

MILWAUKIE  
CITY COUNCIL MEETING  
January 3, 1984  
7 p.m.

MILWAUKIE SENIOR CENTER

1447th Meeting

at 5:30 p.m. prior to the regular Council meeting an executive session was held under ORS 192.660 (1) (d) to discuss labor negotiations.

The one thousand four hundred and forty seventh meeting of the Milwaukie City Council was held on January 3, 1984 with the following Councilors present:

Mayor Joy Burgess	Don Graf
Ron Kinsella	Roger Hall
Mike Richmond	

Also present:

Hugh Brown, City Manager	Steve Hall, P.W. Director
Greg Eades, City Attorney	Marge Post, Finance Director
Ron Schanaker, Police Chief	Laurie Perkin, Secretary
Dick Bailey, Fire Chief	

AUDIENCE PARTICIPATION

Police Chief introduced Police Officers Jim Schindler and Jim Colt and the recently purchased police dogs Trojan and Dillon. He spoke of the training program which will begin in March and be completed by mid June.

City Manager announced the resignation of Police Chief Ron Schanaker effective January 16, 1984. Schanaker has accepted a position with Benjamin Franklin Savings and Loan Association. Schanaker expressed his appreciation of his years of employment with the city and thanked the Council for their support and cooperation.

Backenstos commented on the fine job police officers had done at the scene of an accident which he witnessed. He suggested that more stop signs were needed at dangerous intersections in the city one of which was 37th and Monroe. He mentioned also that two street lights were out on Main Street. Mayor Burgess suggested that he attend the next Traffic Safety Commission meeting and make his concerns known to this group.

Bill Hupp complained about the handling of the November 15 Planning Commission meeting at which the transit center site was discussed. He said members of the audience were told they could testify and then were not given the chance. City Attorney said there was apparently a misunderstanding, that the public hearing was closed after which the findings were accepted but the public hearing was not reopened therefore testimony could not be accepted. Hupp said that this was

poor public relations. There was extended discussion on Planning Commission procedure, acceptance of findings, public testimony etc. Mayor suggested Hupp take his concerns to George Cathey, Chairman of the Planning Commission.

Public Hearing - Comprehensive Plan amendment.

City Attorney has prepared memo dated December 8, 1983 outlining ordinance amendments involving upzoning to secure a dismissal of the 1000 Friends appeal of the city's Comprehensive Plan acknowledgement. He has recommended that the following language be substituted for the last sentence of the ordinance: "Prior to any development approval, the city may require the property owner or developer to demonstrate the ability to provide the required public facilities to the site by posting a bond, letter of credit or cash." Eades said the previous ordinance regarding upzoning passed by the Council at public hearing in November applied to property where a study determined that adequate city services were available. The ordinance before Council tonight will provide procedures for determining other property where services are or will be provided. Eades said if the ordinance was passed the 1000 Friends case will be dismissed.

No one appeared to speak in favor of or in opposition to the amendments. No correspondence has been received. Bill Hupp asked if there would be any impact on individual property. City Attorney said there would not, that the city would not initiate any changes. The public hearing was closed at 7:55 p.m. It was MOVED by Graf, SECONDED by Richmond to read the ordinance the first time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Kinsella, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Kinsella to adopt Ordinance No. 1556 (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON AMENDING ORDINANCE NO. 1437 PROVIDING FOR FUTURE REZONING OF PROPERTY) MOTION CARRIED with the following roll call vote: AYES: Burgess, Kinsella, Richmond, Graf, Hall.

LEGISLATION

Payment of bills

It was MOVED by Kinsella, SECONDED by Hall, that the bills listed for January 3 be approved for payment. MOTION CARRIED unanimously.

Audit Report

Bill Landwehr, from Coopers and Lybrand, gave brief outline of audit report referring to Annual financial report for fiscal year ended June 30, 1983. There were questions from Council concerning outstanding loans, equipment repair fund deficit and fixed assets ledger.

John Dethman, from Coopers and Lybrand, gave outline of Report to Management for the Fiscal Year ended June 30, 1983 with recommendations that the city continue to monitor operations in the equipment repair fund, record parking lot revenues in general fund, record assessment interest income in proper fund, repay interfund loans, establish better control over contracts, and establish accountability over fixed assets. Richmond asked about the pension plan and the figures on vested-non-vested plan benefits. Dethman said the figures were based on an actuarial study done by PERS. It was MOVED by Graf, SECONDED by Richmond to accept report as submitted. MOTION CARRIED unanimously. Staff will report to Council on the audit report at the next meeting.

Self Inspection Program- Fire Dept.

Fire Chief introduced Firefighter Wes Johns who spoke of advantages of a self inspection program which included the freeing up of manpower. The self inspection program will apply only to low risk businesses of which there are approximately 350. It was MOVED by Graf, SECONDED by Kinsella to read the ordinance the first time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Kinsella to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Kinsella to adopt Ordinance No. 1557 (AN ORDINANCE OF THE CITY OF MILWAUKIE AMENDING ORDINANCE NUMBER 1535 AND PROVIDING FOR A FIRE HAZARD SELF-INSPECTION PROGRAM) MOTION CARRIED with the following roll call vote: AYES: Burgess, Graf, Hall, Kinsella, Richmond. NOES: none.

Automatic Sprinkler Systems

Jesse Villarreal, Fire Marshal has prepared memo dated December 20, 1983 requesting that paragraphs b,c, and d be deleted from ordinance 1513, since, due to current methods of construction, some of the exeptions listed are no longer warranted. He said the requirements will apply to only new or remodeled buildings. It was MOVED by Graf, SECONDED by Kinsella to read the ordinance the first time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Kinsella, to read the ordinance the second time by title only. It was MOVED by Graf, SECONDED by Kinsella, to adopt Ordinance No. 1558 (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON AMENDING ORDINANCE NUMBER 1513 REQUIRING AUTOMATIC SPRINKLER SYSTEMS IN CERTAIN STRUCTURES). MOTION CARRIED with the following roll call vote: AYES: Burgess, Graf, Hall, Richmond, Kinsella. NOES: none.

CONSENT AGENDA

Approval of minutes- December 12, 1983  
Approval of liquor license- Shirlaki's Deli  
Island Station Waterline Improvement Final Pay Estimate  
It was MOVED by Kinsella, SECONDED by Hall, to adopt the consent agenda. MOTION CARRIED unanimously.

OTHER BUSINESS

Apt. of task force to study transit center location

The following persons have expressed an interest in appointment to the task force. Don Trotter, Bee Hall and Bill Hupp. It was MOVED by Kinsella, SECONDED by Richmond, that Bee Hall be appointed to the task force to study transit center sites. MOTION CARRIED unanimously. It was agreed that Kinsella and Hall would be Council representatives on the task force.

Tri-Met Intergovernmental Agreement

Mayor reported that she and Bill McDonald met with Tri-Met representatives regarding maintenance concerns at the current Milwaukie Transit Center. McDonald said a contract is being negotiated which will include a \$54.50 payment for Tri-Met's use of the City Hall restrooms. There was discussion on the problem of littering. Graf suggested that Tri-Met contract with the City for maintenance.

Mayor said she would like a report on the cost of restoring the center after the flooding problem. She asked also about damage to Loaves and Fishes equipment and what was being done to remedy the problem. Public Works Director said the damage was caused by a cold air vent and that there were plans to build a shroud over the vent. He gave a brief report on the damage. The city has \$1000 deductible insurance, he said but did not know what type of insurance Loaves and Fishes has.

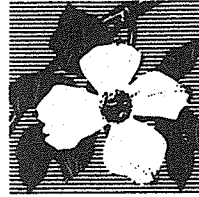
There was discussion on the process used in hiring a new Police Chief. Mayor asked that Council be allowed to see resume of person hired.

The meeting was adjourned at 10:30 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

# CITY OF MILWAUKIE



OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

## CITY COUNCIL AGENDA JANUARY 3, 1984

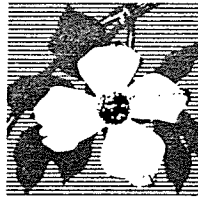
### AGENDA

#### MILWAUKIE SENIOR CENTER

#### REGULAR MEETING (1447th)

5:30 pm Executive Session

- I CALL TO ORDER
  - a) Call to order
  - b) Invocation
  - c) Pledge of allegiance
  
- II AUDIENCE PARTICIPATION
  - a) Police Canine Program: Officers Colt and Shindler with Dillon and Trojan.
  
- III PUBLIC HEARING
  - a) Uponong amendment to the Comprehensive Plan  
ORDINANCE \_\_\_\_\_
  
- IV LEGISLATION
  - a) Payment of bills
  - b) Audit report - Bill Landwehr, Coopers & Lybrand
  - c) Self inspection program  
ORDINANCE \_\_\_\_\_
  - d) Ordinance requiring sprinkler systems  
ORDINANCE \_\_\_\_\_
  
- V CONSENT
  - a) Approval of minutes, December 12, 1983
  - b) Approval of Liquor License - Shirlaki's Deli
  - c) Island Station waterline improvement final pay estimate
  
- VI OTHER BUSINESS
  - a) Appointment of transit center task force
  - b) Letter from Tri-Met re inter-governmental agreement.
  
- VII INFORMATION
  - a) Traffic Safety Commission minutes - November 11, 1983
  - b) SCAC minutes - November 18, 1983
  - c) Letter from Bee Hall
  - d) Letter from Public Works Director re water system
  - e) Memo from Personnel Director re smoking
  - f) Letter from Precision Castparts
  - g) Letter from Metro re recycling program
  
- VIII ADJOURNMENT



## MEMORANDUM

TO: CITY COUNCIL  
FROM: GREG EADES *GE*  
SUBJECT: COMPREHENSIVE PLAN AMENDMENT  
DATE: DECEMBER 8, 1983

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You will recall that we've recommended these ordinance amendments involving upzoning to secure a dismissal of the 1000 Friends appeal of our Comprehensive Plan acknowledgement. If you adopt the ordinance in your packet, you may not accomplish this.

