

MILWAUKIE
CITY COUNCIL MEETING
November 1, 1983
7 p.m.

COUNCIL CHAMBERS

1443rd MEETING

An executive session under ORS 192.660 (1)(d) to discuss labor negotiations was held at 6 p.m. prior to the regular meeting. The executive session was adjourned at 6:55 p.m.

The one thousand four hundred and forty third meeting of the Milwaukie City Council was held on November 1, 1983 with the following Councilors present:

Mayor Joy Burgess	Don Graf
Ron Kinsella	Roger Hall
Mike Richmond	

Also present:

Hugh Brown, City Manager	Norm Kraft, Acting Finance Director
Greg Eades, City Attorney	
Dick Bailey, Fire Chief	Laurie Perkin, Secretary

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

AUDIENCE PARTICIPATION

Bill Hupp addressed Council concerning Tri-Met's proposed transit center location at the AG store on Main Street. He expressed concern over the city property being dedicated to Tri Met as a city share of the funding. He strongly recommended that the city not give up this property to Tri Met, that if Tri Met did use the property, there be a stipulation that the property revert back to the city in the event it was no longer used for the initial purpose. Jim Backenstos concurred with Hupp's statement.

Don Broetje, Chairman of the Oak Lodge Community Council, addressed the Council expressing concern over the proposed Oak Lodge/Milwaukie Fire Department merger. He said citizens are concerned with cost of salary increases. He said the Oak Lodge Community Council would like to recommend that a citizens committee be set up to evaluate this proposal, that the committee be made up of not less than 6 members of which 2 each would be appointed by the Oak Lodge Community Council, the Oak Lodge Fire Dept. and the City of Milwaukie and that a 6 month to 1 year study be done. He said the the Community Council has not had the information which had been promised them regarding this proposal.

Council told Mr. Broetje that there had been no decision, that both jurisdictions would be holding public hearings and suggested that he read a copy of the proposal.

Public Hearing - Sales Tax Reform Package Referral

The public hearing opened at 7:30 p.m. The following correspondence was received: Memo from the Senior Citizen Advisory Commission with results of vote on the sales tax referral which was 8 for and 1 against referral.

Memo from George Cathey, Chairman of the Planning Commission, stating that the Planning Commission recommended referral of the sales tax to the voters, Memo from Parks & Recreation Commission with a recommendation of Wayne Logemann, Jon Gerrard and Betty Stephens, that the sales tax be referred to the voters.

Wayne Logeman, 2125 SE Bluebird, spoke in support of referral to the voters as part of a democratic process.

The following persons spoke in opposition to referral.

Bill Hupp, 2626 SE Washington, spoke of the impact on small business.

Richard Weiss, 26785 S. Meridian Rd., Aurora, Co-Chair of COST (Citizens Opposed to the Sales Tax) asked that Council save the state 1 million dollars which is what it would take to put this measure on the ballot.

Jim Backenstos, 3626 SE Harrison, suggested Council send letter to legislature objecting to the referral of this matter to local jurisdictions.

Dave McTeague, 10854 SE 72nd Ave, Co-Chair of COST, said the tax was unfair, regressive and represents a massive tax shift from upper income and business to lower income citizens. He said his group will be proposing the Homestead Property Tax Exemption as a form of property tax relief.

Mel Paulson, 12264 36th, said the Council was not authorized to levy state taxes nor were other local jurisdictions.

Walt Brown, State Senator representing District # 12 said the majority of legislators in Clackamas County, that it was bad tax policy and that there was a viable alternative which is the Homestead Property Tax Exemption.

Chuck Stoudt, 12390 SE 60th Ct. said the Council should examine the bill before referring it, that the state cannot afford an election.

The public hearing was closed at 8:10 p.m.

Kinsella said the sales tax reform package was not a reform but a replacement tax.

Richmond said the issue was out of Council's scope, that he could not endorse the sales tax.

Graf said people should have a chance to vote, that a proposition 3 could pass instead thereby causing stringent pullback of city services.

Hall said he was disappointed in legislature by putting the cities in a position of having no alternatives. He asked Dave McTeague of the Citizens Opposed to the Sales Tax to explain his alternative proposal. Mr. McTeague said the \$20,000 Homestead Exemption funded by reforms in the income tax system would involve closing tax loopholes and would result in an increase in income tax for some people. Hall said he would like to have an alternative to suggest to the legislature, rather than just opposing the referral of the package to the voters.

Burgess said she opposed the sales tax and MOVED to not refer it to the voters. Kinsella SECONDED the MOTION.

Hall said he would vote yes on the motion only if Council could suggest a positive alternative.

Richard Weiss of COST, provided Council with copies of the Mundt Report explaining the Homestead Exemption bill, with a breakdown on the affect on homeowners.

