

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
May 15, 2007**

CALL TO ORDER

Mayor Bernard called the 2006th meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Council President Susan Stone and Councilors Deborah Barnes, Carlotta Collette, and Joe Loomis

Staff present: City Manager Mike Swanson, Planning Director Katie Mangle, Community Services Director JoAnn Herrigel, Community Development & Public Works Director Kenny Asher, Library Co-Director Joe Sandfort.

PLEDGE OF ALLEGIANCE**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

Mayor Bernard announced that the City of Milwaukie and its partners in the North Main Village Project received the 2007 Physical Improvements Pioneering Award at the Oregon Downtown Development Association (ODDA) Conference.

Clackamas Fire District #1 Report

Chief Ed Kirchhofer presented updates on District issues and services available to the citizens of Milwaukie. Annexation allows Milwaukie citizens to serve on the District Board and budget committee. The major divisions in the District were emergency, support, administration, EMS, and government relations services. In 1991 the City entered into an agreement with the District for fire prevention services in the South Metro Fire Marshal's office. In 1998 Milwaukie contracted with the District to take on fire and emergency services, and all the former Milwaukie firefighters were transferred and became District employees. With overwhelming community support, Milwaukie residents voted 86% to 14% to annex to the District making this a permanent relationship.

Clackamas Fire District was the second largest in the State and the first agency to achieve accredited agency status through the Commission of Fire Accreditation International. This was an ISO Class 3 District, which put it in the top 97% of fire departments across the nation. All of the companies across the District offer advanced life support emergency medical services. It had nationally recognized technical rescue teams including swift water rescue, urban search and rescue, and confined space rescue. There were 16 fire stations across the District, and four had first response service responsibilities in the City of Milwaukie. Those included the Town Center, Lake Road, Public Safety Building, and Oak Lodge stations. Of those four stations serving Milwaukie there were three ALS engine companies, one advanced life support rescue, and a ladder truck and heavy rescue at the Lake Road Station along with 24-hour per day chief officer. Milwaukie had 24/7/365 command and control supervision. The District had an award-winning training program that a few years ago was recognized

with the Award of Distinction for Fire Service Excellence from the Western Fire Chiefs' Association. The service area was approximately 194 square miles with a population of about 160,000. The District provided service to five cities including Milwaukie, Happy Valley, western portions of Damascus, Johnson City, and Oregon City under contract. There were 15 firefighters on duty per day at the four stations serving the City of Milwaukie. A residential fire required 14 personnel as a minimum to deal with the initial tasks meaning all points in the City of Milwaukie were covered. In 2006 the EMS was enhanced with equipment that allowed personnel to diagnose a certain type of heart attack in the field. The survival rates for cardiac arrest were equivalent to the highest in the nation. The entire Oregon City junior class was being taught CPR.

The District constructed its 16th fire station in Pleasant Valley off 172nd Avenue. It was successful in receiving grant funding through a variety of grant sources this past year. The urban area security initiatives provided training and equipment for dealing with major terrorism events, structural collapse incidents, and major disasters. The District received a grant for volunteer recruitment and retention and recently hired a volunteer coordinator to fulfill that role. It received a grant for a fire protection hazard house to educate the public on residential fires and safety. Legislatively the District looked at remedies to tax increment financing impacts on emergency services. For example, the Town Center Urban Renewal District resulted in \$1 million being siphoned away from the Fire District each year. It passed a cost recovery ordinance for major disasters, for response to unauthorized burning, and repeat offenders to fire code violations. The District did not charge for fire inspections or re-inspections for hazards that were noted, but it did charge on the third inspection. The District responded to 15,157 emergencies. About 40.7% were fire response, and 59.3% were medical. The District conducted 4,370 fire inspections, 462 plan reviews, and numerous training programs. The District would continue to address its capital investments in training facilities and fleet. The District gave notice to the City of Oregon City of its intent to terminate the contract effective June 30, 2008. For the District it was an equity issue because flaws in the contract meant that Oregon City was paying less than others in the District for the same services. Another issue was succession planning and preparing employees to assume higher levels in the organization. The final payment on the 2001 bond would end June 2015. Their annual payments on that bond were \$859,974 which was about \$0.08 per thousand assessed valuation District wide. All the projects specified in that bond have been completed at this time. It was about a \$9 million bond with about \$1.2 million spent on fire apparatus and the balance spent facilities.

Mr. Swanson noted the District coordinated and managed the City's emergency operations drills that were held a couple of times annually. Police and fire worked closely together, and he understood that relationship was working very well.

Chief Kirchhofer assured Council that was the case. The District had a very good working relationship with the Milwaukie Police Department with its excellent response times and good lines of communication. He felt this was a very solid partnership, and the District was very happy with the arrangement.

Councilor Collette asked if the District provided CPR training for City staff.

Mr. Swanson replied in the case of Juli Howard, the Milwaukie Police Department did the training.

Chief Kirchhofer added the District provided CPR training for citizens as well as implementing the pilot project with Oregon City High School. Studies indicate the most important element of CPR was chest compression because the residual oxygen in the system provided a much greater chance of survival.

Councilor Barnes appreciated the District for all it did in the community to ensure citizen safety.

Councilor Stone was pleased that the Police Department and Fire District had a good working relationship. She asked if bike helmets were still carried on the fire trucks.

Chief Kirchhofer replied helmets were still carried on the trucks and given to children without helmets on the spot. The Foundation and the District funded the program.

Councilor Stone was pleased the program was still in effect. She asked where the hazard house was located and how it worked.

Chief Kirchhofer responded there was a fire safety trailer, and the hazard house was a small portable unit. Both were stored at the Fire Marshal's office on Oak Grove Boulevard. The District has placed AEDs in every school in Clackamas County and has a matching fund program with businesses.

CONSENT AGENDA

It was moved by **Councilor Barnes** and seconded by **Councilor Collette** to approve the consent agenda that consisted of:

- A. **City Council Minutes of March 20, 2007 Work Session**
- B. **Resolution No. 31-2007: A Resolution of the City Council of the City of Milwaukie, Oregon, Approving the Award of Contract for the Rehabilitation of Well 6 of the City's Water System**

Motion passed unanimously among the members present. [4:0]

Mayor Bernard read comments he made at the South Corridor Steering Committee regarding possible light rail alignments through Milwaukie. "We are about to embark on a year long study to choose a new 'locally preferred alternative' for locating light rail between Portland and Milwaukie. The Committee voted unanimously to conduct detailed studies on three possible alignments, which are shown on the diagram at the end of this memo. Due to the recent expressions of concern in Milwaukie, I have asked for additional time for our community to consider a fourth possible alignment – one that would use McLoughlin and/or Main Street and avoid using the Tillamook Branch railroad alignment south of Hwy 224. The Committee granted this request, providing us until the next Steering Committee meeting to decide on whether this option has broad-based support in Milwaukie." He provided the Council with a copy of a letter he submitted to the Steering Committee, and the Committee supported his request unanimously.

AUDIENCE PARTICIPATION

- **Cyndia Ashkar, Oregon City**

Ms. Ashkar appreciated Mayor Bernard's motion at Metro, and she realized it was late in the game to be considering another option yet hearing the voices of those who thought there might be another alignment. She valued all of the people hours and money invested so far. It was invested with not only meeting transit needs now and into the future but also revitalizing the heart of Milwaukie and its downtown. She was delighted to be a part of Milwaukie. Her son did go to the junior high, and there were things about Milwaukie's character that were very unique. The whimsy in the police reports made this a delightful place to be. There were empty storefronts along the streets of Milwaukie, the downtown streets especially, and now the empty storefronts of the beautiful new development. She understood the residences were filling up, but the storefronts were not leased. After yesterday's meeting at Metro she thought about a line that ran along those streets where people could actually see what Milwaukie had to

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offer to help revitalize the downtown core. The same was true for McLoughlin Boulevard and the waterfront to make it more beautiful. It would make it more of a destination, and the businesses on the eastside would have that exposure as well. When she looked at what seemed to be a vibrant picture with MAX or a streetcar on the core downtown streets and contrast that with it passing through a more private area where it would not have that exposure. She wondered which option would make the most sense for the City. Hearts were organs for not only circulating blood but also sensing. That month would give the City decision makers a chance to sense more deeply and to generate the needed enthusiasm to have both of the pictures explored for what their positive and negative impacts. She was a light rail supporter and drove a hybrid to her home in Oregon City. The environment was very important.

- **Beth Wasko, Milwaukie**

Ms. Wasko appreciated the opportunity for the Milwaukie community to give input on the possibility of an alternative alignment to be part of the SDEIS. She repeated a question she asked at the last Council meeting. She noted the upcoming public venue for giving input was a Planning Commission meeting.

Mayor Bernard added there was a Transportation System Plan (TSP) Advisory Committee meeting the following day.

Ms. Wasko asked if it would be discussed there at all.