I prepared the ordinance exactly as recommended by the Planning Commission. If adopted, it may be challenged by the Home Builders Association (see November 23 letter) or the State Housing Council, one of the parties to the appeal. While I think it's important that the City get a commitment for public improvements before development occurs, I agree with Mr. Hanway that this commitment does not have to be made at the time the zone change is requested. A requirement like the last sentence of Policy 4 may create an unreasonable obstacle to the zone change and therefore the new development we're trying to encourage.

If you must have some language in the Comprehensive Plan, I suggest you substitute something like the following for the last sentence:

*prior to any development approval, the City may*  
require the property owner or developer to demonstrate the ability to provide the required public facilities to the site by posting a bond, letter of credit or cash.

We could also amend the zoning ordinance to include the non-remonstrance requirement or financial assurances suggested in Mr. Hanway's letter. In my opinion, this will provide protection equivalent to the language proposed and may satisfy the Metro Homebuilders. We can discuss this further at the meeting.

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AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON AMENDING ORDINANCE NO. 1437 PROVIDING FOR FUTURE REZONING OF PROPERTY.

WHEREAS, a Facilities Review Report was completed in July 1983 showing that certain properties were adequately served by public facilities to permit rezoning to conform the zoning to the Comprehensive Plan designations, and

WHEREAS, the City desires to adopt the Facilities Review Report as a guide to future rezonings when adequate services become available, and

WHEREAS, the Planning Commission and City Council have held public hearings on an amendment to the Comprehensive Plan to adopt the Facilities Review Report,

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings:

A. The Comprehensive Plan adopted in 1979 designates certain residential property for medium or high density residential development. The zoning of this property did not conform to the Comprehensive Plan and would not permit such development.

B. In the Facilities Review Report dated July 28, 1983, the Public Works Department surveyed the adequacy of the public services available to each of these sites. The majority of the sites were found to have adequate street, storm sewer, sanitary sewer and water service available.

C. The Residential Land Use and Housing Element, Objective # 5-Housing Choice, Policy No. 3 requires rezoning of lands designated for high density residential use when it can be demonstrated that adequate public facilities exist in accordance with city standards to support increased development.

D. Section 9.03 of Ordinance No. 1438 requires a rezoning request to be approved where the request provides for the maximum development permitted by the Comprehensive Plan and public facilities are adequate.

E. The rezoning of the property found to have adequate services was approved by the Council on November 1, 1983 and adopted as Ordinance No. 1554.

F. Other property that is not zoned in conformance with the Comprehensive Plan will have to be rezoned at such time

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adequate services become available and the Public Facilities Review provides the necessary criteria to measure the adequacy of these services.

G. On November 22 the Planning Commission conducted a public hearing on adopting the Public Facilities Review as a guide to future rezonings and received no public testimony. The Commission recommended an amendment to the Comprehensive Plan, finding that the amendment satisfied the requirements of the Plan Amendment criteria found on p. 4.

H. The City Council conducted a public hearing on the amendment on December 12. The Council finds the amendment is in conformance with the Comprehensive Plan goals, policies and in spirit, there is a public need for the change, the public need is best satisfied by this amendment and the change will not adversely affect the health, safety and welfare of the community.

Section 2. Amendment. The Residential Land Use and Housing Element of the Comprehensive Plan (Ordinance No. 1437), Objective #5 - Housing Choice is amended by deleting the last paragraph of Policy 3 on page 32 and addition new Policy 4 as follows:

4. Although not all residential lands will be immediately zoned for maximum permissible densities, the rezoning of these lands will be approved when adequate facilities, as specified in the Facilities Review Report have been provided, or can be provided by the property owner or developer. In the case of future service provision, the property owner or developer must demonstrate the ability to provide facilities by posting a bond, or letter of credit or cash as part of the request for rezoning.

Section 3. Adoption of Facilities Review Report. Ordinance No. 1437 is further amended by adding the Facilities Review Report dated June, 1983 to the Comprehensive Plan following p. 80.



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Section 4. Notice. The Planning Director is directed to give notice of these amendments as required by law.

Read the first time on \_\_\_\_\_, and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
Joy Burgess, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Perkin, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Greg Eades, City Attorney

CITY OF MILWAUKIE  
BILLS PAYABLE JANUARY 3, 1984

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1.	A & A Welder's Supply, Inc.	7.00	1-62	7.00
2.	ASEM	45.00	1-91	45.00
3.	Ace Overhead Door Specialties, Inc.	307.20	1-62	307.20
4.	Bailey Tool	71.18	4-	32.73
			30-	38.45
5.	Baker & Taylor	691.93	1-34	691.93
6.	Bernard's Garage	365.64	7-	365.64
7.	Bob's Rental & Sales	22.50	30-	22.50
8.	Boise Cascade	246.39	1-23	86.00
			1-28	13.08
			1-34	82.40
			1-52	64.91
9.	Brodart, Inc.	8.24	1-34	8.24
10.	Bureau of Business Practice	28.38	1-28	28.38
11.	Childers Enterprises, Inc.	107.37	1-23	107.37
12.	Childrens Press	48.27	1-34	48.27
13.	City Council	275.00	1-10	275.00
14.	Cogan & Associates	92.16	1-21	92.16
15.	Cole Publications	114.25	1-52	114.25
16.	Colonial Office Products	41.84	1-23	20.89
			1-52	20.95
17.	Columbia Battery Mfg. Co.	163.13	7-	163.13
18.	Cook's Books	394.46	1-54	394.46
19.	Coopers & Lybrand	2,500.00	1-23	2,500.00
20.	Court Reporting Institute	57.95	1-35	57.95
21.	Crestwood House	204.16	1-34	204.16
22.	Clackamas Cty. Department of Environmental Services	110.00	1-32	61.60
			1-53	48.40
23.	Clackamas Cty. Fire Defense Board	20.00	1-62	20.00
24.	Clackamas Cty. Printing	243.90	1-61	80.38
			20-	81.76
			30-	81.76
25.	Clackamas Cty. Service Dist.#1	39,887.86	1-32	60.00
			20-	39,827.86
26.	Clackamas Water District	30.00	1-36	30.00
27.	DeHaas & Associates, Inc.	44.11	30-	44.11
28.	Dwyer Community Hospital	51.84	1-62	51.84
29.	El-Co Contractors, Inc.	1,316.15	30-	1,316.15
30.	Enterprise Courier	11.31	1-35	11.31
31.	Fire & Casualty Insurance Company of Connecticut (EBI)	8,159.20	3-	8,159.20
32.	H.D. Fowler Company, Inc.	107.40	30-	107.40
33.	Fred Meyer	104.80	1-52	104.80
34.	Gale Research Company	77.55	1-34	77.55
35.	Goodall Rubber Company	19.10	20-	9.55
			30-	9.55
36.	City of Gresham (Police Dept)	100.00	1-52	100.00
37.	ICMA	654.43	1-21	654.43
38.	Instrument Sales & Service, Inc.	25.11	1-62	25.11
39.	International Assn. of Fire Chiefs	60.00	1-61	60.00

CITY OF MILWAUKIE  
BILLS PAYABLE JANUARY 3, 1984

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40.	International Assn. Chiefs of Police	50.00	1-51	50.00
41.	ICBO	3.00	1-93	3.00
42.	Jess's Bear Frame & Axle	40.00	1-52	40.00
43.	Kayser, Phillip	75.00	1-32	75.00
44.	Keller Supply Company	24.71	30-	24.71
45.	Langley, Kathleen M.	22.00	1-32	22.00
46.	League of Oregon Cities	308.65	1-52	308.65
47.	Light Truck Parts	35.00	7-	35.00
48.	Linn-Benton Community College	95.00	30-	95.00
49.	Chas. H. Lilly Co.	372.50	4-	372.50
50.	Lipco Brokerage, Inc.	47.92	4-	15.98
			20-	15.97
			30-	15.97
51.	McFarlane Bark	8.00	1-36	8.00
52.	M & M Chain Saw	110.00	1-36	110.00
53.	Main Street Cleaners	439.20	1-52	375.00
			1-61	1.93
			1-62	57.78
			1-63	4.49
54.	Maloney Brothers Auto Parts	43.80	1-62	43.80
55.	Mascott Equipment Company	21.20	7-	21.20
56.	Milwaukie Automotive Service	2,643.00	3-	2,643.00
57.	Milwaukie Plumbing Co.	79.10	1-37	79.10
58.	Mishler, Jim	15.00	1-93	15.00
59.	Monte Publishing Company	11.88	1-34	11.88
60.	Myron, Rick	235.00	20-	235.00
61.	National Band & Tag Co.	173.00	1-23	173.00
62.	Nordstroms	100.00	1-21	100.00
63.	Northwest Copy Products	840.00	1-34	420.00
			1-53	420.00
64.	Nudelmans	422.00	1-52	422.00
65.	OATA	10.00	1-21	10.00
66.	Oak Grove Auto Parts	46.53	1-62	32.99
			7-	13.54
67.	Oak Lodge Sanitary District	688.50	20-	688.50
68.	Olson Bros. Service	13.95	1-52	13.95
69.	Oregon Fire Marshals Assn.	8.75	1-63	8.75
70.	PGE	5,380.58	1-34	353.69
			1-36	10.77
			1-52	250.85
			1-61	288.10
			4-	668.92
			7-	97.33
			20-	256.85
			30-	3,454.07

