

CITY COUNCIL AGENDA
SPECIAL MEETING
February 3, 1969

COUNCIL CHAMBERS

7:30 p.m.

- CCG404
1. Call to Order
 2. Audience Participation
 3. Street Vacation Request
23rd Street - Union High School Dist. No. 5, applicant
 4. CONSIDERATION
 - a. Ordinance No. _____ providing for Parking I.T.D.
 - b. Ordinance No. _____ (ZC-69-1) Rezoning from R-5 to C-L
 - c. Water Program
 5. UNFINISHED BUSINESS
 - a. Classification of position for Forrest Sandberg
 - b. Appointments to Planning Commission
 - c. Code of Ethics
 - d. Action on appeal by Chalet l'Abbe
 - e. Bids on Fire Apparatus
 6. CORRESPONDENCE
 7. OTHER BUSINESS

CITY COUNCIL SPECIAL MEETING

February 3, 1969

COUNCIL CHAMBERS

7:30 p.m.

A special meeting of the Council of the City of Milwaukie, Oregon was held on the 3rd day of February, 1969. The meeting was called to order by Mayor Frank C. Clore with the following councilmen present:

Dale M. Harlan
David S. Strauss

Bill E. Hupp
Donald W. Graf

Also present: Fred C. Dyer, City Manager Robert L. Mills, City Attorney
J. Wayne Daigle, Dir. P.W. Max Thompson, Ass't City Manager
Wes Baker, Fire Chief Bette Bierer, Sec'y pro tem

It was moved by Harlan, seconded by Strauss, that the minutes of the regular meeting of January 27, 1969 be approved as written. Motion carried and so ordered.

AUDIENCE PARTICIPATION

Mr. Charles Ingraham presented a written request for aid from the City of Milwaukie in preventing surface water from flooding his property at 4525 King Road. It was moved by Harlan, seconded by Hupp, to request the City Engineer to investigate the possibilities for and estimate the cost of a temporary solution to this flooding problem, and if it can be met with minor repairs, give the staff authority to have it fixed as soon as possible. Motion carried unanimously and so ordered.

STREET VACATION REQUEST

Mr. Owen Sabin, Superintendent of Union High School Dist. No. 5, presented a request for vacation of 23rd Street, from Lake Road to Washington Street. It was moved by Hupp, seconded by Graf, that this request be referred to the Planning Commission and the Police Department for their recommendations. Motion carried and so ordered.

UNFINISHED BUSINESS

a. Classification of Position - It was moved by Strauss, seconded by Graf, that the Council rescind the motion passed last week extending employment beyond retirement age for Forrest Sandberg. AYES: Strauss, Graf. NO: Harlan. ABSTAINING: Hupp. Motion carried 2 to 1.

It was moved by Mr. Graf, seconded by Strauss, that the original Retirement Committee be re-activated to study the question of additional income to Mr. Sandberg until he reaches age 62 and becomes eligible for Social Security income, and to recommend what action the Council should take in the future in cases of this nature. Motion carried and so ordered.

b. Appointments to Planning Commission - It was moved by Strauss, seconded by Graf, to table this item to the next meeting. Motion failed, 3 to 2. It was moved by Mr. Hupp, seconded by Harlan, that the three names proposed by the Mayor be appointed to the Planning Commission. After dis-

cussion, Mr. Hupp, with agreement of seconder, withdrew his motion. It was moved by Hupp, seconded by Harlan, to table to the next meeting. Motion carried unanimously and so ordered.

c. Code of Ethics - It was moved by Harlan, seconded by Hupp, to table consideration of a Code of Ethics. Motion carried and so ordered.

A recess was declared at 8:55 p.m. and the meeting reconvened at 9:00 p.m.

d. Action on Appeal by Chalet l'Abbe - Regarding the appeal by Chalet l'Abbe of the Planning Commission's action taken against continuance of the restaurant's special use permit, it was moved by Strauss, seconded by Graf, that the Council overrule the decision of the Planning Commission and reinstate Resolution PC-1-1961 as Amended. Motion carried, with Harlan abstaining.

Discussion was opened on the pending application of Chalet l'Abbe for a "DB" license. It was moved by Graf that the City Council ~~not recommend~~ ^{the "DB" license} ~~to the Oregon State Liquor Control Commission a granting of "DB" license to~~ ^{by O.L.C.C.} Chalet l'Abbe. There was no second to the motion. *(minutes 2/10/69)*

Mrs. Joy Burgess, 2208 S. E. River Road, informed the Council that the members of the South Milwaukie Community Association felt they could compromise if the restaurant were not allowed to expand further, but be allowed to sell beer and wine only and be open from 11:30 a.m. to 10:00 p.m.

