

MILWAUKIE
CITY COUNCIL MEETING
May 4, 1982
7 p.m.

COUNCIL CHAMBERS

1407th Meeting

At 6:40 prior to the regular Council meeting the City Council interviewed Mr. Warren Bottemiller, 4307 SE Jackson Street for a position on the Traffic Safety Commission.

The one thousand four hundred and seventh meeting of the City Council of the City of Milwaukie, Oregon was held at 7 p.m. on May 4, 1982 with the following councilors present:

Mel Paulson	Roger Hall
Mayor Joy Burgess	Don Graf
Wallace Bischoff	

Also present:

Hugh Brown, City Manager
Greg Eades, City Attorney
Steve Hall, Public Works Director
Ron Schanaker, Police Chief
Laurie Perkin, Secretary

The invocation was given by Mayor Burgess and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Mayor Burgess presented certificates of appreciation to Mr. Bob Sherman, Cubmaster, Pack 153 and Mr. David Bilby, Boy Scout Troop 144 for work done on city property.

Mayor Burgess read a proclamation declaring the month of May, 1982 Older Americans month and May 15, 1982 as Older Americans Day.

LEGISLATION

Payment of bills

It was MOVED by Hall, SECONDED by Graf that the bills listed for May 4, 1982 be approved for payment. MOTION CARRIED unanimously.
Island Station Waterline Easement

Public Works Director has prepared memo explaining request for approval of escrow instructions re waterline easement. The city wants to acquire an easement for construction of a water main across property owned by Allen B. Pynn, 11 to 12 acres of 300 unit high density multi-family property adjacent to south boundary of the City of Milwaukie. Pynn has agreed to grant the easement providing the city agrees to certain conditions as stated in the escrow instructions. There was discussion on fire and water services. Steve Hall said that the city would install a fire hydrant. The water service fee would be the same as for any other outside user. It was MOVED by Graf, SECONDED by Paulson, that Mayor be authorized to sign agreement. MOTION CARRIED unanimously.

Noise Control Ordinance

Ron Schanaker, Police Chief, spoke to the Council concerning history of development of the ordinance. The police now have no effective way of dealing with the problem. Other jurisdictions have noise control ordinances and Bill McDonald, Administrative Assistant, has done research in his development of the ordinance. Schanaker said that the police would like to be able to respond to complaints but would try to avoid taking legal action. He said that the Police Department has sound meters, issued by the Department of Environmental Quality at no cost to the city.

Bill Hupp, 2626 SE Washington addressed the Council. He said that there were too many problems with the ordinance in its present form including lack of manpower to enforce it, the fact that it does not address some of the worst offenders e.g. Tri-Met and school busses, and the fact that the meters will be challenged in court.

Terry Obteshka from the Dept. of Environmental Quality addressed the Council. He said that the DEQ does have the authority to stop busses that are particularly offensive. Obteshka answered questions from Council about DEQ requirements. There was discussion on city standards and enforceability. Graf asked if the city could refer to DEQ standards and Obteshka said that DEQ does not have staff to enforce minor noise complaints. The City Manager suggested referring the matter to staff for further study. It was MOVED by Graf, SECONDED by Bischoff to table the ordinance until the first meeting in June. MOTION CARRIED unanimously.

State Grant-in-Aid allocation

The city has qualified for a state Grant-in-Aid allocation of \$1,400 which requires a 25% local match or \$350. Staff has recommended that the funds be used for rehabilitation of the playground at Century Park. Randy Westrick, Parks and Recreation Director, explained the project which will be scheduled for completion in late summer or early fall. It was MOVED by Hall, SECONDED by Bischoff to approve staff's recommendation. MOTION CARRIED unanimously.

Wichita Water District Agreement

Public Works Director has requested approval of agreement between Wichita Water District and the City providing for city maintenance of the District. The agreement is renewable each year and can be cancelled within 30 days. It was MOVED by Graf, SECONDED by Hall, that the Mayor be authorized to sign the agreement. MOTION CARRIED unanimously.

CONSENT AGENDA

Approval of Minutes- April 15 and 20, 1982.

It was MOVED by Hall, SECONDED by Bischoff that the Consent Agenda be approved. MOTION CARRIED unanimously.

Request from Clackamas County Senior Citizen's Council

Sara Hite, Center Director, answered questions from the Council regarding recommendation from the Center Advisory Board. Because of extra staff time, security, and potential problems that could occur as the result of the use of liquor, the board has advised against the change of policy. However, they voted unanimously to allow one last exception for the Senior Citizens Council.

Ralph Clifford, 13480 SE Ruscliff Lane, protested the use of liquor at the Center. He said there had been problems because of use of alcohol at North Clackamas Park and if liquor were used in the Center this problem would be aggravated and would result in lack of support for city programs. It was MOVED by Hall, SECONDED by Bischoff, to accept the recommendation of the Center Advisory Board. Burgess said that she was not in favor of granting the exception to the Senior Citizens Council. There was more discussion on the problems that could result from the use of liquor. Hall WITHDREW the motion. It was MOVED by Burgess, SECONDED by Hall, that the present policy be continued and that no further exceptions be made. MOTION CARRIED with the following roll call vote: AYES: Burgess, Bischoff, Hall. NOES: Graf, Paulson. Graf and Paulson asked to go on record as being opposed to the motion since in denying the request for an exception, **Council is not following recommendation of Advisory Board.**

Clackamas County Corrections request for expansion of Conditional Use.
Terry Gassoway, Director of the County Corrections facility addressed the Council regarding request to use existing vacant State Corrections facility for consolidated State Work Release and County Residential Center operation, into one complex housing non-dangerous felony adult offenders at 9200 McBrod Ave. Milwaukie. These people are either put in jail or on the streets now, neither solution being satisfactory. The people involved in the program are screened by staff, required to have a job and pay room and board. They are also put on a counseling program. The extra facility would be used for overflow and would house 46 persons maximum.

Ron Schanaker, Police Chief, said that he supported the program and has had no problems with it. The city could always revoke its approval if the conditions were not met. It was MOVED by Graf, SECONDED by Bischoff to approve request the with stipulation that the occupancy of the facility be limited to 46 and no person convicted of a violent crime be admitted to the program. MOTION CARRIED unanimously.

OTHER BUSINESS

The Council agreed to send a letter to the editors of all newspapers in the area expressing their support of the budget and pointing out that the proposed budget has the full support of the budget committee and maintains present levels of service.

Bischoff brought up the City Manager evaluation procedure which Council had discussed previously. It was suggested that a work session on this be scheduled at a later date.

It was MOVED by Graf, SECONDED by Bischoff to appoint Warren Bottemiller to the Traffic Safety Commission. MOTION CARRIED unanimously.

APPROVED:

Joy Burgess, Mayor

Laurie Perkin, Secretary

CITY COUNCIL AGENDA
May 4, 1982
7 p.m.

~~COUNCIL~~ CHAMBERS

1407th Meeting

6:40 Interview- Traffic Safety Commission

I CALL TO ORDER

- a) Call to order
- b) Invocation
- c) Pledge of allegiance

II AUDIENCE PARTICIPATION

- a) Presentation of certificates of appreciation by Mayor
Bob Sherman, Cubmaster, Pack 153
David Bilby, Boy Scout Troop 144
- b) Proclamation - Older Americans Day

III PUBLIC HEARING

None

IV LEGISLATION

- a) Payment of bills
- b) Island Station Waterline Easement
- c) Noise Control Ordinance _____
- d) State Grant-in Aid allocation
- e) Authorization for Mayor to sign agreement with Wichita
Water District
- f) Request from Clackamas County Corrections for expansion of
conditional use approval- Terry Gassaway, Director,
Clackamas County Community Corrections

V CONSENT AGENDA

- a) Approval of minutes - April 15 and 20, 1982

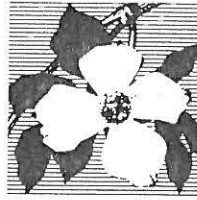
VI INFORMATION

- a) Library Board minutes, 3-24-82
- b) Civil Service Commission minutes, 3-9-82
- c) Senior Citizen Advisory Commission minutes, 3-12-82
- d) Center Advisory Board minutes, 1-15 and 3-19-82 minutes

VII OTHER BUSINESS

- a) Request from Clackamas County Senior Citizen's Council
for use of Milwaukie Center

VIII ADJOURNMENT



MEMORANDUM

April 29, 1982

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: HUGH BROWN, CITY MANAGER

SUBJECT: CITY COUNCIL MEETING - MAY 4, 1982 - 7 p.m.

There are several items in the agenda which will require further clarification at the meeting beyond what is in the packet.

The agreement with the Wichita Water District is nearly complete pending some minor language changes. These will be reviewed in a meeting with the District next week and with the approval of City Council, the agreement could be effective next week. To achieve this schedule, it is requested that the Mayor be authorized to sign the agreement after completion of negotiations with the district. A memo from Steve Hall summarizes the basic points of the proposed agreement. He and the City Attorney will be able to answer questions Council might have.

The Planning Commission has referred to the Council information regarding the expanded use of the State Corrections facility. Their concern was a possible desire by Council to question corrections representatives regarding the type of residents to be housed at the facility and perhaps place limitations on which category of residents would be allowed. Greg Eades' memo explains this further and a representative from the facility will also be present Tuesday.

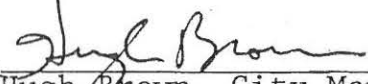
The Center Advisory Board recommends against changing the current ban on alcohol at the Center and this has staff concurrence. There is also the suggestion that one last exception be made for the Clackamas County Senior Citizens Council and this will need to be determined by Council.

Lastly, two reminders:

- 1) We will be publicizing the City facilities Open House on May 12 and the public meetings on May 12 and 13 to discuss the budget. When you have opportunities, please encourage people to attend.

- 2) The early starting time Tuesday evening- 6:40 p.m. for interviews for the vacancy on the Traffic Safety Commission.

Have a nice May weekend and see you Tuesday.



Hugh Brown, City Manager

HB/lp

MILWAUKIE
CITY COUNCIL MEETING
April 29, 1982

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COUNCIL CHAMBERS

WORK SESSION

A work session of the Milwaukie City Council was held on April 29, 1982 at 7:30 p.m. with the following Councilors present:

Mayor Joy Burgess	Roger Hall
Mel Paulson	Donald Graf
Wallace Bischoff	

Also present:

Hugh Brown, City Manager
Greg Eades, City Attorney
Steve Hall, Public Wks. Director
Topaz Faulkner, Community Services Director
Dick Bailey, Fire Chief
Ron Schanaker, Police Chief
Laurie Perkin, Secretary

The meeting was for the purpose of discussing long range and short term goals for the City. Hall said that he would like to have a policy formed regarding the division of responsibilities between the City Council and the City Manager. Graf said the Council should look at public relations and the financial situation. He also mentioned that he would like to see the Council act as a body in supporting any decision that is made by the Council. The following matters were discussed: sources of funding, annexation, downtown revitalization, transportation, economic development, improved image of city, building a new City Hall complex, formation of a newsletter, public meetings. Bischoff suggested coming up with an item each year which would reflect a savings. There was discussion on the development of Kellogg Lake and longer hours at the Library. Hall said that he would like to see the Library enlarged. There was extended discussion on an annexation policy. City Manager said that there would be a report to the Council at the end of May or early June. Eades suggested the possibility that annexation would not necessarily be of benefit to the city. There were several things to take into consideration including the extension of fire service.

Hall asked about matching funds for property improvement. Faulkner said that the matching funds would come from the property owners, that the city would not be providing funds. There was discussion on how to attract new businesses to the downtown area.

Graf said that an immediate decision would have to be made on transportation and specifically light rail. The City Manager said that light rail would continue to be a possibility even if one of ODOT's options is approved.

Riverfront Development was discussed. It was suggested that the City make a start on its portion of the riverfront even though the whole project cannot be completed. Faulkner said

that the City may be getting some grants for this project. The State Marine Board is willing to do some improvements on the parking area and the boat ramp. The Parks and Recreation Superintendent is working on this now. She said that the City would have to find a way to get the logs out of the Jefferson Street right of way.

There was more discussion on improving public image. Eades suggested the possibility of hiring a public relations person. Graf suggested formation of a group interested in promoting the city.

There was discussion on an awards system for employees who came up with good suggestions for savings or improvements of some kind. The Council agreed that this was a good idea. There was discussion of the City's tax base and the need to look at sources of revenue. The City Manager said that the Capital Improvements Committee should have some recommendations by the time budget meetings take place.

Eades suggested that the City was not strict enough in regard to requirements for new developers. Improvements to property could be paid for by the developer rather than the city. Staff was directed to do research on how other cities handle this. There was discussion on access to Kellogg Lake. Staff was directed to provide minutes of the "Friends of Kellogg Lake" meetings for the Council.

There was discussion on park development, code enforcement, fire equipment replacement and storm drains.

It was suggested that Council set priorities on most crucial needs, educate the citizens of these needs and put a price tag on them so that they will more clearly understand the problems.

The City Manager was asked whether he minded the Council members contacting department heads when he was not available. He said that he had no objection, though he would prefer to deal with Council members directly when possible.

There was discussion on proposed formation of the North Clackamas Park and Recreation District. The Council agreed that a letter should be sent to the boundary commission recommending against consideration of the formation of a special district at this time pending discussions between the city and residents of adjacent areas.

The meeting was adjourned at 10:45 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

INTERVIEW SCHEDULE

City Council Meeting
May 4, 1982, 7 pm

APPLICANTS FOR TRAFFIC SAFETY COMMISSION

6:40 p.m.....Warren Bottemiller

Interviewed on April 20, wishing to be
considered--William Burbach and James Fields.

TRAFFIC SAFETY COMMISSION

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FUNCTION

To act in an advisory capacity to the City Council and City Manager in coordination of traffic safety activities, foster public knowledge and support of the traffic law enforcement and traffic engineering problems, cooperate with the school systems in promotion of traffic safety, promote the education of the public on traffic safety and in general assist in the overall reduction of traffic accidents, injuries and deaths.

NUMBER OF BOARD MEMBERS

seven (7)

LENGTH OF TERM

two (2) years

SCHEDULE OF MEETINGS

The second Monday of each month

QUALIFICATIONS

Mandated:

One member is appointed by the North Clackamas School District. One member is a Milwaukie High School student appointed by the High School. Of the five members appointed by the Council, three may be non-residents of the city.