Mayor Bernard thought it might be, but it was not on the agenda.

Ms. Wasko asked what public venues there would be for people to come forward and give input.

Mayor Bernard replied the Study included a year's worth of events, however, that schedule had not been set.

Ms. Wasko meant the discussion of the alternative alignment -- the 30-days to 6 weeks.

Mayor Bernard submitted the letter yesterday, so he did not believe the dates had been set. He was sure meeting announcements would be posted on the City website and be published in the newsletter.

Ms. Wasko asked the process for deciding if the public input was enough to warrant having an alternative alignment be part of the SDEIS. How would he know?

Mayor Bernard replied the committees would summarize what they heard from the citizens and consider the cost estimates and impacts on commercial properties. The Planning Commission was one of the groups that would hear public comment.

Mr. Swanson added this had come up quickly, and staff was currently formulating the process. Impacts on businesses, McLoughlin Boulevard project, and the Riverfront Park, costs, and feasibility would all be considered. This was literally step 1, and there was a lot to do in a short period of time.

Mayor Bernard said the Planning Commission would hear public testimony at its first June meeting.

Councilor Collette guessed there would be meetings with parents from other schools near light rail lines along with smaller meetings with groups of interested people.

Ms. Wasko asked what the Council would consider a majority of input and how that would be measured.

Mayor Bernard felt his job was to listen to the input and make a determination on what was best for all citizens, the future of this community, and others in the region. The

Council was asking for input, not a vote. Personally he thought all the impacts people were concerned about could be addressed in the SDEIS.

Ms. Wasko said there was no precedence for light rail going that close to any school, so this was different. She did not know what kind of remediation could possibly make it amenable to the different schools and churches that would be impacted.

Mayor Bernard said there used to be freight trains going by that school six or seven times each day. The only accidents he or his father or grandfather could remember occurred when people tried to jump on the trains. This was light rail. He believed in the intelligence of the residents and the schools to be educated. He believed there were schools near light rail in the rest of the system, and Metro and TriMet would do an analysis.

Mr. Swanson added six weeks were being separated from the whole SDEIS process. There would be a report in February with something hopefully to adopt in July 2008. The six-week process was not going to design the alignment or the mitigation on the existing alignment. It would look at the feasibility of including an alternate alignment that would go through the same extensive process as the others. Mitigation would be considered in the detailed study, but it was not part of the six-week process. The two processes were separate, and whatever alignments went into the SDEIS would be looked at in detail with mitigation being a part of that. The six weeks was to get a sense of whether or not there was a good enough reason to include an alternate alignment within that study.

Ms. Wasko said the question from the last meeting that was not answered was what would happen between now and the end of the process when decisions were reached. She wanted to know in a transparent way what the process would be so she and others could follow it on the website.

Mayor Bernard replied there was South Corridor Steering Committee meeting and background information on the Metro website.

- **Michael Hitchcock, Oak Grove**

Mr. Hitchcock had four boys attending the Portland Waldorf School (PWS), and the youngest was five years old. He was concerned about light rail coming right next to the school. He attended one of the meetings at the School, and a TriMet representative talked about Lincoln High School and one other school that the line went really close to. He felt this was a different situation in that there were a lot of very young children. Their playground was by the heavy rail track. In the other examples they gave the line was further away from the school. It was close but not that close. His input was to add the possibility of the alternative alignment to the SDEIS. He knew McLoughlin Boulevard had been discussed. He appreciated this was the 11th hour and a huge amount of work had already been done. He was curious about the thought process during the discussion about going along Hwy 224 for some stretch.

Mr. Asher said background information was available on Metro's website.

- **Ed Parecki, Milwaukie business owner**

Mr. Parecki thanked Mayor Bernard for the opportunity to consider other alternatives. That was a big move in the right direction to at least consider something different. He submitted a petition to the Committee at yesterday's meeting that included over 200 signatures of people wanting an alternative considered. Those signatures were accumulated in less than one week. There was a strong push from the community to see something else than what was being considered. Were any of the impacts to the school and church considered when the existing alternative was considered as the locally preferred alternative (LPA)? He was not sure if it was, and there seemed to be a

lot of concern about the truck impact and the waterfront impact and he had not heard anyone consider the impact to the church, the school, the playgrounds, and the neighborhoods. He wanted to make sure those impacts were considered if that rail alignment happened to be the only alignment being considered.

There was a similarity between the Town Center decision-making and the light rail decision-making. He wanted to point it out to see if the Council followed along. There were three very poor choices in the light rail alignment, and Council was asked to choose between them. Unfortunately in 2002 a committee was forced to make a choice between three bad alternatives, and the choice was made. Now we were hearing from TriMet and Metro that we have to live with that choice. A similar thing was happening with the Town Center. There were three relatively poor choices given to the City to choose a development for the Town Center. He remembered watching and hearing a lot of the testimony that no one really jumped at any of those choices, but everyone grew to like the one that was chosen. No one said this was great or this was wonderful or great job. Everyone said, "I'm starting to like it. It's starting to look good. It feels right now." Nobody jumped at one of the choices. He urged the Mayor and Council to think about what they were choosing and to know it was okay to say 'no' and go back to the drawing board to look at other choices and alternatives. He was talking about the Town Center. We did not want to create another Pearl District. It was not right for historic Milwaukie. This was all we were creating if we continued. He understood the memorandum of understanding was being negotiated. We've seen history already with the first project, and we would see it again if we let the next project continue as it was going. He did not want to have to live the results of bad planning or a bad project. Everyone here would live with it. The Council was concerned about the waterfront and light rail impacts. He believed a five-story building on McLoughlin Boulevard would impact the waterfront even more. He asked the Council to consider these things when creating the MOU and know it was okay to say 'no' and bring back the committee and more alternatives and maybe let other developers – he was not one of them, and he did not want to be one – but he thought there was a better way out there. There were better ways to bring back historic Milwaukie to its heyday, to what it could be, and what it used to be. That was what he thought the City would like to see.

Mayor Bernard thanked Mr. Parecki but disagreed with his comments. Most Council members had lived in Milwaukie their entire lives, so the future of the City was very important to him and others.

Mr. Parecki wanted the Council to consider what would happen if it went along with this.

PUBLIC HEARING

A. Motion to Consider Continuation of Amendments to Milwaukie Municipal Code (MMC) Section 19.321.7 and 19.321.3

Mr. Swanson reported one year ago the City Council received a Planning Commission recommendation on some Comprehensive Plan and code amendments. The code amendments had to do with changes to what was then the community service overlay and was now the community service use. Section 19.312.3 defines unpermitted uses as being major utility facilities including wastewater treatment plants, thermal, coal, gas or oil powered generating plants. Section 19.321.7 dealt directly, although not by name, with the Kellogg Treatment Plant and allowed it to remain in use through December 31, 2015. It also stated that operation would cease at the end of December 31, 2015, and continued operation would result in civil penalties. Consideration of both those subsections has been continued since June 2006 and were now being considered at the second City Council meeting of each month in the event things went in the wrong

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direction. He did not want anyone to make the mistake of thinking that these were not poised for quick adoption. For the time being, Mr. Swanson recommended continuing both amendments to the second meeting of June. They were still on deck and ready to be adopted. If wastewater issues were not dealt with in a manner the City felt was appropriate, the recommendation would be to adopt both of those subsections.

Mayor Bernard asked if the City was talking with Happy Valley and Damascus about a partnership. He read in *The Oregonian* that Oak Lodge had spent its reserves and was raising its rates.

Mr. Swanson had not approached Oak Lodge but had spoke with Happy Valley. He would bring something to Council in the future.

Councilor Collette asked if Measure 37 would apply to the Kellogg Treatment Plant.

Mr. Swanson did not believe Measure 37 applied to governmental entities.

Mr. Monahan added the new regulations would apply to any change.

Councilor Collette understood there would be changes to the Kellogg Treatment Plant to upgrade and modernize the facility. She would not want them to be exempt.

Mr. Swanson explained the Planning Commission would review a major modification to an existing community service use. He had read the proposal but did not know if it would be considered a major modification. That would be determined in the pre-application process. This was part of the already-adopted community service use ordinance.

Councilor Barnes noted Councilor Stone was on the Site Selection Committee and she was on the regional stakeholder committee. The consensus at the meeting she attended was that this was an economic issue, and she believed the City was getting some traction in decommissioning the Plant.

Mr. Swanson said the two sections spoke to nonconforming uses. Any major modifications would have to come back through the Planning Commission. There was a risk that both would be appealed as the changes in the Comprehensive Plan were appealed and were now languishing at LUBA. If the two subsections were adopted at this meeting, they would both certainly be appealed. He spoke with County Administrator Mantay, and he was comfortable no surprises would be sprung on Milwaukie related to Kellogg Treatment Plant or the future of wastewater treatment.