CITY OF MILWAUKIE  
BILLS PAYABLE JANUARY 3, 1984

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71.	Pacific Coast Industrial Laundry	245.10	1-34	18.00
			1-37	16.00
			1-51	4.00
			1-62	13.50
			4-	64.53
			20-	64.53
			30-	64.54
72.	Pacific Northwest Bell	2,675.71	1-21	182.05
			1-22	72.82
			1-23	218.16
			1-24	72.82
			1-26	72.82
			1-31	36.41
			1-34	166.97
			1-35	72.82
			1-36	36.41
			1-37	264.34
			1-53	701.94
			1-61	59.10
			1-91	72.82
			1-92	109.23
			1-93	36.41
			4-	149.53
			20-	188.38
			30-	162.38
73.	Pacific Waterworks Supply	171.32	30-	171.32
74.	The Parts Store	6.18	7-	6.18
75.	Petty Cash	147.71	1-10	5.85
			1-21	17.80
			1-23	3.98
			1-28	7.00
			1-33	2.55
			1-34	39.65
			1-35	2.00
			1-51	12.90
			1-52	20.00
			1-53	1.29
			7-	17.42
			30-	17.27
76.	Pioneer Business Forms	661.57	1-23	661.57
77.	City of Portland	463.68	1-52	463.68
78.	Portland General Electric	125.00	1-37	125.00
79.	Portland Road & Driveway	444.00	4-	444.00
80.	Postmaster	40.00	1-23	40.00
81.	Prentice-Hall, Inc.	6.34	1-34	6.34
82.	Robben Oil Company	815.87	1-37	304.87
			1-53	318.94
			1-62	192.06
83.	Rock Creek Sand & Gravel	165.00	4-	165.00



CHART OF ACCOUNTS  
FUNDS & DEPARTMENTS

- 01 General Fund
  - 10 City Council
  - 21 City Administration
  - 22 City Attorney
  - 23 Finance
  - 24 Purchasing
  - 26 Court
  - 27 Cable Franchise
  - 28 Personnel
  - 31 Community Services Administration
  - 32 Milwaukie Center
  - 34 Library
  - 35 Planning
  - 36 Parks & Recreation
  - 37 City Hall
  - 41 General Government
  - 51 Police Administration
  - 52 Field Services
  - 53 Support Services
  - 61 Fire Administration
  - 62 Fire Suppression
  - 63 Fire Prevention
  - 91 Public Works Administration
  - 92 Public Works Engineering
  - 93 Public Work Building
- 03 Equipment Reserve Fund
- 04 State Tax Street Fund
- 05 Improvement Bond Sinking Fund
- 06 Street Improvement Fund
- 07 Equipment Repair Fund
- 09 Bike Path Fund
- 10 Fixed Asset Account Group
- 12 Federal Revenue Sharing Fund
- 13 Community Development Fund
- 20 Sewer Fund
- 30 Water Fund

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CITY OF MILWAUKIE  
BILLS PAYABLE JANUARY 3, 1984

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1.	A & A Welder's Supply	52.55	7-	52.55
2.	ABC Kitchen	30.00	1-10	30.00
3.	APPRO	20.00	1-51	20.00
4.	Alexander's	27.20	1-52	27.20
5.	Alexander Research & Communications	85.00	1-35	85.00
6.	Baker & Taylor	27.20	1-34	27.20
7.	Barnes, Maureen H.	10.20	1-32	10.20
8.	Ben-Ko-Matic Brush & Equipment	134.96	7-	134.96
9.	Bernard's Garage	221.73	1-52	165.72
			7-	56.01
10.	Bernstein Bros.	24.20	1-37	24.20
11.	Blaisdell Saw & Abrasives, Inc.	66.20	1-36	66.20
12.	Bob's Rentals & Sales, Inc.	8.50	30-	8.50
13.	Boise Cascade	389.44	1-23	321.41
			1-31	68.03
14.	CRS (City Rubber Stamp)	17.09	1-92	17.09
15.	Caedmon	65.00	1-34	65.00
16.	Castings, Inc.	125.80	4-	125.80
17.	Childers Enterprises, Inc.	360.00	1-23	360.00
18.	Consolidated Supply	255.70	30-	255.70
19.	Clackamas Cty. Animal Control	1,031.00	1-52	1,031.00
20.	" " Environmental Svcs.	296.37	4-	296.37
21.	" " Library	283.81	1-34	283.81
22.	" " Printing	352.38	1-53	352.38
23.	Day-Timers, Inc.	10.29	1-23	10.29
24.	Dorsey Paint & Equipment, Inc.	52.85	7-	52.85
25.	Executive Department	322.00	1-53	322.00
26.	Fox Fence Company	659.20	1-52	659.20
27.	Gates, Vincent I.	39.10	1-32	39.10
28.	Grahams Book & Stationery	22.19	1-62	22.19
29.	Himmel, Marv. (League Oregon Cities)	318.90	1-21	318.90
30.	Hite, Sara	64.20	1-32	64.20
31.	Home Laundry	196.15	1-62	196.15
32.	Horton Electric	192.15	1-53	192.15
33.	Hyneman, Glorianne C., RN	328.20	1-32	328.20
34.	IBM	96.00	1-32	96.00
35.	Jess's Bear Axle & Frame	40.00	1-52	40.00
36.	Kaiser Foundation Hospitals	67.00	1-52	67.00
37.	Kayser, Phillip G.	75.00	1-52	75.00
38.	Klein Jewelers	459.80	1-28	459.80
39.	Knapp Construction Co., Inc.	100.00	1-36	100.00
40.	Kovac, Leonard J., Jr.	315.00	1-22	315.00
41.	Lamco Radar Sales & Service	35.00	1-52	35.00
42.	League of Oregon Cities	15.00	1-21	15.00
43.	Linn-Benton Community College	115.00	1-92	115.00
44.	Long Sleeve Records	33.00	1-34	33.00

CITY OF MILWAUKIE  
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45.	McFarlane Bark	97.00	1-36	16.00
			4-	81.00
46.	Marvac Products Co.	120.00	1-52	120.00
47.	Milwaukie Lumber Company	25.60	4-	25.60
48.	MSA (Mine Safety Appliance)	114.00	20-	114.00
49.	Motorola	144.25	1-62	144.65
50.	Multigraphics	14.70	1-24	14.70
51.	Mundorff, Roger	275.00	1-26	275.00
52.	National Fire Protection Assn.	129.49	1-63	129.49
53.	Northwest Hotel Supply	10.66	1-62	10.66
54.	Northwest Law Enforcement Equipment	44.36	1-62	26.30
			7-	18.06
55.	Northwest Testing Laboratories	280.00	30-	280.00
56.	Northwest Natural Gas	1,863.43	1-32	724.38
			1-34	524.24
			4-	5.63
			7-	337.17
			20-	5.63
			30-	266.38
57.	Oak Grove Auto Parts	33.55	7-	33.55
58.	Olson Bros. Service, Inc.	17.90	1-52	17.90
59.	State of Oregon (Purchasing)	1,275.00	3-	1,275.00
60.	State of Oregon (Dept. Agriculture)	10.00	4-	10.00
61.	State of Oregon (Dept. State Police)	1,100.00	12-	1,100.00
62.	Oregon Assn. Chiefs of Police	40.00	1-51	40.00
63.	Oregonian	15.00	1-21	7.50
			1-61	7.50
64.	Organizational Development	375.00	1-51	375.00
65.	Oregon Filter Specialists	24.84	7-	24.84
66.	PGE	4,448.99	1-32	633.34
			1-36	12.30
			1-37	477.08
			1-41	29.10
			1-61	46.27
			4-	436.96
			20-	201.55
			30-	2,612.39
67.	Pacific Northwest Bell	729.86	1-21	58.74
			1-31	51.54
			1-32	265.34
			1-36	52.86
			1-52	34.30
			1-53	43.39
			1-62	223.69
68.	Pacific Pioneer Equipment Co.	90.00	4-	45.00
			30-	45.00



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CITY OF MILWAUKIE  
BILLS PAYABLE JANUARY 3, 1984

69. Petty Cash	407.99	1-21	16.87
		1-23	25.07
		1-31	9.50
		1-32	44.53
		1-34	32.38
		1-35	3.39
		1-51	24.84
		1-52	77.42
		1-53	30.14
		1-61	16.00
		1-62	46.27
		1-91	1.00
		7-	60.25
		20-	19.29
		30-	1.04
70. Pioneer Business Forms	655.93	1-23	655.93
71. Piper's Pub	40.00	1-10	40.00
72. Pony Soldier Motel	59.86	30-	59.86
73. Portland Marriott Hotel	7.16	1-10	7.16
74. Portland Precision Instruments	23.75	1-92	11.88
		30-	11.87
75. Robben Oil Company	485.97	1-37	485.97
76. Rock Creek Sand & Gravel	180.00	4-	180.00
77. Recker, Yvonne	48.00	1-32	48.00
78. Redline Truck & Equipment	18.57	7-	18.57
79. Schanaker, Ronald	55.00	1-52	55.00
80. Solomon, Ken	450.00	1-31	450.00
81. Spec Industries, Inc.	224.00	4-	224.00
82. Stensrud, Craig	68.40	1-52	68.40
83. Traffic Safety Supply Co.	453.85	4-	453.85
84. Truck Colors, Inc.	5,834.75	3-	5,834.75
85. Valley Communications, Inc.	172.00	1-52	172.00
86. Varda Silent Alarm	3,356.21	12-	3,356.21
87. W-D Automotive	2,500.00	1-52	2,500.00
88. Weiler Chevrolet	46.82	1-52	46.82
89. Western Pacific Construction Materials	243.95	4-	243.95
90. Wiley Security Services, Inc.	180.00	1-62	180.00
	<u>\$34,231.60</u>		<u>\$34,231.60</u>