Desirable:

Familiarity with basic traffic laws
Licensed driver

TYPICAL TASKS

1. Recommend solutions to specific problems referred to the Commission by Staff or City Council.
2. Research, develop and implement traffic safety programs which meet local needs.
3. Promote the education of the public on traffic safety.

CITY OF MILWAUKIE

CITY HALL • 10722 S.E. MAIN STREET
MILWAUKIE, OREGON 97222
TELEPHONE (503) 659-5171



Application For
Appointment To
City Advisory Bodies
FOR 1981

MILWAUKIE-OR

MAR 82 15: 41

NAME: Warren Arthur Bottemiller

ADDRESS: 4307 SE Jackson St.

TELEPHONE: (HOME) 659-1445 (WORK) —

MILWAUKIE RESIDENT SINCE: 1956

PREVIOUS CITY APPOINTMENTS, OFFICES: none

EMPLOYMENT OR PROFESSIONAL ACTIVITIES: unemployed at present

(have been missionary in Ivory Coast past 13 years)

OTHER COMMUNITY AFFILIATIONS OR ACTIVITIES: membership in Milw.

Baptist Church (since 1952) - no community activities

WILL YOU BE ABLE TO ATTEND REGULAR MEETINGS AT NIGHT? yes

DURING THE DAY? at present

WHAT ARE YOUR SPECIAL INTERESTS, GOALS FOR MILWAUKIE? my interest is

in the maintaining of a high moral, academic and civic atmosphere in Milwaukie for my children and all future generations of our community's families

OTHER BACKGROUND OR INPUT YOU FEEL WOULD BE BENEFICIAL TO THIS

COMMITTEE OR COMMITTEES: have observed traffic (and other)

conditions in several countries of the world

Please Check Committee or Committees on Which You Would Like to Serve:

- | | | | |
|--------------------------------|-------|---------------------------------|-------------------------------------|
| Budget Committee | _____ | Milwaukie Center Advisory Comm. | _____ |
| Building Code Board of Appeals | _____ | Parks & Recreation Commission | _____ |
| Civil Service Commission | _____ | Planning Commission | _____ |
| Fire Code Board of Appeals | _____ | Senior Citizen Advisory Comm. | _____ |
| Library Board | _____ | Traffic Safety Commission | <input checked="" type="checkbox"/> |

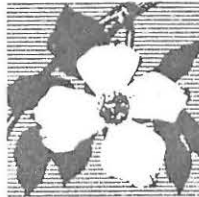
This information will be kept on file with the City for use in consideration of appointments to city advisory bodies. Please feel free to attach any additional background information you think would be of value to the City Council.

Thank you.

Warren A. Bottemiller
Signature

March 26, 1982
Date

CITY OF MILWAUKIE



CITY COUNCIL
in the City Hall • phone 659-5171

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PROCLAMATION

WHEREAS, the older residents of Milwaukie have made a great contribution to the growth of the community, and

WHEREAS, it is the policy of the city to enhance the quality of life for all and especially for our elders, and

WHEREAS, the President of the United States has proclaimed the month of May as Older Americans Month.

NOW THEREFORE, I, Joy Burgess, Mayor of the City of Milwaukie, Oregon with the unanimous consent of the City Council, do hereby proclaim the month of May, 1982, Older Americans Month and May 15, 1982, Older Americans Day. I call upon all our residents to join us in a united effort with our senior citizens to truly make the later years the best, and

FURTHER, that the entire community accept our invitation to visit and support aging programs as a major contribution to the well-being and satisfaction of our elders.

Joy Burgess, Mayor

CITY OF MILWAUKIE
BILLS PAYABLE MAY 4, 1982

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1.	American Public Works Association	\$132.00	1-91	66.00
			1-92	33.00
			30-	33.00
2.	Armour of America	78.00	1-52	78.00
3.	Baker & Taylor (N.Y)	12.74	1-70	12.74
4.	Baker & Taylor	215.08	1-70	215.08
5.	Ballard, Dick	167.00	1-62	167.00
6.	Bernard's Garage	414.06	1-52	212.30
			1-62	80.16
			1-94	121.60
7.	Boise Cascade	136.90	1-21	33.02
			1-41	60.80
			1-53	43.08
8.	City Rubber Stamp	11.31	1-21	11.31
9.	Cambridge University Press	7.46	1-70	7.46
10.	Cessco, Inc.	131.00	30-	131.00
11.	Clackamas Oregonian	18.50	1-22	18.50
12.	Clark, Michael J.	46.55	30-	46.55
13.	Clean One	46.92	1-43	46.92
14.	Communications Dept. Motor Vehicle	1.00	1-52	1.00
15.	Cornell Manufacturing Co.	37.63	30-	37.63
16.	Clackamas Cty. Community Corrections	50.00	GL	50.00
17.	" " Environmental Services	208.23	4-	208.23
18.	" " Financial Admin.	1,000.00	1-22	1,000.00
19.	" " Sheriff's Dept.	20.40	1-52	20.40
20.	Daily Journal of Commerce	32.50	1-42	32.50
21.	The Economy Company	60.30	1-70	60.30
22.	Electrical Construction Co.	25.53	7-	25.53
23.	Enterprise Courier	45.00	1-21	45.00
24.	Executive Department	300.00	1-53	300.00
25.	Far West Business Systems	25.74	1-92	25.74
26.	Far West Office Products	99.91	1-52	15.72
			1-53	84.19
27.	First State Bank	196.24	1-52	98.12
			1-70	98.12
28.	Flexible Pipe Tool Co.	104.16	20-	104.16
29.	Gaylord Bros., Inc.	322.47	1-70	322.47
30.	Gaylord Bros., Inc.	6.21	1-70	6.21
31.	Graphic Products, Inc.	32.68	1-92-	32.68
32.	Hamilton's Home Furnishings	369.00	1-62	369.00
33.	Higgins Signs	125.00	1-52	125.00
34.	Highsmith Co., Inc.	698.93	1-70	698.93
35.	IBM	419.00	1-21	62.75
			1-22	24.00
			1-41	294.59
			1-80	37.66
36.	Information Office C.A.L.E.A.	29.40	1-51	29.40
37.	Intern'l. Assoc. Chiefs of Police	17.54	1-51	17.54
38.	Kahr, Helga	100.00	1-23	100.00
39.	Kiplinger Washington Letter	2.50	1-70	2.50
40.	Knauss Chevrolet	24.62	1-52	24.62
41.	Kovac, Leonard	500.00	1-30	500.00

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CITY OF MILWAUKIE
BILLS PAYABLE MAY 4, 1982

IV a (2)

42.	Labelmaster	19.12	1-62	19.12
43.	Layton Manufacturing Co.	67.73	7-	67.73
44.	Legislative Counsel Committee	100.00	1-52	100.00
45.	Levak, Thomas F., Arbitrator	400.00	1-24	400.00
56.	McClain, J. Gary, P.C.	115.00	1-23	115.00
57.	McFarlane's Bark, Inc.	9.00	1-94	7.00
			4-	2.00
58.	Milwaukie Auto Parts	111.39	7-	111.39
59.	Milwaukie Glass	28.87	1-62	28.87
60.	Milwaukie Loaves & Fishes	18.00	1-22	18.00
61.	Milwaukie Printing	32.00	1-42	32.00
62.	N. Clackamas Junior Baseball	350.00	1-10	350.00
63.	Northwest First Aid Supply Co.	39.00	1-62	39.00
64.	Northwest Law Enforcement	297.79	1-52	297.79
65.	Northwest Natural Gas Co.	448.46	1-22	448.46
66.	Olson Bros.	103.20	1-52	69.45
			7-	33.75
67.	Oregon Filter Specialists	128.57	1-62	128.57
68.	Oregon Toro	9.44	1-94	9.44
69.	Oregon Dept. Motor Vehicles	210.00	1-80	210.00
70.	P.G.E.	15,819.50	1-24	15,819.50
71.	Pacific Coast Laundry	288.30	1-43	16.00
			1-62	13.50
			1-70	18.00
			4-	80.27
			20-	80.27
			30-	80.26
72.	Pacific Northwest Bell	1,169.19	1-21	125.21
			1-23	73.35
			1-30	48.23
			1-41	144.69
			1-42	72.34
			1-43	249.99
			1-52	36.12
			1-53	29.81
			1-80	72.34
			1-91	72.34
			1-92	72.34
			1-93	73.35
			1-94	63.48
			30-	35.60
73.	Pacific N.W. Vice Conference	50.00	1-52	50.00
74.	Petty Cash	126.17	1-21	10.15
			1-23	5.95
			1-51	1.00
			1-61	25.80
			1-62	23.69
			1-63	2.03
			1-80	9.20
			1-92	6.40
			1-94	41.95

IV a (4)

CHART OF ACCOUNTS
FUNDS, DEPARTMENTS & DIVISIONS Effective July 1, 1981

CITY COUNCIL	01-10	BONDED DEBT FUND	02
CITY MANAGER'S OFFICE	01-21	EQUIPMENT RESERVE FUND	03
COMMUNITY SERVICE	01-22	STATE TAX STREET FUND	04
MUNICIPAL COURT	01-23	IMPROVEMENT BOND SINKING FUND	05
GENERAL GOVERNMENT	01-24	STREET IMPROVEMENT FUND	06
CITY ATTORNEY	01-30	EQUIPMENT REPAIR FUND	07
FINANCE	01-41	BIKE AND FOOTPATH FUND	09
PURCHASING	01-42	FIXED ASSET ACCOUNT GROUP	10
CITY HALL	01-43	REVENUE SHARING FUND	12
POLICE ADMINISTRATION	01-51	COMMUNITY DEVELOPMENT GRANT FUND	13
" FIELD SERVICE	01-52	SEWER FUND	20
" SUPPORT SERVICE	01-53	WATER FUND	30
FIRE ADMINISTRATION	01-61		
" SUPPRESSION	01-62		
" PREVENTION	01-63		
LIBRARY	01-70		
PLANNING	01-80		
PUBLIC WORKS ADMINISTRATION	01-91		
" " ENGINEERING	01-92		
" " BUILDING	01-93		
" " PARKS	01-94		

CITY OF MILWAUKIE
M E M O R A N D U M
PUBLIC WORKS DEPARTMENT

1 APR 82 9:25

MILWAUKIE-03

DATE: April 28, 1982

TO: Hugh Brown
City Manager

FROM: Steve Hall
Public Works Director

S.M. Hall

IV
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SUBJECT: Island Station Water Intertie
Easement/Allen Pynn

ACTION REQUESTED:

Approval of attached escrow instructions by City Council authorizing the Mayor and yourself to sign said agreement.

BACKGROUND:

For several years, the City of Milwaukie has attempted to acquire an easement for construction of a 10-inch water main across the subject property to provide a second source of water to the Island Station Area. The materials (water main) were purchased through a grant in the late 1960's but were not installed due to the problems we are still facing.

Several years ago, the City received approval of a community development block grant in three stages to complete the subject intertie and make improvements in the Island Station area for water distribution and supply.

We are at the final stages of that intertie and have negotiated a successful easement which is satisfactory to the City and escrow instructions attached to that easement which are satisfactory to the City.

In essence, the easement will be held in escrow by Clackamas County until the City of Milwaukie receives approval from the State Boundary Commission to serve the subject property from the water main which will be installed across the property. City Council has been involved with this project from the beginning and has approved the steps to date including this concept and the easement currently in escrow with the County.

Greg Eades has been involved with the County and Mr. Pynn in drafting the basic language and contents of the subject easement and escrow instructions.

If you have any questions I would be happy to fill you in on more detail.

Enclosure: Escrow instructions
Easement

SMH:js

Escrow Instructions

IV b (2)

Whereas, Allen B. Pynn, owns approximately 11 to 12 acres of a 300 unit high density multi-family property adjacent to the south boundary of the City of Milwaukie; and

Whereas, the City of Milwaukie is desirous of installing a water line in an easement across the Pynn property, more or less parallel to Kellogg Creek; Pynn has agreed to grant the City of Milwaukie an easement to install and maintain said line, providing the City of Milwaukie agrees to the below mentioned conditions.

1. City will provide water service to the property for domestic and fire prevention purposes for whatever development that presently exists or ultimately may take place on the property. Such service will commence on completion of the water line intertie by providing water service and fire protection to log house on said property.

2. City's ability and owner's right to receive domestic water service and fire protection to said property from city without annexation to the City of Milwaukie will be approved and ratified by all necessary levels of government prior to release of easement in escrow to the city.

3. Pynn will pay the fair and equitable price for water hookup and service that is the same as the city charges its city water customers that are serviced in the city for similar projects, and the city will have the same rights and remedies to collect for its service as in the city including termination of water service.

4. City agrees to place water line in general conformance to that plan identified as Exhibit A signed 4/2/82 by Allen B. Pynn and amended 4/26/82 ABP.

5. This agreement is not intended to affect the separate rights of the tenant residing on said property with regard to potential damages to said tenant from construction activity.

6. The portion of the roadway that is to be used for water line installation will be restored with 4 inches of 1½ inch crushed rock, topped with 2 inches of ¾ inch rock, graded with a crown and compacted. All other utilities in the roadway that are disturbed by the water line installation will be repaired. A one foot deep drainage ditch will be

IV b (3)

graded on the south side of the driveway from Oatfield Road to the bridge over the creek.

7. All ditches will be backfilled with granular inorganic material and mechanically compacted in a workmanlike manner. The entire disturbed area shall be revegetated prior to the rainy season to minimize erosion.

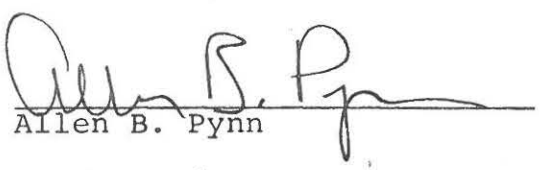
8. If Clackamas County Department of Environmental Services has not released the easement from escrow within one year of this date, the easement shall be redelivered to Pynn unrecorded.

Contemporaneously with the delivery of this instruction to the county, Pynn has placed a signed easement in favor of the City of Milwaukie in escrow, with the Clackamas County Department of Public Works, and hereby requests that the easement be delivered to the City of Milwaukie when the county is assured the conditions precedent have been met and that the City has agreed and will meet the conditions subsequent.