On the MOTION not to refer the sales tax to the voters, MOTION PASSED with the following vote: AYES: Burgess, Hall, Kinsella, Richmond. NO: Graf

CONSENT AGENDA

Approval of minutes - October 18 & 22, 1983

Approval of liquor license - Cavitt's River Rd. House.

It was MOVED by Hall, SECONDED by Kinsella to adopt the consent agenda. MOTION CARRIED unanimously.

Rick Farrish, new owner of Cavitt's River Rd. House introduced himself to Council and spoke of his plans for his establishment.

It was MOVED by Richmond, SECONDED by Graf, to excuse Kinsella from the October 18, 1983 Council meeting. MOTION CARRIED unanimously.

LEGISLATION

It was MOVED by Graf, SECONDED by Kinsella, that the bills listed for November 1 be approved for payment. MOTION CARRIED unanimously.

Ordinance re zone change to conform to comp plan(2nd reading)

It was MOVED by Richmond, SECONDED by Kinsella, to read Ordinance No. 1554 the second time by title only. MOTION CARRIED unanimously. It was MOVED by Kinsella, SECONDED by Richmond, to adopt Ordinance 1554 (AN ORDINANCE OF THE CITY OF MILWAUKIE OREGON, AMENDING THE ZONING MAP, A PART OF ORDINANCE NO. 1438, TO CONFORM CERTAIN RESIDENTIAL PROPERTY TO THE COMPREHENSIVE PLAN DESIGNATION.) MOTION CARRIED with the following roll call vote: AYES: Burgess, Kinsella, Richmond, Hall, Graf. NOES: none.

Ordinance re change of rules for PARC

City Manager has requested change of rules for Parks and Recreation Commission to allow for membership outside city. Which would make the Commission more representative of other users in the North Clackamas County area. It was MOVED by Kinsella, SECONDED by Hall, to read the ordinance the first time by title only. MOTION CARRIED unanimously. It was MOVED by Kinsella, SECONDED by Hall, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Kinsella, SECONDED by Hall, to adopt Ordinance No. 1555. MOTION CARRIED with the following roll call vote: AYES: Kinsella, Richmond, Burgess, Graf, Hall. NOES: none.

OTHER BUSINESS

Regional Transportation Issues

City Manager suggested a work session before the next Council meeting to discuss transportation issues. He recommended having representatives from Tri Met and Metro. He said there would be more information on the Lake Rd./RR/Harmony Rd. project by January. There was extensive discussion on transportation problems, the transit center, the impact of the transit center on light rail. Hall suggested a dual work session, one with representatives of Metro and Tri-Met and one of the Council alone. It was decided to meet at 5 p.m. on November 15 with the representatives, after which the Council would discuss the issues among themselves. The City Manager suggested that the Planning Commission be invited to attend this work session.

The City Attorney said that since the location of the transit center was an issue to come before the Planning Commission, the Council would not be able to discuss this particular issue. Mayor asked that City Attorney provide guidelines in writing on this matter.

Mayor attended a meeting with a representative of Tri Met and that it was agreed that a written agreement be prepared for Tri Met's use of the restrooms at City Hall. Also Tri Met has agreed to take care of the bank erosion problem near City Hall as well as the littering near the bus stop.

City Manager/City Attorney Evaluation

It was MOVED by Kinsella, SECONDED by Richmond, to waive the upcoming 6 mo. evaluation of the City Manager and the City Attorney. MOTION CARRIED unanimously. Council agreed to reserve the right to have evaluations each six months but if mutually agreed upon by the Council, Manager, and City Attorney, the evaluations could be postponed for six months.

Amicus Curiae Brief

City Manager has received a request from League of Oregon Cities regarding an amicus curiae brief in the appeal of an Employee Relations Board Decision which could be a potentially devastating decision for cities in the area of collective bargaining. The League has requested all cities participating in funding the preparation of this brief. City Manager has recommended the city contribute \$500 in support of this effort. It was MOVED by Graf, SECONDED by Kinsella, to accept recommendation of City Manager for payment of \$500 to League of Oregon Cities. MOTION CARRIED unanimously.

There was further discussion on sending a letter to the legislation regarding tax reform. City Manager said he was reluctant to spend much time on this since it was unsure what measure would be on the ballot. It was decided to discuss this at a later date.

It was decided to have a meeting on November 8 at 4:30 to discuss the Firestop proposal.

City Manager said the exterior roof at the Center is sealed and the materials to repair the interior will be received tomorrow. He said contractor had requested a 10-day extension.

Kinsella has prepared memo dated November 1, 1983 recommending Council move ahead to initiate state wage reform of salary benefit negotiation laws. There was discussion on how to go about bringing this issue before the resolutions committee at the League of Oregon Cities Convention. City Manager said he would look into this.

City Manager reminded Council of financial workshop at the Storefront on Wednesday, November 9.

It was MOVED by Hall, SECONDED by Kinsella, that the meeting be adjourned. MOTION CARRIED unanimously.
The meeting was adjourned at 10:15 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary