

**CITY OF MILWAUKIE
CITY COUNCIL STUDY SESSION
MAY 31, 2011**

Mayor Ferguson called the Milwaukie City Council study session to order at 5:06 p.m. in the City Hall Conference Room.

Present: Mayor Ferguson, Council President Chaimov and Councilors Hedges, Loomis and Miller

Staff Present: City Manager Bill Monahan, Deputy City Recorder Juli Howard, Public Information Coordinator Grady Wheeler, Community Services Director JoAnn Herrigel, Code Compliance Coordinator Tim Salyers, Code Compliance Specialist Sarah Lander, Judge Ronald Gray, Court Clerk Carla Bantz, CD/PW Director Kenny Asher, Planning Director Katie Mangle, Light Rail Design Coordinator Wendy Hemmen, Senior Planner Susan Shanks and City Attorney Tim Ramis

Communication Strategy

Mr. Wheeler, explained the City's plan to change the Public Information Coordinator position to Public Affairs Coordinator. This change is recommended in order to meet the City's communication challenges. The new position would do a much better job of community what the city is doing. In the new role he would be meeting with department directors to determine stories and identify projects to promote to the public, he would work with directors on quarterly reports and improve staff report quality and work to establish the City brand. The position would move out of the Community Services Department and directly report to the City Manager. The new position would take effect on July 1. He would also work to increase the City's presence by using social media.

Mayor Ferguson liked the idea of consistent branding as well as a social media component. He would like to see social media set up for multiple departments such as police and library.

Mr. Monahan said he went to Clackamas Cities Dinner in West Linn and there were two editors from Oregonian speaking. Questions regarding press releases were asked of the editors and they said they take news directly from blogs. He said we need to change our focus to social media to be in line with how various media outlets work.

Mr. Miller said he supported the new position and felt one person should be speaking for the City instead of piece meal.

Councilor Hedges asked about the promotion and compensation.

Mr. Monahan said they were working on a salary analysis comparing Wilsonville, Lake Oswego and Gresham.

Councilor Loomis said newspapers are not looking for good news.

Mr. Monahan said all departments would be communicating with Grady as a resource and driver. He said we have to keep in constant contact with the media so they can't ignore us.

Mr. Wheeler said that he met with NDA's regarding The Pilot newsletter to get an overall sense of what the perceptions are of local government and what better ways the City can engage citizens. The suggestion was to identify other activity groups, such as Rotary bringing them to the table so we can better work with them. The effort would begin in late summer or early fall. They are doing a lot more with social media, and they aim to have something new up every day. They are learning more all the time. He said that Ms. Ragel met with a colleague who works in social media and they would be meeting to learn about medial tools that the City can use. Currently the City has 33 followers on Twitter and 150 fans on Facebook.

Code Enforcement

Mr. Salyers explained that there are two employees in the Code Enforcement department and 75% percent of their time is spent on code enforcement and 25% is spend on parking enforcement.

Mr. Salyers reviewed what violations they enforce, what constitutes a violation and how they are addressed. He explained that most code cases are complaint driven. He reviewed the abatement process. He went to NDA meetings to draw attention. They want to empower NDA's and develop more communication and emphasis on CE staff to drive the education piece to lead to self-policing.

Councilor Miller said he would like to see a process that isn't just complaint driven. He would like to personally work on that issue without increasing or requiring a shift in the current process. He didn't want a complaint to have to be filed before something is done.

Councilor Chaimov said a more proactive approach would be good.

Councilor Hedges said he was going to look at Gresham's code as a comparison.

Councilor Loomis was not supportive of changing the current process and wanted to know what the current workload was.

Mr. Salyers said they are at the same caseload as we had last year. Some ordinances that had been passed in recent years have caused a slight increase in code cases. They also have a better way to track the cases. He mentioned some new ordinances that have been added over the last couple of years. Some cases can be quick and easy and some can take years to resolve.

Mayor Ferguson is there an opportunity to have issues addressed proactively instead of reactively. He suggested picking a violation and targeting that issue for a certain period of time to remedy the problems.