ADOPTED BY CITY OF MILWAUKIE

ADOPTED BY OWNER

Mayor


Allen B. Pynn

City Administrator

4/26/82

Date

Date

RESOLUTION NUMBER 33-1981

IV b (4)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE PROVIDING FOR UTILITY SERVICE OUTSIDE THE CITY.

WHEREAS, the Council has adopted Resolution No. 5-1981 requiring annexation of property requesting utility service and

WHEREAS, in the interest of public safety it is necessary to acquire a water line easement across the property described below and

WHEREAS, the property owner is willing to grant an easement to the city but only if the city will apply to the Boundary Commission for an extraterritorial extension of city water service for the property, therefore

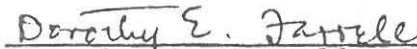
BE IT RESOLVED by the Council of the City of Milwaukie that, in exchange for a water line easement across the property, the city shall apply to the Portland Metropolitan Area Local Government Boundary Commission for approval of an extraterritorial extension of city water service to property owned by Allen B. Pynn and described as 11E 36CD Tax Lot 1600.

BE IT FURTHER RESOLVED that this utility extension is an exception to the city policy announced in Resolution No. 5-1981 necessitated by an emergency situation. The city does not intend by this action to revoke Resolution No. 5-1981 and this should not be considered a precedent.

Introduced and adopted by the City Council on December 15, 1981.


Joy Burgess, Mayor

ATTEST:


Dorothy E. Farrell, City Recorder

Approved as to form:


Greg Eades, City Attorney

MEMORANDUM

April 28, 1982

IV
C ①

TO: CITY COUNCIL

FROM: RON SCHANKER, POLICE CHIEF

SUBJECT: NOISE CONTROL ORDINANCE

Introduction:

The Police Department is regularly asked to intervene in a variety of situations where "noise" is the primary problem. The state has repealed statutes which were previously utilized to control noise related problems. This ordinance would restore to the Police Department specific authority to deal with such nuisances as loud stereos, excessive vehicular noise, barking dogs, heat pumps, and other common sources of noise which disturb the peace and livability of neighborhoods and public areas. The definitions and standards outlined within are approved by the State Department of Environmental Quality.

Action Requested:

Adoption of Noise Control Ordinance

IV C 2

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, DEFINING NOISE AND EXCESSIVE OR UNNECESSARY SOUNDS AND CONTROLLING AND REGULATING THE SAME WITHIN THE CITY LIMITS OF MILWAUKIE, OREGON.

SECTION 1. DECLARATION OF FINDINGS AND POLICY: SCOPE.

A. Declaration of Findings and Policy.

WHEREAS excessive sound is a serious hazard to the public health and welfare, safety and the quality of life; and
WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated; and
WHEREAS the people have a right to and should be ensured an environment free from excessive sound that may jeopardize their health and welfare or safety or degrade the quality of life;

NOW, THEREFORE, IT IS THE POLICY OF THE CITY OF MILWAUKIE, OREGON, TO prevent excessive sound which may jeopardize the health and welfare or safety of citizens or degrade the quality of life.

B. Scope

This ordinance shall apply to the control of all sound originating within the limits of the City.

SECTION 2. STANDARDS AND DEFINITIONS.

A. Terminology and Standards.

All terminology used in this ordinance that is not defined below shall be in accordance with the American National Standards Institute (ANSI) Standard S1.4-1971.

B. Measurement of Sound Level.

- (1) If the measurements are made with a sound level meter, it shall be an instrument in good operating condition, meeting the requirements of a Type I or Type II meter, as specified in ANSI Standard 1.4-1971. For purposes of this ordinance, a sound level meter shall contain at least an A weighted scale, and both fast and slow meter response capability.
- (2) When the location or distance prescribed in this ordinance or measurement of sound is impractical or would provide misleading or inaccurate results, measurements may be taken at other locations or distances using appropriate correction factors specified in this ordinance or in other rules promulgated by the Council.

IV C 3

- (3) Procedures and tests required by this ordinance and not specified herein are on file with the City Recorder.

C. Definitions

- (1) City: The City of Milwaukie, Oregon, or the area within the territorial city limits of the City of Milwaukie, Oregon, and such territory outside of this city over which the city has jurisdiction or control by virtue of ownership or Charter provision, or any law.
- (2) Persons: A person, persons, firm, association, co-partnership, joint venture, corporation or, any entity public or private in nature.
- (3) Commercial Land Use: Includes land uses zoned ZN and CG.
- (4) Construction: Any and all activity necessary or incidental to the erection, demolition, assembling, altering, installing, repair or equipping of buildings, roadways and utilities. It shall include land clearing, grading, excavating and filling before, during or following such activity.
- (5) Emergency Work: Work made necessary to restore property to a safe condition following a calamity, work required to restore public utilities or work required to protect persons or property from imminent exposure to danger.
- (6) Industrial Land Use: Includes land use zoned MG and ML.
- (7) Night Time Period: 10:00 p.m. of one day until 7:00 a.m. of the following day.
- (8) Noise Sensitive Land Use: Includes property on which residential housing, apartment buildings, schools, churches, hospitals, and nursing homes are located.
- (9) Day Time Period: 7:00 a.m. until 10:00 p.m. of the same day.
- (10) Any One Hour: Any period of 60 consecutive minutes during the 24 hour day.
- (11) Road Vehicle; Any vehicle which is, or is designed to be, self-propelled or is designed or used for transporting persons or property on a public roadway.

ORDINANCE NUMBER _____

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- (12) Public or Private Project: Any project which would involve review for compliance with the comprehensive land use plan and its related codes and permits.

SECTION 3. RESPONSIBILITY AND AUTHORITY

A. Responsibility.

The responsibility for enforcement of this ordinance shall reside with the Chief of Police or his designee.

B. Authority.

In order to implement this ordinance and for the general purpose of sound abatement and control, the police department shall have, in addition to any other authority vested in it, the powers defined below:

- (1) Inspections. Upon presentation of proper credentials, enter and inspect any private property or place, and inspect any report or record at any reasonable time when granted permission by some other person with apparent authority to act for the owner. When permission is refused or cannot be obtained, a search warrant may be obtained from a court of competent jurisdiction upon showing of probable cause to believe that a violation of this ordinance may exist. Such inspection may include administration of any necessary tests.
- (2) Issue Summons. Issue summons, notices of violation or other legal orders to any person in alleged violation or other of any provision of the ordinance.
- (3) Review of Public and Private Projects. Review of public and private projects which are subject to mandatory review or approval by other departments, for compliance with this ordinance, if such projects are likely to cause sound in violation of this ordinance.
- (4) Investigate Violations. In consonance with all other provisions of this ordinance, investigate and document violations and take necessary actions preparatory to enforcement.
- (5) Variances. Grant variances to the provisions of this ordinance in accordance with procedures set forth in Section 8.B., and any other procedures as may be adopted.
- (6) Amendments and Modifications. Develop and recommend amendments and modifications to this ordinance so as to maintain or enhance the effectiveness of the noise control program.

IV C (5)

- (7) Education. Develop programs for public education regarding the requirements and remedies available through the noise control ordinance.

SECTION 4. PROHIBITED ACTS.

- A. No person shall make any noise(s) or excessive or unnecessary sound(s) which disturbs, injures or endangers the comfort, convenience, repose, health, peace, safety, or welfare of any other person or persons or of any residential neighborhood within the limits of the City of Milwaukie.
- B. No person on the premises of a restaurant, bank, bar, tavern, theater, business, public parking facility or other public or private property where parking or drive-in facilities are offered and extended to the public for their use shall unnecessarily do any of the following: race the engine of any motor vehicle; bring to a sudden start or stop any motor vehicle; or commit any other act constituting a nuisance or disturbance on said premises whereby the quiet of the premises or the neighborhood is disturbed, or the health, peace, safety, comfort or convenience of any person is disturbed.
- C. The following acts are declared to be noise(s) and unreasonable, excessive and unnecessary sounds in violation of this ordinance; however, this enumeration shall not be deemed exclusive:
 - (1) Horns, signaling Devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, bus or other motor vehicle except as a necessary signal required by the exigencies of regular or pedestrian traffic;
 - (2) Radios, Phonographs, etc. The playing, using or operation of any radio, musical instrument, phonograph, television set, tape recorder or other machine or device for the producing or reproducing of sound in such a manner as to disturb the sleep, peace, convenience, comfort or repose of any other person;
 - (3) Loud Speakers, Amplifiers, etc. The use or operation of any loud speaker or sound amplifier, either stationary or mobile, in such a manner as to project sound upon public streets, or other public property, or upon private property owned by someone other than the owner or operator of the loud speaker or sound amplifier.

- (4) Animals. The maintenance of any animal which causes noise of such type, volume or duration as to disturb the sleep, peace, quiet, comfort or repose of any person or residential neighborhood.
- (5) Steam Whistles. The blowing of any steam whistle attached to any stationary boiler except as a warning of fire or danger or upon the request of proper city authorities.
- (6) Exhausts. The discharge into the open air of any exhaust of any steam engine, stationary internal combustion engine, motor boat, automobile, motorcycle, bus, or other motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (7) Defect in Vehicle or Load. The use of any automobile, motorcycle, bus or other motor vehicle so out of repair, so loaded or in any otherwise unreasonable manner so as to disturb the sleep, peace, quiet, comfort or repose of any person or residential neighbor.
- (8) Loading, Unloading, Opening Boxes. The loading or unloading of any motor vehicle or the opening, closing or destruction of bales, boxes, crates or containers, so as to disturb the sleep, peace, quiet, comfort or repose of any person or residential neighborhood.
- (9) Construction or Repair of Buildings, Streets, Etc
The construction of any building, property, building site, street, sidewalk, driveway, sewer or utility line between the hours of 10 p.m. and 7 a.m. except as provided in Section 8.
- (10) Schools, Cemeteries, Churches, Hospitals. The creation of any noise on any street adjacent to any school, institution of learning, church, cemetery or funeral home, while the same is in use, or adjacent to any hospital, nursing home or other institution for the care of the sick or infirm, which interferes with the operation of the same or disturbs the sleep, peace quiet, comfort or repose of any person.
- (11) Pile Drivers, Hammers, Machinery, Etc. The operation between the hours of 10 p.m. and 7 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other construction equipment, machinery or tools.

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- (12) Jake Brakes. Operating any motor vehicle with a dynamic braking device engaged except for the aversion of immediate danger.
- (13) Vehicle Testing and Repair. Repairing, rebuilding, modifying, or testing any motor vehicle, motor-cycle or motorboat as to disturb the sleep, peace, quiet, comfort, or repose of any person or residential neighborhood.
- (14) Explosives, Firearms, and Similar Devices. The use of any explosives, firearms, or similar devices.
- (15) Blowers and Compressors. The operation of any blower, power fan, internal combustion engine, electrical motor or compressor, the operation of which unreasonable disturbs the sleep, quiet, peace, comfort or repose of any person or residential neighborhood.
- (16) Tampering. Removing, impairing or rendering inoperative by any person other than for purpose of maintenance, repair or replacement, of any muffler or noise control device, or noise label of any product, or use of a product which has a muffler, or noise control device or noise label removed or rendered inoperative, with knowledge that such action has occurred.
- (17) Domestic Power Tools. Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, or similar device used out of doors in residential areas between the hours of 10.00 p.m. and 7:00 a.m.

SECTION 5. MOTORIZED VEHICLES AND MOTORCYCLES ON PUBLIC RIGHT-OF-WAY.

- A. No person shall operate or cause to be operated a public or private motor vehicle or motorcycle on a public right of-way at any time in such manner that the sound level emitted by the motor vehicle or motorcycle exceeds the level set forth in Table 1. All measurements shall be taken with a sound level meter meeting ANSI, or its successor body, standards for a Type II instrument as a minimum and shall be taken with a slow meter response.

ORDINANCE NUMBER _____

IV c (8)

TABLE 1. IN-USE ROAD VEHICLE STANDARDS (STATIONARY TEST)

<u>Vehicle Type</u>	<u>Model Year</u>	<u>Maximum Noise Level, dBA</u>	<u>Measurement Point</u>
Trucks and Busses 8,000 lbs or more CVWR	Before 1976	94	25 feet
	1976 - 1981	91	25 feet
	After 1981	88	25 feet
Motorcycles	1975 and before	102	20 inches
	After 1975	99	20 inches
Front-Engine Automobiles, light trucks and all other light duty front- engine road vehicles	All	95	20 inches
Rear-Engine Automobiles, light trucks and mid- engine automobiles and light trucks	All	97	20 inches

SECTION 6. RECREATIONAL MOTORIZED VEHICLES OPERATING OFF PUBLIC RIGHT-OF-WAY

No person shall operate or cause to be operated any recreational motorized vehicles off a public right-of-way in such manner that the sound level emitted therefrom exceeds the limits set forth in Table 2 as measured at or within the property boundary of a noise sensitive land use. This section shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or noncommercial racing vehicles, motorcycles, go-carts, campers, and dune buggies, but not including motorboats.

TABLE 2. MAXIMUM SOUND LEVELS FOR OFF-ROAD RECREATIONAL VEHICLES OPERATED NEAR NOISE SENSATIVE PROPERTY

<u>TIME</u>	<u>Sound Level Limit, in dBA</u>
7:00 a.m. - 10:00 p.m.	60
10:00 p.m. - 7:00 a.m.	55

SECTION 7. MAXIMUM PERMISSIBLE ENVIRONMENTAL NOISE AND SOUND LEVELS

A. No person shall cause or permit noise or sound(s) to intrude into the property of another person which noise or sound(s) exceeds the maximum permissible noise levels set forth below in this section.

IV c (9)

- B. The sound limitations established herein as measured at or within the property boundary of the receiving land use are as set forth in the following table after any applicable adjustments provided for herein are applied which when said sound limitations are exceeded shall constitute excessive and unnecessary sound (s) and shall be violations in their own right as well as being prima facie evidence of noise.
- C. No sound shall exceed any of the below established limits by 10 dBA at any point in time.
- D. The sound shall not exceed any of the below established limits by 5 dBA for a cumulative total of greater than one minute, but less than five minutes in any ten minute period.
- E. The sound shall not exceed any of the below established limits for a cumulative total of five minutes or more in any ten minute period.

