance No. 1044 was taken up and read for its first reading. It was moved by Sedgwick and seconded by Richmond that Ordinance No. 1044 be passed to its second reading. Motion carried and so ordered.

Attorney Sheldahl read Resolution No. 24-1964. It was moved by Sedgwick and seconded by Richmond that Resolution No. 24-1964 be adopted as follows:

RESOLUTION NO. 24-1964

RESOLUTION NO. 24-1964

A RESOLUTION SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE OREGON, CERTAIN CHARTER AMENDMENTS RELATING TO CIVIL SERVICE BY CREATING NEW CHAPTER X OF THE CITY CHARTER; REPEALING EXISTING AND PROVIDING NEW EMPLOYMENT PROCEDURES AND REDUCING CITY MANAGER'S POWER OF APPOINTMENT, ALL AS PROPOSED BY INITIATIVE PETITION, AND CALLING AND PROVIDING FOR SPECIAL ELECTION AT WHICH SAID CHARTER AMENDMENTS ARE TO BE SUBMITTED TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON.

WHEREAS, there has been heretofore duly and timely filed with the City Recorder an initiative petition for charter amendments signed by the requisite number of legal voters of the City of Milwaukie, Oregon; and

WHEREAS, said initiative measure was thereafter duly presented to the City Council; and

WHEREAS, the City Recorder of the City of Milwaukie, Oregon has duly attached his certification of signatures to the said initiative petition as required by Section 16 of Ordinance No. 735 of the City of Milwaukie, Oregon; and

WHEREAS, it is necessary to submit the charter amendments as proposed by said initiative petition to the legal voters of the City of Milwaukie, Oregon; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that a special election be and the same is hereby called and to be held in the City of Milwaukie, Oregon, on the 3rd day of November, 1964, at which time there shall be submitted to the legal voters of the City of Milwaukie, Oregon, for adoption or rejection, the proposed amendments to the Charter of the City of Milwaukie, Oregon, as amended, which Charter was adopted on November 7, 1944, as proposed by said initiative petition, and said amendments to be so submitted shall be respectively as follows:

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the charter amendments so proposed by initiative petition be submitted to the legal voters of the City of Milwaukie, Oregon, in the following form and ballot title:

"CHARTER AMENDMENTS RELATING TO CIVIL SERVICE:

Charter amendments creating new Chapter X, establishing civil service and personnel department; repealing existing and providing new employment procedures; reducing City Manager's power of appointment."

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that this special city election be and the same is hereby called to be held concurrently with and as a part of the state-wide general election being held in the State of Oregon and in the City of Milwaukie, Oregon, on November 3, 1964;

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the regular polling places designated by the County Court of Clackamas County, Oregon, in the voting precincts in the City of Milwaukie are hereby designated as the polling places for this special city election; the poll books adopted by the County Court of Clackamas County, Oregon, as the poll books for the state-wide general election for the voting precincts in the City of Milwaukie hereby are adopted as the poll books for this special city election; and the judges and clerks of election appointed by the County Court of Clackamas County, Oregon; to serve at the state-wide general election are hereby designated as the judges and clerks of and for this special city election.

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BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the judges and clerks shall hold their respective offices as designated for the state-wide general election.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the polls for this special city election shall be opened in each of the voting precincts at the same hour, and shall be kept open until the same hour, as the polls are opened and closed for the state-wide general election that will be held on the same day.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that notice of this special city election shall be given by posting notices thereof in three public places in each voting precinct within the City of Milwaukie, Oregon, at least ten days prior to the date of election, and by publishing notice thereof once in the Milwaukie Review, the official city paper, at least ten days prior to the said election.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the notice published in the said newspaper and the notices to be posted in three public places in each voting precinct shall be in substantially the following form:

NOTICE OF SPECIAL ELECTION

On the third day of November, 1964, in the City of Milwaukie, Oregon, from 8:00 o'clock a.m. to 8:00 o'clock p.m., Oregon Standard Time, a special city election will be held at which certain charter amendments proposed by initiative petition will be submitted to the legal voters of the City of Milwaukie, Oregon, for their approval or rejection.

The following is the ballot title, the number and form in which the question will be printed on the official ballot:

=====
PROPOSED BY INITIATIVE PETITION
=====

CHARTER AMENDMENTS RELATING TO CIVIL SERVICE:
Charter amendments creating new Chapter X, establishing civil service and personnel department; repealing existing and providing new employment procedures; reducing City Manager's power of appointment.

=====
The voter shall place a cross (X) before "YES, I vote for the proposed charter amendments" or b before the word "NO, I vote against the proposed charter amendments."
=====

The original Resolution containing the proposed charter amendments in full is on file with the City Recorder at the Recorder's office in the City Hall of Milwaukie, Oregon, and is there available for inspection. Such Resolution is hereby referred to and by reference made a part hereof.

Published by order of the City Council of the City of Milwaukie, Oregon.

/s/ R. E. Osborne,
Recorder of the City of Milwaukie, Oregon

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the original of this Resolution containing the full charter amendments to be voted on be placed on file with

the City Recorder at the Recorder's office in the City Hall of Milwaukie, Oregon, at least fifteen (15) days before the date of the special city election at which the said charter amendments are to be voted upon, and there made available for inspection by all interested parties.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that an exact copy of this Resolution be inserted in and made a part of the minutes of this regular meeting of the City Council held on the 12th day of October, 1964.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on the 12th day of October, 1964, at a regular meeting of the City Council.

*Joseph M. Bernard, Jr.*  
Joseph M. Bernard, Jr., Mayor of the City of Milwaukie, Oregon

ATTEST:

*R. E. Osborne*  
R. E. Osborne, Recorder of the City of Milwaukie, Oregon

Motion carried and so ordered.

Attorney Sheldahl read Resolution No. 25-1964. It was moved by Sedgwick and seconded by Richmond that Resolution No. 25-1964 be adopted as follows:

RESOLUTION NO. 25-1964

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL CITY TAX BASE ELECTION IN THE CITY OF MILWAUKIE, OREGON, on NOVEMBER 3, 1964, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION ON TAXATION SET FORTH IN SECTION 11, ARTICLE XI, OREGON CONSTITUTION.

