

**CITY OF MILWAUKIE
CITY COUNCIL STUDY SESSION
FEBRUARY 22, 2011**

Mayor Ferguson called the Milwaukie City Council study session to order at 5:09 p.m. in the Public Safety Building Community Meeting Room.

Present: Mayor Ferguson, Council President Greg Chaimov and Councilors Dave Hedges, Joe Loomis, and Mike Miller

Staff present: City Manager Bill Monahan, City Recorder Pat DuVal, Community Development/Public Works Director Kenny Asher, Planning Director Katie Mangle, Associate Planner Brett Kelper, Community Services Director JoAnn Herrigel, Information Specialist Grady Wheeler, and Code Compliance Coordinator Tim Salyers

Natural Resource Overlay Project

Ms. Mangle discussed the project which was the City's response to Metro's Title 13 "Nature in the Neighborhoods" 2005 program. It designated and protected Habitat Conservation Areas near streams and wetlands and required local jurisdiction to protect those areas from development. Milwaukie was nearing its timeline for compliance, and the City Council adoption hearing was tentatively scheduled for April.

Mr. Kelper discussed landscaping activities, impacts to existing development, and the role of management plans. He reviewed a number of scenarios to demonstrate how the proposed code amendments would affect certain common activities and discussed concerns related to removing downed trees. A certain set of circumstances may trigger the need for a master plan. Mr. Kelper discussed the relationship between new development and existing development that wanted to expand. Two types of resources were considered: streams and habitat conservation areas. He discussed the feasibility of clustering development so the owner can get better use of the property. Restoration activities included removing invasive plants and planting native vegetation.

The group briefly discussed the advisory group, and Councilor Loomis requested a list of advisory committee members.

Mr. Monahan thought it was important to differentiate between what was required by Metro and what was at the City Council's discretion.

Professional Baseball Franchise and Facility

Mr. Asher continued to explore the viability of acquiring the Oregon Department of Transportation (ODOT) property and the feasibility of its development as a Brownfields site. He commented on negotiations and subsequent memorandum of understanding (MOU).

Councilor Loomis hoped to have a couple of financing options and asked Mr. Asher to look at the feasibility of a swap for the Texaco site although that would probably cause issues related to the Farmers' Market.

Mr. Asher discussed the need to find the right level of public relations and not doing too much too soon.

Councilor Hedges felt it was important to involve the electorate as soon as possible to build momentum.

Councilor Miller felt a good citizen base was critical to success.

Councilor Loomis saw the baseball franchise as a catalyst to other projects such as the Riverfront Park. He recommended hiring someone with expertise on bond campaigns.

Mr. Asher discussed the environmental condition of the site. He would contact North Clackamas School District to find out who they hired for its bond measure.

The group discussed when to take the matter public and what other uses might be appropriate for the site during the off-season.

Communication Strategy

Ms. Herrigel reported on recent technology changes in the City including the redesigned website and social networking.

Mr. Wheeler discussed possible changes to *The Pilot*. It was the general consensus that there should still be something in print although it might be mailed with the utility bills. He discussed social media aspects including Facebook and Twitter. He addressed the feasibility of moving his position from Community Services to Administration and scaling back on some of the outreach projects.

The group agreed the City Council, Boards and Commission, and Neighborhood Associations could work more collaboratively. They suggested work on model bylaws that included neighborhood's posting agendas and minutes within a given amount of time.

Mr. Monahan discussed making volunteerism more meaningful in Milwaukie and suggested Community Services as a resource to help develop opportunities.

Meeting ended 8:02 p.m.

Respectfully submitted,



Pat DuVal, Recorder

STUDY SESSION

**MILWAUKIE CITY COUNCIL
STUDY SESSION
FEBRUARY 22, 2011**

MILWAUKIE PUBLIC SAFETY BUILDING

Community Meeting Room
3200 SE Harrison Street

WORK SESSION – 5:00 p.m.

A light dinner will be served

Discussion Items:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>	<u>Page #</u>
1.	5:00 p.m.	Natural Resource Overlay Project	Katie Mangle	1
2.	6:00 p.m.	Professional Baseball Franchise and Facility	Kenny Asher	
3.	7:00 p.m.	Communication Strategies	JoAnn Herrigel	3
4.	8:00 p.m.	Adjourn		

Information

Executive Session: The City Council may meet in executive session pursuant to ORS 192.660(2). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

Public Notice

- The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the one previous to it.
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.
- The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities (ADA). If you need special accommodations, please call 503.786.7502 or email ocr@ci.milwaukie.or.us at least 48 hours prior to the meeting.

