

CITY COUNCIL MEETING
December 7, 1976
7 p.m.

COUNCIL CHAMBERS

Special Meeting

A special meeting of the City Council of the City of Milwaukie, Oregon, was held on the 7th day of December, 1976, with the following councilpersons present:

C. Mervin Englund
Charles Swan
Joy Burgess

Jerry N. Hutchison
Mayor Bill Hupp

Also present:

Harold L. Schilling, City Manager; Myer Avedovech, City Attorney, Secretary pro tem; Donald R. Jones, Chief of Police.

CONSENT CALENDAR

- g) Letter from Lake Oswego Council regarding appointment of CRAG representative.
- i) Partial payment, City Hall sidewalk improvement. It was MOVED by Swan, SECONDED by Burgess, to adopt these two items on the consent calendar. MOTION CARRIED unanimously and so ordered.

DESIGN REVIEW BOARD APPOINTMENTS

Discussion was held among the Council as to the role of alternates in relation to regular members of the Design Review Board. It was pointed out by councilman Englund that the Design Review Board was in actuality a work session and not a full-fledged hearing in which to take testimony and opinions. Sessions are for the purpose of problem solving and serving as a technical study group. The council, by concensus, directed the staff to prepare an amendment to the Design Review Ordinance to eliminate the position, or classification, of alternate.

MEMO REGARDING BUILDING PERMITS

The Council directed the manager to draft a letter to the director of the State Building Department asking whether the city of Milwaukie has the option of removing the requirement of permits for re-roofing a single-family residence.

RESOLUTION NO. CHARTER AMENDMENT ELECTION-CIVIL SERVICE.

The council postponed taking action on this resolution until such time as we are closer to an election, and a time when we would have move items to include in the election.

RESOLUTION NO. CHARTER AMENDMENT ELECTION-NOMINATION DATES

It was decided that since this would not have any bearing on the city until 1978, council will await taking action until another election, and place it on the ballot with other measures.

TREE CUTTING ORDINANCE

Council decided to continue this matter for more study, and directed that it be referred to the Neighborhood Councils. Staff was also asked for input. At this point, Mayor Hupp stated that he had received a letter from the State Forestry Service and that he was giving it to Burgess to handle if she so wished.

PD-76-1 and ZC-76-2 ORDINANCE NO.

Council decided to continue review of this ordinance presentation on the regular meeting of the 3rd of January, 1977.

COMPREHENSIVE PLAN CONSULTANT-SELECTION COMMITTEE RECOMMENDATIONS.

A presentation was given by the City Manager on the selection and recommendations of the special committee for the hiring consultants. Wilsey & Hamm were recommended for the Comprehensive Plan Study, and Lord & Leblanc were recommended for the Economic Study. It was further reported that the City would probably have to pay \$10,000 out of local funds toward this Economic Study as it was their desire to expand the study outside the LCDC Block Grant. It was MOVED by Hutchison, SECONDED by Burgess, that the manager is authorized to direct a letter of intent to each firm, (Wilsey & Hamm; Lord & Leblanc) and to further instruct staff to begin drafting a contract document of final costs for the respective consultants to be brought back to the City Council. MOTION CARRIED unanimously and so ordered.

LIQUOR LICENSE APPLICATION-PECK (MONROE STREET GROCERY)

It was MOVED by Swan, SECONDED by Hutchison, to recommend approval to the Oregon Liquor Control Commission a liquor license for the Monroe Street Grocery. MOTION CARRIED unanimously and so ordered.

ORDINANCE NO. 1351 - CLEAR VISION AREAS.