CHART OF ACCOUNTS  
FUNDS & DEPARTMENTS

- 01 General Fund
  - 10 City Council
  - 21 City Administration
  - 22 City Attorney
  - 23 Finance
  - 24 Purchasing
  - 26 Court
  - 27 Cable Franchise
  - 28 Personnel
  - 31 Community Services Administration
  - 32 Milwaukie Center
  - 34 Library
  - 35 Planning
  - 36 Parks & Recreation
  - 37 City Hall
  - 41 General Government
  - 51 Police Administration
  - 52 Field Services
  - 53 Support Services
  - 61 Fire Administration
  - 62 Fire Suppression
  - 63 Fire Prevention
  - 91 Public Works Administration
  - 92 Public Works Engineering
  - 93 Public Work Building
- 03 Equipment Reserve Fund
- 04 State Tax Street Fund
- 05 Improvement Bond Sinking Fund
- 06 Street Improvement Fund
- 07 Equipment Repair Fund
- 09 Bike Path Fund
- 10 Fixed Asset Account Group
- 12 Federal Revenue Sharing Fund
- 13 Community Development Fund
- 20 Sewer Fund
- 30 Water Fund

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MEMORANDUM

IV c ①  
December 16, 1983

TO: HUGH BROWN, CITY MANAGER

FROM: DICK BAILEY, FIRE CHIEF; WES JOHNS, FIREFIGHTER, ZONE 6

SUBJECT: SELF-INSPECTION PROGRAM

Action Requested:

Council adoption of an ordinance amending Ordinance No. 1535 and providing for a fire hazard self-inspection program.

Discussion:

The fire service has long held that fire safety is not only the fire department's responsibility, but should be a joint effort involving the building owner, tenant, insurance carrier, and fire department.

With ever-increasing budget restraints and limited inspection personnel, we began to explore new ways to ensure annual fire safety inspections in the small, non-hazardous retail businesses within the community while still working with available funds and personnel.

Statistics show us that less than one percent of the community's fires occur in these smaller occupancies, yet the majority of engine company inspection time seemed to be spent in this area.

Traditionally, fire department budget emphasis is on fire suppression personnel and activities; the Milwaukie Fire Department is no exception. Increasing the number of personnel in the Prevention Division to match growing risk is not a viable solution given the current economic climate. Therefore it was determined that a totally new program for this type of inspection had to be developed. As a result, a self-inspection program, the first of its kind in Oregon, is proposed.

While certainly not a traditional approach to fire inspections, self-inspection is an extremely realistic one. It ensures that the intent of the fire code is met, while at the same time the public is educated in fire and life safety. Instead of waiting for an engine company to conduct a routine inspection without the participation of the businessman, the businessman now will conduct his own inspection, at his convenience within a thirty day period, by using a simple, easy to follow checklist. This hand-on approach is more valuable, leaves a more lasting impression, and raises the fire safety consciousness of the local business community.

Hugh Brown, December 16, 1983

page 2.

To begin the program, the engine company visits each occupancy included in the program, explains the program to the person of highest authority on the premises (usually the business owner), and leaves an inspection worksheet, which is printed on NCR paper, and a "Business and Emergency Information Record", the businessman completes the forms and returns the originals to the fire department within thirty days.

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On the twenty-third day, the zone Captain sends a post card to those businesses who have not yet responded, reminding them of the due date. If the forms are not returned at the end of thirty days, he contacts the business to see if a problem has come up. This may require conducting an inspection or rendering assistance.

When the forms are delivered, the business owners are told that spot-checks will be conducted to determine compliance and that they may request assistance with the inspection if they so desire.

Deliberate falsification of the form can result in the issuance of a citation to appear in court.

When the forms are sent out, a monthly inspection roster is prepared. Every occupancy that received the forms for that month are listed on the roster. Every year, in the same month, new forms will be mailed to the business for a repeat inspection. Eventually all of these small businesses will conduct self-inspections annually.

Some occupancies not included in the self-inspection program are public assemblies, schools, churches, sprinklered buildings, and State Fire Marshal-licensed facilities. Inspections of these occupancies are conducted personally by the Fire Marshal or during the newly expanded engine company inspection program.

We believe that the adoption of this program is one more way to better utilize our precious resources and provide more efficient services.

If you have any questions we will be happy to respond.

Dick Bailey  
Fire Chief

ORDINANCE NUMBER \_\_\_\_\_

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AN ORDINANCE OF THE CITY OF MILWAUKIE, AMENDING ORDINANCE NUMBER 1535 AND PROVIDING FOR A FIRE HAZARD SELF-INSPECTION PROGRAM.

WHEREAS, it is necessary to insure that certain structures in the City are inspected on an annual basis, and

WHEREAS, a self-inspection program is appropriate for certain buildings and would reduce the need for inspections by fire department personnel.

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 1535 is amended by adding Section 14 as follows:

Section 14. A "self-inspection" program is established for B-2 occupancies, as defined in the Code. Each year, the Chief shall cause to be delivered to the owners of each B-2 occupancy notice of the required inspection, together with the necessary forms and information to complete the inspection. The owner or his designee shall make the inspection, complete the forms and return them to the Milwaukie Fire Department within 30 days from the date notice is given. The Department may make its own inspections to insure compliance with this Code.

Section 2. Section 8 of Ordinance 1538 is amended by adding the words "or this ordinance" after the word "Code".

Read the first time on \_\_\_\_\_, 1983, and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_, 1983.

Signed by the Mayor on \_\_\_\_\_, 1983.

\_\_\_\_\_  
Joy Burgess, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Perkin, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Greg Eades, City Attorney

December 20, 1983

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TO: Chief Richard Bailey  
FROM: Jesse C. Villarreal, Fire Marshal  
SUBJECT: Ordinance No. 1513 Automatic Sprinkler Systems

Originally this ordinance was written and adopted by the City of Milwaukie for certain existing and new structures with conditions not covered by other local codes and standards.

This gave the Prevention Division of our Fire Department the authority to enforce the added protection so badly needed especially for some existing structures of our city. However, exceptions - B, C, and D of Section 3 are allowing architects and building engineers to design additions or remodelings beyond the allowable square footage without sprinkler protection by providing a separation wall. A separation wall helps prevent a fire from spreading horizontally but not necessarily vertically. The International Conference of Building Officials have approved, for economical reasons, I'm sure, a type of light panel cast roof that is constructed of aluminum tubing, 2 X 4's and plywood that provides the required structural support but very little fire protection. In order to completely compartmentize an area to reduce fire loss, we need to delete the exceptions B, C, and D of Section 3 from Ordinance No. 1513 at least until the building officials come up with a better alternative for a roof construction.



Jesse C. Villarreal, Fire Marshal  
Milwaukie Fire Department

approval  
recommended  
Richard Bailey  
12-20-83

ORDINANCE NUMBER \_\_\_\_\_

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AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON AMENDING ORDINANCE NUMBER 1513 REQUIRING AUTOMATIC SPRINKLER SYSTEMS IN CERTAIN STRUCTURES.

WHEREAS, Ordinance No. 1513, adopted on February 2, 1983, requires automatic sprinkler systems for various construction types, with certain exceptions and

WHEREAS, due to current methods of constructions, some of the exceptions are no longer warranted,

NOW, THEREFORE, THE CITY OF MILWAUKIE ORDAINS AS FOLLOWS:

Section 3 of Ordinance No. 1513 is amended to read as follows:

Section 3. Exception. Automatic sprinkler systems are not required for dwellings containing two units or less.

Read the first time on \_\_\_\_\_ and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_

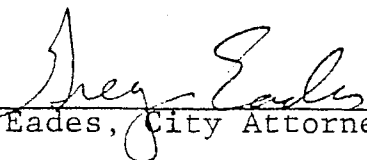
Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
Joy Burgess, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Perkin, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Greg Eades, City Attorney

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MILWAUKIE  
CITY COUNCIL MEETING  
December 12, 1983  
6:15 p.m.

COUNCIL CHAMBERS

WORK SESSION

At 5 p.m. prior to the regular City Council Meeting an executive session was held under ORS 192.660 (1) (d) to discuss labor negotiations.

At 6:15 p.m. the executive session was adjourned and the City Council held a work session to discuss upcoming issues to come before Council. The following Councilors were present:

Mayor Joy Burgess	Don Graf
Ron Kinsella	Roger Hall
Mike Richmond	

Also present:

Hugh Brown, City Manager  
Greg Eades, City Attorney  
Dick Bailey, Fire Chief  
Laurie Perkin, Secretary

The City Manager listed the following issues which would be coming before City Council in the next few months:

- FIRESTOP proposal
- Budget meetings and budget campaign
- Transit center location
- McLoughlin improvements
- RR/Harmony/Lake Rd. improvements
- Captial improvements
- Riverfront development
- Linwood annexation
- Oak Lodge annexation
- Sewer contract with Clackamas Service District # 1

Kinsella said he would prefer getting material on these issues sooner to allow for more study time before discussions. Mayor Burgess suggested that the parking study be included in the list of items to be discussed.

