

CITY COUNCIL MEETING

December 18, 1978

7 p.m.

COUNCIL CHAMBERS

1327th Meeting

The one thousand three hundred twenty-seventh meeting of the Council of the City of Milwaukie, Oregon, was held at 7 p.m. on the 18th day of December, 1978, with the following councilpersons present:

Jerry Hutchison  
Charles Swan  
Joy Burgess

Allen Manuel  
Mayor Bill Hupp

Also present:

Harold L. Schilling, City Mgr.  
Cyrus Nims, Planning Director

Myer Avedovech, City Att'y  
Dorothy E. Farrell, Sec'y

The invocation was given by Councilman Hutchison, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - December 4, 1978 Council meeting
- b) Fire Chief memo re smoke detectors
- c) ~~Petition for Review - 1000 Friends of Oregon~~
- d) CRAG report on McLoughlin changes
- e) Approval of AAA Grant for Center kitchen equipment
- f) Letter re sign at Hwy. 224 and Rusk Road
- g) Planning Consultant Assessment
- h) Memo re Greenway compliance
- i) Letter from Workers Compensation Department
- j) Letter from Marine Board

It was MOVED by Hutchison, SECONDED by Swan, to accept the Consent Calendar. Mrs. Burgess asked for discussion of items d and h, and Hutchison for discussion of item f.

b) Fire Chief has written memo, dated December 5, concerning installation of smoke detectors.

c) ~~Department of Land Conservation and Development has sent notice of appeal (Petition for Review) by 1000 Friends of Oregon v. City of Milwaukie (LCDC Appeal #78-034).~~

d) Public Works Director has written memo, dated December 8, concerning CRAG Staff Report #32 on McLoughlin Corridor TSM analysis. It was Council consensus that a letter be written asking that some of the TSM money be used to improve McLoughlin in the city, and that in any event, the left turns into the central business district not be eliminated.

e) County Office of Aging (AAA) has approved the city's grant request for kitchen equipment in the Center project.

f) City Attorney has written memo, with attached letter to Bob Cook, 13033 SE Rusk Road, dated December 12, concerning sign at Highway 224 and Rusk Road. It was MOVED by Hutchison, SECONDED by Swan, that if the conditions set by the Council regarding the sign at Highway 224 and Rusk Road are not met by January 15, that those conditions are withdrawn, and the conditions originally established by the Design Review Board are the ones the owner would have to comply with. MOTION CARRIED unanimously.

- g) Planning Director has written memo, dated December 13, 1978, concerning Planning Consultant Assessment.
- h) Planning Director has written memo, dated December 12, concerning Greenway compliance. Burgess asked the cost of hiring a consultant to do a detailed Riverfront Master Plan; an estimate is \$25-30,000.
- i) Department of Workers' Compensation has sent letter, received December 14, concerning the City Manager's responsibilities under the Oregon Safe Employment Act.
- j) State Marine Board has sent letter, dated December 14, concerning Facility Grant #139-A, Jefferson Street boat ramp. On the motion to accept the Consent Calendar, MOTION CARRIED unanimously.

#### AUDIENCE PARTICIPATION

1. Jean Baker, 2607 Monroe, spoke on the 1000 Friends of Oregon Petition for Review.

#### PORT OF PORTLAND RIVERFRONT STUDY

Helen Greenough and Warren Nash, Port of Portland, presented the Port's riverfront study for the City of Milwaukie. Discussion brought out that the Riverfront Development Subcommittee of the Parks and Recreation Commission desires the study be expanded to include more of the riverfront area. Ms. Greenough indicated the Port would be unable to provide more technical assistance, except in a limited way, but recommended that the city designate the area of the riverfront proposed for public acquisition and make that part of the Greenway plan within the comprehensive plan framework; and apply for a state technical assistance program grant for the expanded riverfront study.

It was MOVED by Burgess, SECONDED by Hupp, that the Council accept the preliminary marina feasibility study by the Port of Portland as a working paper. MOTION CARRIED unanimously.

#### PUBLIC HEARING - URBAN COUNTY PROJECTS

The Housing and Community Development office held a public hearing on suggestions for Urban County projects last Thursday, and Neighborhood Council have been asked to specify their community priorities. A list of last year's project priorities, plus additions, has been compiled. That list has been pared down by deleting unfundable projects. Public hearing was declared open at 8:30 p.m. Speaking with suggestions on projects and priorities:

Eloise Hobson, representing Parks and Recreation Commission--their top priorities are acquisition of park land in Ardenwald, and Water Tower Park

Thelma Savage, representing Neighborhood Council 1--suggested city-wide sidewalk repair and installation

Public hearing was declared closed at 8:50 p.m.

(Meeting recessed at 8:50 p.m., reconvened at 9 p.m. with all present.)

It was MOVED by Hupp, SECONDED by Swan, to remove from consideration the Downtown Redevelopment item. MOTION FAILED to pass with

the following roll-call vote: AYES: Swan and Hupp. NOES: Hutchison, Burgess and Manuel.

