

CITY COUNCIL MEETING  
April 3, 1978  
7 p.m.

COUNCIL CHAMBERS

1310th Meeting

The one thousand three hundred tenth meeting of the Council of the City of Milwaukie, Oregon, was held on the 3rd day of April, 1978, with the following councilpersons present:

Jerry N. Hutchison	Mayor Bill Hupp
Joy Burgess	Allen Manuel (entered meet-
Charles Swan (entered at 7:45 p.m.)	ing at 7:10 p.m.)

Also present:

Harold L. Schilling, City Mgr.	Myer Avedovech, City Att'y
Steven Hall, P.W. Director	Dorothy E. Farrell, Sec'y
Cyrus Nims, Planning Direct.	

The invocation was given by the Reverend Keith Mills, Oak Grove United Methodist Church, and the Pledge of Allegiance was recited.

CONSENT CALENDAR

- a) Approval of minutes - March 13, 20 and 27, 1978 Council meetings
- b) Letter from Governor's Conference on Library Services
- c) Retainage payment - Park/Beckman Storm Drains
- d) Six-year highway improvement program
- e) North Clackamas Park reservations policy
- f) LOC regional meeting
- g) Letter from Port re technical assistance
- h) Letter from Rotary re North Clackamas Park softball diamond
- i) Water Resources Newsletter
- j) News Release re 75th anniversary
- k) McLoughlin Corridor TSM Project
- l) Planning Commission Annual Report

It was **MOVED** by Burgess, **SECONDED** by Hutchison, to accept the Consent Calendar. Burgess requested item h be removed for discussion, and Hupp had a question on item f.

b) Governor's Conference Committee on Library and Information Services has sent letter, dated March 10, with information on local and regional meetings preceding the June 1-3 State Conference.

c) Manager and Public Works Director recommend payment of 5% retainage in the amount of \$529.41 to Clackamas Enterprises on the Park-Beckman Storm Drain project.

d) Public Works Director has written memo, dated March 21, on Oregon Department of Transportation 1978 six-year highway improvement program.

e) Milwaukie Parks and Recreation Commission has adopted a policy on North Clackamas Park reservations.

f) League of Oregon Cities regional meeting for Clackamas and Multnomah Counties will be held in Milwaukie Friday, April 21.

Mayor asked if plans for the meeting are progressing and Manager reported on arrangements made.

g) Port of Portland has written letter, dated March 20, on city's application for technical assistance on possible marina development.

h) Rotary Club has written letter, dated March 14, concerning their financing up to \$1550 for acquisition of backstop for North Clackamas Park softball diamond. Burgess suggested a letter of thanks, and it was Council consensus to wait until completion of the project.

- i) Council has received March 1978 newsletter from Portland-Vancouver Metropolitan Area Water Resources Study.
  - j) Staff has sent out news release on birthday celebration for city's incorporation.
  - k) Public Works Director has written memo, dated March 21, on McLoughlin Corridor TSM Project, Interim Study.
  - l) Planning Commission has submitted annual report.
- On the motion to accept, MOTION CARRIED unanimously by those present.

#### AUDIENCE PARTICIPATION

I. Terry Waldele, representing CRAG, reported on CRAG draft #2 of Waste Treatment Management Component, Public Facilities and Services Element.

#### ORDINANCE NUMBER 1392 - STREET VACATION - 52ND AND MONROE

Public hearing was declared open at 7:30 p.m. No one appeared to speak either for or against the proposed vacation, and no correspondence has been received. Manager explained the reason for the vacation was the city's desire to realign the intersection of 52nd and Monroe. Public hearing was declared closed.

It was MOVED by Burgess, SECONDED by Hutchison, to read Ordinance Number 1392 (AN ORDINANCE VACATING A PORTION OF 52ND AVENUE (AKA GRANT STREET), LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, R1S, R2E, W.M., CLACKAMAS COUNTY, OREGON) the first time by title only. MOTION CARRIED unanimously by those present. Since not all Councilmembers were present, it was decided to read the ordinance the second time at the next regular meeting.