There was extended discussion on the Linwood annexation. City Manager said there had been some effort to organize community coffees to discuss annexation issues, that the request for annexation should come from the citizens through a petition process and that it would be another month or two before there would be anything definite on this. City Attorney suggested Council may want to consider either "negotiating" a boundary with the people interested in the incorporation or amending the current planning agreement with Clackamas County to provide a growth boundary for Milwaukie. If the parties could decide on a mutually acceptable boundary, there would be no need for an argument in front of the Boundary Commission. The meeting was adjourned at 6:55 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary



MILWAUKIE  
CITY COUNCIL MEETING  
December 12, 1983  
7 p.m.

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COUNCIL CHAMBERS

1446th MEETING

The one thousand four hundred and forty sixth meeting of the Milwaukie City Council was held on December 12, 1983 with the following councilors present:

Mayor Joy Burgess                      Don Graf  
Ron Kinsella                              Roger Hall  
Mike Richmond

Also present:

Hugh Brown, City Manager  
Greg Eades, City Attorney  
Margaret Post, Finance Director  
Laurie Perkin, Secretary

The invocation was given and the pledge of allegiance was recited.

CONSENT AGENDA

Approval of minutes, December 6, 1983

It was MOVED by Kinsella, SECONDED by Graf, to approve the consent agenda. MOTION CARRIED unanimously.

OTHER BUSINESS

Appeal of Planning Commission approval - M-83-11.a Minor Land Partition and VR - 83-18 - Variance Request, 3915 SE King Rd.

Bill Hupp said he would like this appeal to be heard the first meeting in January and asked if there was a stop work order on the project in question. City Attorney said the appellant had asked that the appeal be heard the second meeting in January and that it was unlikely any work would be done on the project since if the appeal was upheld, any work done which was inconsistent with the decision would have to be removed.

Task Force - Transit Center

There was discussion on the number of persons to be appointed, the makeup of the group and what the function of the task force should be. It was decided that a member of the Traffic Safety Commission, a member of the Planning Commission, two members of the City Council, a Tri-Met user, a member of the Milwaukie USA Business Association, and a representative of the school district would be an appropriately representative group for the task force. It was MOVED by Kinsella, SECONDED by Graf, that the appointments be made as stated. MOTION CARRIED unanimously. Bill Hupp said he would like to be considered for appointment. It was decided to make the appointments the first meeting in January.

Long Range Fiscal Projections

Norm Kraft, Supervising Accountant, has prepared five-year estimated revenue and expenditure projection for the city required by state which must be certified by City Council. There was concurrence of the Council to accept report as submitted.

City Council Minutes  
December 12, 1983

VI  
page 2, a (3)

Mayor Burgess asked that the Budget Committee meetings be held at City Hall rather than at the Senior Center since many people had trouble getting to the Center. There was concurrence that the Budget Committee meetings be held at City Hall.

Richmond said there had been complaints about the way the Planning Commission meetings were handled and asked if this was a matter that Council should deal with. The City Attorney said if people had a problem with the way Planning Commission meetings were conducted, they had the right to appeal decisions before the Council. He said if the Council supported the Commission, there would likely be less problems at the Planning Commission meetings.

City Manager said he would have an updated version of the Firestop Agreement sometime in January. There was discussion on where to hold public hearings on the Firestop proposal. It was decided to hold the January 23 meeting at Linwood School and the January 31 meeting somewhere in the downtown area. There was discussion on whether the public should have a chance to vote on the Firestop proposal. Graf suggested postponing a decision on this until the Council had discussed the matter with the Oak Lodge Board.

The meeting was adjourned at 8:15 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

M E M O R A N D U M

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TO: Hugh Brown, City Manager  
FROM: *R* Ron Schanaker, Police Chief  
DATE: December 22, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE

State and local law enforcement records fail to reflect any negative information on the below-listed applicants. I therefore find no reason to deny issuance of the requested license.

APPLICANTS: George Xistras and  
Shirley A. Xistras DBA  
SHIRLAKIS DELI  
4160 SE International Way  
Milwaukie, Oregon 97222

RCS:jh

TO CITY OR COUNTY RECEIVING THIS APPLICATION:

OLCC Investigator Bill Dimon will be processing this application.

Please call (338-8271) if you have questions or need any information.

OF OREGON CONTROL COMMISSION

Return To

INFORMATION

Fee is assessed when you submit this completed form to the Commission. If this application does not comply with the Commission's rules, the Commission will not grant the license to operate the business named below.

No. 06508

(THIS SPACE IS FOR OLCC OFFICE USE) Application is being made for: [ ] DISPENSER, CLASS A [ ] DISPENSER, CLASS B [ ] DISPENSER, CLASS C [ ] PACKAGE STORE [ ] RESTAURANT [ ] RETAIL MALT BEVERAGE [ ] SEASONAL DISPENSER [ ] WHOLESALE MALT BEVERAGE & WINE [ ] WINERY [ ] OTHER

(THIS SPACE IS FOR CITY OR COUNTY USE) NOTICE TO CITIES AND COUNTIES. Do not consider this application unless it has been stamped and signed at the left by an OLCC representative. THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY COURT OF: RECOMMENDS THAT THIS LICENSE BE: GRANTED / DENIED. DATE: BY: TITLE:

\$50.00 Process Fee / Receipt # 7339

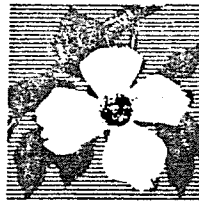
CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1 Name of Corporation, Partnership, or Individual Applicants: 1) GEORGE XISTRAS 2) SHIRLEY A. XISTRAS 2. Present Trade Name: SHIRLAKI'S DELI 3. New Trade Name: SHIRLAKI'S DELI 4. Premises address: 4160 SE INTERNATIONAL Way, MILWAUKIE-CLACKAMAS COE, 97222 5. Business mailing address: ARYE 6. Was premises previously licensed by OLCC? Yes No [X] Year 7. If yes, to whom: N/A Type of license: N/A 8. Will you have a manager: Yes No [X] Name: N/A 9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes No [X] 10. What is the local governing body where your premises is located? CLACKAMAS COUNTY 11. OLCC representative making investigation may contact: SHIRLEY A. XISTRAS 17022 SE Stephens 760-4633 654-1084

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

DATE: 12-13-1983 Applicant(s) Signature: 1) George Xistras 2) Shirley A. Xistras

# CITY OF MILWAUKIE



PUBLIC WORKS DEPARTMENT  
in the City Hall - phone 659-5171

## \* \* MEMORANDUM \* \*

December 9, 1983

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TO: Hugh Brown  
City Manager

FROM: Steven Hall *SMH by PNR*  
Public Works Director

SUBJECT: Island Station Waterline Improvement  
Schedule II (Phase 2)  
Final Pay estimate

The City's portion (Schedule II) of the Island Station Waterline Improvement Project is now completed. This portion plus the rest of the project will be presented to the City Council at a later date for formal acceptance.

Lyle Sharp, Civil Engineering Inspector has prepared this final pay estimate. I have reviewed the pay estimate and concur with his findings.

Please approve payment as follows:

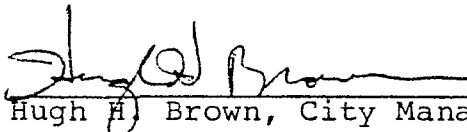
Contractor: W. G. Moe & Sons  
8850 S.E. 76th Drive  
Portland, Oregon 97206

Payment due: \$28,633.51

Account No.: 30-00-365-00

Upon approval please forward to Finance Director for payment.

APPROVED:

  
\_\_\_\_\_  
Hugh H. Brown, City Manager

Date: 12/9/83

Enclosure: Payment Schedule

cc: Norm Kraft

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27 DEC 83 10:21

MILWAUKIE-OR

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Attn City Manager  
Mayor Burgess &  
Members of the City Council

It has been called to my attention that you are looking for people who ride the buses to be on a committee to look for a solution to the bus situation in Milwaukie. I would be interested in applying for a position.

My qualifications are.

- a. Former member of city committee to get better bus service for Milwaukie.
- b. Constant use of the buses in all directions and familiarity with schedules and problems. Knowledge of the various buses and where they go.
- c. An interest in keeping Milwaukie's bus service the best in the area with attention to other peoples property rights.
- d. Employment at Dwyer <sup>Hospital</sup> with an interest in peoples needs in getting to work.

Please give this matter consideration.

Thank you

Bernice E. Hill (BEE)  
3645 S.E. Harney St  
Milwaukie, Ore. 97222  
654-7083

MILWAUKIE-OR

27 DEC 83 10:15



TRI-COUNTY  
METROPOLITAN  
TRANSPORTATION  
DISTRICT  
OF OREGON



**TRI-MET**

4012 S.E. 17TH AVENUE  
PORTLAND, OREGON 97202

20 DEC 03 11:12

-MILWAUKIE-OR

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December 21, 1983

The Honorable Joy Burgess  
Mayor, City of Milwaukie  
City Hall  
10722 SE Main Street  
Milwaukie, Oregon 97222

Dear Mayor Burgess:

This letter is in response to recent discussions between Tri-Met staff and officials of the City of Milwaukie regarding operational and maintenance concerns at the current Milwaukie Transit Center. I have discussed the matter with the Tri-Met staff involved, and am prepared to suggest to you the following course of action. Specifically, I would like to propose, per your recommendation, that Tri-Met and the City of Milwaukie enter into an inter-governmental agreement that would include the following provisions:

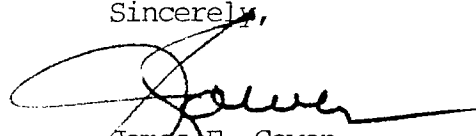
1. A formalization of the monthly payment of a \$54.50 fee for Tri-Met operator use of the Milwaukie City Hall restroom and other expenses related to the use of the Milwaukie Transit Center.
2. An agreement that Tri-Met would provide two additional trash receptacles for the Milwaukie Transit Center.
3. A provision that Tri-Met staff would work with the staff of the City of Milwaukie to find an appropriate and affordable physical design solution to the erosion problem on the City Hall property at the Northwest corner of 21st and Jackson, with a further understanding that the parties would agree to an equitable allocation of responsibilities.
4. A stipulation that Tri-Met, without agreeing that it has contributed to any problem affecting the health of the tree, pay the City of Milwaukie the one-time sum of \$250 for the care and pruning of the large walnut tree on 21st Avenue behind City Hall.
5. An agreement that the Tri-Met operations staff will increase its efforts to ensure that operators shut off the engines of their buses while laying over in the Milwaukie Transit Center for any period longer than two minutes (except in sub-freezing weather).