- **Lisa Batey, Milwaukie**

Ms. Batey had been laboring, not unlike Emily Litella, under a misimpression that part of what the City Council did not enact the first time was the review of major amendments to the community service use. She was concerned that the City had the ability to review any changes in the near term, but those concerns were no longer there. The agenda for the Citizen Advisory Council (CAC) showed the County had identified some modifications for the Kellogg Treatment Plant, and it was not clear how soon that would happen and what it would mean in terms of being a major modification or not.

It was moved by Councilor Stone and seconded by Councilor Collette to continue the matter to June 19, 2007. Motion passed unanimously among the members present. [4:0]

OTHER BUSINESS

A. Public Works Standards – Resolution

Mr. Parkin reported in March he and Paul Shirey reviewed the process for putting the Public Works Standards in place. Milwaukie did not currently have standards, and there were significant advantages using standards in a comprehensive way. He recognized Associate Engineers Jason Rice and Brenda Schleining and Civil Engineers Zach Weigel and George Macgregor who were instrumental in this project.

Mr. Macgregor was in charge of stormwater. The science of stormwater management was constantly evolving and expanding. Part of what made his job challenging was to establish a set of standards that could be communicated to the public and developers on the best practices of building in Milwaukie. Traditionally stormwater was managed by collecting it quickly, putting it in a pipe, and sending it as quickly and as far away as possible. Usually in Milwaukie it went to Johnson Creek, Kellogg Creek, or the Willamette River. Environmental regulations and the costs of building those systems were prohibitive, so it was important to think of other ways to do things. One of the silver bullets that came into being a few years ago was the detention pond where stormwater could be released over time. That worked where there was a lot of open space and new development. The new standards will put the City more on the cutting edge of doing things responsibly. The philosophy shift was not looking at the water coming from the sky as an asset rather than a liability. The department was looking at treating stormwater more on site and as close to the source as possible. So instead of silver bullets with neighborhood detention ponds, this was more like silver BBs. They were thinking about swales and rain gardens and other devices that would collect and treat stormwater on the spot. That would be important in Milwaukie because the City was nearly built out, and it needed to find innovative methods rather than sending water in big pipes to the creeks. Engineers were a pretty conservative bunch and liked to do things that were tried and true with methods and means to attain predictable results. With a new set of standards where more innovative ways can be introduced to manage stormwater this would be a great asset for the City. The department will be able to show people how to do things a little bit better and actually help the development community.

Ms. Schleining was a project manager and project inspector in the field for all public improvements. She frequently worked with Milwaukie residents directly to explain the steps, permits, erosion control, traffic control, street cross sections, and things of that nature. She saw a huge benefit in having these standards to give to the public so people could ask more informed questions. It was important to help citizens understand how to do things the right way. Engineering went to operations first to ask them how they wanted things done. A number of documents were included such as the Downtown Plan and Riverfront Plan. This was a fluid document that would be updated over time.

Mr. Rice said when he came to work for the City of Milwaukie he was frustrated with the lack of standards. He believed this was the perfect answer in that it standardized everything to reduce costs and increase efficiency.

Mr. Weigel did a lot of plan review in his job, and many engineering firms used standards from other cities. Sometimes those standards were no longer used. Staff would spend less time reviewing plans, and the engineering firms would know what was expected even before the plans were submitted.

Councilor Collette appreciated meeting the staff and acknowledged all the work that went into the standards.

Councilor Stone commented she was thrilled to see this document. It was long overdue. It would streamline work in public works and expedite things for the community. Streets and traffic calming were her passion, so she looked at those sections very closely. There was no place yet for neighborhood traffic calming, and she was trying to get Mr. Parkin information from the Traffic Safety Commission because she believed it belonged in this document. It would help to standardize markings for traffic calming and speed bump design. There was a section talking about trees, but nothing was really listed. She suggested when street and sidewalk design was done taking into account the existing trees. She recommended a mission statement that addressed livability and preservation.

Mr. Parkin appreciated Councilor Stone's taking the time to read the document. There were other areas of the code that covered protection of trees in the right-of-way, and staff did not wish to duplicate information covered elsewhere. There may be revisions to the standards once the Transportation System Plan was adopted. Likely most revisions would not come back to Council unless it was something major like a tree ordinance.

It was moved by Councilor Barnes and seconded by Councilor Stone to approve the resolution adopting the Public Works Standards. Motion passed unanimously among the members present [4:0].

RESOLUTION NO. 32-2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING PUBLIC WORKS STANDARDS

B. Council Reports

Mayor Bernard commented on the Ledding Library Plant Sale and announced TSP meetings, the Homewood Park Work Party, and the Farmers' Market.

Councilor Collette congratulated new Ardenwald/JC NDA Chair Ronn Palmer, attended the ODDA conference in Astoria, and volunteered at the Plant Sale, Farmers' Market Community Booth, and neighborhood clean-up day. This Saturday was Clackamas Community College's 40th Anniversary Celebration.

Councilor Barnes would attend a Lynn Peterson event.

Councilor Stone attended Clackamas County Coordinating Committee (C4) meeting, neighborhood cleanup, Budget Committee meeting, Riverfront Board, and the Library Plant Sale. She would attend the Citizens Advisory Committee (CAC) meeting, Site Selection Committee meeting, and Springwater Corridor grand opening.


Mayor Bernard attended the Clackamas County Community Congress, Down-to-Earth Day, and the ODDA Conference in Astoria.

Councilor Stone asked for copies of the board and commission bylaws and noted according to the municipal code they were to be reviewed annually with the work plans.

ADJOURNMENT

It was moved by Councilor Barnes and seconded by Councilor Collette to adjourn the meeting. Motion passed unanimously among the members present. [4:0]

Mayor Bernard adjourned the regular session at 8:29 p.m.



 Pat DuVal, Recorder

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REVISED 5/11/07

AGENDA

**MILWAUKIE CITY COUNCIL
MAY 15, 2007**

MILWAUKIE CITY HALL

10722 SE Main Street

2006th MEETING

REGULAR SESSION – 7:00 p.m.

I. CALL TO ORDER
Pledge of Allegiance

2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, & AWARDS

Clackamas Fire District #1 Report (Chief Ed Kirchhofer)

3. CONSENT AGENDA *(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)*

A. City Council Minutes, March 20, 2007 Work Session

B. Well 6 Rehabilitation Contract -- Resolution

4. AUDIENCE PARTICIPATION *(The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140, Milwaukie Municipal Code, only issues that are "not on the agenda" may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and return it to the City Recorder. Pursuant to Section 2.04.360, Milwaukie Municipal Code, "all remarks shall be directed to the whole Council, and the Presiding Officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous." The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.)*

5. PUBLIC HEARING *(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)*

Motion to Consider Continuation of Amendments to Milwaukie Municipal Code (MMC) Section 19.321.7 and 19.321.3 (Mike Swanson)

6. OTHER BUSINESS *(These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)*

A. Public Works Standards – Resolution (Gary Parkin)

B. Council Reports

7. INFORMATION

A. Center/Community Advisory Board Minutes of March 9, 2007

B. Park & Recreation Advisory Board Minutes of March 27, 2007

8. ADJOURNMENT

Public Information

- Executive Session: The Milwaukie City Council may meet in executive session immediately following adjournment 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.
- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503.786.7555
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

MINUTES

MILWAUKIE CITY COUNCIL WORK SESSION

March 20, 2007

Mayor Bernard called the work session to order at 5:30 p.m. in the City Hall Conference Room.

Council Present: Councilors Barnes, Collette, Loomis, and Stone.

Staff Present: City Manager Mike Swanson, Community Services Director JoAnn Herrigel, Civil Engineer Zach Weigel, Economic Development Specialist Alex Campbell, Engineering Director Gary Parkin, Operations Director Paul Shirey, and Associate Engineer Jason Rice

Sternwheeler Rose Update/Proposed Use for Cash Spot

Ms. Herrigel sought direction from Council on the use of the Cash Spot property on McLoughlin Boulevard and the potential for mooring the Sternwheeler Rose. Mr. Simonis was at the meeting to offer information.

Do you want staff to pursue the agreement? If pursue what stipulations? And what type of information the Council would like before entering into an agreement.

Mr. Simonis currently had his office and moored the Rose on Swan Island. His second boat, Belle of the Falls, was moored in Oregon City. Parking was restricted at OMSI because of the Big Pipe project and he was seeking an alternate location. Ms. Herrigel talked with Mr. Simonis and walked the Cash spot site with him. Further, they met with Mr. Asher to discuss other uses that might come up for the property in the future. Discussed with Mr. Swanson and suggested the City was cautiously interested but there were concerns about flexibility in the use as this was an important site. There was a certain hesitation about one particular use of the site and activity that was popular. If had Sternwheeler Rose and office and ticket space in the Cash Spot may face some opposition. Mr. Simonis told Ms. Herrigel and PARB that parking was very important to him and that the Cash Spot lot was within easy walking distance of the boat. Riverfront Board supported the project and really liked the idea but had two stipulations. One was that it preferred the moorage be south of Kellogg Creek and that the parking be located on the east side of McLoughlin Boulevard.