Interoffice Memorandum

To: Bill Monahan, City Manager

From: Brett Kelter, Associate Planner

Date: February 10, 2011

Re: Study Session on Natural Resource Overlay Project

On February 22, 2011, Planning staff will meet with City Council to prepare for the public hearing on the Natural Resource Overlay project. The outcome of the project is a proposal to amend the text and maps of the Zoning Code and Comprehensive Plan; the hearing is scheduled for April 2011.

The Natural Resources Overlay project is Milwaukie's response to Metro's Title 13 "Nature in Neighborhoods" program (adopted in 2005), which designates and protects Habitat Conservation Areas (HCAs) near streams and wetlands and requires local jurisdictions to protect these areas from development. Metro provided all local jurisdictions with a regional inventory map of HCAs and a model code for regulating these areas, but each municipality has taken a different approach to complying with Title 13. Some jurisdictions have simply adopted the Metro model code and maps. Others have asserted that their existing resource protections make them substantially compliant. A few have adopted new HCA rules as a distinct section of their zoning code, while others have incorporated them directly into their existing resource protections.

In Milwaukie, the regionally designated HCAs are all located close to the same creeks, streams, and wetland areas already designated by the City as Water Quality Resource (WQR) areas and protected through Section 19.322 of the City's zoning code. After assessing the options, Milwaukie decided that it would be most effective to incorporate the principles of the HCA model code into the City's existing WQR regulations, and to show HCAs on the same map as the existing WQR areas.

The City's existing WQR regulations are fairly restrictive, making it difficult to disturb areas within 50 feet of a stream or wetland without first demonstrating to the Planning Commission that the impacts are unavoidable and will be minimized and/or mitigated. The basic idea is to encourage property owners to conduct any development-type activities at least 50 feet away from the resource itself. The review process is highly subjective and allows for evaluation on a site-by-site basis. In contrast, though the proposed HCA rules discourage development activities within designated resource areas, they also provide a "clear and objective" review option for determining how much disturbance can be allowed. If an applicant takes advantage of this clear and objective option, the review process is more objective and therefore can be completed without a public hearing.

Here are two examples of how these options would work:

1. A builder wants to build on a flag lot that contains a small creek that crosses the area where the driveway needs to be. The presence of the creek does not make the lot unbuildable, it just means the builder needs to protect the creek during all phases of development. The Planning

Commission would review the application to ensure that any impacts to the creek and to its 50-foot buffer area are avoided if possible, minimized if not, and fully mitigated as appropriate. This review is subjective and would likely result in requirements for the project to include replanting as well as to provide proof that a bridge will not damage the resource.

2. A builder wants to build a new house on a 7,000-square-foot lot that is 70% covered by HCA. Based on the clear and objective review standards, the City would allow disturbance of up to 350 square feet of the HCA during construction of the house and would require a set amount of re-vegetation and tree planting. If this is sufficient for the project, the builder would submit an administrative permit application that allows staff to verify the location and size of the HCA, in addition to the regular development standards of the underlying zone. This review is objective but still allows staff to add conditions as necessary to ensure that trees and other resources on the site are protected during construction. If the proposed house project cannot meet the clear and objective review standards, the builder would have the option to go through a more subjective review similar to the one described above in Example 1.

During the study session, staff will present the Council with several scenarios to demonstrate how the proposed code amendments will affect certain common activities. The proposed amendments will make it less cumbersome to gain approval for some activities; they will also impose some new limitations. Overall, staff believes that the proposed code will meet the regional and state requirements for resource protection while providing a clear and fair process for property owners.

Approximately 475 properties in Milwaukie contain either WQR areas or HCAs. Many other people and organizations volunteer many hours each year to enhance and restore the city's streams and wetlands. To ensure that the new regulations were vetted by a broad spectrum of interests in the community, staff invited affected property owners and natural resource advocates to participate in the Natural Resource Advisory Group to review drafts and discuss key issues. The Advisory Group met multiple times throughout 2009 and 2010 and has provided very useful feedback for refining the code and maps that will be proposed for adoption within the next couple of months.

One of the issues raised by the Advisory Group is the desire to see no or very low fees for simple, everyday activities that require a low level of administrative review and are squarely in the best interest of protecting the resource. For example, the first step for most every project proposed near a resource area will be to work with City staff to verify the boundary of the resource. This needs to be processed as a Type I administrative review, for which the City typically charges \$150. The same review process will be used for plans that outline restoration and enhancement activities, which the City certainly wants to facilitate. The Advisory Group recommended waiving the standard fees for these kinds of activities, which may prove to be very common and should not take very long to review. The group suggested that a reduction of bureaucratic process and cost might encourage the kind of pro-active compliance that will result in better resource protection over time. Planning staff agrees, but has pointed out that this approach may conflict with the recently adopted Milwaukie Financial Policies.