Councilor Miller didn't have qualms about how much work there is to do. He suggested that public works staff that are out in the City have a reporting mechanism to code enforcement staff. Street Sweeper was the best example of

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an employee who may see abandoned vehicles or other violations that he can report so a homeowner doesn't have to complain and then code enforcement can follow up on those issues.

Mayor Ferguson if they were reporting all then workloads would increase. It would probably be better to target one violation.

Councilor Loomis said we would be pitting the City against citizens looking for issues and it didn't sit well with them. He was also concerned about what the priority would be if a citizen called in versus a staff member.

Councilor Miller said they would report what they see and wouldn't be driving around looking for violations.

Councilor Hedges said the beauty of the current system is people only complain if they don't want to tolerate the issue. Felt one of the problems is that if people make a complaint it becomes a matter of public record and people can find out about it. In some cities it is not a public record and their details are kept private.

Mr. Monahan said that is a good first layer of defense, but it was reachable on a code enforcement issue.

Mr. Salyers said they do take an anonymous complaints over the phone. If the complainant sends an email that would be a public record. He talked about concerns he would see happening with going to a proactive approach versus reactive.

Councilor Miller wants to continue what we are doing because it works, but was trying to figure out a way neighborhoods could address issues to get them resolved without the current complaint driven process.

Mr. Monahan discussed public outreach on code enforcement issues and touched on the code section article that is in the Pilot each month. He discussed getting the NDA's more involved so the emphasis on education may drive more self-policing.

Mr. Monahan asked Mr. Salyers to get with Mr. Wheeler to see if there are ways to enhance the education piece to step up effort to improve the image of the community. He suggested incorporating something in Paul Klein's neighborhood walks.

Municipal Court Matters

Mr. Monahan introduced Judge Ronald Gray and Court Clerk Carla Bantz.

Mr. Monahan said photo radar has impacted court and processes and he thought it was a good time to get an update on court matters.

Judge Gray commented on \$45 state surcharge that has been mandated by the state legislature since October 2009 and is supposed to sunset on July 1. He talked about the plans that were drawn to make a court room in the fire bay area of the building. He wanted Council to consider using the surcharge revenue to create a courtroom. He invited Council to attend a court session to learn more

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about it. He discussed HB 2712 that was designed to set a uniform bail schedule throughout the entire state and eliminate a judges right to reduce any fines and eliminate violations bureaus. He stressed the need for technology in the courtroom, and to reduce the need for paper.

Mr. Monahan said he has asked the IT department to work with departments to identify what they are in greatest need of and the T-Ticket equipment is one of the biggest issues for the police department.

Judge Gray said he attended a conference and talked to a representative from ODOT and he said that in the city of Keizer they are monitoring accident rates using data they gather from their T-Ticket machines. He suggested Milwaukie do the same thing.

Mr. Monahan said if we can share and utilize data with ODOT it would be very productive.

Judge Gray discussed an idea that he had about having a safety video campaign to educate the public on traffic safety. He also discussed the need of adding an end of school zone on sign on Lake Road because drivers are often confused in that area.

Judge Gray said that staff does a tremendous job of defusing anger and explaining what the court processes are. He gave kudos to the court staff and the security staff, which directly effects the way people behave.

Judge Gray discussed increase in court days for trials. His preference is to have 200 people or fewer people per docket and he doesn't want trials to be scheduled beyond 90 days. He also explained the education and diversion programs the court offers.

Councilor Miller thought it would be a good idea to move the court function to a satellite location.

Light Rail Planning

Mr. Asher he would discuss funding issues and the City's roles over the next couple of years. Staff would review the Core responsibilities.

Essential Roles –

Permitting – Ms. Shanks said this was the most well defined area of responsibility. She reported that they have reached a project milestone and were at 60% design, which was the point at which they can submit land use applications. The plans sets will be distributed on June 10. The Kellogg structure and trolley trail modification approval would come in July. She explained that Council had one main role as the decision maker on quasi-judicial appeal hearings.

