

MINUTES

MILWAUKIE CITY COUNCIL WORK SESSION
September 19, 2006

Mayor Bernard called the work session to order at 6:50 p.m. in the City Hall Conference Room.

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

Staff Present: City Manager Mike Swanson, Planning Director Katie Mangle, Community Services Director JoAnn Herrigel, and Community Development/Public Works Director Kenny Asher.

General Annexation Discussion

Ms. Mangle updated the Council on recent activities and upcoming matters. The current policy was that the City would provide services to properties within the City, and the City requires annexation prior to providing service. In the past the City was not consistent in applying the policy so there were properties that received services but were not within the City. There was a proposed 8-unit development at Harmony Park Apartments just outside the City, and the City successfully argued that annexation would be required prior to providing service to that property. The County hearings officer agreed with the City that the property would need to meet the City's requirements for receiving sewer service before receiving a certificate of occupancy. Over the past few years staff has been more consistent in applying the policy and insisting on annexation prior to approving development requiring City service. When properties on the edge of the City wanted to subdivide or build then annexation would be required for increased sewer service. Several property owners had contacted the City during the past few months about annexation for increased service, and she anticipated several would happen over the next few months.

There were also islands surrounded by the City that received City services but did not pay City taxes and were not subject to City policy and codes because they were in Clackamas County. Staff would work with the individual property owners who approached the City and agreed to sign a consent to annex. There was a separate process for island. The City was empowered by the State and Metro to initiate annexation of those properties, so consent by the property owners and consent by the City was not required. Staff felt this would be a good time to initiate that type of annexation over the next few months as regular annexations came before Council. Staff would meet with the property owners to discuss the benefits of being in the City and address their concerns, but it would not require the process that typically came with annexing. There were two islands generally in the Johnson Creek Boulevard area which was relatively small single properties. The other island was in the Harmony Road area. Cities were generally allowed to "clean up" their maps.

Councilor Stone asked how long the City had that authority to not require the property owner's consent to annex.

Ms. Mangle said the only time consent was not required was with island annexations. This was not a new authority.

Councilor Stone asked if the City exercised that ever in the City to where it was required and the property owner did not agree?

Mr. Swanson replied it was a rare occasion. The property was required to be surrounded on all sides by incorporated areas. It has been in the state statutes for quite some time.

Councilor Stone did not want to see government becoming heavy handed with people and forcing them to do something they may not want to do. She did not want the City to be in that situation.

Ms. Mangle replied staff felt this was about applying policy fairly for all citizens of Milwaukie. These were properties that were not paying for some of the services they were receiving. If the City wanted to hold the line more consistently, then it would be more equitable for the citizens who were paying for sewer, police, and other services.

Councilor Stone encouraged the City to speak with those property owners regarding the benefits and annexation.

Ms. Mangle added that all land use decisions are appealable and subject to referendum. It would be important to talk with the property owners to lay the groundwork.

Mayor Bernard agreed all people using City services should pay their fair share. He would definitely support talking with the property owners.

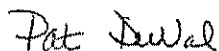
City Manager Matters

Mr. Swanson discussed changing the date of the first Council meeting in November. The group agreed to meeting on November 9.

He reported the Citizen Advisory Council (CAC) was winding up its process on recommending a strategic plan for wastewater treatment. He could prepare a recommendation for the October 3 Council meeting.

Mr. Swanson distributed copies of his response to questions regarding the intergovernmental agreement (IGA) between Metro and the City for joint marketing of the City Hall/Texaco station block.

Mayor Bernard adjourned the work session at 7:02 p.m.



Pat DuVal, Recorder

AGENDA

MILWAUKIE CITY COUNCIL WORK SESSION SEPTEMBER 19, 2006

MILWAUKIE CITY HALL

Second Floor Conference Room
10722 SE Main Street

WORK SESSION – 6:45 p.m.

Discussion Items:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>
1.	6:45 p.m.	General Annexation Discussion	Katie Mangle
2.	6:55 p.m.	City Manager Matters <ul style="list-style-type: none">• Reschedule first Council meeting in November• Council recommendation regarding Citizens Advisory Council (CAC) alternatives	Mike Swanson
3.	7:00 p.m.	Adjourn	

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.
- Executive Session: The Milwaukie City Council may go into Executive Session pursuant to ORS 192.660. 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.