Other members of the Advisory Group and some attendees of an Open House event held in January 2011 have complained that the proposed regulations are overly restrictive and pose an excessive burden to property owners. Interestingly, this complaint has been focused on discussions about landscape maintenance and creation of pathways and small decks. There has not been as much of a concern expressed about imposing high standards on construction of new buildings, which staff takes as an indication that the proposed regulations for new development activity are reasonable and acceptable.



To: Mayor and City Council
Through: Bill Monahan, City Manager
From: Grady Wheeler and JoAnn Herrigel
Subject: Communication Strategies
Date: February 14, 2011

Action Requested

No action requested. Council input and guidance only.

Background

The City currently utilizes a number of communication tools for interacting with citizens and businesses in the City. Community Services staff is currently reviewing all of these tools to ensure they are up-to-date, financially efficient and effective. At the February 22 study session staff would like to engage Council in a discussion about the type of tools we are using and how we might enhance communication with the public.

Current Communication Tools:

- City Web site
 - The City's web site was transferred to an off-site host in 2010 and a new design and content-management system was developed
 - Contact us, subscriptions & notifications, on-line billing and electronic RFP capacity are among the new tools available since this transfer
- Facebook
 - The City uses its Facebook account to send notices regarding upcoming events and meetings, as well as posting Milwaukie related articles from other sources
 - Currently we do not use this tool interactively due to staff time required
 - 57 "Fans" currently

- Twitter
 - The City uses its Twitter account to send notices regarding upcoming events and meetings.
 - Currently we do not use this tool interactively due to staff time required
 - 27 “Followers” currently

- Milwaukie Pilot
 - Currently the Pilot is mailed to all Postal customers in the City (17,357 issues mailed monthly: 10,285 single-family addresses, 4,741 multi-family addresses, 71 trailer addresses, 859 business addresses, 1,401 PO Boxes)
 - With the shift to monthly billing of utility bills staff is evaluating the impacts of mailing the Pilot in utility bills (7,153 Utility Accounts: 6,368 single-family accounts, 298 multi-family accounts, 487 commercial accounts)
 - A significant cost savings could result from inserting the newsletter in the utility bills. However, the number of pages would likely need to be decreased and there would be 10,204 fewer recipients.

- Open Houses
 - These meetings are typically used to present information to and get input from a large number of people about a specific City project (Riverfront Park, Logus Rd, Portland-Milwaukie Light Rail, etc.)

- Fliers, brochures and posters
 - Fliers and posters on projects or events are generally placed in the lobbies of all City Buildings
 - Posters are often put up at local businesses
 - Fliers and posters also distributed at NDA meetings, Council meetings and some Boards and Commission meetings
 - Brochures created for specific City projects or events

- Community Booth Display
 - Community Services staff maintains a display of public project posters which is set up at the Sunday Farmers Market during the Market season.
 - Volunteers staff the community booth
 - The Community Booth boards are available to NDAs and other groups for use at picnics and other events
 - Community Services staff plans to replace the boards before the May 2011 Market start up

- Public meeting presentations
 - These meetings are typically held to discuss a specific program or project with a smaller group of stakeholders
 - Meetings are advertised in the Pilot, on the City web site and using email lists and US mail
- Postal Mailings
 - Use of direct mail is effective at reaching people in areas of the City that are most directly impacted by a specific project or program
- Press releases and media contacts
 - The Public Information Coordinator and the Police PIO generate press releases regarding specific projects
 - Press releases generally are e-mailed to a list of local and regional print, radio and TV contacts
 - The Public Information Coordinator has begun sending out “news stories of interest” when interesting and positive projects are timely
- Public meetings
 - City Council (monthly)
 - Council meetings are broadcast on the City’s Public Access Channel, on the City Web site through a Granicus link (live and following adjournment)
 - Minutes, agendas and staff reports are posted on the City web site
 - Boards and Commissions (monthly)
 - Citizens Utility Advisory Board
 - Park and Recreation Board
 - Planning Commission
 - Riverfront Board
 - artMob
 - Design and Landmarks Commission
 - Library Board
 - Public Safety Advisory Committee(Minutes and agendas of each of these groups are posted on the City website)
 - NDA leadership (monthly)
 - Meeting dates and times are printed in the Pilot and posted on the City web site
 - Minutes are posted on the web site and distributed to Council and Leadership meeting attendees

- NDA - 7 individual (monthly)
 - Meeting dates and times are printed in the Pilot and posted on the City web site but only two NDA's provide agendas regularly for posting (Ardenwald and Hector Campbell)
 - Minutes of some NDA meetings are posted on the City web site within a few months of the meetings (Ardenwald and Hector Campbell)
 - Two NDAs (Ardenwald and Hector Campbell) also have their own web sites where they post minutes, agendas and announcements