It was MOVED by Hutchison, SECONDED by Swan, that the number one priority be Domestic and Fire Protection Water System for Island Station, at \$115,000. MOTION CARRIED unanimously.

It was MOVED by Hutchison, SECONDED by Swan, that the second priority be Water Tower Park Improvements at \$20,000. MOTION CARRIED unanimously. (Hupp voted "no," but later, with Council approval, changed his vote to "yes.")

It was MOVED by Hutchison, SECONDED by Swan, that the third priority be Waterfront Master Plan, at \$30,000. MOTION CARRIED unanimously.

It was MOVED by Hutchison, SECONDED by Swan, that the fourth priority be Ardenwald Park Site Acquisition, at \$150,000. MOTION FAILED to pass with the following roll-call vote: AYES: Hutchison. NOES: Swan, Hupp, Burgess and Manuel.

It was MOVED by Burgess, SECONDED by Hupp, that the fourth priority be Storm Drain Improvements - Ardenwald, at \$100,000. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Swan, Hupp and Burgess. ABSTAIN: Manuel.

It was MOVED by Hupp, SECONDED by Burgess, that Sidewalk Repair and Installation (city-wide) be approved as the number five priority. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Swan, Hupp and Burgess. NOES: Manuel.

It was MOVED by Manuel, SECONDED by Hutchison, that Downtown Redevelopment, at \$125,000, be designated as priority number seven. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Burgess and Manuel. NOES: Hupp. ABSTAIN: Swan.

It was MOVED by Manuel, SECONDED by Hutchison, that Residential Rehabilitation Loans and Grants (city-wide), at \$30,000 and \$15,000, be designated as priority number six. MOTION CARRIED unanimously.

It was MOVED by Burgess, SECONDED by Hupp, that Curbs, Gutters and Sidewalks - 32nd and Roswell area, be the number eight priority, at \$90,000. MOTION CARRIED unanimously.

It was MOVED by Manuel, SECONDED by Hupp, that no more requests for funding be prioritized. MOTION CARRIED unanimously.

It was MOVED by Manuel, SECONDED by Hupp, that of the 15 points allowed the city for "priority points," 10 points be assigned to Domestic and Fire Protection Water System for Island Station, and five points be assigned to Waterfront Master Plan. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Manuel, to rescind the previous motion, and the 15 points be reallocated to the number one priority. MOTION CARRIED unanimously.

John Palmer, Neighborhood Council 5, suggested Council should tell the Neighborhood Councils why their selections were revised by Council. Councilwoman-elect Nickel said she would like to have a system instituted so Neighborhood Councils understand their input will not always be the final action of Council, but will be just advice.

RESOLUTION NUMBER 40-1978 - REINSTITUTING NEIGHBORHOOD COUNCILS  
Neighborhood Councils have held a constitutional convention, on December 6, 1978; the consensus of the group was that Neighborhood Councils should continue. Participants did, however, recommend

that amendments to the resolution be made. Recommended changes are contained in memorandum from Neighborhood Council Coordinator, dated December 7, 1978. It was MOVED by Hupp, SECONDED by Burgess, that Council accept the recommendations and approve the continuation of the Neighborhood Council program as submitted by the Neighborhood Council Constitutional Convention. MOTION CARRIED with the following roll-call vote: AYES: Swan, Hupp and Burgess. NOES: Hutchison and Manuel. A resolution will be prepared with the changes incorporated therein.

#### NEIGHBORHOOD COUNCIL REPORTS

Neighborhood Council Coordinator has reported on Neighborhood Council activities, in memo dated December 12.

#### CORRESPONDENCE

1. Riverfront Development Committee has sent letter, dated December 8, to City Council, reporting on action taken by the committee at their meeting December 5. It was MOVED by Manuel, SECONDED by Hutchison, that Council delay action on request of Riverfront Development Committee for application for further technical assistance from the Port of Portland, until after a decision has been reached on request for Urban County funding for Waterfront Master Plan. MOTION CARRIED unanimously. Burgess requested a recommendation from staff as to how to proceed further with getting the master plan done.
2. Mayor has received letter from William W. Wyse, Waverley Greens, dated December 7, offering assistance to any group working on a project to beautify the city. Manuel requested this letter be on the next Council agenda.
3. Council has received copy of letter from Parks and Recreation Commission to Riverfront Advisory Committee, received December 15, concerning function of the committee and proper channels.
4. Parks and Recreation Commission has written letter, received December 15, concerning priorities in the HUD Urban County block grant second year funding.
5. Parks and Recreation Commission has written letter, received December 15, concerning application to Port of Portland for "Phase 2" of Riverfront Economic Feasibility Study. It was Council consensus that the memo mentioned in item 1 above (stating Council will delay action on letter to Port) be addressed to the Parks and Recreation Commission.

#### APPLICATION FOR PACKAGE STORE LIQUOR LICENSE

It was MOVED by Hupp, SECONDED by Manuel, that Council accept the Police Chief's recommendation and approve issuance of package store liquor license to Open Pantry Food Mart (Naomi Hale English), 8929 SE 42nd. MOTION CARRIED unanimously.