Mr. Simonis preferred the spot and wanted to be part of the City of Milwaukie.

Mayor Bernard understood there were 40,000 passengers annually.

Mr. Simonis replied there were 188 cruises annually with approximately 50 passengers each.

Mayor Bernard had talked to a number of downtown businesses that supported the activity and thought it would be a good image for the riverfront. He

suggested mooring it against the log dump where the water was deep with a long ramp. He had some concerns about the Cash Spot.

Ms. Herrigel commented the design and use of the riverfront had been a struggle for the community, and it was important to be sensitive to the terms to which people had agreed.

Mr. Simonis fishing was the issue during the daytime, and that was the slow season for his cruises. The charter manager could direct each passenger to park on the east side of the river and at the Cash Spot if available. Passengers could be told not to park on the river side of McLoughlin Boulevard. He clarified this would be a lifetime project for him and was looking at a longer-term arrangement than 5 years. If he made the move to the Cash Spot would be good to be there for five years. In long-range plan he would be open to using the Cash Spot for a while and moving to a nearby spot. He would like to be part of the long-range community plan. His main issue had to do with parking problems in Portland. Once misconception was that his business took up 100 spaces, but on average he figured about 37 parking spaces. Trips were typically around 60 to 70 passengers but not more than 100. Most cruises were in the evening so it was not an issue for downtown businesses. He would put a temporary dock in until such time as the long-term plan was implemented.

Councilor Collette wonderful attraction for the park that could be worked into the design. She understood it had historically been a sternwheeler dock with the Lot Whitcomb.

Councilor Stone liked the idea. She was also thinking about the long term if the Kellogg Treatment Plant were relocated and asked about the stipulations from the Oregon State Marine Board.

Ms. Herrigel pointed out the transient dock on the park plan. If OSMB money were used to build such a dock it could not be blocked or gated and there was a restriction on commercial use. Would need to ensure Mr. Simonis had what he needed and still done to OSMB standards.

Councilor Stone if OSMB helped build the dock and 10 years down the road development a marina to the south what would the commitment be.

Ms. Herrigel if OSMB funding was used and the dock were removed or modified within 20 years the City would have to repay the Board.

Mr. Simonis worked with Oregon City on Jon Storm dock and allowed about 100 feet for commercial usage. The OSMB issue was that the dock had to be for public use and could not be gated. He thought the Board would be agreeable if approached appropriately. Would need some power and water in the area, but would cross that bridge when came to it. Problem with OSMB was to have the open dock so it could be used for fishing. At Riverfront Board meeting the best words were spirit of cooperation. As long as working together to look at alternatives to avoid problems.

Councilor Stone would love to see this happen. She was hesitant with borrowing the money from OSMB and the 20-year commitment.

CITY COUNCIL WORK SESSION – MARCH 20, 2007

DRAFT MINUTES

Page 2 of 7

Mayor Bernard was familiar with this because he was chair of the Riverfront Board and the issue of removing the dock. The OSMB money could go anywhere in the project and could be financed some other way.

Councilor Collette was concerned about locking up the Cash Spot, and she agreed the magic word was cooperation. She would like some flexibility in the agreement.

Mr. Simonis noted he typically booked about 35 weddings per year.

Councilor Collette great complementary parking use.

Councilor Barnes in staff report community development director and city manager advised caution and she asked specifically why. Before moving forward she would like those two questions answered.

Mr. Swanson replied the Cash Spot property was moving toward development and would hate to tie it up into the future without having some way to move on it. There would be a time when something would be done. Concern not to tie the property up for too long.

Mr. Asher agreed that was his concern. For the immediate term could make something work. This was an auto dependent use in a community where there was concern about car trips.

Ms. Herrigel reported there were 30 lined spaces and probably an additional 10 – 20 dependent upon the planning requirements. The restricted access that would have to be modified.

Councilor Barnes would like the Council to sit down and look at a long-term vision for that property at that end of town.

Councilor Stone noted the downtown plan that said it should be a satellite campus area. She liked the idea of helping Milwaukie get back to its roots. This was a great way to highlight that.

Councilor Loomis like the idea too. Concerned about the use of the Cash Spot – long-term partnership. As Council he heard support. How much time did Mr. Simonis need.

Mr. Simonis OMSI gave up two large parking lots until 2012 for the Big Pipe Project.

Councilor Collette agreed with doing some visioning for that area of town and would love this to be a part of the planning and have a sense of how it fit in with the other elements. How would that fit with the future site of the Farmers' Market?

Mayor Bernard believed the property was in the 100 year flood plain.

Councilor Loomis was not so much a concern about having a plan for the Cash Spot but should have some idea of realistic timelines. He felt five years was likely realistic.

Councilor Stone understood there was some business negotiating to do. Seems everyone wanted to see this happen and let the vision begin to develop.

Ms. Herrigel needed to do some internal work to determine if any restrictions on that site.

Mr. Simonis Cash Spot was not the deal breaker for him. Wanted to be on the waterfront and his biggest issue was parking.

Update on Fee in Lieu of Construction (FILOC) Practices

Mr. Campbell will go through the history of the program and how it was implemented. He would discuss project for which staff proposed using this money.

Zach a lot of development in the City was minor land partitions and tear downs. When that occurred the developer was required to develop the street to the Transportation System Plan (TSP) standards. Sometimes not feasible to make those improvements as those were located in the middle of blocks. Sometimes there was no public storm system to serve curb construction. In the past have waived the requirements and in 2001 created the fee in lieu of program. The developer could construct those improvements and pay those fees in lieu for future larger construction projects. There was a time limit of 10 years on spending that money. Assumed money had to be used for the street in front of the property was collected. After four years of collection determined there would not be enough development to do a full construction project within the 10-year period higher street classification.

City attorney determined the money could be spent on a higher street classification such as neighborhood routes. Allowed use as matching funds for larger projects. \$322,000 in the program since 2001 in all nine neighborhoods.

Mr. Campbell 3 projects in next year's budget request. One was the Logus Road project which all of the money collected in the neighborhood was eligible for use toward that project in the amount of \$45,000. could fund slightly less than the City's match. Efficient use of funds rather than occasional sidewalks.

Mayor Bernard understood battle about the use of SDC funds and how spent, and interpretation had changed.

Zach understood it was a state regulation and that the money collected for that type of street improvement.

Councilor Barnes McLoughlin Boulevard industrial and Southgate property. Was that an allowable source to improve

Mr. Campbell thought that would be an eligible location. He was not sure what was in the CIP to address those questions but would not be ineligible in the program.

Councilor Barnes talked about TriMet and concerns of industrial owners could be a good use for those funds for that area.

Councilor Stone asked it had to be used on a higher classified street and Logus was a neighborhood street.

Zach money had to be similar for what it was collected for such as sidewalks, widening, and planter strips.

Councilor Stone new house on street that had these amenities.

Zach SDC was for impact on system away from the property. This was for frontage or nearby collector. If already have improvements in place do not pay this fee.

Councilor Stone asked if people complained about the fee.

Zach have choice of paying fee or making improvements. Only other alternative was to go the Planning Commission for a variance.

Councilor Stone thought that if not feasible to build but if feasible they had the choice.

Zach the city engineer had to approve the fee in lieu of so could be denied if there were reasons the improvements could not be built.

Ms. Batey wanted to know if the funds traditionally used for curb sidewalks. She asked if could be used for traffic calming such as a raised crosswalk, bulb-out, or bus stop?

Zach understood from City Attorney it would have to be spent for what it was collected and that traffic calming was not included in that.

Mr. Campbell thought a curb bulb out would be eligible.

Councilor Stone depending on the neighborhood Lake Road had over \$70,000 and Island Station had and Linwood had even less.

Alex thought waiting for grant projects unless against the 10-year window would be the best way to stretch the money.

Public Works Standards

Mr. Parkin said construction standards were needed to guide design and how new infrastructure constructed. The construction standards had to do with building and testing. Without a comprehensive set of standards there was a lack of consistency between public works and design project for capital improvements. There were public improvements. All those required plans and engineers would come forward with standards from other cities or agencies without have Milwaukie's having one of it own. Consistency issue without a comprehensive set of plans. There was also an issue with the different fire hydrants and ability to maintain over time and having the parts to repair them. When able to go to one document have one set of plans that could be handed to others time. When have own document able to update on a regular basis.

Mr. Shirey discussed asset management and periodic replacement over time. Current state of assets; required level sustained; crucial to sustain performance; best minimum life cycle course; and best long-term funding strategy. Standards ensured built public works that operated and operated over time at lowest cost.

When he used sustainability imbedding sustainable practices into asset management. Effort started in 2005 but got stalled for various reasons.