#### PUBLIC HEARING - VR-78-2 - APPEAL (LAKE ROAD AND 21ST AVENUE)

Public hearing was declared open at 7:35 p.m. On February 28, 1978, Planning Commission voted to deny VR-78-2, a request by Fred Booth and Vern Kehoe to construct an office building with nine off-street parking spaces, seven less than the 16 required. The applicants have appealed the Planning Commission decision. Planning Director gave staff report.

(Swan entered meeting at 7:45 p.m.)

Speaking in favor:

Fred Booth, applicant  
 Paul Baer, 4008 SE Drake Street  
 Joe Bernard, 11731 - 35th Street

Correspondence in favor:

William J. Horton, 4188 SE Pinehurst

Correspondence against:

Roger A. Haas, 8618 SE 36th Avenue

Speaking on behalf of the Planning Commission:

Jim Lotz

It was MOVED by Hutchison, SECONDED by Burgess, to put off a decision until the next regular meeting. MOTION CARRIED unanimously. (Meeting recessed at 8:45 p.m., reconvened at 8:50 p.m. with all present.)

#### REQUEST FOR BASKET BALL HOOP PLACEMENT

Robert A. Tamlyn, 12206 SE 67th Court, has requested permission

to place a basketball hoop in the public right-of-way. Staff reports have been written on the subject. Letters in favor of basketball hoops have been received from:

Donald R. Tucker

Sharon Kolibaba, 4816 SE Brookside Drive

Petitions have been received as follows, in favor of hoops:

In favor of hoop at 4917 SE Winworth Court, 19 signatures

Against removal of hoops, Regents Drive, Arden area, 79 signatures

Letter against hoops:

Ann Zettel, 11917 SE 28th Avenue

Members of the audience spoke in favor of hoops in the right-of-way, and petitions in favor were presented.

Staff was asked to gather information on the legality of allowing hoops in the right-of-way, the city's liability for possible injuries. It was MOVED by Swan, SECONDED by Hupp, that the question of basketball hoops in the public right-of-way be researched as to legality, referred to Traffic Safety Commission, Parks and Recreation Commission, Neighborhood Councils and Senior Citizen Advisory Council for input to the Council. MOTION CARRIED unanimously. A member of the audience asked that interested persons be notified when the subject is again on the agenda.

#### NEIGHBORHOOD COUNCIL REPORTS

1. Neighborhood Council 2 has made recommendations on board appointments. It was MOVED by Hutchison, SECONDED by Manuel, that James Miller be moved from a regular position to an alternate slot; Leslie Wilkins be moved from alternate to regular board member; Craig Enger be removed from the board; and Lillie Moore appointed as a regular board member replacing Craig Enger. MOTION CARRIED unanimously.

#### CORRESPONDENCE

1. Mrs. Norman Peterson, 11445 SE 45th Avenue, has written letter thanking the Fire Department for their help when her husband suffered a heart attack.
2. R. C. Smelser, 701 John Adams, Oregon City, has written letter to Mrs. Burgess, dated March 21, concerning interim building growth boundary.
3. Kids, Incorporated has written letter, dated March 29, requesting financial assistance.
4. Committee for a Greater Milwaukie Senior/Multipurpose Center has written letter, dated March 31, asked what the city is doing in studying site locations for the center.

#### COMMITTEE APPOINTMENTS

It was MOVED by Burgess, SECONDED by Hupp, that Jim Lotz be reappointed to the Planning Commission. Motion carried unanimously.

It was decided to invite applicants for Planning Commission appointment to meet with the Council at 9 p.m. April 13, for interviews.

It was MOVED by Burgess, SECONDED by Hupp, to reappoint Marion Mariman to the Senior Citizen Advisory Council. MOTION CARRIED unanimously.