TABLE 3. SOUND LEVELS BY RECEIVING LAND USE

<u>LAND USE DESIGNATION OF THE PROPERTY FROM WHICH THE SOURCE OF THE SOUND IS MEASURED</u>	<u>MAXIMUM NUMBER OF DECIBELS PERMITTED FROM 7 A.M. UNTIL 10 P.M. OF THE DAY TIME PERIOD</u>	<u>MAXIMUM NUMBER OF DECIBELS PERMITTED FROM 10 P.M. UNTIL 7 A.M. OF THE NIGHT TIME PERIOD</u>
Noise Sensitive	55	50
Commercial	65	60
Industrial	80	75

SECTION 8. EXCEPTIONS AND VARIANCES

- A. The following sounds are exempted from provisions of this ordinance:
 - (1) Sounds caused by the performance of emergency work.
 - (2) Aircraft.
 - (3) Sounds, not electrically amplified, created by athletic and entertainment events, and
 - (4) Sounds made by warning devices operating continuously for three minutes or less.
 - (5) Construction activities during the Day Time Period.
 - (6) Church Bells.

IV
C (10)

(7) Sounds generated by agricultural activities.

B. Variations. Any person who owns, controls or operates any sound source which violates any of the provisions of this ordinance may apply to the Police Department for a variance from such provisions. Any person who is planning a noise source which is expected to violate any provision of this ordinance may apply to the Police Department for a variance from such provision.

(1) Application. The application shall state the provision from which a variance is being sought, the period of time the variance is to apply, the reason for which the variance is sought and any other supporting information which the Police Department may reasonably require.

(2) Review Considerations. The Police Department shall consider:

- (a) The physical nature of the sound emitted.
- (b) Whether the public health and safety is endangered.
- (c) If reasonable compensation is to be made the affected persons.
- (d) Whether compliance with the provision would produce no benefit to the public.

(3) Time Duration of Variance. A variance may be granted for a specific time interval only.

C. Public Notification and Public Hearing.

- (1) Public notice must be given in the manner provided for by City Ordinance of all applications for variance.
- (2) A public hearing must be held before the granting of a variance if such hearing is requested by any affected party.

D. Appeal of Adverse Decision to Council. In the event a variance is not granted by the Police Department, the applicant may request a review of the decision by the City Council.

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SECTION 9. ORDINANCE ADDITIONAL TO OTHER LAW

The provisions of this ordinance shall be cumulative and non-exclusive and shall not affect any other claim, cause of action or remedy; nor, unless specifically provided, shall it be deemed to repeal, amend or modify any law, ordinance or regulation relating to noise or sound, but shall be deemed additional to existing legislation and common law on such subject.

SECTION 10. PENALTIES

Any person violating any provision of this ordinance or failing to comply with any requirement of this ordinance, unless provision is otherwise made herein, shall upon conviction thereof be punished by a fine of not more than \$1,000. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this ordinance is committed, continued or permitted by such person and may be punished accordingly.

The Council, acting in the name of the city, may maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or restrain by injunction of the violation of any provision of the ordinance as additional remedy.

SECTION 11. SEVERABILITY PROVISION.

If any provision of this ordinance, or its application to any person or circumstances, is held to be invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances, shall not be affected.

MEMORANDUM

IV 101

April 28, 1982

TO: Hugh Brown
City Manager

FROM: Randy Westrick *Randy*
Parks & Recreation Sup't

SUBJECT: State Grant-in-Aid allocation.

The City of Milwaukie has qualified for a State Grant-in-Aid allocation of \$1,400. During its last session the State Legislature allotted \$100,000 to localities to be spent on a statewide basis. Through a formula based on population and equal apportionment, \$6,625 was allocated to Clackamas County for distribution. At a meeting held on April 6, 1982, the county allocation was distributed among localities as follows:

Gladstone	\$ 800.00
West Linn	800.00
Milwaukie	1,400.00
Lake Oswego	1,400.00
Rivergrove	425.00
Clackamas County	1,800.00
<u>Total</u>	<u>\$6,625.00</u>

The State Grant-in-Aid fund requires a 25% local match or \$350. This will be accomplished through an in kind match of labor and administrative expenses. The fund must be used for rehabilitation projects.

Staff has recommended that the funds be used for rehabilitation of the playground at Century Park. At its April 12, 1982 meeting, PARC concurred with this recommendation. I am asking that City Council approve the Century Park Playground Improvement Project so that we can begin to process grant application materials. The project will be scheduled for completion in late summer or early fall. Specific plans and details will be available with the grant application when it is prepared.

Approval Recommended

[Signature]

Hugh H. Brown
City Manager

Approved
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-MILWAUKIE-OR

MEMORANDUM

IV ②

April 13, 1982

TO: City Council
FROM: PARC
SUBJ: State Grant-in-Aid fund.

At its April 12, 1982 meeting the Milwaukie Parks And Recreation Commission considered use of the State Grant-in-Aid fund for parks. The City's allocation from this fund is \$1,400. The Commission recommends that these funds be used to rehabilitate the playground at Century Park. This project would remove old and deteriorated equipment on the site and replace it with some new equipment. A wooden climbing structure was suggested.

The State Grant-in-Aid requires a 25% local match or \$350. This will be accomplished through in kind match of labor and administrative expenses.



Larry Mura, Chairman
Parks And Recreation Commission

CITY OF MILWAUKIE
M E M O R A N D U M
PUBLIC WORKS DEPARTMENT

IV
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DATE: April 30, 1982

TO: Hugh Brown
City Manager

FROM: Steve Hall
Public Works Director

S. M. Hall

SUBJECT: Wichita Water District
Intergovernmental Agreement

The agreement for services from the City of Milwaukie to Wichita Water district has been completed and approved by staff. Staff is recommending approval of same by City Council.

This agreement will be presented to the Wichita Water Board at their regular meeting of Monday, May 3, 1982 for their consideration.

In summary, the agreement provides for the following:

1. City shall read all Wichita meters on a bi-monthly basis.
2. At the request of the District, City will provide full maintenance of facilities.
3. The City will provide emergency standby at the rate of \$50 per month in conjunction with the City's emergency standby.
4. The City will be compensated at its current rates for charging outside users for labor and materials.

This agreement provides for an equitable solution to Wichita Water District's problem due to the retirement of their superintendent and is a step in further understanding between the District and City.

There are minor adjustments to be made on the agreement which do not affect its substance. Action recommended to the Council is authorization for Mayor to sign the agreement in its final form.

Approval Recommended

Hugh H. Brown

Hugh H. Brown
City Manager

MEMORANDUM

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TO: CITY COUNCIL

DATE: APRIL 30, 1982

FROM: GREG EADES, CITY ATTORNEY *GE*

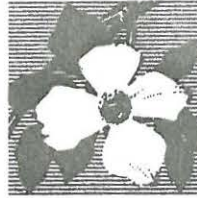
SUBJECT: CONDITIONAL USE

As I understand it, in 1979 the Council upheld a Planning Commission approval of a conditional use allowing County Corrections to operate its Center at the present location. The approval permitted the county to house only Class "C" felons at the facility. Class "A" and "B" felons were housed at the state corrections facility nearby.

Now the county has received Planning Commission approval to expand into the old state location and is seeking Council approval to include non-violent Class "A" and "B" felons, since there is no longer another facility to meet this need. Since the Council expressed interest in this issue once before, the Planning Commission and staff have forwarded it to you for review.

Mr. Gassoway or his representative will be here on the 4th to answer your questions.

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-MILWAUKIE-OR
CITY OF MILWAUKIE



PLANNING DEPARTMENT
in the City Hall • phone 659-5171

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April 20, 1982

Mr. Hugh Brown, City Manager
Milwaukie City Council
10722 S.E. Main St.
Milwaukie, Oregon 97222

RE: C-82-3

At the meeting held April 13, 1982 the Planning Commission voted to approve C-82-3 with the stipulation that the Milwaukie City Council should authorize and promulgate Condition #3 as listed below.

PROPOSAL:

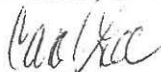
Request to use existing vacant State Corrections facility for consolidated State Work Release and County Residential Center operation, into one complex housing non-dangerous felony adult offenders at 9200 McBrod Ave., Milwaukie.

CONDITIONS:

1. All utilities, drainage, landscape, building, sign and site improvements to be approved by Staff.
2. Extend bark dust path the length of the east boundary with Johnson Creek to the north property line.
3. The type and number of defendants to be approved by the City Council.

Cordially,

MILWAUKIE PLANNING COMMISSION


Carol Lee
Secretary

CITY OF MILWAUKIE - PLANNING DEPARTMENT
MINUTES OF PLANNING COMMISSION
REGULAR MEETING - APRIL 13, 1982

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3.3 C-82-3 CLACKAMAS COUNTY COMMUNITY CORRECTIONS, Applicant
OREGON LIQUOR CONTROL, Property Owner

LOCATION: 9200 McBrod Avenue, Milwaukie

PROPOSAL:

Request to use existing vacant State Corrections facility for consolidated State Work Release and County Residential Center operation, into one complex housing non-dangerous felon adult offenders.

The Planning Commission's action will be a land use decision. The type and number of felons housed at the site will be reviewed by the City Council.

Jon present the Staff Report.

Mr. Trotter asked Staff to indicate where the property owned by OLCC is located and to clarify the conflict regarding the property. Steve said the City is primary leasor of the property for park purposes from OLCC, which runs from Ochoco to the south side of the corrections facility on McBrod. That property which is used by the Clackamas County Corrections Facility is subleased from the City with approval from OLCC to the user.

Jon mentioned a letter had been received from the County Corrections facility.

SPEAKING: TERRY GASSAWAY, 4839 S.E. Naef Rd., Milwaukie
Director of Clackamas County Corrections

Mr. Gassaway said that the facility in question has been closed for about one and a half years. He mentioned there is an extra mobile home that has been placed on the property approximately five or six years ago.

Ms. Jamtgaard asked if the mobile home is being used for day use and overflow facility. Mr. Gassaway said there is no one spending the night in the facility. He said that in 1978 the County assumed all responsibility of State corrections within Clackamas County. Since that time the State has closed that facility, and a new conditional use has been applied for in direct relationship to the County's proposed use. The program requires that all persons at the center must be employed.

SPEAKING: MR. BOB KENNEDY, 2936 Monroe Street, Milwaukie

Mr. Kennedy said his business is located very near this facility. He said he concurred with Staff in favor of the request.

CITY OF MILWAUKIE - PLANNING DEPARTMENT
MINUTES OF PLANNING COMMISSION
REGULAR MEETING - APRIL 13, 1982

IV
#2

SPEAKING: SCOTT TAYLOR, 925 North Pine, Canby

Mr. Taylor said he is the present manager of the County residential facility. He mentioned this extra unit would provide better service for those at the facility for both overflow demands and those progressing through the program.

Mr. Trotter asked if there was any one else present who wished to speak in favor or opposition to the request; there was no response.

The Public Hearing Closed.

Mr. Trotter suggested that an additional Condition we reference to approval of the type and number of felons would be approved by the City Council.

Ms. Sweetland MADE A MOTION TO APPROVE C-82-3 with the proposed Findings and Conditions as per testimony. Ms. Jamtgaard SECONDED THE MOTION IT PASSED UNANIMOUSLY.

FINDINGS:

1. The proposal complies with the following relevant elements of the Comprehensive Plan:
 - A. OBJECTIVE #1 - Floodplain, Policy 4, Page 12.
 - B. OBJECTIVE #2 - Open Space, Policy #1, 3, 4, and 6, Page 15-16.
2. The stream bank will be maintained.
3. The use will not have further impact on the Significant Natural Area and Flood Hazard Zone of Johnson Creek.
4. Landscaping will be trimmed.
5. The building will be cleaned and painted where needed and site appearance improved.
6. Minimum landscape requirements are exceeded.
7. Granting the Variance would have little negative impact on adjacent properties.
8. Offenders will not have vehicles resulting in a surplus of parking stalls.

CONDITIONS:

1. All utilities, drainage, landscape, building, sign, and site improvements to be approved by Staff.
2. Extend bark dust path the length of the east boundary with Johnson Creek to the north property line.
3. Type and number of defendants to be approved by City Council.

CITY OF MILWAUKIE - PLANNING DEPARTMENT
MINUTES OF PLANNING COMMISSION
REGULAR MEETING - APRIL 13, 1982

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6.0 CONSENT AGENDA:

Planning Commission Minutes of Meetings: March 9, and March 23, 1982 were approved by consensus.

8.0 OTHER BUSINESS

8.1 Commission Election

The Planning Commission will hold an election at the first meeting in May, for President and Vice President.

8.2 Information of Proposed McLoughlin Blvd. widening.

Topaz mentioned a work session with the Council is being held and no decisions will be made in the immediate future regarding the McLoughlin project.

8.3 Mr. Hugh Brown, City Manager

Mr. Brown briefly thanked the Commission for their time and efforts in cooperating with Staff.

8.3 Land Use slide show from OSU Extension Service.

Jon presented the slide show. Transcription of narrative is available upon request.

THE MEETING ADJOURNED AT 9:30 P.M.

CITY OF MILWAUKIE PLANNING DEPT. STAFF REPORT

DATE: APRIL 13, 1982

FILE NO: C-82-3

APPLICATION : CONDITIONAL USE
APPLICANT : CLACKAMAS COUNTY COMMUNITY CORRECTIONS
PROPERTY OWNER : OREGON LIQUOR CONTROL
LOCATION : 9200 McBrod Ave., Milwaukie, Oregon 97222

PROPOSAL:

Request to use existing vacant State Corrections facility for consolidated State Work Release and County Residential Center operation, into one complex housing non-dangerous felony adult offenders.

The Planning Commission's action will be a land use decision. The type and number of felons housed at the site will be reviewed by the City Council.

BACKGROUND:

On March 3, 1970, the Planning Commission approved an application (C-70-2) for placement of mobile homes to be used for the State Work Release Center. (See Exhibit #1 - Building Layout and Site Plan)

Occupants of the building were carefully screened felons near completion of their sentence or who were scheduled for a parole hearing. All offenders came directly from prison and some had committed violent crimes. The building has a maximum occupancy of 48 residents with 24-hour supervision.

SITE CONDITIONS:

ZONING: M-L, Limited Manufacturing

PRESENT LAND USE:

The site is occupied by the following:

- A. "X"- shaped, single-wide, white mobile homes
- B. 16-space parking lot

The building has been vacant for 1½ years, and the site needs cleaning up.

- C. The entire parcel is within the Floodway Fringe of the Flood Hazard and natural area of Johnson Creek. No site modifications will be made.