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that a new tax base should be established as authorized by Section 11, ARTICLE XI, Oregon Constitution, in order to permit the proper operation of the City's affairs, to enable the City to continue to provide the municipal and governmental functions as in the past, meet the increased costs occasioned by inflation in the national economy, and those occasioned by the growth of said City in both population and area; and

WHEREAS, it is necessary to submit the question of establishing a new tax base to the legal voters of the City of Milwaukie, Oregon; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the following Act be submitted to the legal voters of the City of Milwaukie, Oregon, for their adoption or rejection;

AN ACT

TO INCREASE THE TAX BASE OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM \$68,178.81 NOW IN EFFECT TO \$ 393,913.00, SAID NEW TAX BASE TO APPLY FIRST TO THE LEVY OF THE FISCAL YEAR 1965-1966.

BE IT ENACTED BY THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON:

Section 1, That the City of Milwaukie, Clackamas County, Oregon, do and hereby does increase its tax base from \$68,178.81 now in effect to \$393,913.00, said new tax base to apply first to the levy of the fiscal year 1965-1966.

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BE IT FURTHER RESOLVED that it is not practicable to submit the foregoing measure in the form and by ballot title required by subsection (1) of Section 20 of Article V of Ordinance No. 735 of the City of Milwaukie, Oregon, and that, in order to truly and impartially state the purpose and effect of the measure in question, it should be submitted to the legal voters of the City of Milwaukie, Oregon, in the form and ballot title hereinafter setforth; now therefore,

BE IT FURTHER RESOLVED that the foregoing measure shall be submitted in the manner prescribed in this Resolution to the legal voters of the City of Milwaukie, Oregon, at a special city tax base election to be held on November 3, 1964;

"Shall the City of Milwaukie, Clackamas County, Oregon, increase its tax base from \$68,178.81 now in effect to \$393,913.00 for the reasons, as declared by the Council of said City, in order to permit the proper operation of the City's affairs, to enable it to continue to provide the municipal services and governmental functions as in the past, meet the increased costs occasioned by inflation in the national economy, and those occasioned by the growth of said City in both population and area, said new tax base to apply first to the levy for the fiscal year 1965-1966."

BE IT FURTHER RESOLVED that this special city tax base election be and the same hereby is called to be held concurrently with and as a part of the state-wide general election being held in the State of Oregon and in the City of Milwaukie, Oregon, on November 3, 1964;

BE IT FURTHER RESOLVED that the regular polling places designated by the County Court of Clackamas County, Oregon, in the voting precincts in the City of Milwaukie are hereby designated as the polling places for this special city election; the poll books adopted by the County Court of Clackamas County, Oregon, as the poll books for the state-wide general election for the voting precincts in the City of Milwaukie hereby are adopted as the poll books for this special city election; and the judges and clerks of election appointed by the County Court of Clackamas County, Oregon, to serve at the state-wide general election are hereby designated as the judges and clerks of and for this special city election.

BE IT FURTHER RESOLVED that the judges and clerks shall hold their respective offices as designated for the state-wide general election.

BE IT FURTHER RESOLVED that the polls for this special city election shall be opened in each of the voting precincts at the same hour, and shall be kept open until the same hour, as the polls are opened and closed for the state-wide general election that will be held on the same day.

BE IT FURTHER RESOLVED that the notice of the city tax base election shall be given by posting notices thereof in three public places in each voting precinct within the City of Milwaukie, Oregon, at least ten days prior to the date of election, and by publishing notice thereof once in the Milwaukie Review, the official city newspaper, at least ten days prior to said election.

BE IT FURTHER RESOLVED that the notice published in the said newspaper and the notices to be posted in three public places in each voting precinct shall be in substantially the following form:

NOTICE OF CITY TAX BASE ELECTION

On the thrid day of November, 1964, in the City of Milwaukie, Oregon, from 8:00 a'clock a.m. to 8:00 o'clock p.m., Oregon Standard Time, a special city tax base election will be held at which the question will be submitted to the legal voters of the City of Milwaukie, Oregon, for their approval or rejection.

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The following is the ballot title, the number and form in which the question will be printed on the official ballot:

=====
PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE
LEGAL VOTERS OF SAID CITY
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52 ESTABLISHING NEW CITY TAX BASE: Shall the City of Milwaukie, Clackamas County, Oregon, increase its tax base from \$68,178.81 now in effect to \$393,913.00 for the reasons, as declared by the Council of said City, in order to permit the proper operation of the City's affairs, to enable it to continue to provide the municipal services and governmental functions as in the past, meet the increased costs occasioned by inflation in the national economy, and those occasioned by the growth of said City in both population and area, said new tax base to apply first to the levy for the fiscal year 1965-1966.
YES [ ]
NO [ ]

The original Resolution containing the full measure is on file with the City Recorder at the Recorder's office in the City Hall of Milwaukie, Oregon, and is there available for inspection. Such Resolution is hereby referred to and by reference made a part hereof.

Published by order of the City Council of the City of Milwaukie, Oregon.

/s/ R.E. Osborne
Recorder of the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED that the original of this Resolution containing the full measure to be voted on be placed on file with the City Recorder at the Recorder's office in the City Hall of Milwaukie, Oregon, at least fifteen (15) days before the date of the special city election at which the said measure is to be voted upon, and there made available for inspection by all interested parties.

BE IT FURTHER RESOLVED that an exact copy of the Resolution be inserted in and made a part of the minutes of this regular meeting of the City Council held on the 12th day of October, 1964.

Intruduced and adopted by the City Council of the City of Milwaukie, Oregon, on the 12th day of October, 1964, at a regular meeting of the City Council.

Joseph M. Bernard, Jr., Mayor of the City of Milwaukie, Oregon

ATTEST:

R.E. Osborne
R.E. Osborne, Recorder of the City of Milwaukie, Oregon

Motion carried and so ordered.