It was MOVED by Burgess, SECONDED by Hutchison, that A. Hurlene Rager beappointed as alternate to the Senior Citizen Advisory Council.

MOTION FAILED to pass with the following roll-call vote: AYES:

Burgess. NOES: Manuel, Swan, Hutchison and Hupp.

It was MOVED by Hutchison, SECONDED by Hupp, to appoint Carl Bock to the Senior Citizen Advisory Council. MOTION CARRIED with the following roll-call vote: AYES: Manuel, Swan, Hutchison and Hupp. NOES: Burgess.

#### COUNCIL DIRECTION ON COMMITTEE TO DRAFT PERSONNEL ORDINANCE

At the last meeting, it was Council consensus that at the April 3 meeting a decision would be made on makeup of committee to draft a personnel ordinance.

It was MOVED by Manuel, SECONDED by Hutchison, to incorporate in the proposed committee no more than two people from outside the city. MOTION CARRIED unanimously.

It was MOVED by Swan, SECONDED by Hutchison, that the committee be composed of seven members. MOTION CARRIED unanimously.

It was Council consensus that the committee be composed of three representatives from Neighborhood Councils (each Council to recommend one), a citizen not from a Neighborhood Council, a Milwaukie administrator, an administrator from another city, and a city labor representative, picked by the three bargaining groups. The general direction of the committee will be to study a new personnel ordinance submitted by staff and submit a recommendation to Council 90 days before the election.

#### PROPOSAL FOR ACTION ON RIPARIAN RIGHTS

It was MOVED by Manuel, SECONDED by Hupp, to send a letter to Caffall Brothers, giving notice that they must either remove the log boom from the city waterfront, or negotiate a rental agreement with the city. The MOTION was WITHDRAWN, and it was Council consensus to discuss the matter in executive session.

#### WORK SESSION ON TRAFFIC SAFETY ENGINEER'S REPORT

A work session on the traffic safety engineer's report was scheduled for 7 p.m. Monday, April 24.

#### RESOLUTION NUMBER 7-1978 - ADOPTING 1977-78 BUDGET

Auditors have recommended adoption of a second resolution adopting 1977-78 budget, since the first resolution lumped the major categories of personal services, materials and services and capital outlay under the general fund, rather than by department. It was MOVED by Swan, SECONDED by Burgess, to read Resolution Number 7-1978 (A RESOLUTION REPEALING RESOLUTION NUMBER 19-1977 AND ADOPTING 1977-78 BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES) by title only. MOTION CARRIED unanimously. It was MOVED by Hutchison, SECONDED by Manuel, to adopt the resolution. MOTION CARRIED unanimously.

#### MEMO REGARDING NOISE REGULATIONS

Police Chief has written memo, dated March 23, concerning noise regulations, and he and the City Manager recommend adopting a program similar to that used in Portland, using the DEQ inspection station. It was decided to consult with the City Judge to get his approval of the program.