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PROPOSED USE:

The "X" shaped mobile home facility will provide space for the State Work Release and County Residential Center. There will be no modifications to the existing facilities. There will be a maximum of 48-occupants with 24-hour supervision, by 3 - 7 employees. The building will have space for sleeping, eating, cooking, office and storage. The occupants will eat at the Clackamas Correction Facility, to the south. The site will be cleaned up, landscaped, improved and mobile homes painted where needed. No other modifications are indicated. Extension of the asphalt pathway along the east property line from the County Corrections facility to the south is not shown. A bark dust path has been laid from the parking lot to the County facility. There will be no improvements to the oil and gravel surface on McBrod.Ave. (See Exhibit #1 March 31, letter, application and addendum, attached.) Building will house only nondangerous offenders.

SURROUNDING ZONING AND LAND USE: (See Land Use Map)

The properties in all directions are zoned M-L, Limited Manufacturing.

- NORTH: Open space, railroad spur, Ochoco St., then Day York Distributor.
- EAST: Johnson Creek, OLCC offices and Warehouse
- SOUTHEAST: Channel 10 Broadcasting Disk
- SOUTH: Clackamas County Corrections facility.
- WEST: McBrod Ave., railroad spur, Samuels Storage yard, undeveloped parcel, beyond is Waterworks Supply Co.

TOPOGRAPHY:

The property is flat in the vicinity of the building. The site slopes down to Johnson Creek about 60' east of the building.

VEGETATION:

The parcel has grass ground cover and scattered trees.

CITY PLANS, POLICIES AND REGULATIONS:

Designation: Industrial

request asphalt

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RELEVANT POLICIES FROM THE COMPREHENSIVE PLAN:

OBJECTIVE #1 - Floodplain

Policy 4, Page 12:

Whenever possible, the Floodplain will be retained as open space and used for recreation or special storage. Dedication of lands within the Floodplain is encouraged when indicated by the Recreational Needs Element, and may be required as a condition of development along creeks and rivers.

Policy 5, Page 12:

The City will continue in the HUD Flood Insurance Program and will update its current Flood Hazard Ordinance as necessary to comply with future revisions to the program.

OBJECTIVE #2 - Open Space

Policy 2, Page 15:

The City will provide incentives to the private sector so open space can be conserved without undue hardships to private landowners.

Policy 3, Page 15:

The significant natural areas along Johnson Creek as shown on Figure 4, and defined under Objective #1, will be considered open space of special importance to all city residents. Low intensive public use of these areas for walking trails, nature parks and the like will be encouraged.

Policy 4, Page 15:

The City will participate with Multnomah and Clackamas Counties, Port of Portland, School District #1, State of Oregon, U.S. Heritage Conservation and Recreation Service, Army Corps of Engineers, and the City of Portland in studying the feasibility of implementing the proposed 40-mile loop system, a proposed regional plan linking the Columbia Slough, Willamette Greenway, Forest Park, Washington Park, Marquam Hill, Tryon Creek State Park, Willamette Park, Johnson Creek and Fairview Creek.

Policy 6, Page 16:

The City will encourage the dedication of public easements to and through open space areas.

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RELEVANT SECTIONS FROM ZONING ORDINANCE:

Section 3.13.2.g.

Conditional Uses Permitted: Governmental use or structure.

Section 3.13.3.m

Minimum Vegetation:

Minimum area that must be left or planted in trees, grass, shrubs, bark dust for planting beds, etc., shall be 15% of the total area of the lot.

ANALYSIS AND EVALUATION:

DETAILS OF PROPOSAL:

See application attachment, March 31, 1982 letter, Vicinity Map, Exhibit #1, attached.

1. AESTHETICS:

The existing white mobile home structure will not be modified. The building and site will be cleaned and repainted where needed.

2. NATURAL RESOURCES:

The grass ground cover, shrubs and trees will be trimmed and improved in appearance. Minimum landscape requirements have been exceeded and stream bank maintained. The use complies with Objective #1 - Floodplain, Policies 4 & 5, Page 12 and Objective #2 - Open Space, Policy 2, Page 15. The Floodway fringe and natural open space area will not be modified or impacted.

3. SOCIAL:

The building will provide space for a consolidated State Work Release, and County Residential Center. There will be up to 48 occupants and 3 - 7 staff on duty at all times, varying to the number of occupants (19 - 21 total). The eating facilities at the County facility, to the south, will be used. The facility will use the County 12-passenger van and automobile for corrections use. No occupants will have cars. Access will be maintained to Johnson Creek. The Applicant intends to comply with Objective #2, Open Space, Policies 3, 4 & 6, Pages 15 - 16, of the Comprehensive Plan. Only non-dangerous felony and misdemeanor offenders will be housed under the direction of County Corrections. The use will have less of an impact than the prior State Work Release Center, which housed some individuals who committed violent crimes. Signs will comply with Sign Ordinance.

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4. SAFETY:

A temporary bark dust pathway extends for the south end of the parking lot to the north end of the existing asphalt path of the County Center, which is adjacent to Johnson Creek. If additional funds are budgeted in the future, the pathway will be extended along the east bank of Johnson Creek to the north property line and upgraded to City standards. The floodway fringe of the Flood Hazard Zone will not be impacted.

Sixteen off-street parking spaces are available for the occupants, employees and visitors. The off-street parking would comply with the one-space-per-three-beds requirement, but would not comply with one additional space per two employees. A maximum of 20 spaces would be required to meet minimum parking standards. (See Section 5.01.2.1.f) However, offenders will not have vehicles thereby reducing parking needs. This policy will not change. Parking would then be more than adequate. The Planning Commission can alter and modify Zoning Ordinance requirements in accordance with the standards and procedures set forth in Section 6.01 through 6.03 eliminating the need for a separate variance procedure. The variance would have little negative impact on adjacent properties. Bus service will be provided. Additional parking could be provided but open space would be lost and the need has not been established. There will be about 10 surplus spaces for guest use. The Public Works and Fire Departments approve the application as submitted. Any site improvements will have to comply with applicable standards.

STAFF RECOMMENDATION:

Approve Conditional Use (C-82-3) to allow use of existing vacant State Corrections facility for Consolidated State Work Release and County Residential Center operation, housing non-dangerous felony adult defenders.

Approve Variance from Section 5.01.1.f, to allow 16 rather than required 20 parking spaces.

PROPOSED FINDINGS:

1. The proposal complies with the following relevant elements of the Comprehensive Plan:

- A. OBJECTIVE #1 - Floodplain, Policy 4, Page 12.
- B. OBJECTIVE #2 - Open Space, Policy 1, 3, 4, and 6, Page 15 - 16.

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PROPOSED FINDINGS: (CONTINUED)

2. The stream bank will be maintained.
3. The use will not have further impact on the Significant Natural Area and Flood Hazard Zone of Johnson Creek.
4. Landscaping will be trimmed.
5. The building will be cleaned and painted where needed and site appearance improved.
6. Minimum landscape requirements are exceeded.
7. Granting the Variance would have little negative impact on adjacent properties.
8. Offenders will not have vehicles resulting in a surplus of parking stalls.

CONDITIONS:

1. All utilities, drainage, landscape, building, sign, and site improvements to be approved by Staff.
2. Extend bark dust path the length of the east boundary with Johnson Creek to the north property line.

ATTACHMENTS:

Vicinity Map
Exhibit #1, Site Plan
Application Attachment
Letter - March 31, 1982

Milwaukie Planning Commission
10722 S.E. Main Street
Milwaukie, OR. 97222

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Conditional Use Request
Attachment, Page 1

To consolidate the State Work Release Center and County Residential Center operation into one complex for the purpose of housing misdemeanor and selected non-dangerous felony adult offenders who have been sentenced by municipal, district and circuit courts to participate in work-educational-treatment programs under the direction and counsel of County Corrections. No person convicted of violent, person-oriented crimes will be admitted to the program.

This request seeks to transfer the Conditional Use Permit held by the State of Oregon, Corrections Division, to Clackamas County Corrections, the agent of the Corrections Division in Clackamas County, this consolidation would tend to expand the capacity for housing and treating appropriate individuals who currently are released on the street due to lack of secure space, or are in need of a residential situation for crisis assistance in dealing with alcohol, drug employment, financial, marital or emotional problems.

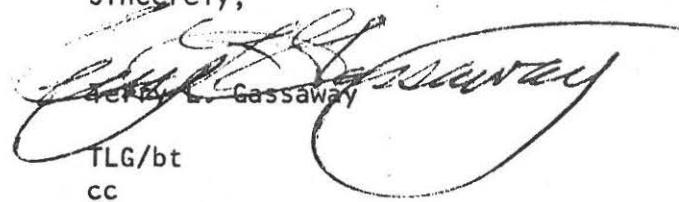
John Stein, Associate Planner
March 31, 1982
Page 2

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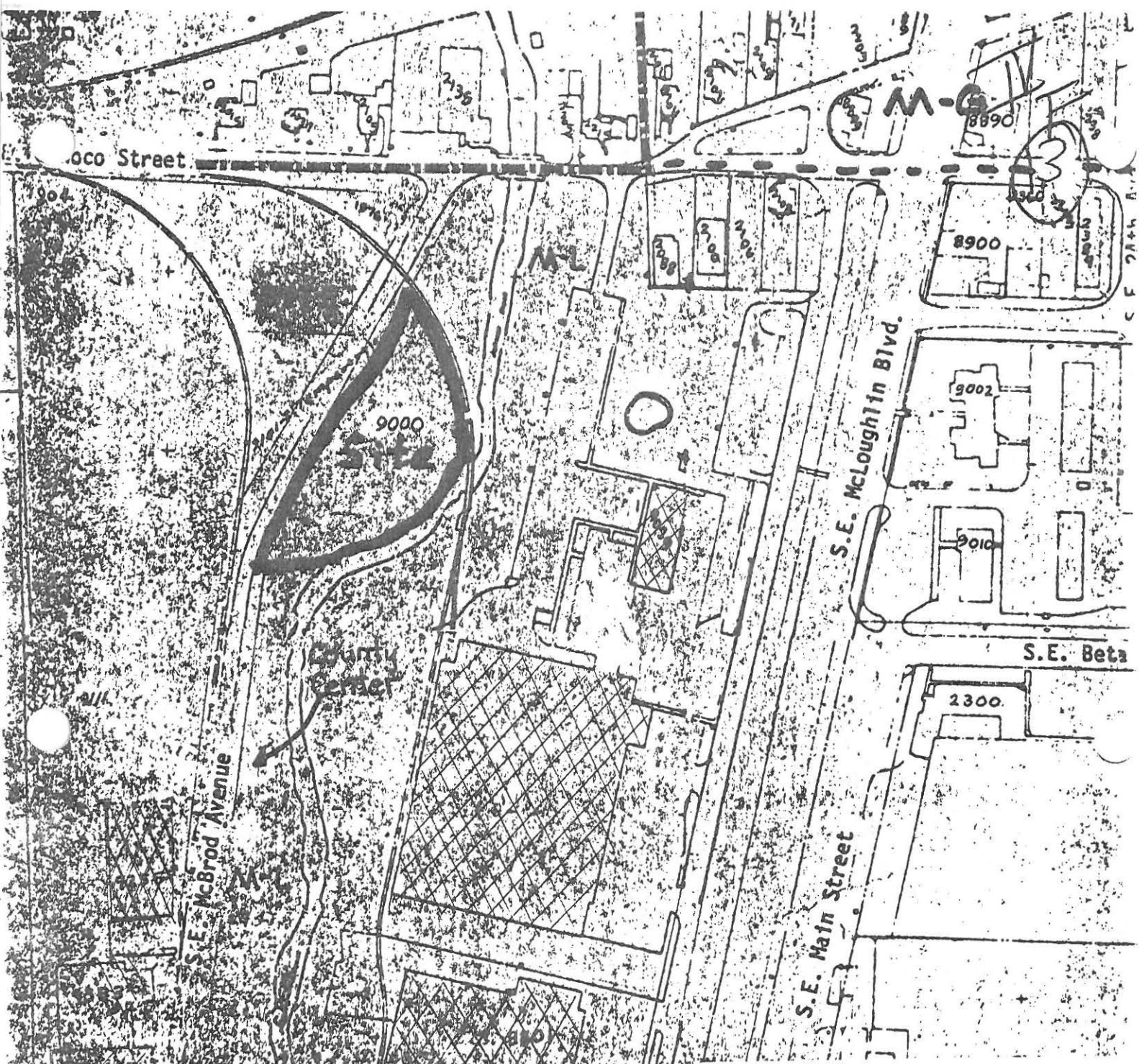
If we are allowed to keep other residents in the old Center, we can generate some new revenue to hire staff to maintain a secure program as we have in our new County Center.

If you have any further questions, please call me as soon as possible.

Sincerely,


L. Gassaway

TLG/bt
cc



LAND USE MAP

↑ North 1" = 200'

- Single family
- Apartment, including duplex
- Commercial, including office
- Manufacturing
- Other use, as indicated
- Subject property
- Zoning boundary
- - - City limits

MILWAUKIE
CITY COUNCIL MEETING
April 15, 1982
6:30 p.m.

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COUNCIL CHAMBERS

WORK SESSION

A work session of the Milwaukie City Council was held on April 15, 1982 with the following councilors present:

Mel Paulson	Donald Graf
Wallace Bischoff	Roger Hall
Mayor Joy Burgess	

Also present:

Hugh H. Brown, City Manager
Topaz Faulkner, Community Services Director
Laurie Perkin, Secretary

Andy Catugno, Transportation Director from Metropolitan Service District provided information on the Regional Transportation Plan with recommendations for highway improvements, transit expansion and increased car-pooling. The plan represents a consensus on how to meet increased transportation needs over the next 20 years. He discussed financial problems due to federal funding cutbacks, decrease in tax revenues and stated that revenues for highway maintenance could be down by as much as 60% depending upon the inflation rate. A light rail system was discussed. It was recommended in the plan that a light rail system be built as each corridor reaches the necessary ridership level to justify the investment. All jurisdictions have participated in the plan and Metro would like to have Council support by their June 24 meeting.