The Planning Commission is recommending the proposed ordinance. It was MOVED by Hutchison, SECONDED by Swan to read Ordinance No. 1351 (AN ORDINANCE AMENDING ORDINANCE NO. 1316, AN ORDINANCE REGULATING THE USE OF LAND AND STRUCTURES IN MILWAUKIE, OREGON, AND ESTABLISHING ZONES FOR THAT PURPOSE.) the first time by title only. MOTION CARRIED unanimously and so ordered. It was MOVED by Hutchison, SECONDED by Swan to read the ordinance the second time by title only. MOTION CARRIED unanimously and so ordered. It was MOVED by Hutchison, SECONDED by Swan, to adopt Ordinance 1351. Ordinance 1351 was put on its passage with the final roll-call vote: AYES: Englund, Swan, Burgess, Hutchison, and Hupp. NOES: None. Ordinance 1351 passed the council and was so declared by the mayor.

ORDINANCE NO. 1352 - ANIMAL CONTROL ORDINANCE

It was MOVED by Hutchison, SECONDED by Burgess, to read Ordinance 1352 (AN ORDINANCE PROVIDING FOR ANIMAL CONTROL; ANIMALS RUNNING AT LARGE; ESTABLISHING THE LICENSING OF DOGS; REPEALING OTHER ORDINANCES; AND DECLARING AN EMERGENCY.) the first time by title only. MOTION CARRIED unanimously and so ordered. It was MOVED by Hutchison, SECONDED by Burgess, to read the ordinance the second time by title only. MOTION CARRIED unanimously and so ordered. It was MOVED by Hutchison, and SECONDED by Burgess to adopt Ordinance No. 1352. Ordinance 1352 was put on its passage with the following roll-call vote: AYES: Englund, Swan, Burgess, Hutchison, and Hupp. NOES: none. Ordinance No. 1352 passed the council and was so declared by the mayor.

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OTHER BUSINESS

1. Council received a letter from John M. Parkhurst, attorney at law, representing Fred Owens, contractor on a re-roofing job on the Larkin property. The letter was an apology for the misunderstanding, and their failure to obtain a license, and an acceptance of full responsibility by Mr. Owens for this happening. The letter was received by the council.
2. A letter was received by the council from Joy Burgess, dated 3rd of November, 1976, regarding the current library situation with the cities and their representatives. Mrs. Burgess further reported that all participants are operating on a fairly cooperative basis and that she is trying to serve in the capacity of a "troubleshooter" in the event that anything should develop.
3. A letter was received from Margaret Moreland, addressed to the Mayor, regarding the business license ordinances which were adopted. The letter was basically a written statement of her presentation to the council at the time of the public hearing on the business license and business tax ordinances.
4. City Manager mentioned that council had been provided copies of both the city's and the firefighters' briefs submitted to the fact-finders for labor negotiations in this matter.
5. The manager noted the memorandum from the Planning Director to himself regarding an amendment of commercial zone and whether or not it would be desirable to limit the types of uses by conditional-use process which could be used within the commercial zone. It was **MOVED** by Burgess, **SECONDED** by Hutchison, to ask the Planning Commission to recommend an amendment which would make non-commercial uses in commercial zones, and conditional uses subject to review and hearing. **MOTION CARRIED** unanimously and so ordered.
6. Manager reported that the city had been asked by CRAG to participate with the proposed suggestion, or amendment, to the framework plan to change from the sphere-of-influence concept in working with planning and zoning to a definition of "service area" and make this an amendment to the framework plan. Concensus of the council was to agree.

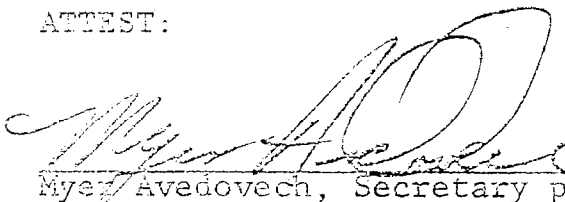
The mayor announced that there would be an executive session to deal with a problem of personnel and labor negotiations.

Meeting adjourned at 8:55 p.m.



Bill Hupp, Mayor

ATTEST:



Myra Avedovech, Secretary pro tem