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Mayor Bernard read a letter from Oregon State Highway Commission in which they stated that their final decision on the location of Highway I-205 would be published. Councilman Richmond stated that their decision would locate the highway north of Clackamas County and Milwaukie, that he felt that much of the tax money spent for preliminary surveys etc. had been wasted.

Mayor Bernard made the following Proclamation:

A PROCLAMATION

WHEREAS the United Nations is dedicated to the same noble principles that have made our Declaration of Independence and our Constitution a constant beacon of hope and inspiration for all mankind; and

WHEREAS the United Nations has for 19 years repeatedly and decisively proved to be an increasingly effective and respected action agency for world peace, progress, and prosperity; and

WHEREAS the United Nations, through its efforts and through those of its specialized agencies, has greatly benefited the United States and each of its other members, individually and collectively; and

WHEREAS the United Nations has kindled an ever-increasing recognition and practice throughout the world of those humanitarian principles to which this country has long been dedicated; and

WHEREAS the United Nations has earned, and is entitled to receive an affirmative expression of, the respect and recognition of this Nation, and of each of its other members, for its inestimable contributions to international peace, justice, and understanding; and

WHEREAS it is essential that the United Nations be supported, both morally and materially, by us and by all of its other members; and

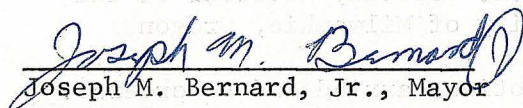
WHEREAS intelligent public support of the United Nations by the people of this Nation depends in large measure upon a wide dissemination to our people of significant and accurate information concerning the United Nations; and

WHEREAS the General Assembly of the United Nations has resolved that October twenty-fourth, the anniversary of the coming into force of the United Nations Charter, should be dedicated each year to making known the purposes, principles, and accomplishments of the United Nations:

NOW THEREFORE, I, JOSEPH M. BERNARD, JR., Mayor of the City of Milwaukie, Oregon, do hereby urge the citizens of this City to observe Saturday, October 24, 1964, as United Nations Day by means of community programs which will demonstrate their faith in the United Nations and contribute to a fuller understanding of its aims, problems, and accomplishments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Milwaukie to be affixed.

DONE at the City of Milwaukie this twelfth day of October in the year of our Lord nineteen hundred and sixty-four, and of the Independence of the United States of America the one hundred and eighty-eighth.

  
Joseph M. Bernard, Jr., Mayor

It was moved by Sedgwick and seconded by Richmond that the Mayor's proclamation be approved. Motion carried and so ordered.

Manager Thompson read a letter from Housing and Home Finance Agency with reference to Project No. P-Ore.-3184P. (Water System Improvement) over the signature of L.R. Durkee, Director of Northwest Operations, stating that the planning documents had been received and approved and that as soon as his office receives evidence of approval of the preliminary planning by the Oregon State Board of Health, they will process the voucher for payment.

Mr. Thompson then read a letter from the Oregon State Board of Health, over the signature of Harold E. Milliken, Assistant Chief Sanitary Engineer, in which he stated the water system study for Milwaukie, prepared by Stevens & Thompson Inc., had been received on September 17, and reviewed, and that his office concurs with the findings and recommendations set forth. The Council requested Attorney Sheldahl to prepare a Resolution providing for a Special Bond Election, for funds to proceed with this Water System Improvement and Extensions.

City Manager Thompson reported as follows:

"The League of Oregon Cities will meet in Eugene on November 15, 16, 17, 1964"

"All owners of properties, where Waverly Heights sewer easements were necessary had agreed to sign the easements"

"The Seth Luelling P.T.A. still want Logus Road improved and a sidewalk laid along one side of the road for the safety of school children, but all owners of property concerned, object to the widening of the road"

"The Library is nearing completion, it may not be completed on the due date owing to a glaziers strike"

The amount now due the Contractor building the Library is \$12,692.34 It was moved by Sedgwick and seconded by Richmond that the Contractor for the Library building be paid \$12,692.34. Motion carried and so ordered.

Manager Thompson reported that data was being gathered and compiled for the City Insurances, in order that the City may accept bids for the same. He anticipated the information would be available by October 26.

The Personnel Rules, to implement the Merit System Ordinance were taken up and studied by the Council. Rule No. 23 had inadvertently been omitted. It was moved by Sedgwick and seconded by Richmond that Rule No. 23 be added and that these rules be approved and adopted by the Council as follows:

Personnel Rules to Implement Merit System Ordinance  
Statement of Purpose

The City Council and administration of the City of Milwaukie, Oregon recognize that a personnel system which recruits and retains competent, dependable city personnel is indispensable to effective and economical government of the city. The council accordingly has enacted Ordinance No. 1017, an ordinance establishing a merit system of personnel administration for the city.

The rules set forth below are intended to implement the ordinance by providing procedure for

- (1) classifying positions in the city service,
- (2) recruiting persons for that service,
- (3) changing their status there,
- (4) separating them from the service,
- (5) compensating them equitably for their service to the city, and
- (6) providing otherwise for their welfare.

Rule I. Status of Present Employee

A person who holds a position in the classified service on the effective date of the personnel ordinance shall,

- (1) if he has held the position throughout the immediately preceding six months, have permanent status in the service on the effective date of the ordinance and,
- (2) if he has not held the position throughout the six months, not have permanent status until he has held the position for six consecutive months.