Design – Ms. Mangle said now that they are at 60% design they have a lot more information. There are multiple meetings to be scheduled including open houses, the DLC will have a special meeting about surface treatment on walls and fences and how those should look. They would continue to engage in different design elements every month. TriMet would use that to come up with a

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new cost estimate. She would be developing the City's official comment to the light rail plans. She explained Council's role is to stay informed and listen to constituents and give any feedback that you hear to Ms. Hemmen so staff can represent their interests.

Councilor Hedges said DLC members were in a one-way discussion with TriMet. We ought to be aware of the NDA leadership's views being expressed and want them to offer their opinions.

Councilor Miller wanted to know if there was a definitive answer to where the Trolley Trail's interim route would end.

Ms. Mangle said they would get the answer to that included in the June 27 open house and there is also going to be a special Island Station / Trolley Trail meeting.

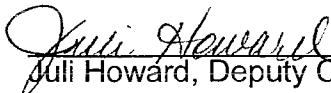
Construction – Ms. Hemmen reported that building demo would begin on Adams and they filed for right-of-way street opening permits for geotechnical testing. They were currently working on Conduct of Construction guidelines and would like Council to weigh in on them. Staff will be meeting with impacted businesses and TriMet to help with their concerns so they can get their questions answered. Council had no required role in the construction element, but it would be nice to have support in some of the business communications with impacted properties. Parking will be a big issue and for employees, businesses and also contractor parking. Communication would be a big piece.

Funding – Mr. Asher said the City is a committed funding partner on the project, and must contribute \$5 million within 90 days of the full funding agreement. TriMet was trying to submit application at the end of June to hopefully have the grant agreement by the end of the year. There was no early time table on contribution amount. There is a question about the local match on donated property and the City may need more appraisals. The project funding was mostly figured out but not entirely. Staff will come back in June or July with options to meet the August deadline. They would be asking TriMet for some funding flexibility. He explained the term Betterment - improvements that are made either related or near to the project, but are not the projects responsibility for funding.

Mr. Monahan discussed an issue regarding a proposed annexation of property by Happy Valley that was within Milwaukie's UGMA. A meeting has been set with the Happy Valley City manager to engage in a discussion and express the City's opposition. He would give a follow-up report on June 7.

Mayor Ferguson adjourned the meeting at 8:17pm.

Respectfully submitted,



Juli Howard, Deputy City Recorder

STUDY SESSION

**MILWAUKIE CITY COUNCIL
STUDY SESSION
MAY 31, 2011**

MILWAUKIE CITY HALL

Conference Room
10722 SE Main 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.	Communication Strategy	JoAnn Herrigel	1
2.	5:30 p.m.	Code Enforcement	Tim Salyers and Sarah Lander	2
3.	6:00 p.m.	Municipal Court Matters	Judge Gray and Carla Bantz	
4.	7:00 p.m.	Light rail planning, permitting and construction issues	Kenny Asher	
5.	7:45 p.m.	Urban Growth Management Area	Bill Monahan	
6.	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 Council may vote in work session on non-legislative issues.
- 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.



1.

To: Mayor and City Council

Through: Bill Monahan, City Manager
JoAnn Herrigel, Community Services Director

From: Grady Wheeler, Information Coordinator

Date: May 24, 2011

Subject: Communications Strategies

ACTION REQUESTED

No action requested. Council input and guidance only.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

February, 2011: Community Services Director JoAnn Herrigel and Information Coordinator Grady Wheeler met with City Council during its study session of Feb. 23, 2011 outlining various issues related to communicating with Milwaukie's citizenry. The two primary topics of that conversation were the City's newsletter and the potential staff restructuring to address shifting communication objectives.

BACKGROUND

When we last met we noted that there are many communications challenges facing the City of Milwaukie. Among them were: the growing prevalence of social media, potential for shifting the Pilot to an electronic version and maybe enclosing the newsletter with the water bills, and an ever increasing need to standardize the way we deliver information both in written form and through staff presentations.

In an effort to move forward on these various fronts in a concerted and far-reaching way – the Information Coordinator and the City Manager have developed a new communications position that coordinate these many efforts. A more detailed description of this position will be shared with you at the study session.