Jim McClure, Project Development Manager from the Oregon Department of Transportation, made a presentation regarding North McLoughlin improvements. He presented maps showing three alternative plans and described the differences between them. He explained that alternative # 3 had more flexibility than the others in that it could more easily be converted by adding an extra lane at a later date. It would also be more easily converted should a light rail system be implemented. There was discussion on the locations of stations and traffic signals, traffic congestion and number of lanes. ODOT will be recommending one of the alternatives along with a report on modifications which could be made. The report will be done by early May and a presentation brought to the Council in late May. The Tacoma overpass project would be completed first and it would probably be 1986 before other improvements would be done. Both the Milwaukie and Portland City Councils would have to approve the same alternative in order to proceed. There was discussion on how funds would be used if the Council did not approve any of the alternatives and whether it would be possible to approve the Tacoma project only. There was agreement by the Council that the Tacoma project should be completed but that none of the alternatives seemed adequate at this time in meeting Council concerns regarding access to downtown.

John Griffith, Planner from Tri-Met gave a status report on the Transit Station. He said that the Public Hearing on this would be at the end of May and the grant proposal will be submitted in June. Tri-Met is continuing with the process during the legal challenges, assuming the site approved by the Council will be the one used. There was discussion on light rail. Griffith said that if alternative three as proposed by ODOT was selected by the Council, a cost analysis could be done. There was discussion about route changes and structural damage to houses caused by bus vibration. Tri-Met should be contacted directly by citizens when there are suggestions or complaints.

Ray Polani, Citizens for Better Transit, presented a slide show showing the route proposed for a light rail system which would make partial use of the old Portland Traction Company route. Mr. Polani made the point that the McLoughlin Corridor would not be as expensive for light rail as some other corridors. There was discussion on the cost of equipment, amount of ridership, durability of light rail vehicles and method of collecting fares.

Bob Bothman of ODOT said that a light rail system was not one of ODOT's proposed options. If the City Council approved only the Tacoma project and requested that a study be made on light rail, then Portland would have to make the same request and Metro would then do the study.

Mr. Catugno said that consideration of light rail would depend on funding. He said that Metro could allocate funds but it would be very unlikely that they would take funding from other projects to transfer to this one and 25 million would not be enough to build light rail. There would be no guarantee that the money allocated for the McLoughlin corridor would not be transferred to other transportation projects if the Council chose not to make use of it at this time. There was continued discussion on light rail and there was agreement by the Council that the possibility should be looked into more thoroughly.

The meeting was adjourned at 9:30 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

MILWAUKIE
CITY COUNCIL MEETING
April 20, 1982
12 p.m.

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COUNCIL CHAMBERS

SPECIAL MEETING

A special meeting of The Milwaukie City Council was held on Tuesday, April 20 at 12 p.m. with the following councilors present:

Mel Paulson
Wallace Bischoff

Mayor Joy Burgess
Donald Graf

Absent: Roger Hall (excused)

Also present:

Hugh Brown, City Manager
Gordon Erickson, Finance Director
Greg Eades, City Attorney
Laurie Perkin, Secretary

Gordon Erickson, Finance Director, reported on the bid opening which took place at 11:00 a.m. on April 20, 1982 at Bond Counsel's office. There were six bids, four local and two from out of state. The lowest interest rate was 9.8601, proposed by First Interstate Bank. This would include a discount of \$9,330. Erickson recommended that Council accept the bid of First Interstate Bank. It was MOVED by Graf, SECONDED by Bischoff to adopt Resolution 8-1982 (A RESOLUTION ACCEPTING A BID FOR THE PURCHASE OF CITY OF MILWAUKIE GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 1982, AND DIRECTING DELIVERY AND SALE THEREOF) The name "First Interstate Bank" and the net effective interest rate of 9.8601% will be inserted into the body of the resolution. MOTION CARRIED unanimously by those present.

The meeting was adjourned at 12:10 to go into executive session under ORS.192.660.(1) (d) to discuss labor negotiations.

The executive session adjourned at 1:10 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

MILWAUKIE
CITY COUNCIL MEETING
April 20, 1982
7 p.m.

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COUNCIL CHAMBERS

1406th Meeting

At 6:40 p.m., prior to the regular Council meeting, the City Council interviewed candidates for appointment to the Traffic Safety Commission. The following persons were interviewed.

William Burback, 4616 SE Adams, Milwaukie
James Fields, 10522 SE Home Avenue, Milwaukie

The one thousand four hundred and sixth meeting of the City Council of the City of Milwaukie, Oregon was held at 7 p.m. on April 20, 1982 with the following councilors present:

Mel Paulson
Wallace Bischoff
Mayor Joy Burgess

Donald Graf
Roger Hall

Also present:

Hugh Brown, City Manager
Topaz Faulkner, Community Services Director
Gordon Erickson, Finance Director
Steve Hall, Public Works Director
Laurie Perkin, Secretary

The invocation was given by Don Graf and the pledge of allegiance was recited.

Mayor Burgess read a proclamation declaring the week of April 18-24 Volunteer Recognition Week.

AUDIENCE PARTICIPATION

Gerald Lelac, Regional Supervisor, Oregon Liquor Control Commission, went briefly through the OLCC process for licensing. When the OLCC receives an application, it is brought to the city for their endorsement, along with the application. OLCC also has a copy of the personal history and the financial statement which is available to the Police Department. The OLCC waits until the city has made its recommendation before processing their investigation further. If the City Council gave an unfavorable recommendation then the OLCC would not approve the license. The areas considered by the OLCC are: whether the outlet is within 500 feet of a church or school, whether there had been criminal history or disturbances, and if it is a dispenser outlet, whether 25% of the sales were in food. There was discussion on whether the City Council would want copies of the application and personal history of the applicant. It was agreed by Council that it would be sufficient to have the material available at the city so that any Council member could have access to it.

Larry Cato from Clackamas County Department of Environmental Services, provided summary of south McLoughlin Corridor problems which included lack of uniform traffic flow on McLoughlin, lack of facilities for non-vehicular circulation, lack of convenient transit service, business/traffic conflicts, design inefficiencies.

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Mr. Cato said that the plan presented to the Council was a draft only. He said that all jurisdictions were represented on a task force, including Milwaukie and that the County hoped to get suggestions and ideas from all of the jurisdictions. The plan has been looked at from a comprehensive approach and will cover the area from where the North McLoughlin project ends all the way into Oregon City. Graf expressed concern about the changes within the city limits of Milwaukie. Since the plan for the south corridor will not be finalized until November or December, it does not help Council to make a decision on proposals for North McLoughlin. Mr. Cato said that projects within the city were being looked at now and that city staff has been asked to review them. There was discussion on setting a work session with Council and city and county staff regarding the matter. Mr. Cato said that the county is more than willing to get input from the City and would welcome such a meeting.

PUBLIC HEARING - Annexation, Plan Map Amendment, Zone Change
10700 SE Stanley

The Public Hearing was declared open at 8 p.m. No conflict of interest was declared and no written correspondence has been received. Topaz Faulkner, Community Services Director, presented staff report. The request is for annexation at 10700 SE Stanley which is four house lots north of Monroe. She referred to the seven findings of the Planning Commission dated March 30, 1982.

Nancy Duncan, representing applicant, introduced herself to the Council but had nothing to add. There were no further questions and no one appeared to speak either in favor of or in opposition to the annexation. The Public Hearing was closed at 8:04. It was MOVED by Paulson, SECONDED by Hall to adopt Resolution 9-1982 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE. A-82-4 DUNCAN/ACOSTA) MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall to read Ordinance 1521 the first time by title only. MOTION CARRIED unanimously. It was MOVED by Hall, SECONDED by Bischoff to read Ordinance 1521 the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall to adopt Ordinance 1521 (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBERS 1437 AND 1438 BY REDISIGNATING CERTAIN PROPERTY FROM CLACKAMAS COUNTY LOW-DENSITY TO CITY LOW-DENSITY RESIDENTIAL AND REZONING THE PROPERTY FROM CLACKAMAS COUNTY R-10 TO CITY R-7. A-82-4 DUNCAN/ACOSTA) MOTION CARRIED with the following roll call vote: AYES: Paulson, Burgess, Bischoff, Graf, Hall. NOES: none Ordinance 1521 was passed by the Council and was so declared by the Mayor.

LEGISLATION

It was MOVED by Hall, SECONDED by Paulson that the bills listed for April 20, 1982 be approved for payment. MOTION CARRIED unanimously.

Planned Development- Overlay Zone-Northridge Heights
Ordinance 1522 - second reading

It was MOVED by Graf, SECONDED by Hall to read Ordinance 1522 the second time by title only. MOTION CARRIED with

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the following roll call vote: AYES: Burgess, Bischoff, Graf, Hall. NO: Paulson.

SE 40th and Wister Street LID

Public Works Director reported that work has been completed on the above referenced property. The request for improvements was made by 80% of the property owners and the cost was \$193,000. In accordance with LID procedures, City Council is requested to direct City Recorder to prepare and mail notice of proposed assessment to each property owner and set date for a public hearing. It was MOVED by Hall, SECONDED by Graf to set the public hearing for the second meeting in May and that notices be sent in accordance with LID procedures. MOTION CARRIED unanimously.

Request from Clackamas County Senior Citizen Council to serve liquor at The Milwaukie Center

Paulson stated that a new liquor policy be set on this matter, before approving the request. Bill Schultze, Senior Citizens Council addressed the Council. He described the program scheduled for the Oktoberfest and said that the CCSCC had had trouble in the past due to lack of space, which is why they wanted to use the Center this year. There was general discussion on problems created by the serving of liquor. It was MOVED by Paulson, SECONDED by Hall to approve request by Clackamas County Senior Citizen Council to serve liquor at the Center. Burgess asked to delay accepting the motion, and suggested that the matter be tabled until the next meeting. It was MOVED by Graf, SECONDED by Bischoff, to table the matter until the next meeting when a proposed policy could be presented to the Council. MOTION CARRIED with the following roll call vote: AYES: Burgess, Bischoff, Graf, Hall. NO: Paulson

Progress Payment Water Well # 7

Public Works Director has recommended payment to West Coast Drilling Co. in the amount of \$19,972.80 for the drilling of Water Well # 7. This is the third payment of five. Included in the payment are costs for casing and screen. It was MOVED by Bischoff, SECONDED by Paulson to accept recommendation of Public Works Director. MOTION CARRIED unanimously.

Resolution to change authorized bank accounts and signers

Finance Director has prepared resolution updating signatures for banking functions. It was MOVED by Hall, SECONDED by Bischoff, to adopt Resolution 10-1982 (A RESOLUTION OF THE COUNCIL OF THE CITY OF MILWAUKIE AUTHORIZING BANKING ACCOUNTS AND SIGNERS. REPEALING RESOLUTION NUMBER 23-1981) MOTION CARRIED unanimously.

It was MOVED by Graf, SECONDED by Bischoff, to excuse Roger Hall from the 12:00 p.m. April 20, 1982 meeting of the Council. MOTION CARRIED unanimously.

CONSENT AGENDA

Minutes of April 6, 1982 meeting

Liquor license approval- Riverside saloon

It was MOVED by Hall, SECONDED by Graf, to approve the Consent Agenda.

Mr. Warren Cavitt, spoke in behalf of his brother, Mr. Kenneth Cavitt, owner of Riverside Saloon. He answered questions from the Council regarding types of entertainment to be provided. MOTION CARRIED unanimously.

It was MOVED by Graf, SECONDED by Paulson to accept resignation of Bob Gudgel from Planning Commission. MOTION CARRIED unanimously. Council directed staff to send letter of appreciation and certificate to Mr. Gudgel. Staff was also directed to advertise for the position on the Planning Commission and set up interviews for next month.

OTHER BUSINESS

City Manager mentioned that the Police Department is now using the new motorcycle which will result in more prompt service and that the Fire Department's Rescue 51 has gone into service. Burgess asked to be informed whether Milwaukie was the only city in Clackamas County to have a motorcycle. Hall suggested setting a date for a work session with staff regarding city goals. A work session was set for April 29, 1982 at 7:30 p.m. This may include discussion on highway improvements. Burgess asked for input from staff on ways to improve city's image.

Traffic Safety Appointment

It was MOVED by Paulson, SECONDED by Graf to reappoint Louis Bruneau to the Traffic Safety Commission. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall to appoint William Burback to the Traffic Safety Commission. The motion was withdrawn. It was the consensus of Council to wait and interview Mr. Bottemiller at the next meeting before making an appointment. Hall suggested a 10 minute interval between interviews and Council meeting.

The meeting was adjourned at 9:10 p.m.

APPROVED BY

Joy Burgess, Mayor

Laurie Perkin, Secretary

MILWAUKIE CIVIL SERVICE COMMISSION
March 9, 1982

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BASEMENT - CITY HALL

7 p.m.

A meeting of the Milwaukie Civil Service Commission was held on March 9, 1982 at 7 p.m. The meeting was called to order by acting Chairperson Wanda Rulifson, with the following members present:

Wanda Rulifson
Clair Kuppenbender
Gordon Morterud

Absent:

Charles Sirianni
Don Gardner

Also Present:

Jo Durand, Chief Examiner
Greg Eades, City Attorney
Lorrie Echols, Secretary

APPROVAL OF MINUTES:

Clair Kuppenbender asked for a correction of the minutes: line #21 on page two of the minutes of the January 12, 1982 meeting should read: Since Fulmore had other options, he cannot see why we should hear the petition. The minutes were approved with this correction by unanimous vote of the Commission.

OLD BUSINESS:

Jo Durand asked if the material provided answered the Commission's questions about the examination process, or was there more information that could be provided. Kuppenbender asked who makes up the examinations used by the City. Durand explained that a variety of methods are used: IPMA tests, City-prepared (Library page test), Clackamas County, etc. She said that the City prefers to use a local test if possible, because they are much more valid for this area. On the other hand, the IPMA tests are much more sophisticated than anything the City can produce and are more suitable for the higher-paid positions. There was a question raised about whether the "outside" tests need much changing to fit the City. Durand explained that sometimes it is necessary to change parts of an exam (eg. take into account different terminology used in the NW). It was agreed that Jo would brief the absent members on the examination process.