## Rule II. Classification Plan

- (1) In the classification plan authorized by the personnel ordinance
  - (a) each position in the classified service shall, on the basis of the duties and responsibilities of the position, be allocated to an appropriate class;
  - (b) A class may include either a single position or two or more positions;
  - (c) each class shall have a specification that includes
    - (i) a concise, descriptive title,
    - (ii) a description of the duties and responsibilities of each position in the class, and
    - (iii) a statement of the minimum and the desirable qualifications for each such position; and
  - (d) all positions in a single class shall be sufficiently alike to permit
    - (i) the use of a single descriptive title for the class,
    - (ii) a concise, general description of the duties of each position in the class,
    - (iii) prescription of substantially the same qualifications for each such position,
    - (iv) the use of substantially the same tests of competence for each such position, and
    - (v) application of the same pay range to each such position.
- (2). At least once every fiscal year the City Manager
  - (a) shall review the duties and responsibilities of each class and
  - (b) on the basis of the review may recommend to the city council
    - (i) a reclassification of positions,
    - (ii) the creation of one or more new classes, and
    - (iii) the abolition of one or more existing classes.
- (3) Whenever the duties of a position so change that no appropriate class for it exists, the City Manager shall
  - (a) prepare an appropriate class specification for it and
  - (b) submit it to the council for appropriate reclassification.

Reclassification of a position may not, however, be used to avoid a restriction concerning demotion, promotion, or compensation.

## Rule III. Pay Plan and Compensation

- (1) A pay plan prepared pursuant to the personnel ordinance shall prescribe for each class a minimum and a maximum rate of pay and whatever intermediate rates the City Manager and the city council deem equitable.
- (2) Upon the adoption of a pay plan in accordance with the personnel ordinance, the City Manager shall assign each class to one of the pay ranges for which the plan provides.
- (3) An employee who at the time of adoption of the pay plan is receiving more than the maximum salary for the class to which his position has been allocated shall continue to receive at least that salary.
- (4) An employee whose salary at the time the plan is adopted falls between the minimum and maximum salaries for the class to which his position has been allocated shall continue to receive at least that salary.
- (5) An employee whose salary at the time the plan is adopted is below the minimum salary for the class to which his position is allocated shall from that time on receive at least that minimum.
- (6) At least once each fiscal year the City Manager shall
  - (a) compare the salary rates, the compensation policies, and the personnel developments of the city with those of other employers, public and private, in the community;
  - (b) analyze fluctuations in the cost of living;
  - (c) examine the salary range for each class of position in the classified service to ascertain whether minimum and maximum salaries should be raised or lowered for a particular position or class during the succeeding twelve months; and
  - (d) upon the basis of the comparison, analysis, and examination, submit to the council his recommendations for amendment of the pay plan.
- (7) Reclassification of an employee's position from one class to another of comparable pay range shall effect no change of salary for the employee.
- (8) An employee whose position is reclassified from one class to a higher class at its minimum salary, unless this minimum is lower than, or the same as, his salary at the time the reclassification is effected.
  - (a) If that salary exceeds the minimum, he shall continue to receive it until such time as it is changed in accordance with the

personnel ordinance and these rules.

- (b) If that salary is the same as the minimum, the City Manager shall determine, on the basis of the standards of the personnel ordinance and of these rules, what salary the employee shall receive in his reclassified position.
- (9) An employee whose position is reclassified from one class to a lower class shall,
- (a) If his salary at the time the reclassification is effected does not exceed the maximum salary for positions of the lower class, retain that salary, and
- (b) if that salary does exceed that maximum, receive only the maximum.
- (10) Whenever the City Manager submits to the council a recommendation that a position be reclassified to a class that requires a higher salary, he shall likewise submit with it an estimate of the financial requirements of the salary increase that the reclassification would entail.
- (11) In the event that an employee enters a higher class by promotion, his salary in the higher class shall be the minimum salary for that class, unless that minimum is lower than, or the same as, his salary at the time of the promotion. In that event the City Manager shall determine what salary the employee shall receive within the pay range of the higher class.
- (12) In the event an employee is demoted, the City Manager shall set for him a salary within the salary range of the class to which he has been demoted.
- (13) For an employee transferred from a position in one class to a position in an equivalent class, the transfer shall effect no change in rate of pay.
- (14) In case a salary range is adjusted without being contracted or expanded, immediately after the adjustment the salary of each employee in the class shall bear the same relationship to the minimum and maximum salaries for the class as it bears immediately before the change.
- (15) At least once each fiscal year the City Manager shall, in consultation with department heads, review the performance of each employee in the classified service for the purpose of recommending to the council individual merit salary adjustments. Such a recommendation shall be based on the quality and tenure of service of the employee
- (16) An appointee to a new position shall receive the minimum salary for the class to which the position is allocated, except that
- (a) in cases of unusual difficulty in filling the position or
- (b) in hiring exceptionally qualified personnel,
- the city manager may cause the appointment to be made at a salary above the minimum, but not more than the maximum, for the class.

#### Rule IV. Announcements of Vacancies

- (1) Notices of employment opportunities in the classified service shall be
- (a) posted in the City Hall,
- (b) publicized in a newspaper of general circulation in the city, and
- (c) publicized in whatever additional ways seem appropriate.
- (2) Such notices shall
- (a) list the classes in which vacancies are anticipated,
- (b) specify for each such class
- (i) its class title,
- (ii) its pay range,
- (iii) the nature of the work to be performed in the positions in the class, and
- (iv) the qualifications for employment in the class;
- (c) tell when and where to file applications for employment in the positions; and
- (d) give whatever other pertinent information the City Manager deems advisable.

#### Rule V. Applications

- (1) The form by which a person applies for a position in the classified service shall require
- (a) information about the applicant's training, experience, and character, and
- (b) whatever additional information the City Manager deems pertinent to an evaluation of the applicant's fitness for the position for which he applies.

- (2) The City Manager shall review each application to ascertain the applicant's qualifications for the position.