It was moved by Strauss, seconded by Graf, that Council go into executive session with City Manager and City Attorney for a ten-minute period. After discussion, Mr. Graf withdrew the second to the motion.

It was moved by Graf that Council ~~not recommend approval~~ of the "DB" license by O.L.C.C. to the Chalet, ^{l'Abbe} There was no second to the motion. *(minutes 2/10/69)*

It was moved by Graf, seconded by Hupp, that this application be tabled. AYES: Graf, Hupp. NO: Strauss. ABSTAINING: Harlan. Motion carried 2 to 1.

It was moved by Strauss to place this pending application on the Agenda for Monday, February 10; a second to the motion by Hupp. Motion carried and so ordered.

e. Bids on Fire Apparatus - There was Council discussion of the bids, and representatives of the bidders were present to answer questions. It was moved by Strauss, seconded by Graf, to accept the low bid of \$47,329.00 by Western States Fire Apparatus (Seagrave) based upon Western State's written acceptance of the Conditions within the Specifications. Motion carried and so ordered.

CCG404

ORDINANCE NUMBER 1190

It was moved by Graf, seconded by Strauss, that Ordinance Number 1190, (AN ORDINANCE PROVIDING FOR THE DEVELOPMENT AND CONSTRUCTION OF A MUNICIPAL PARKING FACILITY BY THE PURCHASE OF PROPERTY, BY THE CONSTRUCTION THEREON OF ALL THINGS NECESSARY FOR THE DEVELOPMENT OF SAID PROPERTY AS A MUNICIPAL PARKING FACILITY, AND DECLARING AN EMERGENCY), be read for the first time. Motion carried unanimously. After reading, it was moved by Strauss, seconded by Graf, that Ordinance Number 1190 be read the second time by title only. After reading, Ordinance Number 1190 was put on its passage with the following roll call vote: AYES - Hupp, Strauss, Graf, Harlan and Clore. NOES - none.

Ordinance Number 1190 passed the Council and was so declared by the Mayor.

ORDINANCE NUMBER 1191

It was moved by Graf, seconded by Harlan, that Ordinance Number 1191, (AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, OREGON, FROM R-5 to C-L ZONE, AND AMENDING ORDINANCE NUMBER 1183, AS AMENDED), be read for the first time. Motion carried unanimously. After reading, it was moved by Graf, seconded by Hupp, that Ordinance Number 1191 be read the second time by title only. After reading, Ordinance Number 1191 was put on its passage with the following roll call vote: AYES - Hupp, Strauss, Graf, Harlan and Clore. NOES - none.

Ordinance Number 1191 passed the Council and was so declared by the Mayor.

WATER ACQUISITION PROGRAM

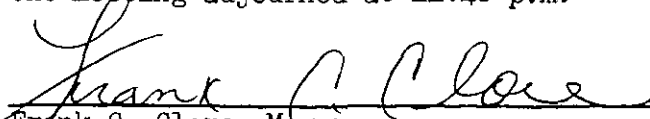
It was moved by Harlan, seconded by Graf, that February 17, 7:30 p.m., be set for a meeting with the City Manager and City Engineer for discussion of the Water Acquisition Program. Motion carried unanimously and so ordered.


OTHER BUSINESS

1. It was moved by Harlan that the Mayor be furnished with an office, desk and telephone within the City Hall, and that the second-floor office formerly used by Mayor Richmond be restored for this use by two weeks from this date. A second to the motion was made by Hupp. Motion carried.
2. Harlan moved to request the City Manager to furnish a full report by the first meeting in March on "Central Dispatch", its make-up, contract with the City, whether they maintain a separate bank account, and whether or not they are buying property. Second by Hupp, motion carried and so ordered.
3. Mayor Clore requested the City Attorney to furnish a written report of all litigation now pending which involves the City.
4. It was requested by Councilman Hupp that the City Manager obtain and furnish him the record of all accidents which have occurred at railroad crossings within the City.

Upon motion duly made and seconded, the meeting adjourned at 11:40 p.m.

ATTEST:


Frank C. Clore, Mayor


Bette Bierer, Sec'y pro tem