In addition, staff will share with Council ideas and tools we propose to use to survey the public on how they get their information, what information they want, and how they'd prefer to receive it, with the ultimate goal of building greater familiarity between our organization, and the work we do, with our citizens.



2.

To: Mayor and City Council

Through: Bill Monahan, City Manager
JoAnn Herrigel, Community Services Director

From: Tim Salyers, Code Compliance Coordinator

Date: May 24, 2011

Subject: Code Compliance Operations

STUDY SESSION ON MAY 31, 2011

Code Compliance Staff will be attending next week's study session to discuss current code compliance operations and engage in a conversation with City Council about potential changes to the current system. The attachments provided describe current operations and code statistics for the past several years.

ATTACHMENTS

1. Code Compliance General Procedures
2. Code Compliance Fiscal Year Statistics – FY 04-05 to present

Attachment 1

Code Enforcement Procedures

FILING A COMPLAINT:

A code complaint may be submitted by calling the Code Enforcement Division and speaking to one of the officers or by email. An additional option is to complete and e-mail the complaint form, which can be found on the City's website. Code Enforcement will review the information and investigate to determine if there is a violation of the Municipal Ordinance.

INVESTIGATING A COMPLAINT:

Once a complaint is received, Code Enforcement staff will make a site visit to determine if a violation exists. If there is a violation, Code Enforcement will determine who the responsible party/property owner is. Once that is established, the appropriate parties will be notified of the violation(s). This notification may either be in person or by correspondence.

NOTIFICATIONS:

Once it has been determined who the responsible party is, Code Enforcement staff will notify them of the violation(s). This notification may take the form of personal contact, a warning left in the form of a door hanger or by letter. In certain situations, such as health or safety matters, or repeat violations, there may be no notification and a citation may be issued. No matter what form of notification is given; there will be a due date by which the corrections must be completed to avoid further enforcement action. If, after the first notice, there is no correction of the violation by the due date, staff may issue a second notice. This notice will be in written form and will also have a due date by which the violations must be corrected. In certain instances there may be no second notice and Code Enforcement staff may issue a citation to appear in court. If after the final notice the violation is not corrected, the violator may be issued a citation to appear in municipal court.

CITATION:

If a code violation case gets to the point of citation, the responsible party/property owner may be issued an Oregon Uniform Citation and Complaint. Once this citation is issued, the person receiving the citation is required to appear in court on the date given on the citation. If after judicial proceedings a defendant is found to be guilty of violating the municipal ordinance, the judge may impose a civil penalty, similar to a fine.

ABATEMENT:

If after citation the situation is not corrected, the City may post the property with Notice to Abate. At the end of the ten (10) day period, the City may enter the property, with judicial approval, to remove, or abate, the violations. Once the abatement is completed, the property owner will be billed for the associated costs. If after 30 days of billing the abatement costs are not paid, the City may place a lien on the property to recover the cost of abatement.

Attachment 2

	Actual	Actual	Actual	Actual	Actual	Actual	YTD
	FY 04/05	FY 05/06	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11
Cases	220	348	519	665	740	604	604
Code Citations	98	103	156	138	77	53	84
Parking Citations	910	266	1334	878	844	212	243
Parking Permits Purchased				1758	1756	1221	612 JUL-APR

Types of Code Cases	04-05	05-06	06-07	07-08	08-09	09-10	10-11
Compliance w/ Zoning	12	24	19	17	23	27	24
Debris on Private Property	51	53	103	155	105	89	99
Harborage for Rats	3	8	10	1	2	2	1
No Business License	16	41	28	39	25	81	88
Noise- Barking Dogs	2	19	15	25	24	28	19
Overhanging Shrubs & Trees	24	26	79	77	257	57	59
Rec. Vehicle	11	27	35	50	31	32	20
Storage in Front Yard	8	19	33	34	20	22	25
Traffic Control Device Obstruction	0	0	0	0	3	27	56
Vision Obstruction	4	10	55	42	20	28	26
Weeds & Noxious Growth	63	61	78	115	137	121	92
Other Cases	24	55	64	108	90	90	95