#### Rule VI. Appointments

- (1) The qualifications of an applicant for a position in the classified service shall be ascertained on the basis of one or more of the following:
- (a) Information the applicant supplies on an application form prescribed by the City Manager and supplied by the City.
  - (b) Written, performance, or physical tests or examinations, or any combination thereof, arranged by the City Manager.
  - (c) Interview.
  - (d) Information and evaluations supplied by the references whom the applicant names on the forms.
  - (e) Other appropriate means.
- (2) The names of all applicants who qualify for appointment to positions of a particular class shall be placed on the eligible list for that class. Names of applicants will remain on the eligible list for only twelve months and then dropped. Applicants must qualify again to be placed on the eligible list after being dropped. When a vacancy occurs in a position in that class, all names on the eligible list for the class shall be transmitted to the City Manager for consideration for the position. No person may be appointed to a position in the classified service unless verified information on an official application form indicates that he has the minimum qualifications set forth in the class specifications for the position.
- (3) Vacancies in the classified service may be filled by
- (a) promotion from within,
  - (b) re-employment of persons laid off from, or
  - (c) demotion in lieu of layoff of personnel in, that service
- (4) A vacancy that cannot be so filled
- (a) shall, if possible be filled by appointment of a person named on the list of persons eligible for appointment to the position, or
  - (b) may, if it cannot be filled by such an appointment, be filled by a provisional appointment.
- A provisional appointee's tenure shall terminate as soon as the position to which he has been provisionally appointed can be filled by appointing to it a person qualified for it in accordance with the personnel ordinance and these rules.
- (5) In an emergency that threatens life or property, the City Manager may, without complying with the provisions of the personnel ordinance and these rules concerning regular appointments, employ for not more than 30 calendar days such persons as are necessary to meet the emergency.

#### Rule VII. Probation

- (1) A person appointed or promoted to a position in the classified service shall be on probation in the position
- (a) for six months after assuming it and
  - (b) for whatever additional time the City Manager determines generally for the class to which this position is allocated.
- (2) While thus on probation, a person may,
- (a) if in a position to which he has not been promoted, be dismissed at any time without right of appeal and,
  - (b) if in a position to which he has been promoted, be reinstated at any time without right of appeal
    - (i) to the position from which the promotion elevated him or
    - (ii) to a comparable position.

#### Rule VIII. Transfer

The City Manager may at any time transfer an employee from one position to in the classified service

- (1) to another such position in the same class or
- (2) to another such position in a comparable class with the same maximum salary, provided the position to which the employee is transferred is one for which he possesses the minimum qualifications.

## Rule IX. Promotion

- (1) A person may be promoted from one position to another in the classified service only if he has the minimum qualifications for the higher position. These minimum qualifications shall be ascertained on the basis of information, tests, examinations, interviews, and evaluations of the same character as those authorized for ascertaining his qualifications for initial appointment to a position in the classified service.
- (2) In the filling of a vacancy in a position above the entrance level in the classified service, preference shall be given to promotion of a person in that service at the time the vacancy occurs. If, however, the City Manager deems that the best interests of the city require, he may fill the position by appointment of a person outside the service at the time the vacancy occurs.
- (3) When such a vacancy occurs, the names of all persons in the service who qualify for promotion to the vacant position shall be transmitted to the City Manager for consideration for filling the vacancy by promotion.

## Rule X. Demotion

- (1) The City Manager may demote an employee
  - (a) for his inability to carry out his duties in accordance with the standards prescribed for his position by the personnel ordinance or these rules,
  - (b) for disciplinary reasons, or
  - (c) with consent of the employee, to a vacant position in lieu of layoff, provided the employee possesses the minimum qualifications for the position to which he is demoted.
- (2) At least two weeks before a non-disciplinary demotion becomes effective, written notice of it shall be given the employee that it affects.

## Rule XI. Suspension

- (1) The City Manager may
  - (a) for disciplinary reasons or
  - (b) in anticipation of the result of investigation of charges against an employee, suspend the employee from his position at any time for not more than 30 calendar days, with or without pay.
- (2) The City Manager shall give the employee written notice of the suspension not later than one day after it takes effect. The notice shall state:
  - (a) the reasons for the suspension and
  - (b) its duration.

## Rule XII. Separation

- (1) An employee may be separated from the classified service by
  - (a) resignation,
  - (b) dismissal,
  - (c) retirement, or
  - (d) layoff on account of temporary lack of work or funds.
- (2) The City Manager may dismiss the employee on account of
  - (a) his unsatisfactory performance of duties in the service,
  - (b) action on his part that reflects discredit upon the service, or
  - (c) hindrance by him of the performance of city functions.
- (3) At least two weeks before the effective date of non-disciplinary dismissal of an employee in the career service, the City Manager shall give written notice of the dismissal to the employee.

## Rule XIII. Resignation

- (1) An employee shall be regarded as having resigned his position
  - (a) if he fails to report for duty, and while able to notify his immediate superior of the reason for his absence,
  - (b) if he fails to report for duty upon the expiration of a leave of absence that he has taken.

- 08
- (2) An employee shall, in order to resign in good standing, give the City Manager written notice of the resignation at least two weeks before the date it is to take effect, unless, because of extenuating circumstances, the City Manager agrees to a shorter notice.
  - (3) A resignation made without the notice required by these rules may be regarded as cause for denying the resigning employee future employment by the city.
  - (4) An employee's resignation and the circumstances pertinent to it shall be recorded in his personnel file.

#### Rule XIV. Layoff

- (1) The City Manager may lay off an employee in the classified service on account of lack of work or funds.
- (2) In layoffs
  - (a) the order of layoff shall be determined by the City Manager on the basis of the administrative needs of the city.
  - (b) consideration shall be given to both the seniority and merit of the persons considered for layoff, and
  - (c) emergency and provisional employees in a class of positions shall be laid off before other persons in the class are laid off.
- (3) Two weeks before the effective date of the layoff of an employee in the career service, the City Manager shall
  - (a) notify the employee of the layoff,
  - (b) explain to him the reasons therefor, and
  - (c) certify whether his service has been satisfactory.A copy of the notice shall be retained in the employee's personnel file.
- (4) An employee who has given satisfactory service and who is laid off shall be eligible for re-employment in other positions which require basically the same qualifications and involve basically the same duties and responsibilities as the position from which he is laid off.