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I would like to suggest that this inter-governmental agreement be in effect for a period of two years, or until a permanent transit center facility is placed in operation, if that event should occur first. I think we both agree that a truly lasting solution to bus circulation and transit center maintenance problems can only be achieved in the context of construction and operation of a final and permanent transit center in Milwaukie.

In closing, I would like to emphasize Tri-Met's appreciation for the cooperation and support it has received on this issue. We look forward to continuing to work with you to improve public transportation in our region.

Sincerely,



James E. Cowen  
General Manager

JEC:cc

cc: Bill MacDonald, City of Milwaukie  
Tom Matoff, Tri-Met

TRAFFIC SAFETY COMMISSION  
Meeting November 11, 1983  
Minutes

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I CALL TO ORDER: Meeting was called to order at 7:40 p.m. in City Hall Council Chambers by Chairman Louis Bruneau.

MEMBERS PRESENT: Dick Samuels  
Jim Stell  
Louis Bruneau, Chairman  
Karen Bergio  
Delbert Binkley

MEMBERS ABSENT: Warren Bottemiller

STAFF PRESENT: Paul Roeger, Office Engineer  
Judy Small, Secretary

II APPROVAL OF MINUTES: It was moved by Samuels, seconded by Binkley to approve the minutes of the October meeting as written. Motion carried by unanimous vote.

III AUDIENCE PARTICIPATION: Bruneau introduced Karen Bergio, Student Representative to the Commission. Karen is a student at Milwaukie High and will be representing the student population and high school on the Commission.

IV OLD BUSINESS:

A. Project Status - Roeger announced that the Harrison Street/32nd Ave. signalization is now completed. A left turn arrow for eastbound traffic on Harrison Street has been installed.

McLoughlin Blvd. No change

Railroad Ave/Harmony Road - Public hearing has been rescheduled for the last part of March. The required Environmental Assessment study is a time consuming process necessitating the change in schedule.

There was some discussion regarding the Tri-Met Timed Transfer station proposal in conjunction with the Railroad/Harmony project. Bruneau asked about the status of the project and what would be coming up. Staff did not have complete information and was unable to respond regarding the City's position or the status of the project. Roeger stated that he would pass along any information he receives and try to keep the Commission informed.

McLoughlin Blvd. -(revisited) Roeger stated that the Public Works office had received some information with six alternatives for the Tacoma Street/McLoughlin Blvd. intersection. -

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- A. Three proposals included structures and three included "at grade" changes. The report included information on noise, pollution, cost & affect on 17th Ave. traffic. Roeger will bring plans to the Commission at the next meeting.

Railroad Crossings: PUC letter received by P.W. stating that the two remaining crossing improvement projects, Johnson Creek Blvd. at 47th and S.E. 17th Ave., have been put on "project discontinuance" status because of lack of train traffic on those lines.

- B. Annual Traffic Safety Conference: Bruneau, Roeger, and Binkley reported on the workshops they attended at the conference. Binkley relayed information about new ways to detect alcohol and drug use in determining DUII. Also an officer from the Oregon State Police Department told of ways to spot drunk drivers on the road.

Bruneau reported that the workshops he attended dealt primarily with victim's rights and use of safety belts.

Roeger's workshop dealt with motorcyclists being required to wear safety helmets and drivers with learners permits being required to use seat belts. There is also work being done to establish a requirement to have something done the first time a driver is convicted of DUII, instead of waiting until they become habitual offenders.

There was some discussion about the TV program called "The Chemical People" which dealt with alcohol and drug abuse, also regarding alcohol education in Oregon schools and the alcohol free graduation parties being organized by parent groups in many local schools.

- C. Linwood Ave. speed limit: Information in the agenda packet was discussed. Stell asked if there had been any response from Council - staff noted that Council would act upon the recommendation from the State Speed Control Board at their next meeting and that City Manager had requested a review and recommendation from Traffic Safety Commission prior to taking it to City Council.

IT WAS MOVED by Stell, Seconded by Binkley that the TSC recommend to City Council acceptance of the findings of the State Speed Control Board survey regarding Linwood Avenue and that no change be requested. Motion approved by unanimous vote.

Bruneau reported on a study done in Coos Bay regarding traffic crashes and their impact on the community in terms of economic and social costs as compared with other categories of crimes. Bruneau stated that the information gained from the study along with the instigation of a Traffic Investigation Team had a

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significient impact on traffic safety in the community. He has written a letter to the Police Department requesting a study be done with existing staff to assess the economic and social impact of traditional crime vs. traffic crashes and report the results of the study to the City Council and Traffic Safety Commission.

It was the consensus of the Commission that a letter be sent to the City Council requesting such a study be done by the Police Department.

V NEW BUSINESS - None

VI INFORMATION ITEMS

There was some discussion about the traffic fatality report regarding possible ways to prevent such an accident. It was generally agreed that no traffic regulation or signing could have prevented this type of accident.

VII ADJOURN - IT WAS MOVED by Samuels, Seconded by Stell to adjourn. Motion carried.

\_\_\_\_\_  
Louis Bruneau, Chairmar.

*Judy Smaly*  
\_\_\_\_\_  
Judy Smaly, Secretary

MILWAUKIE SENIOR CENTER  
ADVISORY BOARD  
MINUTES

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NOVEMBER 18, 1983

Members Present:

Maxine Hansen  
Jean Higginbotham  
Helen Kappler  
Sharon McCartney  
Paul Schaefer  
Janet Witter

Members Excused:

Cathryn Boyles  
John O'Hara  
Irene Suchsland  
Guest: John Coursey  
Loaves & Fishes:  
John Vannice  
Staff: Yvonne Recker

Maxine Hansen, Chairman, called the meeting to order at 10:00 am.  
Minutes of the October 21 meeting were accepted as read.

After a short discussion of the final draft of the Building Space Use Guidelines, Janet moved it be accepted as written. Jean seconded the motion, which passed. (For the final draft, #C,4, had been deleted because it involved a policy decision to be sent to City Council and decided there.)

Copies of the Revised Building Use Policy were handed out and reviewed, since revisions had been made to improve order and readability. It had already been approved by the Board and City Council.

John Vannice reported that the problem of the shuffleboard, donated by Hans Petersen, has been discussed by Loaves & Fishes Steering Committee and decision reached to remove it, since repair would be too difficult and it is too large for the pool area where it stands at present.

Yvonne presented the new form, Notice of Planned Activity/Program, which will give more details of any proposed activity and will go to the Program Committee for consideration.

Under other business, John Coursey of Friends brought up the growing necessity for more parking space for the handicapped. Maxine volunteered to accompany him to the City-County office to obtain federal and state regulations. The number of spaces and width of each space are in question. We now have 5 spaces, not adequate for present use. Traffic flow must be considered, as well as the current state rule of "one for 50 spots, plus one."

Sharon announced that since space at the Center is limited for emergency use, Clackamas High School, Rex Putnam High, and Clackamas Community College are to be surveyed and evaluated by the Red Cross. An emergency coordinator will cooperate with the Sheriff's office in designating an area emergency center. Volunteer training could be a function of the Milwaukie Senior Center, set up ahead of time with a list of people who will need help. Yvonne suggested starting a "Project Alert" program to reach possible emergency

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volunteers and coordinator through the Center Newsletter. Sharon offered to do the necessary hydrotherapy training with volunteers. Discussion offered a possible "Neighborhood Watch" similar to the "Block Home" set-up, and note was made of the Police and Postal Department watch programs which operate upon request.

Yvonne proposed consideration of a Senior Games Competition suggested at a County Center Directors meeting. The games, a month-long event, would be a fund-raiser for muscular dystrophy aid and would involve a jig-saw puzzle contest, exercise bike mileage competition, and so forth, between individuals and between Centers. Discussion followed. Richard Recker would be willing to do groundwork for setting up the games. Maxine moved to table the matter until the December meeting. Motion passed. Jean offered to get opinions on this from Seniors in the meantime.

Meeting adjourned.

Janet Witter, Secretary.

12/13/83

To The Milwaukee City Council  
and other interested persons,

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Several years ago I had the honor of being selected to be on a committee from the city of Milwaukee to work with Tri-Met on improved bus service for the city. The committee evaporated with the decline of the Neighborhood Councils but Tri-Met kept their part of the bargain.

We have terrific bus service in Milwaukee and can travel in all directions with ease. Has our city Council deserted us?

They have gone through Town redacting every block for various reasons many of which were excellent. Finally they came to an area which would not put anyone out of business, would have a post office and be close to a place to get a bite to eat.

What happened - They had their public hearing at a place that people who depend on the bus for



transportation had no way of getting to. That does not seem right. I have waited for buses on various corners in Portland suburbs and city and been frightened for my safety. Is this going to happen in Milwaukee too.

The downtown area of Milwaukee has been a relatively safe place to wait for a bus. Now I hear you are looking for a place outside of town.