Mr. Parkin planned to have this matter before the Council in April for adoption by resolution to be updated on a regular basis in the future.

Councilor Collette discussed sustainability standards and would like to see this used as a basis for purchasing the most sustainable equipment in the future.

Mr. Parkin this was a good basis and formatting easy to update.

Councilor Stone issue with double yellow line and where was pavement markings addressed. She would like to see less ODOT yellow used in the neighborhoods.

Mr. Parkin manual of uniform traffic control devices. Do have some latitude with local streets.

Councilor Stone was not advocating not being in line with those regulations. But when look at region some island were painted yellow but others were not. Where was neighborhood traffic calming reflected because needed some consistency.

Mr. Parkin component of the TSP and working group looking at that.

Councilor Stone consistency helped motorists.

City Manager Matters

Mr. Swanson remarked about an issue that occurred last week and read his comments into the record:

This is a memo from the City Manager to the City Council that was read into the record at the March 20, 2007 work session:

Section 27(c)(3), Milwaukie Charter of 1975 vests in the City Manager the power and duty to appoint and remove "all city officers and employees" as well as "supervision and control over the departments . . ."

A recent letter to the editor attempts to impugn the integrity of one City staff member by questioning his neutrality. However, the impossibility of proving the allegation is underlined by the author's choice to base his argument on innuendo rather than on fact. He also characterizes City staff as "a very pro-rail group." His purpose is to create doubt in and opposition to a process and an issue by attacking the credibility and professionalism of City staff. Given the City Manager's responsibilities enumerated above, I wish to respond to the comments about City staff.

First, the importance of maintaining his neutrality was openly communicated and acknowledged by the individual staff member as he introduced his report to the City Council on February 20, 2007. He clearly stated that neutrality was a clear expectation of his job, and he reiterated its importance when questioned by Council. In addition, in my discussions with community members he interviewed, they all noted his unwillingness to offer his personal observations. This staff member operates according to the highest ethical standards.

Second, applicants for City positions are not subject to a light rail litmus test, nor is anyone required to convert to a “pro-rail” position once hired. This is no different from expectations we had of the consultant team hired a few years ago to examine annexation issues, many of whom are very public, recognized light rail opponents. We hired them to perform tasks we were not equipped to do, and they performed as professionals and not as light rail opponents.

Similarly, our goal is to employ the best person for each job, and we expect nothing less than the highest level of professionalism and public service. I believe that we get that level of performance! The suggestion that staff uses positions to advance a personal issue or cause is demeaning and ignores the energy, integrity, and dedication of this outstanding group of people.

Stanley Settlement

Mr. Swanson discussed adding to the agenda a resolution approving the settlement with Stanley. The judge granted certain and requested the judge reconsider his decision. Argument that would be although did commit error, \$200,000 offer did hedge bets in the judge reversing himself. If did not reverse then headed for the appellate court. Recall there was a third defendant and resolve issues with Stanley works and Providence. Ingersoll-Rand did state the liability was joint and several. With the \$200,000 and \$75,000.

Code provided that the documents did need to be submitted by the city manager to the Council and allowed resolution or ordinance Roberts Rules stated the rules in this chapter were procedural only and did not invalidate an action. Process would be to make a motion to temporarily suspend the rules.

Mayor Bernard adjourned the work session at 6:47 p.m.

Pat DuVal, City Recorder



To: Mayor and City Council

Through: Mike Swanson, City Manager
Kenny Asher, Community Development/Public Works Director

From: Zach Weigel, Civil Engineer
Don Simenson, Water Quality Specialist

Subject: Well No. 6 Rehabilitation

Date: April 23, 2007 for May 15th Regular Session

Action Requested

Authorize the City Manager to sign a contract for the Well No. 6 rehabilitation project with Mather & Sons Pumps Incorporated, in the amount of \$31,500. This amount includes a 15% project contingency.

Background

Well 6, located on Stanley Avenue, was originally installed in 1979 and was capable of producing 1 million gallons of water per day. The well pump and motor has operated continuously since 1979 without any major repairs or removal of piping shaft or pump.

Currently there are no contamination issues with Well 6 and the only treatment necessary is addition of a small amount of chlorine. Over the last two years, a vibration has been noticed and production has been down slightly with increased power demand. Recent removal of components revealed the following deficiencies:

- Worn shaft and bearings
- The pump itself was worn beyond repair
- Low motor power efficiency
- Piping extremely eroded from biofouling
 - Biofouling is a build up of nodules formed by iron-eating bacteria; it can be eliminated with a well pipe coating.

A new energy efficient pump and motor capable of addition of variable speed drive at a later date will restore production levels and reduce power consumption. BACGEN (an

Engineer's firm who worked for the City of Milwaukie under an Energy Trust) recommended a motor and control change in a 2005 study of Milwaukie's pumps and motors.



Well 6 pump piping photo depicts iron-eating-bacteria-induced nodules on pipe know as biofouling. The keys were included to show the color and texture of the biofouling.



Pipe Interior

The City of Milwaukie staff followed the Intermediate Contract Procedures of Section 10.015(D) of the Purchasing and Contract Reference Guide 2006 for the procurement of quotes under an intermediate contract. Staff sought competitive quotes from four qualified contractors and their quotes are as follows:

Contractor

Quote

Boart Longyear Environmental & Infrastructure Drill Services	Non-responsive
Cascade Drilling	Non-responsive
Christensen Well Drilling	\$ 45,329.60
Mather and Sons Pump Service	\$ 27,260.00

Staff came to the conclusion that Mather and Sons Pump Service provided the lowest responsive responsible quote. Following the award of contract, Mather and Sons is prepared to order the materials, which will take approximately 3 weeks for delivery and will require 1 week for installation. This firm has worked in the city previously and staff has confidence that this project will be a success.

Concurrence

Engineering staff was on site for the removal of well components and agrees with Water Staff findings. The Operations Director concurs with the need for these updates.

Fiscal Impact

The approved Water Fund budget includes \$31,500.00 from the Water Capital and Reserve Fund specifically for Well 6 maintenance. Future fiscal budgets include funding designated for remaining well sites in need of maintenance.

Work Load Impacts

Engineering staff will provide project management for the Well No. 6 Rehabilitation project. Water Operations staff will inspect work by the contractor.

Alternatives

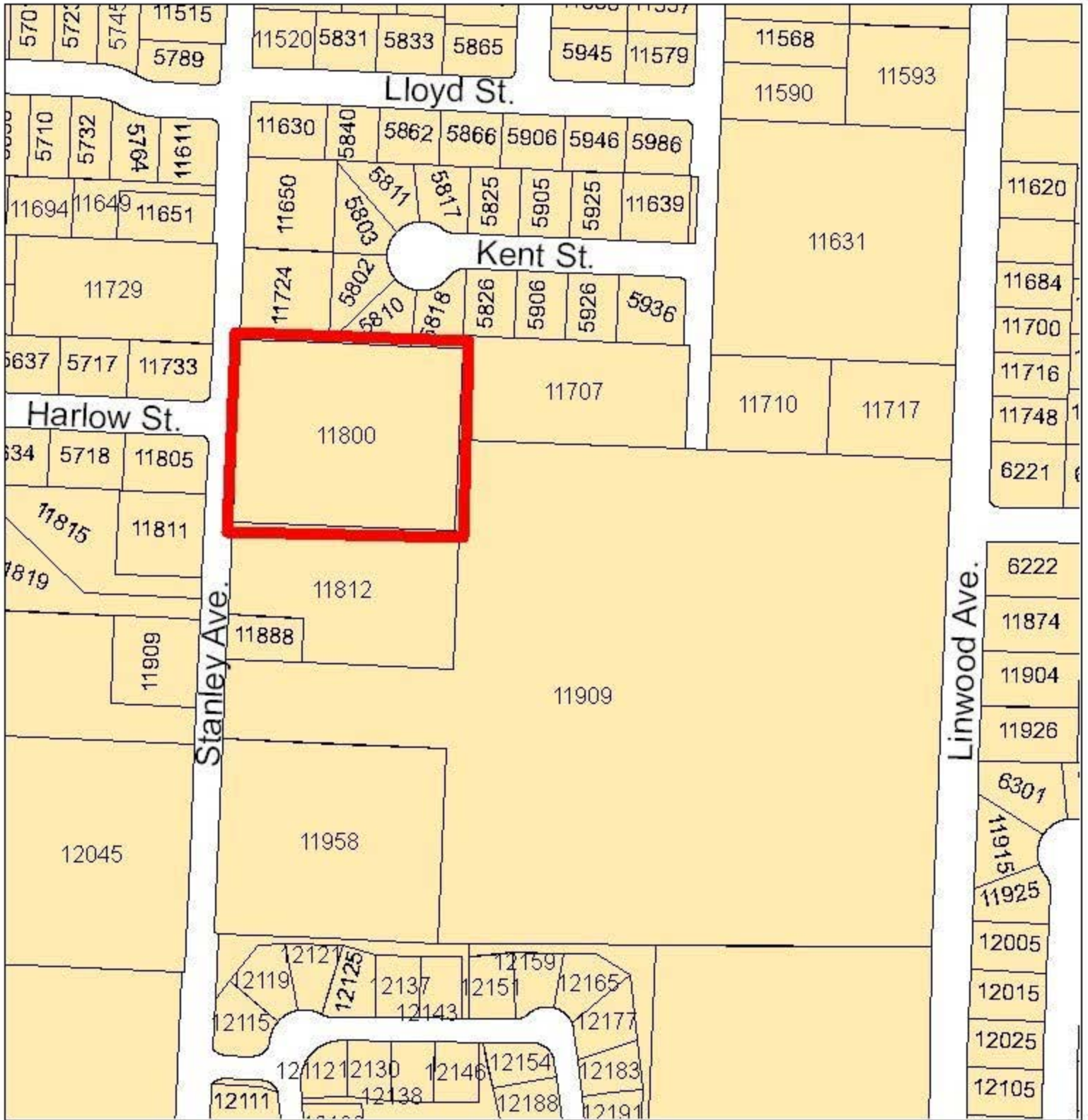
Re-bid the project without amending if council approves of the project design but thinks the project should be re-bid for any reason.