#### Rule XV. Reinstatement

- (1) The City Manager
  - (a) may reinstate in the classified service any former permanent employee
    - (i) who has resigned from that service with a good record or,
    - (ii) who has been laid off from it on account of lack of work or funds;
  - (b) shall reinstate any employee who the personnel advisory board finds has been demoted or dismissed for a reason prohibited by the state law on unlawful employment practice; and
  - (c) shall reinstate into the position from which he has been promoted any employee who fails during a promotional probationary period to serve satisfactorily in a position to which he has been promoted
- (2) Reinstatement of an employee shall
  - (a) restore to him his former position or
  - (b) place him in a position of the same class or a class comparable to that of his former position.

#### Rule XVI. Hours of Work

- (1) Except as the City Manager requires to the contrary, all offices of the city shall be open for business from 8:00 a. m. until 5:00 p. m. on all days except Saturdays, Sundays, and legal holidays.
- (2) Employees in the career service shall, except as these rules provide to the contrary, work at least 40 hours per week.
- (3) An employee whose duties require an irregular work schedule shall work according to a schedule
  - (a) recommended by his supervisor and
  - (b) approved by the City Manager.

## Rule XVII. Overtime

- (1) Overtime shall be work
  - (a) additional to regularly scheduled work and
  - (b) approved in advance by the City Manager.
- (2) Overtime shall be kept at the minimum consistent with maintenance of essential city services.
- (3) Compensation for overtime shall be
  - (a) compensatory time-and-one-half off, except employees in the Police and Fire Departments who will be given time off on a straight time basis or
  - (b) where authorized by the City Manager, payment at the rate of time-and-one-half, or straight time in the case of Police and Fire Department employees.

The time off may not be taken later than twelve months after it has been earned.
- (4) On the basis of
  - (a) the nature of work in a class or
  - (b) conditions of employment;

the City Manager may deny employees of the class compensation for overtime.

## Rule XVIII. Holidays

New Years Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, and a holiday by executive order of the State Governor or City expressly applying to City employees shall be holidays for employees of the city, except that employees necessary to maintain essential city services may be required to work on holidays. For such work employees in the career service not in the Fire and Police departments shall receive compensatory time-and-one-half off. Employees in the Fire and Police department shall receive straight time off. Whenever a holiday falls on Sunday, the following Monday will be considered a holiday. Holidays which occur during vacation or sick leave shall not be charged against such leave.

## Rule XIX. Vacations

- (1) All employees in the career service shall be entitled to vacations with pay.
- (2) Each such full-time employee with less than 10 years continuous service shall earn one day of vacation per month of service or major portion thereof. Each such employee who works less than full time shall earn vacation in proportion to his lesser time of work. Employees that have 10 years or more continuous service with the city shall earn one and one-half days of vacation per month or major portion thereof.
- (3) Vacation
  - (a) shall be earned monthly,
  - (b) shall, after the employee has worked 12 months continuous service, be available to him the first day of the following month, and
  - (c) may be used in amounts of not less than one-half day
  - (d) shall be charged for each shift absent at the rate of two days for each working shift absent for employees of the Fire department on 24 hour shift. All other employees will be charged at the rate of one day for each working shift absent.
- (4) The times during which an employee may take vacations shall be determined by the City Manager, except that if the requirements of the city service are such that part or all of an employee's vacation must be deferred beyond a particular calendar year, the employee may take the vacation during the following calendar year.
- (5) No employee may accumulate more than 25 days of vacation.
- (6) Upon the termination of an employee's service with the city, after 12 months continuous service, he shall be paid a lump sum for all accrued vacation that he has earned in accordance with these rules prior to the termination.

## Rule XX. Sick Leave

- (1) All employees in the career service shall be entitled to sick leave with pay. Sick leave shall accrue at the same rate as vacation leave.

- (2) Sick leave may be taken only for actual illness or disability of the employee or of a member of the employee's immediate family. The City Manager may require a certification of the attending physician or practitioner to substantiate that an illness or injury prevents the employee from working.
- (3) Sick leave may not accrue to a total of more than 90 days.
- (4) In order to qualify for pay for time spent on sick leave an employee shall, unless physically unable to do so, notify his immediate superior of the leave not later than
  - (a) four hours after the leave begins or
  - (b) whatever other time the supervisor specifies in advance of the leave.
- (5) Sick leave shall be charged at the same rate as vacation leave and may be used in amounts not less than one-half day.
- (6) When an employee takes sick leave from the career service on account of a physical condition for which he receives compensation from the State Industrial Accident Commission
  - (a) the pay that he receives from the city while thus on leave shall be merely at a rate that is the difference between the rate of the disability payment and his regular rate of pay,
  - (b) whenever he receives a check from the commission,
    - (i) he shall report to the City Recorder the amount of the check and the period for which it represents payment,
    - (ii) the check may in no event be endorsed over to the city, and
    - (iii) the Recorder shall cause an additional check to be drawn in favor of the employee for the difference between the state check and the employee's normal pay, provided he has sufficient accrued sick leave to justify the pay;

and

  - (c) for each working shift that he is thus on leave and the city pays a portion of his full pay, only one-half shift of sick leave shall be charged against his accrued sick leave, and upon its depletion, he shall receive compensation only from the commission.
- (7) No compensation for accrued sick leave shall be allowed for any employee when he is separated from the city service. Employees who are laid off from their position for reasons that are not discreditable to them may, if reinstated within twelve months, have available for their necessary use any unused sick leave existing at the time of their lay off.
- (8) Under no circumstances shall the city pay an employee sick leave with pay for time off from city employment caused by sickness or injury resulting from outside employment.