CONSENT:

Extension of temporary appointments - Center Director and Program Assistant: Jo explained that there are several unknowns regarding the Center, specifically, the Senior Serial Levy, which is on the ballot for March 30th. If passed, it could double the responsibilities for the Center Director position by doubling the budget for the Center and could affect how that position would be filled--by a closed promotional or on an open competitive examination. Durand explained that the Program Assistant position is a temporary "lower level" Human Services position, created so that if Sara Hite were not selected as Center Director, she could go back to her old position as Human Services Coordinator. If she is selected, the

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City would also have to hire a Human Services Coordinator. Durand also explained that the Center is now under the supervision of the new Community Services Department and that a new City Manager is coming and it would be preferable for him to make the appointments for these positions. Consequently, Durand asked for a 90-day extension of the two positions so that a decision on hiring for them would not have to be made until after the levy election on the 30th and still have a reasonable time to go through a recruitment and testing process. It was asked if there is provision in the Civil Services rules to allow for an extension of a temporary appointment past the six-month deadline. After discussion, it was decided that the City Charter would take precedence over the Civil Service rules, allowing the Commission to approve an extension. MOVED by Kuppenbender, SECONDED by Morterud, APPROVED by unanimous vote of the Commission to extend the temporary appointments of Center Director and Program Assist. for 90 days. Jo asked the Commission members to note any areas in the Civil Service rules that are unclear. She will make a list for future revision of the rules.

INFORMATION:

Appointments, termination, examination in progress, eligible lists established and new job descriptions were explained. Morterud said that it appears that one of the CETA people has replaced a classified position. Durand explained that this was not the case; the City does not seek people for positions from CETA, rather CETA calls the City and says that they have a person who needs experience before they're ready for a job. The City in no way seeks to deal with its losses in staff by contacting CETA. Morterud asked if the number of Utility Worker I's which are CETA put the City over the budget for that department. Durand explained that CETA positions are outside the budget. Morterud asked if a CETA worker received credit in a City examination for having worked here as a CETA employee. Jo explained that there was no specific consideration given, only promotional exams give service points and CETA employees would primarily be eligible for entrance level positions. Durand explained that the Fire Captain and Fire Lieutenant promotional examination has been postponed because the City cannot find an examination tool that is adequate; the one that was available (from IPMA) is rather aged and the City is either going to have to make its own or find something better.

Fulmore settlement: Fullmore's retirement benefits were discussed. Greg Eades explained that Fulmore could withdraw his share of the PERS benefits at any time but that he would have to wait until retirement age to draw the full benefits.

Alternative Management Plan: Durand discussed the plan and explained that largely what has been done is to organize the City's divisions into four large departments--Police, Fire, Public Works and Community Services (Parks, Center, Library, Planning and Court). All four departments are roughly equal in size. Durand explained that the new plan shifts Bill McDonald from the Police Department to City Hall and allows his time and some of Durand's time to be available to all of

VI b 3

the departments for special projects. Bill is currently working on advanced technology for the City. Another advantage of reorganization mentioned is that it creates a mechanism that could stand cuts in personnel better than our previous organizational plan should the City budget fail. The Budget Committee approved a status quo budget which goes to the voters on May 18.

Durand told the members of the Commission that Hugh Brown was the chosen City Manager. Rulifson asked what would happen if the City Manager did not like the management team concept. Durand stated that since Mr. Brown was aware of the management plan, as were all the candidates for the position, it was probable that he could be comfortable with it.

ADJOURNMENT:

The meeting was adjourned at 8 p.m.

Lorrie Echols, Secretary

Charles Sirianni, Chairman

Date

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c

SENIOR CITIZEN ADVISORY COMMISSION

March 12, 1982

PRESENT: Doris Olsen, presiding
Art Renner
Kay Stevens
Joe Keller
Gail Roach

ABSENT, EXCUSED: Nick Knapp
ABSENT, UNEXCUSED: Art Johnson
Alice Measure
Ron Kinsella

STAFF: Sara Hite
Topaz Faulkner

Minutes of February 12 were approved as printed.

CENTER PROGRAMS are continuing as listed in the calendar. A new support program for the visually impaired is welcome. Some programs sponsored by other agencies may be dropped if the Senior Levy does not pass. With funding uncertain, it is difficult to start new programs that may have to continue with volunteers.

EXPIRATION OF TERMS OF OFFICE: Following the suggestion of the City Attorney through the Council, there was general agreement to extend the terms as follows: 1982 terms of Art Renner and Gail Roach to extend to June, 1983; 1982 term of Alice Measure to extend to June, 1984.

TRANSPORTATION: The Commission feels the need for a representative to the County Advisory Committee, now in the process of reorganization. The secretary will write a letter to let them know we are interested and would like to be kept informed of the committee's status.

SHUTTLE BUS: Patronage is picking up, and funds are available from Tri-Met to continue until July 1. A fare of 25¢ has been set. This is an increase but no one is refused a ride.

The County is looking at reorganizing part of its Human Resources Dept. to combine the Senior Services Division, the AAA and Community Action. The Director would co-ordinate the work and all employees may work for the County. Information and Referral and Outreach will become more essential as the older, lower income population increases.

OLDER AMERICANS DAY will be set for sometime in May. Art Renner will represent this group on the committee for arrangements.

There is a need for large print books in the Center library; also an outlet for surplus and duplicate books.

Dates are set for Council meetings to be held at the Center: The first Tuesday in April, July, October, 1982 and January and April 1983 - quarterly.

Gail Roach, Secretary

MINUTES
CENTER ADVISORY BOARD
JANUARY 15, 1982

VI
d①

PRESENT:	Cathryn Boyles	EXCUSED:	Janel Warren
	Janet Witter		Father O'Hara
	Paul Schafer		Sharon McCartney
	Bernice Johnson	STAFF:	Verna Nortell
	Helen Kappler		Sara Hite
	Irene Suchsland		

The meeting was called to order by acting chairman, Janet Witter.

The minutes were approved as read.

Election of officers:

Chairman: Paul Schafer nominated Janet Witter. Unanimous approval.
Vice-Chairman: Bernice Johnson nominated Irene Suchsland. Unanimous approval.
Secretary: Cathryn Boyles nominated Sharon McCartney. Unanimous approval.

The Board was asked by the Program Committee to consider the change of Sharon Shannon's classes using hypnosis for weight control and smoking control to daytime hours. They are now being held only in the evening. General opinion was that this would allow more seniors to take them and that only positive comments had been heard about the classes. Cathryn Boyles moved that these classes be held in the daytime. Helen Kappler seconded. Unanimous approval. The matter had been referred to the CAB by the Center Program Committee.

There was discussion of the pros and cons of allowing alcohol use at the Center. Opinion differed. There was general agreement that additional revenue was probable if the present "no alcohol policy" were changed. The urgency of need for additional revenue would have to be decided by City Council. There were many concerns. Policies and procedures would need to be worked on. It was decided to request City Council direction on whether or not to consider the question.

The proposed fee schedule for Center use was discussed. Staff was directed to develop a draft recommendation and a special meeting will be held next Friday for a work session to consider the draft.

A report on the CC Senior Services Serial Levy was given by Cathryn Boyles. Cathryn Boyles moved that the Board send a memo to City Council expressing support of the levy. Seconded by Paul Schafer. Passed unanimously. Janet Witter, Cathryn Boyles and Irene Suchsland will prepare the memo.

The request from City Council regarding recommendation that CC hold periodic meetings at the Center was considered. It was agreed by consensus that the Board recommend that the CC hold meetings at the Center at least quarterly.

The meeting was adjourned.


Sara Hite
Acting Secretary

Milwaukie Senior Center Advisory Board
Minutes - February 19, 1982

VI d ②

Members present: Sharon McCartney
Cathryn Boyles
Bernice Johnson
Janet Witter
Janel Warren
Paul Schafer
Helen Kappler
Irene Suchland

Members Excused: Father John O'Hara

Staff present: Sara Hite

Janet Witter, Chairman opened the meeting.

The minutes were approved as read.

Janel Warren raised the question of having a pay phone installed at the Center. People attending facility functions tie up the receptionist's phone which is the only one available. Bernice Johnson stated that some time ago the telephone company had quoted a \$45.00 charge. The phone would have to be located outside; and therefore, there might be problems with vandalism. Participants of evening programs may need access to a phone. Sara Hite stated she felt it was appropriate for individuals to make brief calls on unused office phones. Another option might be a fourth line and placement of another phone near the receptionist's desk. Janel Warren offered to investigate the cost feasibility.

Janet Witter read the memorandum addressed to the Milwaukie City Council, Milwaukie Budget Committee regarding the Clackamas County Senior Services Serial Levy. It was reported that all of the city council approved it except the Mayor.

Paul Schafer stated he felt that Oregon City was generally against the levy and that control of the funds was questioned. Sara Hite explained the funding process as it will occur in the levy. Definite amounts are designated to go to the centers. One-quarter of the funds will go to in-home services. The Area Agency on Aging Advisory Council advises the Commissioners regarding the dispersion of funds. Therefore, there is very little risk. Sara also stated OPI funds for in-home services will be cut. The largest number of seniors served by Kelly and Upjohn are in the Milwaukie Area.

✓ Sara noted that the Center needs two outreach workers, at the very least one. Presently we have none. Also the Center's transportation is good for the time being. Tri-Met, business, foundations, and Friends of the Center support our tram. We do not receive money from the City for it.

✓ Janet Witter read the memo from Ruth Baumbach requesting an appointment of a liaison person to the Clackamas County Area Agency on Aging Advisory Council Senior Center Committee. The purpose of this liaison person is to improve communication between the AAA Advisory Council and the Senior Centers. This committee meets on the first Thursday of each month. The next meeting will be June 14, 1982 at Gladstone Senior Center. Sara gave some background on the committee. It originally consisted of center directors, but the AAA Advisory Council wanted a citizens group rather than staff. Now directors attend for information. Joel Taylor is Chairman.

Cathryn Boyles offered to fill this appointment if someone else would relieve her of her RSVP commitment. Janel Warren moved Cathryn's appointment and Helen Kappler seconded the motion. Paul Schafer agreed to assume Cathryn's

RSVP position.

VI d(3)

Sara Hite raised the topic of use of alcohol at the Center for specific events. After some research was conducted, it was learned that none of the 8 senior and/or community centers questioned permitted alcohol in their buildings. Other facilities allowing the use of alcoholic beverages experienced more damage when alcohol was used. Sara suggested that the Advisory Board wait until the levy election before a decision is made.

Cathryn Boyles felt Loaves and Fishes should be paying for the use of the facility. A discussion followed with the agreement to wait until after the election before pursuing this avenue to increase the Center's revenue.

✓ Janet Witter - City Council has requested the Board's recommendation and/with changes regarding the Center's building use and Rental Policy. Points made during the discussion to accomplish this task are as follows:

Center Philosophy Statement - OK

Priority of Use

Group 1 - delete the example Loaves and Fishes. Discussion followed about graduated charges for the different priority groups. The difficulty in categorizing some organizations or groups was noted.

Sara Hite described the process for scheduling after hours programs. Verna takes all calls and can usually determine which category the group belongs. She schedules the program and gives the representative an application form to fill out. If she cannot determine the category, the Director makes the decision.

Janel Warren questioned the possibility of the Board reviewing "Complaints and Comments" from groups using or wanting to use the facility.

Sara Hite suggested rewriting the "Procedure" section.

Janet Witter suggested that the "Priority of Use" be placed in a separate section. The other board members were in agreement.

Janel Warren suggested that time and a half be charged to those groups who stay longer than the time they have applied for. Sharon McCartney agreed that a substantial additional charge might be the solution to the problems which result from groups not adhering to their time agreements, such as staffing and infringement on other groups assigned time.

Janel Warren made a motion to adjourn the meeting; Paul Schafer seconded. The meeting was adjourned.

✓ (Sharon McCartney,
Secretary)

MILWAUKIE CENTER ADVISORY BOARD
MINUTES

VI d (4)

March 19, 1982

MEMBERS PRESENT: Sharon McCartney Irene Suchsland
Cathryn Boyles Father John O'Hara
Bernice Johnson
Janet Witter Staff: Sara Hite
Janel Warren Guest: Walter Hegg
Paul Schafer
Helen Kappler

Janet Witter, Chairman, opened the meeting.

The minutes were read, and the following corrections were noted:

1. Correct spelling - Irene Suchsland
2. Secretary's name should appear at end of minutes.
3. The Center has an outreach worker 5 hrs/week.

Quilting

Walt Hegg attended the meeting as spokesman for Loaves & Fishes in an attempt to help resolve an issue between the two quilting groups at the Center - one sponsored by the Friends and one by Loaves & Fishes.

Sara Hite presented the history behind the development of this program.

Discussed were:

1. Loaves & Fishes intention to quilt "for hire" in the immediate future.
2. the agreement made between L & F and the Friends (and the Center staff) over one year ago regarding quilting.
3. possible ways to work together for the best interest of all Center participants.

The issue ^{was} presented to the Loaves & Fishes Steering Committee where it was discussed but not resolved.

Walt Hegg felt the income from all types of quilting was important to their program because of the size of their budget.

Paul Schafer felt that working together and splitting the profit would be the easiest way to resolve this issue.

Walt stated he would again consult his Steering Committee. There was a consensus of opinion that this should be resolved between the two committees in a spirit of cooperation.

Sara requested a written response from the Loaves & Fishes Steering Committee to the Center Advisory Board to prevent any misunderstanding.

re: Center Advisory Board Minutes
page 2

VI
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Levy Report

The next meeting on the levy is scheduled March 22 at 3:30 p.m. at the Milwaukie Center. The program is to be presented by Chris Farley. It was suggested members write letters to local newspapers supporting the levy. Samples of letters and names of newspapers were available for those interested.

Telephone Report

Janet Warren said a pay telephone would be a good addition to the Center so the lines would not be tied up by personal calls. She reported on what she had learned from Pacific Northwest Bell regarding our options in obtaining a pay phone for the Center's use.

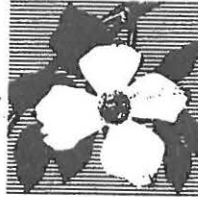
Sara requested that a representative from the phone company come to our next meeting to discuss possibilities.

A sign would be needed indicating location of a public phone, and change for calls would have to be available. For the height of the phone, wheel chair use would have to be taken into consideration.

Review of "Building Use and Rental Policy" was postponed until the next meeting.

SM
Sharon McCartney,
Recording Secretary

CITY OF MILWAUKIE



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

MEMORANDUM

April 29, 1982

VII a

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: HUGH BROWN, CITY MANAGER

SUBJECT: ALCOHOL USE POLICY AND THE MILWAUKIE CENTER

The request from the Clackamas County Senior Citizens Council for an exemption from the city ban on alcohol at The Milwaukie Center was tabled at the last meeting to the May 4 meeting.