Direct Staff to modify project and re-bid if council does not approve of the project design and/or thinks that re-bidding could reduce cost.

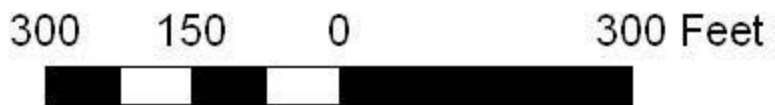
Attachments

1. Project Vicinity Map
2. Resolution

Well #6 Project Boundary



City of Milwaukie
Milwaukie Tax Lots 2006



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, APPROVING THE AWARD OF CONTRACT FOR THE REHABILITATION OF WELL 6 OF THE CITY'S WATER SYSTEM.

WHEREAS, Well 6 is deficient in water quality and structure due to age and biofouling; and

WHEREAS, the project was approved for funding in the 2006/2007 budget; and

WHEREAS, a formal competitive bidding process following Chapter 30 of the City's Public Contracting Rules was conducted, and

WHEREAS, Mather and Sons Pump Service provided the lowest responsive quote;

NOW, THEREFORE, BE IT RESOLVED that the City of Milwaukie authorizes the City Manager to sign a contract for the rehabilitation of Well 6 of the City's water system with Mather and Sons Pump Service, in the amount of \$31,500.

Introduced and adopted by the City Council on May 15, 2007.

This resolution is effective on May 15th, 2007.

James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Ramis, Crew, & Corrigan, LLP

Pat DuVal, City Recorder

City Attorney

Document2 (Last revised)



To: Mayor and City Council

Through: Mike Swanson, City Manager
Kenny Asher, Community Development/Public Works Director

From: Gary Parkin, Engineering Director

Subject: City of Milwaukie Public Works Standards

Date: April 26, 2007 for May 15th, 2007 Regular Session

Action Requested

Adopt by resolution a set of Public Works Standards for the City of Milwaukie.

Background

Currently the City of Milwaukie does not have Public Works Standards to provide guidelines for the design and construction of public infrastructure. Instead, (per Municipal Code 15.36.010) American Public Works Association (APWA) Standards have been used, in addition to several specific documents such as the Downtown Plan and the Transportation Manual.

Without specific standards, engineering staff has relied on experience and past design practices to determine many public improvement design requirements. As design requirements for public improvements vary from city to city, design firms submit public improvement construction plans using design requirements from other nearby agencies, such as Portland, Clackamas County, etc. that do not necessarily match the design requirements desired by Milwaukie Engineering staff.

Engineering staff spends significant time reviewing and correcting public improvement plans submitted by engineering design firms. With a comprehensive set of design standards, engineering design firms will know the requirements and reduce the time Engineering staff spend correcting and reviewing plans. Also, developers will benefit from the reduced amount of time a project spends in plan review, allowing projects to be constructed more quickly.

The need for a comprehensive, city-specific set of standards led the Engineering and the Operations Department to develop a set of Public Work Standards for the City of Milwaukie between October 2006 and February 2007.

Highlights of the document include:

Storm Drainage Facilities

The design of storm drainage facilities has moved beyond the basic procedure of designing a pipe to move water from one place to another. For example, the new standards call for attenuating peak runoff volumes and improving water quality, primarily through on-site detention, retention, and water quality treatment. This new approach should have measurable benefits for the environment, developers, and the City. For the environment, on-site treatment more closely resembles natural, predevelopment conditions, thereby reducing flash flows that erode creeks, and reducing the contaminant load running off of paved surfaces. For developers, on-site treatment can result in a financial benefit by reducing or eliminating off-site piping of stormwater. For the City, on-site stormwater management translates into reduced capital costs of piping stormwater to regional detention facilities. In addition, this approach helps the City meet the requirements its stormwater permit issued under the Clean Water Act.

Street Design Requirements

The City of Milwaukie does not have standard pavement and aggregate base depths, or street cross section, for construction of streets. Design of the street cross section varies based on the classification of the roadway and the frequency of heavy traffic using the roadway. Collector and arterial roads have a higher frequency of heavy vehicles, such as semi-trucks and delivery vehicles than a local neighborhood road. The greater the frequency in heavy vehicles the greater the pavement and aggregate base depth needed to support the traffic.

Currently, the street cross section depth for each street is chosen based on experience and past design practice of the staff member reviewing and designing street improvements. As a result, the street cross section varies over time and from project to project.

The standards will create a consistent method to determine an adequate street cross section for each street design. Also the standards will allow for flexibility to select an adequate street cross section as traffic patterns change overtime.

Water Facilities

Current requirements (from American Water Works Association) allow a certain amount of leakage during the pressure testing of newly constructed waterlines. Under the new set of Public Works Standards, no allowable leakage is acceptable for the pressure test. This gives the City a more easily verified test with better assurance of the quality of the waterline.

Standard Drawings

The standard drawings are clear and easy to incorporate in design plans. When the City of Milwaukie receives a building permit or land use application for a property, often design and construction of public improvements are required. Public improvements include the paved street, parking lanes, bike lanes, planter strips, sidewalks, etc. These public improvements are required to be designed by a licensed engineering firm as part of the development.

Concurrence

The Operations Department worked closely with Engineering to help develop the proposed standards, while Community Development, Planning, and the City attorney's office have reviewed the document and foresee no issues with adopting this document into the City.

Fiscal Impact

Positive fiscal impacts include:

- A more sustainable infrastructure requiring less frequent and lower-cost maintenance over time
- Less staff time at the counter helping people understand the City's expectations
- Less staff time reviewing development plans
- Less time in the field helping customers understand the city's requirements.
- Reduced chances for confusion about standards and practices.

There are no direct negative fiscal impacts.

Work Load Impacts

The majority of the workload expense has already occurred with the Engineering Department in compiling the Standards and creating the drawings. Office support staff conducted the editing and review.

Future workload increases:

- The production and gathering of multiple copies for staff as well as the public
- Placing the Standards on the City website by IST Staff
- Keeping the document current will be a priority and involve minor on-going work by Engineering and Public Works Staff

Anticipated decrease in workload:

- Front counter visits at the Johnson Creek Facility
- Calls regarding right-of-way practices
- Development Review timeframes
- Right-of-way inspections and re-inspections
- Enhanced clarity between Engineering and Public Works departments

Alternatives

Staff sees no reasonable alternative to the adoption of the Standards.

Attachments

1. Resolution adopting the Public Works Standards

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
ADOPTING PUBLIC WORKS STANDARDS.**

WHEREAS, Public Works Standards promote consistency and describe the City's expectations about improving the right-of-way to the public; and

WHEREAS, the Engineering and Public Works Departments have struggled with the lack of standards that can be provided to the public and contractors regarding work standards in the public rights-of-way; and

WHEREAS, the Engineering and the Operations Departments developed a set of Public Work Standards incorporating local, state and federal government practices; and

WHEREAS, the Public Work Standards will be revised to incorporate changes from the Transportation System Plan and other Comprehensive Plan amendments; and

WHEREAS, the Public Work Standards will be kept on file and available for inspection at the city public works department and on-line at the City website;

NOW, THEREFORE, BE IT RESOLVED that in accordance with City Municipal Code 15.36.020, the Milwaukie City Council adopts the City of Milwaukie Public Works Standards dated April 2007 (exhibit "A") as the Standards by which all new public works, including streets, wastewater, storm water, and water facilities, are constructed or installed in the City. The Standards shall be amended and updated in accordance with City Municipal Code 15.36.030 so as to remain current in regard to City interests and technical advancements.