## BILLS PAYABLE ON APRIL 3, 1978

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
1. AAA Sheet Metal	\$180.00	13-	\$180.00
2. A & B Automotive and Towing Service	6.00	1-5	6.00
3. AB Dick Products Company	17.12	1-13	17.12
4. Act 1 Uniform Service	66.39	1-4	23.39
		1-5	5.30
		1-6	19.55
		1-3	18.15
5. Dorothy Anderson	16.05	1-6	16.05
6. Apex Construction	4520.00	13-	4520.00
7. Arro Metal Fabricators	10.50	12-	10.50
8. Baker and Taylor Companies	484.48	1-6	484.48
9. J. M. Bernards	405.62	1-5	396.62
		4-	9.00
10. Boise Cascade Co	734.12	1-2	16.63
		1-4	34.79
		1-5	278.24
		1-8	4.97
		1-10	27.27
		1-9	21.24
		1-12	27.03
		1-13	220.43
		1-15	28.40
		11-	75.12
11. Brodart	82.63	1-6	82.63
12. Margaret Mary Brogan	19.35	1-6	19.35
13. Brooks Products, Inc.	95.84	30-	95.84
14. Joy Burgess	50.00	1-16	50.00
15. CMI	206.62	1-5	206.62
16. Violet Calhoun	13.30	1-6	13.30
17. Case Power and Equipment Co.	3366.80	20-	3366.80
18. Century Builders	2480.00	13-	2480.00
19. Chrystalship Records	110.33	1-6	110.33
20. City Rubber Stamp	34.12	1-4	16.20
		1-5	17.92
21. Clackamas County Fire District No. 1	5199.99	1-5	7.95
		1-4	5192.04
22. Columbia Hydraulic Service, Inc.	10.80	4-	10.80
23. Cory Coffee Services	21.65	13-	21.65
24. Crawford Door Sales of Portland	266.00	3-	266.00
25. Custom Parts and Trailer Supply	27.88	1-7	27.88
26. Neil B. Davison	60.00	1-14	60.00
27. Linda Denny	100.00	1-6	100.00
28. Devoke Co.	19.88	1-13	9.44
		4-	10.44
29. EBSO Subscription Services	2.00	1-6	2.00
30. Englund, Plummer & Associates	100.00	12-	100.00
31. Ruth L. Fagan	192.00	13-	192.00
32. Graham's Book & Stationery	2.98	13-	2.98
33. Grimshaw Tires	762.49	1-7	26.99
		30-	735.50
34. Higgins Signs	20.00	1-5	20.00
35. Bill E. Hupp	75.00	1-16	75.00

## BILLS PAYABLE ON APRIL 3, Continued

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
36. Jerry Hutchison	\$50.00	1-16	\$50.00
37. IPMA	2.18	1-14	2.18
38. Knapp Printing Co.	15.00	1-10	15.00
39. Lavelle Landfill	27.14	4-	27.14
40. Layton Sales and Supply Co.	49.20	4-	49.20
41. Ken & Rita Leonard Custom Pistolsmithing	525.00	1-5	525.00
42. Lowell's Print-Inn	121.00	1-13	121.00
43. Allan Manuel	50.00	1-16	50.00
44. McFarlane Sawdust	42.00	1-7	42.00
45. Metropolitan Utility Co- ordinating Council	25.00	30-	25.00
46. City of Milwaukie Petty Cash	129.71	1-2	5.00
		1-4	29.23
		1-5	8.09
		1-6	14.96
		1-7	50
		1-8	4.97
		1-9	2.89
		1-10	11.84
		1-13	15.70
		1-15	10.00
		1-16	11.94
		3-	8.00
		4-	6.59
47. Milwaukie Family Pract. Grp	167.00	1-14	167.00
48. Milwaukie Hardware	37.23	4-	37.23
49. Milwaukie Printing	220.65	13-	190.65
		1-10	30.00
50. R. James Mishler	7.65	1-10	7.65
51. Mobil Oil	1203.55	1-0	1203.55
52. Dept. of Motor Vehicles	76.00	1-0	75.00
		1-5	1.00
53. Mult. County District Attorney's Office	30.00	1-5	30.00
54. National Police Chiefs & Sheriffs Information Bureau	22.50	1-5	22.50
55. Northwest Natural Gas Co.	217.71	1-6	217.71
56. Oregon Culvert Co., Inc.	105.30	4-	105.30
57. Oregon Journal Dealer	36.00	1-6	36.00
58. Oregon State Bar	10.00	1-12	10.00
59. Oregonian Publishing Co.	20.84	1-9	20.84
60. Pacific Coast Industrial Laundry	329.50	4-	109.83
		30-	109.83
		20-	109.84
61. Pacific Northwest Bell	867.39	1-3	635.24
		1-7	23.30
		13-	208.85
62. Payline Northwest	75.32	4-	41.70
		1-7	18.03
		30-	15.59
63. The Pickle Barrel	35.25	1-16	35.25