#### Rule XXI. Military Leave

- (1) **Military Leave with Pay:** An employee who has served with the city for six months or more immediately preceding an application for military leave, and who is a member of the National Guard or of any reserve components of the armed forces of the United States, is entitled to a leave of absence from his duties for a period not exceeding fifteen ( 15 ) calendar days in any calendar year. Such leave shall be granted without loss of time, pay or other leave, and without impairment of other rights or benefits to which he is entitled. Military leave with pay may be granted only when an employee receives bona fide orders to active or training duty for a temporary period, and shall not be paid if the employee does not return to his position immediately following the expiration of the period for which he was ordered to duty. Leave with pay shall not be granted to employees entering the military service for extended and indefinite periods of active duty.
- (2) **Military Leave of Absence Without Pay:** An employee who has served with the city for six months or more shall be entitled to a military leave of absence without pay during a period of service with the armed forces of the United States. He shall, upon honorable discharge from such service, be returned to a position in the same class as his last held position, at the salary rate prevailing for such class, without loss of

seniority or employment rights. If it is established that he is not physically qualified to perform the duties of his former position by reason of such service, he shall be reinstated in other work that he is able to perform at the nearest appropriate level of the pay of his former class. Such employees shall make application for reinstatement within 90 days and shall report for duty within six months following separation from active duty. Failure to comply may terminate military leave. Where an employee voluntarily re-enlists, or extends his period of military service, his military leave shall be deemed cancelled.

#### Rule XXII. Miscellaneous Leaves with Pay

Any permanent, probationary, intermittent, or temporary employee shall be granted a leave of absence with pay for

- (a) service with a jury; provided that the salary paid to the employee for the period of absence shall be reduced by the amount of money he receives for jury service.
- (b) appearance before a court, legislative committee or judicial or quasi-judicial body as a witness in response to a subpoena or other direction by proper authority, provided that the salary paid to him shall be reduced by an amount equal to any compensation he may receive as witness fees;
- (c) attendance in court in connection with an employee's officially assigned duties, including the time required going to the court and returning to his headquarters;
- (d) other authorized duties in connection with city business.

#### Rule XXIII. Leave of Absence Without Pay

- (1) Upon the written request of an employee, the City Manager may in writing, grant the employee a leave of absence without pay.

#### Rule XXIV. Attendance to Duty

- (1) All employees of the city shall be on duty at the times indicated by these rules regarding hours and days of work and leave.
- (2) An employee
  - (a) who is absent without leave and
  - (b) who fails to return to duty within 24 hours after receiving notice to do so shall be deemed to have resigned his position.

#### Rule XXV. Personnel Records

- (1) For each city employee, a personnel file shall be maintained.
- (2) The file shall show
  - (a) the employee's name,
  - (b) the title of his position,
  - (c) the department to which he is assigned,
  - (d) his salary,
  - (e) past changes in his status as a city employee, and
  - (f) whatever additional information these rules or the City Manager requires.
- (3) Every change in the status of the employee shall be recorded in his personnel file.
- (4) The file shall be retained in the office of the City Manager
  - (a) one year after his employment by the city ends and
  - (b) whatever additional time the City Manager prescribes

#### Rule XXVI. Personnel Advisory Board

- (1) The City Manager or whoever he designates shall
  - (a) serve as secretary of the personnel advisory board and
  - (b) be responsible for maintaining a record of its proceedings.

- (2) The secretary shall attend each meeting of the board
  - (a) unless excused therefrom in advance by the board or its chairman or
  - (b) unless physically incapacitated from attending the meeting.
- (3) In any investigation that the board may make, it may by means of sanctions authorized in advance by the City Council compel
  - (a) the production of evidence,
  - (b) the attendance of witnesses, and
  - (c) the giving of testimony
- (4) Regular meetings of the board shall be held at such times and places as the board designates in advance by general order.  
 Special meetings of the board shall be held on the call of:
  - (a) the chairman of the board,
  - (b) the other two members,
  - (c) the City Manager or
  - (d) the City Council.
- (5) By general order the board may prescribe
  - (a) the order of business for the conduct of its meetings and
  - (b) whatever procedures it deems necessary to implement the provisions of the personnel ordinance and these rules that apply to the board.

Rule XXVII. Grievances

- (1) An employee who has a grievance
  - (a) regarding his employment by the city and
  - (b) regarding which he has filed no appeal with the personnel advisory board, may discuss the grievance with his supervisor.
- (2) If, following the discussion, the decision of the supervisor regarding the grievance does not satisfy the employee, he may discuss it with the City Manager. The City Manager's decision regarding the grievance shall be final.
- (3) In thus discussing the grievance, the employee may designate any person of his choice to appear with him and participate in the discussion. The City Manager may require the supervisor to participate in the discussion of the grievance when it is brought before the City Manager.

Rule XXVIII. Appeals

- (1) A City Manager who demotes or dismisses a permanent employee in the classified service shall give the employee immediate written notice of the demotion or dismissal.
- (2) Within five days after receiving the notice, the employee may request of the City Manager a written statement of the reasons for the demotion or dismissal.
- (3) Within five days after receiving the request, the City Manager shall submit the statement to the employee.
- (4) Within ten days after receiving the statement the employee may submit
  - (a) to the personnel advisory board
    - (i) a copy of the statement,
    - (ii) his written reply to the statement, and
    - (iii) a written request for a hearing by the board of the demotion or dismissal, and
  - (b) to the City Manager
    - (i) a copy of the reply and
    - (ii) a copy of the request.
- (5) If within the ten days the employee thus submits the reply, statement, and request, the board shall, within 30 days after the employee has thus submitted them,
  - (a) conduct whatever investigation of the demotion or dismissal it deems necessary and
  - (b) afford the employee a hearing as to the demotion or dismissal, together with five days' written notice of the time and place of the hearing.
- (6) Within ten days after the hearing, the board shall make findings and recommendations regarding the demotion or dismissal. These the board shall then immediately certify to

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- (a) the Council,
  - (b) the City Manager from whose action the appeal is taken, and
  - (c) the appellant
- (7) In case the board finds that demotion or dismissal of an employee is based on any factor prohibited by the state law on unlawful employment practice, he shall be reinstated to
- (a) the position from which he has been demoted or dismissed, or
  - (b) a position of like status and pay.
- (8) In all other cases, the board's findings and recommendations shall be advisory.
- (9) A reinstated employee shall lose no pay, status, or other benefit on account of his demotion or dismissal.
- (10) A record of an appeal made pursuant to the personnel ordinance and these rules shall be made a permanent part of the appellant's personnel file.