Introduced and adopted by the City Council on May 15, 2007.

This resolution is effective on May 15, 2007.

James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Ramis, Crew, & Corrigan, LLP

Pat DuVal, City Recorder

City Attorney

North Clackamas Parks and Recreation District
MILWAUKIE CENTER/COMMUNITY ADVISORY BOARD
Minutes of March 9, 2007

MEMBERS PRESENT: Chuck Peterson, Molly Hanthorn, Ben Horner-Johnson, Joan Staley, Jane Hanno, Kim Buchholz, Eleanor Johnson, Kathi Schroeder, Carolyn Mills.

MEMBERS ABSENT: Ben Tabler, Joy Estes, Katie Rudfelt, Jim McCreedy.

STAFF PRESENT: Joan Young, Roy Wall, Don Wiley, Jan Wirtz.

CORRESPONDENCE: None

CALL TO ORDER: Joan Staley called the meeting to order at 9:30am. Kathi moved and Eleanor seconded approval of prior meeting minutes. The motion was passed unanimously.

DISCUSSION ITEM: Joan Young presented the Milwaukie Budget trends to the Center Board. She explained the process and trends that affect the budget. Revenue is down because of changes in the Medicaid program. The Center is anticipating a healthy March for Meals campaign for fund-raising. A new bus has been delivered and has been paid for by a grant and federal funds. Joan listed proposals for capital improvement and also is requesting a full-time Social Services aide. The Nutrition/Transportation Program fund balance trend was also presented.

Jan Wirtz explained the Recreation Services budget for the Milwaukie Center. There is a need for the Travel Program Coordinator to have an increase in hours.

Roy Wall spoke about the process of building the budget for the Parks and Recreation District. The budget should be completed in April and sent to the budget committee for approval and then on the County Commission in June.

BOARD/COMMITTEE REPORTS

NCPRD Board: Molly reported that the board held an interview for a new board member. Ron Keene was approved and accepted. A report on the marketing program was given. A Sponsorship Policy has been proposed and will be sent on to the County Commission. A discussion was held concerning the Sunnyside Village parks and the need to pursue property. The amplified sound system for North Clackamas Park and the ball fields was discussed. It was decided to contain a sound policy to the use of the ball fields for now.

NCPark Stewardship Committee: Discussion was held about the expected noise situation throughout NC Park. A new area (off site) is being pursued as a location for an additional dog run. Kathi is to be the C/CAB alternate to this committee.

Nutrition/Transportation: March for Meals march will be held on March 10. There will be several celebrity ride-alongs with the MOW drivers on March 21. Bob's Red Mill will match any donations to the MOW program. The Bomber is giving a percentage of their Wednesday night receipts toward the effort. Clackamas Federal Credit Union is selling meal tickets along with the Aquatic Park and the Milwaukie Center. Town Center Bank and Sweet Tomatoes are also helping with the fundraising effort. The rummage sale will be held on March 30-31. The publicity committee has met two times and is gathering information for the purpose of raising awareness.

Building Review: The committee went over details and prioritized items for the 2007-2008 budget. Pat Coursey, an interior designer, has been giving suggestions for the interior changes that are being considered.

OTHER REPORTS

Friends of the Milwaukie Center: Eleanor reported the Spaghetti Dinner was a success. There will be a Rose Pruning workshop and demonstration on March 10 at 10am. A Mother's Day brunch will be held on May 13 and a Mystery Dinner is planned for May 5.

Governor's Commission: No meeting but Joan S. reported that there have been many changes in the staffing.

Center Report: The Healthy Living Guide has been distributed. The ball-field opening is scheduled for April 21 and the unveiling of the sculpture will also take place then. Earth Day is April 22 and activities are planned. A brochure has been produced about the Center and the Milwaukie Review has given the Center publicity. The First Annual Senior Prom will be held on June 20 from 6-9pm. It will include a catered dinner and a professional photo.

Agenda for April 13, 2007: The change in By-Laws.

The meeting was adjourned at 11:15.

Carolyn Mills, Secretary

North Clackamas Parks and Recreation District
MILWAUKIE CENTER DIVISION
Monthly Report for March, 2007

Programs/Services:

Randall Fish, Doctor of Chiropractic, spoke to a group of older adult caregivers in March presenting health information and resources to aid in stress relief from the intense duties often expected and performed by caregivers.

March marks the end of winter term for classes at the Milwaukie Center. Over 430 participants enjoyed art, computer, fitness and cooking experiences this past term. Nearly forty spring term classes and workshops start during the week of April 2.

The Transportation Program received a new 16-passenger diesel bus to replace the 1997 bus that has over 100,000 miles on it. The bus was purchased with State Special Transportation Funds and a grant from the Henry L. Hillman, Jr. Foundation.

More than 700 people enjoyed over 165 beautiful quilts at the 13th Annual "Airing of the Quilts" show on March 23 and 24. The theme, "Quilting for a Cause", featured organizations that create quilts and agencies that benefit from such donations. A variety of demonstrations were in action, included the "Build a Block" event that featured quilting for Habitat for Humanity recipients. This event was supported by the efforts of dozens of volunteers that helped with planning, coordinating, set-up, quilt acceptance, show registration, raffle quilt ticket sales, after the show take down and quilt return.

The Travel Program was active throughout March, with escorted trips to Kell's Restaurant in downtown Portland celebrating St. Patrick's Day, and participation in the live audience of AM Northwest helping promote the Quilt Show and then Old Wife's Tale for brunch. Also a group made the trip to Salem to visit the Capitol and meet with some of our area's leaders.

The Friends of the Milwaukie Center sponsored the popular Rose Pruning Workshop and Demonstration on March 10, with Portland Rose Society member, Rich Baer.

Fund-raising:

The Friends of the Milwaukie Center and Milwaukie Rotary co-sponsored a fun and very successful Spaghetti Dinner and Texas Hold 'Em Tournament early March, with over 375 people in attendance.

The 2nd annual March for Meals campaign – "So No Senior Goes Hungry" -- had events and fund-raising activities throughout the month to promote Meals on Wheels services in North Clackamas. Our first annual march (a walk) was held on March 10, with over 50 people participating, on the new perimeter trail at North Clackamas Park ball fields. The event included a popular March for Mutts. Clackamas Community Federal Credit Union, Bob's Red Mill, Town Center Bank, Sweet Tomatoes and the Bomber joined the Milwaukie Center and North Clackamas Aquatic Park in gathering donations for Meals on Wheels. Clackamas County held a breakfast at the Sunnybrook Building, receiving great support from Clackamas County employees. Mayors and commissioners drove Meals on Wheels one day, and in addition, we gave a big thank you – and a hat – to all our Meals on Wheels drivers.

The annual Giant Rummage sale was held March 30 and 31 with treasures found by many and proceeds of over \$2,000 supporting the Nutrition Program services.

Coming Up:

The Transportation Program's Easter Candy Sales featuring delicious See's chocolate is in full swing through April 6 – buy your treats now at the Milwaukie Center and support transportation services for older adults in our community.

May 5, Wine and Roses Dinner & Mystery Play, "Fatal Passages," plus silent and live auctions. Proceeds benefit programs and services at the Milwaukie Center and arts in the community. Seating is limited – make your reservation today!

May 6, Famous Mother's Day Sunday Dinner, 3-5 pm with roast beef and gravy entrée and strawberry shortcake dessert. Join us to support Meals on Wheels service in North Clackamas County!

May 13, Mother's Day Brunch and murder mystery play. This event is co-sponsored by New Century Players and Friends of the Milwaukie Center. If you can't make the May 5 event, bring mom – and the family – to this fun event!