You have made me feel that because I ride the bus, I am not a second class citizen but a third class citizen - I come after the ducks.

yours - the third class citizen

Bernice E. Hall (BEE)  
3695 S.E. Harveys  
Milwaukee, Ore. 97222

Bernice E. Hall (Bee)

To whom it may concern,

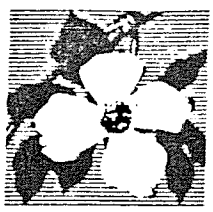
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I'm sorry if this is hard to read,  
It is still quite painful to write  
since my surgery. Hope you can  
read it.

Bee Hall

Council

# CITY OF MILWAUKIE



PUBLIC WORKS DEPARTMENT  
in the City Hall • phone 659-5171

December 13, 1983

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In mid-October you received a letter from Oak Lodge Water District indicating that the source of water for your individual home would be from the City of Milwaukie rather than the Oak Lodge Water District.

The City of Milwaukie was successful in acquiring a federal grant for improvements in the water system in the Island Station area. Due to those improvements, the City began negotiations with the Oak Lodge Water District to see who would be the better provider of services in your individual area.

As you are no doubt aware, the transfer has been made and you may notice some changes in your water supply.

First, the pressure may be different in your home due to the difference in pressure between the Oak Lodge Water District system and the City of Milwaukie water system. That drop in pressure does not indicate a lower level of service, but a change in pressure only. The City of Milwaukie has adjusted the water system pressure so it will be a minimum of approximately 40 psi (pounds per square inch). This is quite adequate for normal use and fire protection. One major improvement to the Island Station area is that of fire protection. You will note that many new hydrants have been installed in the area along with larger water mains and increased volume of water. This will allow the individual fire departments of Milwaukie and Oak Lodge to better protect your home due to that availability of water and the closeness of the hydrants to the individual homes.

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The second major thing that you will notice in your water is no doubt in the taste. Oak Lodge Water District purchases their water from the Clackamas Water District who draws their water from the Clackamas River and then treats it with chlorine. The City of Milwaukie draws its water from the Tualatin formation through deep wells. The water reaches your home in a natural state, totally untreated, as it meets and exceeds all federal and state standards for purity and chemistry. Milwaukie's water is of a slight hardness and contains some natural minerals. If you wish to have a more detailed report on and analysis of City water, please contact the public works office at 659-3222 and we will be more than happy to furnish you with that information.

Also, if any of your family are utilizing life support systems which are dependent upon the water system, will you notify us of that so we can have better knowledge of how to serve you.

A copy of the City of Milwaukie rate structure is attached for your information. The City bills every two months for water and sewer.

We hope that this change over has not caused any problems or disruptions to your household and hope that we will be a good neighbor in serving you through the provision of water.

Sincerely yours,

Steven M. Hall, P.E.  
Public Works Director

cc: City Council  
Oak Lodge Water District

Enclosure: Rate structure

SMH:js

MEMORANDUM

TO: DEPARTMENT HEADS & ALL EMPLOYEES

FROM: JO DURAND, PERSONNEL DIRECTOR JD

SUBJECT: SMOKING POLICY IN CITY HALL

DATE: DECEMBER 30, 1983

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As a result of the Oregon Indoor Clean Air Act it is necessary to change the smoking/no smoking areas in City Hall. Effective January 1, 1984 all public areas of City Hall including Council Chambers and rest rooms will be designated "no smoking". The Oregon Indoor Clean Air Act does not require that there be a smoking area in public buildings, only that there be a no smoking area and that smoking and non-smoking areas be clearly designated. There is no public area of the building where smoke could be contained in an area that non-smokers would not have to use and therefore not be exposed to the smoke. For the most part people do not need to stay within City Hall for any great length of time. Prohibiting smoking is not expected to be a significant hardship on citizens who smoke. Appropriate "no smoking" signs will be posted and ash trays will be removed.

For City Hall employees the policy will be that all office areas are designated no smoking except offices used only by smokers. The employees' lunch room and the kitchen area in the basement are designated "no smoking". These areas must be used by non-smokers and are not well ventilated. While employees are encouraged to go out on the back steps to smoke, the area of the jury room nearest the door and ventilating fan is designated as a smoking area for employees. The ventilating fan will be repaired and ash trays provided. Smoking near the copy machine when it is returned to its former place is prohibited. This policy was developed after reviewing responses to the proposal circulated several weeks ago.

The department heads of other city facilities should have reviewed the law and their policy to insure that their facilities are complying with the new law. If there are any questions regarding compliance please let me know. Attached is a synopsis of the Oregon Indoor Clean Air Act provided by the League of Oregon Cities and a copy of a brochure provided by the Oregon Lung Association which gives additional information about the law. No smoking signs which meet the specifications of the law can be purchased from Oregon Lung Association.

I hope all employees who smoke will consider quitting in 1984 as a gift to themselves and their families. I would be glad to assist any interested employee in finding resources to assist them in quitting. Feel free to contact me.

**Oregon Indoor Clean Air Act**

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The Oregon Indoor Clean Air Act, passed by the 1981 Legislature, took effect July 1, 1983. The rules and guidelines under which the new law will operate have been drafted by the Health Division. Complete sets of the rules can be obtained from the Health Division, P.O. Box 231, Portland, OR 97207, 1-299-6316. Rules specifically affecting city offices are outlined below:

**Section I. AUTHORITY AND PURPOSE**

- (1) These rules are adopted pursuant to the authority granted the Oregon State Health Division, Department of Human Resources, in ORS 433.835 through 433.875 pertaining to the prohibition of tobacco smoking in public places except for designated smoking areas.
- (2) The purpose of the Oregon indoor Clean Air Act is to reduce the health hazard of persons in confined public places caused by inhaling smoke from tobacco products.

**Section II. DEFINITIONS**

- (3) "Designated smoking area" means any area set aside by a proprietor or person in charge of a public place where tobacco smoking is permitted and where signs indicate same.
- (6) "Open to and frequented by the public" means any area where the public can freely enter or move without specific invitation. Sale of tickets for entry is not considered specific invitation.
- (7) "Public place" means any enclosed indoor area open to and frequented by the public, except those subject to ORS 441.815,...

**Section III. GENERAL PROVISIONS**

- (1) No person shall smoke or carry any lighted smoking device in a public place except in designated smoking areas.
- (2) No public place may be designated in its entirety as a smoking area except:
  - (c) Rooms or halls being used for private social functions where seating arrangements are under the control of the sponsor of the function;
- (4) Nothing in these rules shall prevent a proprietor or person in charge of a facility from designating the entire area as a non-smoking area.
- (5) In a public place which contains two or more rooms which are used for the same activity, the responsible person may designate one entire room as smoking permitted as long as at least a portion of one other comparable room has been designated as a non-smoking area.
- (6) In the case of a public place consisting of a single room in which a smoking permitted area is designated, the responsible person shall be responsible for reserving and clearly designating a no-smoking area on one side of the room.

**Section IV. SIGNS**

- (1) A public place shall post signs designating smoking and non-smoking areas. Such signs shall be either the international symbols for smoking and no smoking or shall be legibly printed.
- (3) All facilities where the entire public place is identified as a no-smoking area will be so identified by a sign conspicuously posted on all entrances normally used by the public.
- (4) All signs used to identify a designated smoking area in a public place shall use either the words "SMOKING AREA" or "SMOKING PERMITTED," and all signs used to identify a no-smoking area shall use the words "NO SMOKING" or equivalent language. Additional words or symbols may be used, but the additional printing shall not obscure the basic required words.
- (5) Portable tent signs or the equivalent may be used on individual tables, desks, counters, etc. to designate smoking and no-smoking areas in lieu of the posting requirements of Sub-section (1) of this Section.
- (6) All signs used to identify smoking or no-smoking areas in a public place shall be placed at a height and location easily seen by a person in the establishment and not obscured in any way. The words "SMOKING AREA," "SMOKING PERMITTED" or "NO SMOKING" on signs, except

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those signs allowed in Subsection (5) of this Section, shall be printed in letters of no less than one (1) inch in height.

- (7) "NO SMOKING" signs only need to be posted in areas adjacent to smoking areas so that a clear delineation exists.

Section V. ASHTRAYS

- (1) Portable ashtrays are prohibited in all no-smoking areas.

Section VII. COMPLIANCE

- (1) No public place is required to make any changes in ventilation or barriers...

Section VIII. WAIVERS

- (1) The Administrator of the Division may waive the provision of these rules:
  - (a) When it is demonstrated to the satisfaction of the Division that strict compliance with the rule would be highly burdensome or impractical due to special conditions or causes; and
  - (b) When the public or private interest in the granting of the waiver is found by the Division to clearly outweigh the interest of the application of uniform rules; and
  - (c) When alternate measures are provided which, in the opinion of the Division, will provide adequate protection to the health and safety of the public.