## BILLS PAYABLE ON APRIL 3, Cont.

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
64. Pipeline Products	296.77	30-	296.77
65. Pixler Auto Parts	1730.25	1-5	21.08
		4-	1709.17
66. Portland General Electric	10746.52	1-6	141.30
		1-1	10605.22
67. Portland State University	156.00	1-1	156.00
68. Portland Stores	77.29	1-3	6.34
		1-5	23.16
		1-7	3.11
		4-	44.68
69. Portland Window and Door	328.50	13-	328.50
70. Power Brake Distributing Co.	94.53	1-4	94.53
71. The Rand Corporation	4.50	1-5	4.50
72. Paul H. Roeger	85.00	1-10	85.00
73. The Review	44.88	1-1	44.88
74. Robben Oil	440.13	1-3	288.07
		4-	152.06
75. Sanderson Safety Co.	230.00	1-4	99.85
		1-3	52.90
		1-6	2.00
		4-	3.50
		30-	71.25
76. Sentor Tool Service, Inc.	32.80	30-	16.40
		4-	16.40
77. Setronics	462.97	11-	462.97
78. Spring Creek Apt.	112.00	1-5	112.00
79. Charles Swan	50.00	1-16	50.00
80. Television Specialists	48.10	1-4	48.00
81. Marilyn Thompson	117.25	1-6	117.25
82. Traffic Safety Supply Co.	261.10	1-6	20.00
		1-4	219.50
		4-	21.60
83. Union Oil Co.	173.63	4-	173.63
84. United Radio Supply, Inc.	205.04	1-4	205.04
85. University Associates	7.50	1-6	7.50
86. Valley Lock and Key Service	83.50	1-3	52.00
		4-	31.50
87. Ward Harris, Inc.	16.00	1-10	16.00
88. Water Metrics Co.	78.40	30-	78.40
89. Waterworks Supplies Co.	488.68	30-	488.68
90. Webster Ford	9624.00	3-	9624.00
91. West Chemical Products, Inc.	45.00	1-3	45.00
92. Western-Pacific Materials Co.	260.33	12-	260.33
93. Western Sgin Corporation	756.00	30-	756.00
94. Wichita Feed & Hardware Store	43.06	30-	8.39
		20-	3.15
		1-7	3.05
		4-	28.47
95. Wilco Fire Equipment	247.52	1-4	247.52
96. Kathleen A. Wood	4.00	1-2	4.00
97. Gustavus Young	75.00	13-	75.00
98. Xerox Corporation	168.53	1-5	168.53
	<u>51852.84</u>		<u>51852.84</u>

## BILLS PAYABLE ON APRIL 3, 1978 Cont.

1-0	GENERAL GOVERNMENT	\$ 1278.55
1-1	GENERAL GOVERNMENT	10806.10
1-2	ADMINISTRATION	25.63
1-3	CITY HALL	1097.70
1-4	FIRE DEPARTMENT	6162.09
1-5	POLICE DEPARTMENT	1092.61
1-6	LIBRARY	1404.91
1-7	PARKS & RECREATION	144.86
1-8	MUNICIPAL COURT	9.94
1-9	PLANNING DEPARTMENT	44.97
1-10	PUBLIC WORKS DEPARTMNET	192.76
1-12	LEGAL DEPARTMENT	37.03
1-13	FINANCE DEPARTMENT	383.69
1-14	CIVIL SERVICE	229.18
1-15	NEIGHBORHOOD COUNCILS	38.40
1-16	CITY COUNCIL	322.19
3-	EQUIPMENT RESERVE FUND	9898.00
4-	STATE TAX STREET FUND	3344.24
11-	FISCAL ASSISTANCE FUND	538.09
12-	REVENUE SHARING FUND	370.83
13	COMMUNITY DEVELOPMENT GRANT	8199.63
20-	SEWER FUND	3479.79
30-	WATER FUND	1941.65
		<u>\$51852.84</u>