In the interim I have asked for a review from the Center Advisory Board of the alcohol-use policy to include a recommendation regarding if and when exceptions should be made. A meeting is being held today covering the policy but I am unsure if they will arrive at a conclusion or if further time may be requested. There has been some citizen concern expressed over a possible change in the current policy. If a change is to be recommended, more time will probably be required to allow for more citizen comment.

The Clackamas County Senior Citizens Council has requested an answer no later than the May 18 meeting. If however, a recommendation is completed by next Tuesday's meeting, it will be available for your consideration and a decision could be made on the request before you.

Hugh Brown
City Manager

MEMORANDUM

TO: MILWAUKIE CITY COUNCIL
FROM: CENTER ADVISORY BOARD
SUBJECT: CENTER ALCOHOL USE POLICY
DATE: APRIL 30, 1982

The Center Advisory Board met today to (a) review the present policy for use of alcoholic beverages at the Center and (b) to consider the CCSCC Inc. request for a waiver of present policy for their "Octoberfest" dinner.

Discussion brought out these points:

FOR ALCOHOL USE:

1. Probable increased use of the facility, thus increased revenue.
2. Introduction of additional segments of the population to the facility.
3. There is not equivalent facility of its quality, type, and size allowing alcohol use in this area.

AGAINST ALCOHOL USE:

1. Most requests for alcohol use are for week-end times, already scheduled for events. Two Saturday evenings and one Sunday (mid-day dinner period) are already committed to Loaves and Fishes in the Letter of Agreement with the City. Another Sunday has the Friends breakfast scheduled.
2. User could be required to have a security guard as has been done. This person could make sure no minors were admitted and misuse of building was prevented. However, this person would be an employee of the user, not the City and therefore, responsible to the user. The City would not have control of supervision.
3. A deposit could be required to cover any possible damage to the property. While enforcement of payment probably would not be a problem, the building is heavily used at present and special cleaning or repair would hamper already scheduled use.
4. Alcohol could be limited to one type - beer, wine, champagne etc. How would this be determined? The type of alcohol is determined by the type of event.
5. Use could be limited to specific groups, by age or function. How would this be determined? Would it be palatable to the community? Or considered discriminatory?

MEMORANDUM - CITY COUNCIL
CENTER ADVISORY BOARD
CENTER ALCOHOL USE POLICY
PAGE 2 - APRIL 30, 1982

6. The Center is senior, community, and family oriented. Would it be appropriate to have alcohol served in part of the building while other rooms are being used by other groups? At the Fall Fest, even though some alcohol is allowed in the park, the decision was made not to sell beer, since it was a family event.
7. Is this an appropriate use for a CDBG funded building?
8. More staff time would be required for processing.
9. Commercial facilities hire adequate and appropriate staff to deal with possible problems resulting from alcohol use.
10. Possible liability problems.
11. Stress in society is increasing. Would this increase problem potential?

It is the unanimous decision of the Board to recommend that present policy should be maintained with no exceptions to be made. This gives a definite answer to the question of serving alcohol, and relieves both Staff and City Council from decision-making for each request.

As to the request of the Clackamas County Senior Citizens Council, Inc.: Their petition came after two exceptions had been made by City Council to the policy but before a "no-exception" statement had been added to the general policy. It is the recommendation of the Center Advisor Board that this group be allowed to serve beer at their fund-raising dinner since it is a service organization raising money to serve seniors and the event is attended mainly by seniors and Staff.

Janet Witter,
Chairman

MEMORANDUM

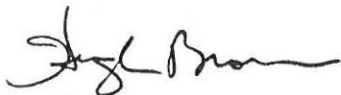
April 29, 1982

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: HUGH BROWN, CITY MANAGER

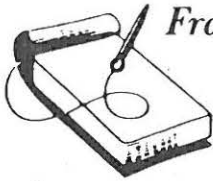
SUBJECT: CITY MANAGER ABSENCE FROM CITY

Next Thursday and Friday, May 6 and 7, I will be out of town visiting my family in Colorado. During the time of my absence, Fire Chief Dick Bailey will be the Acting City Manager. He and Laurie Perkin, City Recorder, will be available to receive your questions or messages.



Hugh Brown
City Manager

cc: Department Heads



From the desk of

MAYOR JOY BURGESS

JB

4/21/82

To: City Council, City Manager and Staff —
I found this article highly interesting in the
Reader Digest, May, 1982.



The Last Hostage

WHEN A. DREW SENS was assigned to the U.S. embassy in Teheran in July 1979, he took Tom, his small black dog, with him. Near the end of October 1979, Sens left Teheran to make a speech in New York. Shortly after, when mobs seized the embassy, Tom was tied to a fence near the embassy's back gate and left to die.

But a German woman married to an Iranian spotted Tom and took him home. In September 1980, when Tom's mistress was forced to leave Iran, she turned him over to her Moslem mother-in-law. The old woman kept Tom for several months, but then she, too, had to leave. It looked like curtains for Tom.

Shortly before her departure, however, a large car with diplomatic plates pulled up in front of her house. The driver, from the Swiss embassy, announced that he had come to fetch the American dog. As the result of a phone call Sens had placed several months before, the Swiss had granted Tom informal diplomatic asylum. In August 1981 the ambassador shipped Tom on a Swissair flight to Zurich. There he was placed aboard a plane for New York.

What bounded out of the shipping crate last August 3 was an enormously fat, hairy black creature. "It was our

Tom," says Sens. "And now that he's home the hostage crisis is truly over at last."

—The Washingtonian

No Folly, the Trolley

THE NATION IS RETURNING to trolleys. Clean, quiet, fast, comfortable, and cheaper in the long run, new streetcars are replacing 40-year-old derelicts in Boston, Philadelphia and other cities. And they are gracing new trolley tracks in such diverse places as San Diego, Buffalo and Calgary.

A new trolley system costs less than half—and sometimes less than a tenth—what new subways cost. For \$7 million to \$20 million a mile and about \$750,000 a car, a city can buy trolley tracks that last a century and cars that last 40 years (four times the life-span of buses). A trolley's average speed—including stops—is 15 to 25 miles per hour—two to three times faster than rush-hour traffic.

—Stuart Diamond in *Omni*

The Peaceable Kingdom

... ARE BUTTERFLIES beneficial to man? Not really; not unless the mere fact of being beautiful confers a benefit upon one's spectators. If it does, then three rare and fragile inhabitants of California's San Bruno Mountain—the Mission Blue, the San Bruno Elf and

CITY OF MILWAUKIE



CITY COUNCIL
in the City Hall • phone 659-5171

April 30, 1982

Mr. Gene Ginther, Chairman
Portland Metropolitan Area Local
Government Boundary Commission
320 SW Stark Street
Portland, OR 97204

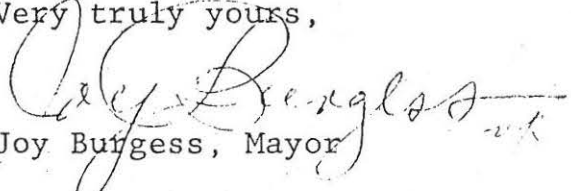
Dear Mr. Ginther:

The City of Milwaukie has received your notification of April 13, 1982 regarding the proposed formation of the North Clackamas Park and Recreation District. This matter is of great interest given that a portion of the area is within our dual-interest area as defined in the city/county planning coordination agreement.

We recognize the need and desirability of improved parks and recreation facilities in Clackamas County; however, the City also wishes to explore other means of delivering these services other than through the formation of another governmental body. It is the city's position that special districts are not the most efficient or effective method of delivering services and, as they increase in number, cause increased confusion and unnecessarily higher taxes for citizens.

The City of Milwaukie recommends against considering this request at this time pending discussions between the city and residents of adjacent areas.

Very truly yours,


Joy Burgess, Mayor

JB/vk

P.S.: Public records show Clackamas County has direct contract control of funds to the Clackamas County Senior Citizens Council Inc. for \$24,826 this year. These funds and the responsibility for their allocation and administration are from the Federal Older Americans grants to Clackamas County, not to corporations or agencies.

Clackamas County this year is also making a direct allocation of \$7,078 to the City of Milwaukie for their staff expenses at the Senior Citizens Center. This is in addition to Milwaukie's share of \$208,363 Clackamas County is allocating to the Loaves and Fishes food program.

Board of Commissioners
Clackamas County
1021 S W Fourth
Oregon City, Or

April 29, 1982

Re: Request by Clackamas County Senior Citizens Council, Inc. for waiver of city policy prohibiting sale of alcoholic beverages in North Clackamas Park.

We, as residents of the community surrounding the Park are greatly concerned that Clackamas County initiate or support this proposal (IVE) presented at the Milwaukie City Council meeting on the 20th April 1982.

A policy permitting continuing sale of alcoholic beverages will be enacted at the Milwaukie City Council May 4th meeting. As the enclosed agenda of their 20th of April meeting shows, Clackamas County is given the dubious credit for this action, although the City of Milwaukie will be the first to utilize it with their June Festival Daze, Fireman's Muster, and subsequent events before the Octoberfest bust in October.

The problems inherent in these activities in a residential community and the inadequate and hazardous road conditions in the immediate vicinity are a matter of record.

Why would any agency of the County assume this position so detrimental to the public interests and so inconsistent with the policies Milwaukie was committed to in accepting the Park from the County?

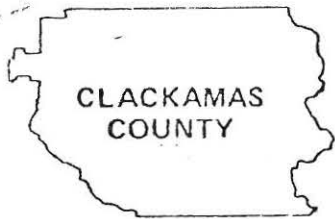
We urge you to have this request rescinded in the interests of all concerned.

Sincerely, for our neighbors,

*Wilhelmina
Wilhelmina Hotvedt
Rev. H. H. H. H. H.
Sylvia Clifford
Annette M. Maertens
Annette Maertens* Chairman

For the Oatfield Ridge
Community Organization

Copies to:
Hon. Robert Schumacher
Hon. Stan Skoko
Hon. Ralph Groener
Mayor Joy Burgess ✓



DEPARTMENT
OF
HUMAN RESOURCES

COMMUNITY
DEVELOPMENT
DIVISION

GARY DICENZO, DIRECTOR

April 9, 1981

Ken Whorton
City Administrator
City of Milwaukie
10722 S.E. Main
Milwaukie, OR 97222

Dear Ken:

We recently received a call from a citizen in the Milwaukie area expressing some concern over the use of the Milwaukie Senior Center. This citizen indicated that it was his understanding that the City of Milwaukie was intending to use the Center to hold official government meetings and that it was his understanding that this was not a proper function under federal CDBG guidelines.

Based on our written agreement with the city and our previous discussions, we are confident that the city understands and is complying with the appropriate regulations regarding the Milwaukie Senior Center.

Let me just take a moment to reiterate the pertinent regulations as they address the concerns of this Milwaukie citizen. Section 570.207(1) of the block grant regulations states that buildings and facilities for the general conduct of government cannot be provided with block grant assistance. Our local HUD office interprets this to mean that official government meetings cannot be conducted at the center.

We are required by HUD to follow up on citizen concerns and feel obligated to bring this to your attention.

Sincerely,

A handwritten signature in cursive script that reads "Gary DiCenzo".

Gary DiCenzo
Director

GD:ER/jf

The New Review

Official Clackamas Courier

Volume 60, Number 50 Two Sections Thursday, December 17, 1981 Clackamas County, Oregon 653-1

Metro Hires a Lobbyist

to Help City Council Work

face review by the state Energy Commission from 9:30 a.m. to 1:30 p.m., today.

publishers will also be involved in the lobbying effort, according to company spokesman Bill Lesh. He said the company feels the state should be encouraging cogeneration, and that a long, involved review process discourages it.

80 Megawatts
Metro seeks to amend the law so

Leads 1
Oregon City Clackamas County of the city's neighborhood the us chamber for animals.

Milwaukie Probes Trimming Personnel

By MARK SHORE
Review Correspondent

Lights burned late at Milwaukie Center last night (Dec. 15).

The reason wasn't a careless custodian or Santa's elves, but the Milwaukie City Council. The council met there to hear testimony from city staff and citizens on Interim City Manager Dick Bailey's proposed alternative management program.

The program was presented to the council in the form of a 123-page memorandum which included recommendations from city staff.

They're Not Answers

"These are not the answers to Milwaukie's problems," said Bailey. "These are reductions in personnel. As many as 13 positions could be cut."

"If there was any indication from the citizenry that they wanted a full-service city, I wouldn't be bringing you this (memorandum) tonight," he said.

For too long the city has been managed by crisis," said Bailey.

"We have not had any firm direction as to what services the City of Milwaukie will provide its citizens," he said. "There hasn't been any direction as to what level of services the citizens are willing to pay for."

The plan was created to "put rhyme and reason" into the budget process

and det be provi manage Comp (C

FEI

Alth the cc touchs regio has th Nor with metre diver: the st depre dust: deva: econ: the: reser: Ori

THE OREGONIAN, TUESDAY, FEBRUARY 2, 1982

Budget proposal up by \$500,000

By GORDON OLIVER
Correspondent, The Oregonian

MILWAUKIE — The city staff has proposed a total tax levy of \$2.55 million that requires a tax assessment rate of \$5.23 for every \$1,000 of assessed property value in the budget document released last week.

The proposed levy is almost \$500,000 higher than the city's current levy, and that amount of money is necessary to maintain city services at current levels because of rising costs and cuts in state and federal aid, according to Interim City Manager Dick Bailey. The budget proposal would require voter approval of a \$1,150,799 ballot that would be eligible for property tax relief, and a \$200,799 ballot ineligible for such relief.

The reorganization of the city's administrative staff approved recently by the Milwaukie City Council will be implemented in the 1982-83 budget, according to the budget document.

The city's Budget Committee will begin its review of the budget proposals this week. Meetings have been scheduled for Wednesday and Friday, and for Tuesday, Feb. 9. All meetings will be at 7 p.m. in the Milwaukie Center, 5440 S.E. Kellogg Creek Drive.

A public hearing on the budget is scheduled before the City Council March 16, and the levy election is slated for May 18.

Chairman: *R*
Ralp

New annexation has 'pro'

By GORDON OLIVER
Correspondent, The Oregonian

MILWAUKIE — A annexation policy has been the Milwaukie City Council.

The City Council quickly policy to take the steps ne areas adjacent to the ci pockets of land surround waukie in a unanimous. Although careful to avoid "aggressive" in the annexation council members made clear in initiating annexation.

The City Council had a ally the idea of an aggressive policy last fall, but took no action as a result council members quietly ex observations about the idea according to one staff mem