

**CITY OF MILWAUKIE
CITY COUNCIL REGULAR SESSION
NOVEMBER 6, 2012**

CALL TO ORDER

Mayor Ferguson called the 2137th meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Councilors Dave Hedges, Joe Loomis, and Mike Miller

Excused: Council President Chaimov

Staff present: City Manager Bill Monahan, City Attorney Damien Hall, Assistant to the City Manager Teri Bankhead, City Recorder Pat DuVal

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

None scheduled.

CONSENT AGENDA

It was moved by Councilor Hedges and seconded by Councilor Miller to adopt the consent agenda as presented.

A. City Minutes of:

1. October 2, 2012 Work Session;
2. October 2, 2012 Regular Session;
3. October 16, 2012 Work Session; and
4. October 16, 2012 Regular Session

B. OLCC Application for Milwaukie Chevron, 10950 SE Oak Street – change of ownership

C. OLCC Application for Casa de Tamales, 10605 SE Main Street – greater privilege

D. Resolution 56-2012: A Resolution of the City Council of the City of Milwaukie, Oregon, Creating an Audit Subcommittee of Milwaukie City Council

E. Resolution 57-2012: A Resolution of the City Council of the City of Milwaukie, Oregon, Accepting an Incident Response Truck through the United States Department of Homeland Security's Urban Areas Security Initiative (UASI) Grant Program

Motion passed with the following vote: Councilors Hedges, Loomis, and Miller and Mayor Ferguson voting "aye." [4:0]

AUDIENCE PARTICIPATION

Bob and Sue Richardson, 12326 SE 43rd Avenue, Milwaukie, asked that the Milwaukie City Council find a way to amend ORS 819.140. They discussed issues related to residents and guests parking in the cul-de-sac and using the pathway to access Northridge. There have been problems with street sweeping, mail delivery, and garbage collection.

Mr. Monahan said he would look into the options with Milwaukie Police Chief Jordan.

Mayor Ferguson suggested the City work internally on a parking review plus looking into using the County Dispute Resolution Center.

Councilor Hedges asked if the City could adopt an ordinance to address this type of problem.

Mr. Monahan replied the City could adopt code that was more restrictive than State statute and would have to be willing to enforce it.

Mr. Hall wanted to review ORS 819 before commenting.

Ms. Richardson added there had been no interest in a homeowners' association.

Mayor Ferguson turned the matter over to Mr. Monahan to handle directly.

Ed Parecki, Milwaukie business owner, said on September 22, 2012, he had made a formal records request to the Building Department for certificates of occupancy for specific downtown addresses. Initially he got seven copies and later got five more, and he was charged about \$119. He had two requests. The first was to have his money refunded, and the second was to find out how it was that about 18 businesses in downtown Milwaukie did not have certificates of occupancy.

Mayor Ferguson would consult with Mr. Monahan and the City Attorney

Mr. Monahan discussed the newly instituted process for responding to comments made to or questions posed to the City Council during audience participation. He would report at the subsequent meeting on what had occurred. At the last City Council meeting on October 16, 2012, there was no audience participation. On October 2, 2012, Richard Cayo read his letter urging City residents to be more involved, and Les Poole asked about trees being cut along the light rail line. Mr. Poole was provided with a legal memorandum, and staff had heard nothing further from him. He would report on the Richardson and Parecki questions at the November 20, 2012 meeting.

PUBLIC HEARING

None scheduled.

OTHER BUSINESS

A. Council Reports

There were no reports.

ADJOURNMENT

It was moved by Mayor Ferguson and seconded by Councilor Hedges to adjourn the meeting. Motion passed with the following vote: Councilors Hedges, Loomis, and Miller and Mayor Ferguson voting "aye." [4:0]

Mayor Ferguson adjourned the regular session at 7:32 p.m.

Respectfully submitted,



 Pat DuVal, Recorder