\*\*\*\*\*  
 \* A variety of "No Smoking" signs are available through the Oregon Lung Association. \*  
 \* Poster style, \$.50 ea., decals, \$1.50 ea. Free brochures are also available. Order \*  
 \* forms can be obtained by mail: Oregon Lung Assoc., PO Box 115, Portland, OR 97207. \*  
 \*\*\*\*\*

# WHEN TO GO FOR HELP


\* Oregon State Health Division  
 Manager-Environmental  
 Health Systems  
 1400 S.W. 5th Avenue  
 Portland, Oregon 97201  
 229-5954  
 Toll Free 1-800-452-7813


\* Your county Health Department

\* Oregon Lung Association  
 Bend 382-LUNG  
 Portland 224-5145  
 Medford 772-4466  
 Eugene 343-LUNG

**Other Oregon laws which restrict smoking:**

- O.R.S. 441.815, hospital rooms
- O.R.S. 243.350, state employment
- O.R.S. 192.710, public meetings
- O.R.S. 479.015, elevators
- O.A.R.-P.U.C. 860-65-095, buses


 Oregon Lung Association  
 P.O. Box 115  
 Portland, OR 97207

Oregon Lung Association  
 P.O. Box 115  
 Portland, OR 97207  


# THE OREGON INDOOR CLEAN AIR ACT AND YOU



AN EXPLANATION OF THE LAW  
AND THE RULES FOR ITS  
IMPLEMENTATION

A Public Service Publication  
 of the  
 Oregon Lung Association  
 The Christmas Seal® People



## INTRODUCTION

Some of the first evidence of the adverse effects of breathing second hand smoke appeared in the 1972 Surgeon General's Report, "The Health Consequences of Smoking." Since that time considerably more information has been gathered to support the premise that such involuntary smoking is hazardous to people with pre-existing respiratory and heart conditions. The most recent studies have gone on to show that this smoke is also harmful to normally healthy individuals.

The Oregon Legislature responded to this public health issue in 1981 by passing the **Oregon Indoor Clean Air Act** (S.B. 370). The law, which went into effect in July 1983, is designed to protect the public health, comfort and environment by prohibiting smoking in public places, except in designated areas.

**The effectiveness of this or any other law depends largely on public awareness and support.** By becoming familiar with your rights and responsibilities under the law and by acting on that knowledge, you can do a great deal to bring about satisfactory compliance with its provisions.

## GENERAL PROVISIONS OF THE LAW

The law states that, "**No person shall smoke or carry any lighted instrument in a public place except in areas designated as smoking areas . . .**" This includes cigars, pipes, cigarettes or other smoking instruments.

Most public places should now be thought of as off limits to all smoking, unless otherwise designated. There are some exceptions to this:

1. Restaurants seating under 30.
2. Cocktail lounges and taverns.
3. Enclosed offices occupied exclusively by smokers.
4. Private social functions where seating arrangements are under the control of the sponsor.
5. Retail businesses engaged primarily in the sale of tobacco products
6. Restaurants meeting mechanical air filtration standards.

Those public places affected by the law may designate some area within their premises where smoking is allowed, but except for the above exemptions, **no place can be entirely a smoking area.** Public places do not have to provide smoking areas.

Smoking permitted areas cannot be established in places where smoking is already prohibited by the Fire Marshal or by other law, ordinance or regulation.

## COMPLAINT AND ENFORCEMENT

The recommended procedure to follow when you feel that someone is smoking outside the smoking permitted area or when a public place does not have the proper smoking and no smoking sections, is to contact the proprietor, manager, supervisor or other person in charge and let them know why you feel the law is not being followed. Discuss your concerns in a calm reasonable manner.

If the person you have spoken to has not given you a satisfactory response or if you discover at a later date that the changes they promised have not been implemented, you may file a written complaint with the Oregon State Health Department or local Health Department. **If the Health Department determines that the place in question is not in compliance with the law, it will take the necessary steps to correct the situation.**

It is critical that several items be included in your complaint letter.

1. Your name, address and telephone number (this is to be kept confidential).
2. The name and address of the person or public place against whom/which you have a complaint.
3. The name or names of the people you talked to and a brief summary of the nature of your complaint.
4. The date of the incident.



# Precision Castparts Corp.

Mailing Address:

4600 S.E. Harney Drive  
Portland, Oregon 97206

Telex 36-0992  
Telecopier 503-777-7324

Roy M. Marvin  
Vice President Administration,  
Secretary and Treasurer

December 20, 1983

Mr. Hugh Brown, Manager  
City of Milwaukie  
10722 S. E. Main Street  
Milwaukie, Oregon 97222

Dear Hugh:

On Friday, December 2, our company was the target of a well planned demonstration by persons opposed to the cruise missile. This demonstration was well organized and it was only through the equally well planned and coordinated efforts of a number of law enforcement agencies that the demonstration was not successful.

You can be especially proud of the members of the Milwaukie Police Department. They are obviously dedicated to high standards of excellence and professionalism. Their conduct, tact and care in dealing with people were exemplary.

We are very appreciative of the efforts of Chief Ron Schanaker and the officers and staff of the Department. In the planning meetings which were held prior to December 2, we had our first opportunity to experience first hand the behind-the-scenes efforts that go into successful law enforcement. And, it was also apparent to me why Chief Schanaker is the Chief of Police. He and his associates did an outstanding job for us, our employees, and the City.

Congratulations on your fine department.

Very truly yours,

PRECISION CASTPARTS CORP.

R. M. Marvin

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MILWAUKIE-OR

RECEIVED -  
INFORMATION  
cc Police (HIEP)  
J.M.J.

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**METROPOLITAN SERVICE DISTRICT**  
Providing Zoo, Transportation, Solid Waste and  
other Regional Services

28 DEC 83 11: 12

-MILWAUKIE-OR

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Rick Gustafson  
*Executive Officer*

December 16, 1983

**Metro Council**

Cindy Banzer  
*Presiding Officer  
District 9*

Bob Oleson  
*Deputy Presiding  
Officer  
District 1*

Richard Waker  
*District 2*

Charlie Williamson  
*District 3*

Corky Kirkpatrick  
*District 4*

Jack Deines  
*District 5*

George Van Bergen  
*District 6*

Sharron Kelley  
*District 7*

Ernie Bonner  
*District 8*

Bruce Etlinger  
*District 10*

Marge Kafoury  
*District 11*

Gary Hansen  
*District 12*

Honorable Joy Burgess  
Mayor, City of Milwaukie  
10722 S.E. Main  
Milwaukie, Oregon 97222

Dear Mayor Burgess:

This letter is notice of Metro's intent to act on the City of Milwaukie's request for funding assistance on their Residential Recycling program. A draft contract is being prepared to accomplish this. It will be sent to you December 30, 1983.

I understand that the Milwaukie City Council will be meeting in early January, and could review the contract. We are prepared to discuss any amendments that may be suggested. Assuming there are no major changes, we can proceed with the final document and signatures.

Sincerely,  
*Dennis Mulvihill*  
Dennis Mulvihill  
Waste Reduction Manager

527 SW Hall St.  
Portland, OR  
97201  
503/221-1646

dh

cc: Dan Durig  
Teri Anderson

Memorandum

January 3, 1984

TO: Hugh Brown, City Manager  
FROM: Richard Bailey, Fire Chief  
SUBJECT: Fire Incident - 11070 SE Main St. December 27th, 1984

On December 27th, 1983, at 1532 hours the Milwaukie Fire Department received an alarm for a possible structure fire at 11070 SE Main St. The initial assignment of apparatus consisted of all on duty Milwaukie apparatus as well as apparatus from Oak Lodge and Portland.

Upon arrival, 1 min. 38 sec. from receipt of alarm, Captain Ronald Nelson reported a "working fire". Asst. Chief Villarreal arrived immediately thereafter and took command of the scene, which he maintained throughout the incident. Chief Bailey and Asst. Chief Stennet arrived within 3 minutes.

Initial attacks from both the front and rear of the fire building were unsuccessful. As the fire involvement of the structure progressed it was determined by fire command that defensive operations were required to protect exposures and consequently command withdrew all interior attacking personnel.

As the fire progressed additional apparatus and personnel were required due to fire and weather conditions. (27°F and winds of 10-15 mph). In all, 14 pieces of apparatus and 53 personnel from Milwaukie, Oak Lodge, Clackamas Dist. #1, Clackamas Dist. RFPD #71, Portland and Oregon City were required to bring the fire under control. This amounted to 4 alarms. The fire was declared under control at 1917 hrs.

The fire building included two separate occupancies (Mary's Quilt and Sew and Mannings TV), both of which were total losses. The total dollar loss of building and contents is estimated by this Department of \$280,000.

Fire cause investigation is still underway but preliminary indications point to electrical systems failure as a contributing cause.

During the course of the fire three personnel sustained injuries. Firefighters Roger Sabrowski and Mark Tidwell suffered from smoke inhalation and were treated at Dwyer Hospital and released. Captain Ron Nelson sustained a back injury.

Special commendation has been given to Asst. Chief Villarreal for his aggressive and competent management of the fire.

Also worthy of commendation are the personnel of the Public Works Department and the Police Department which assisted us in too many was to mention Public Works estimated we used approximately 926,000 gallons of water which they supplied without interruption.

If you should have any questions, please let me know.

MEMORANDUM

December 14, 1983

TO: CITY COUNCIL  
PLANNING COMMISSION

FROM: GREG EADES, CITY ATTORNEY *GE*

SUBJECT: EX PARTE CONTACTS

You need to be aware of new legislation involving ex parte contacts. Senate Bill 318, effective October 15, 1983, provides that city land use decisions can't be overturned because of ex parte contacts as long as:

1. The Council or Commission member involved makes a public announcement of the content of the communication, and
2. An opportunity is provided for the parties to rebut the substance of the communication at the first opportunity and
3. The minutes include the substance of the communication.

Ex parte contacts include any written or oral communication between participants in a land use hearing and the decision making body concerning the subject matter of the hearing. LUBA and appeal courts previously have overturned decisions where ex parte contacts occurred, even after they were announced at the hearing. Under the new law, ex parte contacts are not encouraged but will not automatically invalidate a decision if full disclosure of the communication is made.

You should still avoid discussing a particular case with any of the participants. However, if you do receive some communication, it should be explained during that part of the hearing where conflicts of interest are normally announced. Failure to make such a disclosure could result in the decision being overturned on appeal.