**Center/Community Advisory Board
Membership Status
2006-2007**

City Appointments

Positions 1 thru 9

<u>POSITION</u>	<u>Term Expires</u>
<u>Position 1</u> Kathi Schroeder 5108 SE Hunter Ct Milwaukie 97222 KathiSchroeder1@msn.com	3/10 503-654-4618
<u>Position 2</u> Molly Jo Hanthorn 12014 SE 19 th Milwaukie 97222 mjh12014@hotmail.com	3/08 503-654-3587
<u>Position 3</u> Jane Hanno 3115 SE Madison Street Milwaukie 97222 No Email Address	3/09 503-654-3574
<u>Position 4</u> Joan Staley 10905 SE 52 nd Avenue Milwaukie 97222 genealogyjoan@yahoo.com	3/10 503-654-3036
<u>Position 5</u> Ben Horner-Johnson 12074 SE 37 th Avenue Milwaukie 97222 bchornerjohnson@netscape.net	3/08 503-786-0933
<u>Position 6</u>	3/09
<u>Position 7</u>	3/10
<u>Position 8</u>	3/08
<u>Position 9</u>	3/09

District Appointments

Positions 10 thru 18

<u>POSITION</u>	<u>Term Expires</u>
<u>Position 10</u> Kim Buchholz 12705 SE River Road Milwaukie 97222 kimb@willamettenews.org	10/08 (W) 503-652-6233
<u>Position 11</u> Katharine (Katie) Rudfelt 6522 SE Molt Street Milwaukie 97267 katirnine@aol.com	10/09 503-659-0458
<u>Position 12</u> James (Jim) McCready 15650 SE Hanwood Lane Milwaukie 97267 jginmartini@aol.com	10/09 503-654-1048
<u>Position 13</u> Carolyn Mills 14356 SE Territory Drive Clackamas 97015 carfor01@msn.com	10/07 503-558-0532
<u>Position 14</u>	10/06
<u>Position 15</u> Eleanor Johnson 4343 SE Robin Road Milwaukie 97267 elie97267@aol.com	10/09 503-654-4420
<u>Position 16</u> Joy Estes 3500 SE Concord #38 Milwaukie 97267 No Email Address	10/07 503-654-2183
<u>Position 17</u> Ben Tabler 14741 SE 132 nd Avenue Clackamas 97015 betabler@comcast.net	10/08 503-698-3640
<u>Position 18</u> Charles (Chuck) Petersen 17971 SE River Road #418 Milwaukie 97267 No Email Address	10/09 503-654-9698

Revised 4/17/07



Park & Recreation Board

PARB

March 27, 2007

7:30 am to 9 am

Regular Meeting

MINUTES

Attendees: Kate MacCready, Sherri Dow, Ray Harris, Bob Cooper, Sonny Newson

Absent: Mart Hughes, Val Hubbard

Staff: JoAnn Herrigel, Rose Marti, Joan Young

Guests: Kevin Cayson, Dick Shook, Sally Shook

Minutes

Sherri moved to approve minutes, Ray second. Motion passed 5-0.

Capital Improvements

Kevin Cayson, maintenance supervisor for the Park District, distributed updated park map, handout of proposed list of projects, and rough budget estimate.

JoAnn – Noted that the District had told her that Century Park tennis courts needed resurfacing.

Kevin - advised that roots would appear again if resurfaced, and suggested removal and replacement, discussion on sidewalk.

JoAnn – Relayed that neighbors from Linwood have requested plant “thinning” at Furnberg Park for safety reasons.

Joan – N. Clackamas requested using tennis court this spring for free.

Sherry – Would we consider charging for use once it is fixed?

Kevin – Monies not available until July 1st but suggested getting back to him on the group’s preferences for use of capital funds.

Sherry – Inquired about ADA improvements, Kevin mentioned pad and table at one park.

Kevin – Proposed ½ basketball court or picnic pavilion for Stanley Park.

Katie – Suggested looking at parks that have no amenities first.

Joan – Questioned how much use tennis court at Century Park actually gets, should we consider something else?

Kevin – Sidewalk @ Scott Park has deteriorated and advised numbers shown on his memo were rough and do not include permits, fees, etc.

Ray – Suggested that making parks ADA compliant should be a priority.

Kevin – Commented on criteria for ADA compliance if changes were made, District is required to provide access.

Ray – Suggested gravel pathways instead of blacktop to save money.

Kevin – Pointed out that weed treatment with herbicide would be an issue at well sites.

JoAnn – Advised of items that were taken to neighborhood associations and suggested discussion with them.

Katie – Likes some of the ideas.

JoAnn – Mentioned root damage on the Furnberg Park path. (Kevin said this was on the District's list already).

Bob – Questions what will be done if the tennis courts are removed from Century Park. Wonders what would be there instead.

Kevin – Advises that it is also used for dog owners to exercise their dogs.

Joan – Suggests asking about neighborhood grants to secure additional funds.

JoAnn – comments that it is important to address safety, ADA compliance, as well as fixing what is in the parks now before considering adding new items.

Sherry – Asks what is the timeline? Kevin answers 3 months. Also asks if Beth Ragel can take this out to neighborhoods and get opinions.

Bob – Asked for clarification of “ADA” pads for picnic tables.

Kevin – Advised it allows for easier upkeep of grounds, security from theft as it offers a way to anchor it.

JoAnn - Mentioned benches at Scott and Lewelling Parks and asked what Kevin’s preference was for maintenance regarding gravel pads.

Kevin – Added that the pads made it easier to mow and general upkeep.

Sherry – Mentioned taking time to look at suggestions and then decide the priority.

Kevin – Said he would seek more money every year.

JoAnn – Suggested that Kevin keep a running list of items that need attention while he is in the field to report to the City since he is in the field more often than this group is.

Kevin – Nodded in agreement and added that he will be attending the Park Board meetings on a regular basis from here on out.

Naming of North Clackamas Stream

JoAnn – Showed map and shared a letter from Dick Shook in which he mentioned that the *creeklette* at North Clackamas Park has no official name, and, therefore, no respect. The creek has year-round flow. Names suggested were *Camas Creek* and *Park Creek*.

Dick – Suggested *Camas Creek* and Sally Shook added that she has a source for Camas seed for planting.

JoAnn – Noted that under the City’s naming process, the Board would make a recommendation to Council after having heard input from the affected NDAs.

Dick – Shared his understanding of the formal naming process through the Oregon Geographic Names Board and brought a reference book on the subject.

Sally – Noted that the camas flower was the official flower of the Park District as it was on their logo.

Dick – Feels that during the planning of the park that it would be nice to have the creek named.

Sonny – Felt that if the name were used on a regular basis, it would stick.

JoAnn – Advised that in reality, City Council could come up with a totally different name.

Sonny – Asked Dick if any other discussions have been held and Dick replied they had discussed it at the North Clackamas Stewardship Group meeting and they had supported the naming..

Katie made a motion to name *the stream at North Clackamas Park Camas Creek* and Sonny seconded. Motion passed 5-0.

JoAnn: Said, according to the naming policy, she should forward it to Lake Rd for their review. She said she would do this.

Dick said he would take the information he has gathered at this meeting to the next DAB meeting.

IGA Revisions

JoAnn – Reminded folks that she had hit a stumbling block with IGA maintenance standards and noted that, thanks to Eric Shawn, she had recently discovered two great templates for standards. She provided a matrix comparing the current standards with APPA standards and those from San Francisco. APPA has several levels. JoAnn suggested there might be a way to compare and possibly merge the two.

Sonny – Asked Kevin how many man-hours would be required to maintain the different levels.

Kevin - Answered that his department does not currently break down man-hours, but it may be possible.

Sherry – Clarified that it would be a good idea to take the City’s existing standards and add other categories.

JoAnn – An idea would be to take out unreasonable expectations, keep repair, maintenance, and safety.

Discussion was held about maintenance of well sites. Kevin added that maintenance cannot use chemicals or fertilizers near well sites and that they should be listed separately.

JoAnn – Proposed an amalgamation of plans.

Joan - Added that the DAB wants to know the status of the IGA negotiations.

JoAnn – She would like to take a draft to Council before moving ahead with negotiations with the District.

City Updates

Spring Park: Island Station neighborhood has used its own money for a park boundary survey.

Riverfront Park – Currently David Evans is working on design but City has asked that DEA now shift into permit application mode. Funding has been placed in the 07-08 budget to extend this work into next fiscal year.

Local Share: Staff has met with both Lake Road and Ardewald NDAs re: available land for acquisition under the Local Share program.

District Update

Joan – District budget, meetings will be held next month. N. Side planning for N. Clackamas Park to be reviewed, the ball field is almost done. April 21, 2007 will be the grand opening. There is approval for one year of maintenance provided by Total Golf Management Co.

April 22 is Earth Day. There will be activities at North Clackamas Park.

Spring break activities planned include: Ski and snowboard camps, Missoula Theater, Aquatic Park, the 13th annual quilt show, annual “March for meals”, and the rummage sale at the Milwaukie Senior Center this Friday, Saturday, and Sunday.

Kevin – Most of the paving is done at N. Clackamas Park, the new trees are in, the pavilion entry can be poured. There is lots of mowing being done now.

JoAnn – Michelle is working on the trolley project has run into roadblocks. There are ODOT concerns with safety.

Sherry – Update on the City’s TSP bicycle/pedestrian work group meeting, 20-25 people showed up. There were issues raised about 224 being a barrier, the minutes will be available online.

JoAnn – The City has had inquiries re: Elk rock Island as to whether the city wants to purchase land owned by the Smith’s in Island Station where eagles have nested.

Joan – Asked JoAnn about the Sternwheeler cruised out of OMSI and an update on it relocating in Milwaukie.

Discussion was held about using the current Cash Spot location for check-in and parking, and possible locations on the river across from it for docking the vessel.

Joan – Asked what is happening with the building on 37th where the Park District used to have their offices.

Discussion was held about the New Century Players having its offices there.

Motion was made by Ray to adjourn and Bob second. Motion passed 5-0.