#### APPOINTMENTS TO COMMUNITY CENTER ADVISORY COMMITTEE

Recommendations have been received from advisory bodies on appointees to Senior/Community Center Development Advisory Committee. It was MOVED by Hutchison, SECONDED by Hupp, to appoint David Graf from Neighborhood Council 1. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Swan, to appoint Howard Cleary from Neighborhood Council 2. MOTION CARRIED unanimously.

It was MOVED by Hupp, SECONDED by Burgess, to appoint Jim Tomlin from Neighborhood Council 3. MOTION CARRIED unanimously.  
It was MOVED by Burgess, SECONDED by Hupp, to appoint Helen Kappler from Neighborhood Council 4. MOTION CARRIED unanimously.  
It was MOVED by Hupp, SECONDED by Burgess, to appoint Mary Monetti, from Neighborhood Council 5. MOTION CARRIED unanimously.  
It was MOVED by Hupp, SECONDED by Swan, to appoint Marion Mariman from Senior Citizen Advisory Council. MOTION CARRIED unanimously.  
It was MOVED by Hupp, SECONDED by Manuel, to appoint Virginia Stabenow from Parks and Recreation Commission. MOTION CARRIED unanimously.  
It was MOVED by Hupp, SECONDED by Swan, to appoint Margaret Norton from Loaves and Fishes. MOTION CARRIED unanimously.  
It was MOVED by Hupp, SECONDED by Manuel, to appoint Laird Prouty from Community Schools. MOTION CARRIED unanimously.  
It was MOVED by Hutchison, SECONDED by Swan, to appoint Catherine Boyles from Committee for a Greater Milwaukie Senior Center. MOTION CARRIED unanimously.

#### CONTINUATION OF MEETING

It was MOVED by Swan to follow Council policy and adjourn the meeting. MOTION FAILED for lack of a second.  
It was MOVED by Manuel, SECONDED by Burgess, to continue the meeting to 11:38 p.m. MOTION CARRIED with the following roll-call vote:  
AYES: Hutchison, Hupp, Burgess and Manuel. NOES: Swan.

#### COMMUNITY CENTER PROGRESS REPORT

Housing and Community Development Coordinator has written report, dated December 18, on Community Center progress.

#### URBAN COUNTY CONTRACT

It was MOVED by Manuel, SECONDED by Swan, to authorize signature of agreement with Clackamas County on urban county block grant funds. MOTION CARRIED unanimously.

#### DATE OF FIRST JANUARY MEETING

It was MOVED by Hupp, SECONDED by Manuel, that the first January Council meeting be on January 8. MOTION CARRIED unanimously.

#### ANNEXATION PETITION - 5555 SE King Road

It was MOVED by Burgess, SECONDED by Hutchison, to forward the annexation petition from Al Carrick, Holiday Management Co., for property at 5555 SE King Road, to the Planning Commission for report and recommendation. MOTION CARRIED unanimously.

#### RESOLUTION NUMBER 41-1978 - SETTING FEES FOR WATER SERVICES

It was MOVED by Manuel, SECONDED by Swan, to read Resolution Number 41-1978 (A RESOLUTION SETTING FEES FOR WATER SERVICES PROVIDED BY THE CITY UNDER ORDINANCE NUMBER 1418) by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Swan, to adopt Resolution 41-1978. MOTION CARRIED with the following roll-call vote: AYES: Hutchison, Swan, Burgess and Manuel. NOES: Hupp.

OTHER BUSINESS

It was MOVED by Manuel, SECONDED by Hutchison, to authorize staff to proceed with application to Urban County for a \$6000 grant out of contingency fund to accelerate the comprehensive planning process of the City of Milwaukie. MOTION CARRIED unanimously.

PAYMENT OF BILLS

It was MOVED by Swan, SECONDED by Hutchison, that the bills listed for December 18, 1978 payment be approved for payment. MOTION CARRIED unanimously.

The meeting adjourned at 11:50 p.m., and went into executive session to discuss labor negotiations and pending litigation, under ORS 192.660 (1)(a) and (2)(d).

MANAGEMENT SALARIES

The meeting returned to open session at approximately 12:45 a.m. It was MOVED by Hutchison, SECONDED by Burgess, that salary recommendations for Executive Management, Supervisory Management, Confidential, reclassification and new classifications of represented employees, and non-classified/part-time wage schedule, as recommended by Manager, be adopted, except that the Executive Management group be increased to 8%; and that the City Manager compensation for 1978-79 be increased by 8%. MOTION CARRIED unanimously.

MORATORIUM ORDINANCE

It was Council consensus that staff be directed to draft an ordinance creating a moratorium on multi-family housing projects, which would continue until the petition filed by 1000 Friends of Oregon is resolved by LCDC.

Meeting adjourned at 12:50 a.m.

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Bill Hupp, Mayor

ATTEST:

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Dorothy E. Farrell, Mayor