#### Rule XXIX. In-Service Training

- (1) The City Manager shall develop a training program for the officers and employees of the city:
- (2) The program may include
- (a) lecture courses,
  - (b) demonstrations,
  - (c) reading courses, and
  - (d) other features
- conducive to improved effectiveness and broader knowledge on the part of the officers and employees of the city.
- (3) An employee's participation in and successful completion of aspects of the training program may be considered as relevant to questions regarding his status in the service of the city. Evidence of his activity in the program shall therefore be included in his personnel file.

#### Rule XXX. Political Activity

- (1) An employee may not while in the classified service
- (a) be required to contribute to any political fund,
  - (b) be a candidate for an elective
    - (i) municipal office or
    - (ii) partisan public office,
  - (c) contribute financially to a campaign for an elective municipal office or take part in such a campaign other than by voting, or
  - (d) participate in the management of a partisan political campaign.
- (2) An employee's violation of this rule shall constitute cause for dismissing him from the service of the city.

#### Rule XXXI. Employee Organization and Representation

Employees of the city may organize and join whatever associations they choose, but employment by the city may not be conditioned upon membership in any organization.

MOTION CARRIED and so ordered.

The Fire Chief's monthly report was read and ordered filed.  
 The Health Department monthly report was read and ordered filed.  
 The Water Department monthly report was read and ordered filed.  
 The Street Department monthly report was read and ordered filed.  
 The Police Department monthly report was read and ordered filed.

Mayor Bernard read a letter from Mr. Fred Weber in which he (Weber) stated that he was willing to sign a promissory note to be paid in monthly payments for monies owing by him for the sewer booster pump and pressure line at Errol Station. Attorney Sheldahl was requested to prepare the promissory note.

Councilman Richmond reported that there was a new drug on the market that, while it was not classified as a narcotic, it was habit forming. There was discussion on this matter, but no action was taken by the Council.

The Council discussed the matter of the excessive water bills in Cedar Crest. It was decided that the best approach would be to attend the meeting of the Wichita Water Board to learn the facts of the matter.

It was moved by Sedgwick and seconded by Richmond that the following bills be approved and that warrants be drawn for the payment of same.

All Electric Construction	1,691.01
Amer. Fire Protection Co.	653.57
R. K. Bass	32.00
Benific Press	27.85
Beall Pipe & Tank Corp.	1,310.00
Burroughs Corp.	233.40
Clackamas County	101.00
Clackamas County Library	26.26
Communication Specialists	82.50
Dept. of Motor Vehicles	176.44
Diamond Fuel Co.	114.68
Dictaphone Corp.	466.10
Enterprise Courier	6.00
W. Frank Fairly & Co.	1,000.00
Feenaughty Machinery Co.	175.64
Fields Chevrolet Co.	8.93
Frank's Pictures	20.57
G & S Janitor Supply Co.	121.10
Gaylord Bros., Inc.	11.50
Dick Groener Agency	2.00
Harlan & Mills	30.00
Robert O. Hedensten	10.25
Heisler's Car Wash	9.00
Charlie Helwig, Inc.	23.20
Herb's Uniform Co.	86.35
Byron R. Hess	397.50
Hoesly Furniture	1,520.65
Horton Electric	523.40
Hupp Photo Service	40.00
Industrial Air Products Co.	12.00
International Harvester Co.	7.98
Jack's Digger Service	82.50
Kimmels Home Town Hardware	8.00
Landeen Welding Supplies	159.15
Lanson's Inc.	124.91
Larson's Auto Supplies	22.69
League of Oregon Cities	58.90
Mail-Well Envelope Co.	12.69
Darrell Maple	8.50
McCready Lumber Yards	215.01
Milwaukie Automotive Serv.	173.49
Milwaukie Glass	15.50
Milwaukie Hardware	36.83
Milwaukie Lumber Co.	53.91
Milwaukie Lumber Co.	
Milwaukie Plbg. & Htg.	1,224.28
" "	
Milwaukie Review	90.85
Milwaukie Upholstering	6.00
Milwaukie Volunteer Fire Dept.	41.00
Mitchell Lewis & Staver	22.80
National Barricade Co.	9.00

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National Cylinder Gas	46.70
Neep Equipment Co.	178.29
Neptune Meter Co.	511.55
Northwest Industrial Landry	12.00
Northwest Natural Gass Co.	10.91
Olson Bros. Shell Service	49.55
Oregon City Laundry Co.	65.51
Oregon State Civil Serv. Comm.	15.00
Overall Industrial Supply Inc.	34.85
Pacific N. W. Bell	<del>328.54</del> (328.54)
Pacific P <sub>u</sub> mping Co.	12.94
Pacific & Ready Mix	767.42
Paulson & Roles Lab.	60.90
Pennsalt Chemicals Corp.	112.50
Perry Pharmacy	243.02
Pioneer Mercantile Co.	58.90
Portland Gen. Electric Co.	3,059.37
Portland Road & Driveway	190.47
Pump Pipe & Power Co.	150.33
Random House Library Serv.	28.39
Reddaway's Truck Line	11.32
Rich Valley Top Soil	1,221.75
Roberts Motors Co.	79.92
Sanderson Safety Supply Co.	707.36
Pero. B. Sapsis, Inc.	9.44
Sauter Spray Equip. Co.	99.00
Schmuk Bros. Inc.	360.00
Virginia Smith	1.50
Southern Pacific Co.	30.00
Stevens & Thompson	345.62
R. J. Strasser	60.00
Street Fund	18.32
Texaco Inc.	972.78
Thomas Office Supply	578.45
Truck & Industrial Equip. Co.	16.98
Truck Wrecking Yard	12.00
United Pipe & Supply Co.	3.08
Utilities Supply Co.	2,734.94
Waterworks Supplies Co.	1,492.30
West Chemical Products Co.	24.75
Western Drug Label Co.	163.45
Western Fire Equip. Co.	4,142.23
Water Fund	343.62
Robert C. Wickam	206.00
Fred Wildy	132.00

MOTION CARRIED and so ordered.

On motion duly made and carried, the meeting adjourned.

Ellen Martin  
Ellen Martin, Clerk

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