

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
MAY 3, 2005**

**City Manager Swanson** announced that the City Attorney was excused from the meeting pursuant to Resolution No. 9-2003.

**CALL TO ORDER**

**Mayor Bernard** called the 1957<sup>th</sup> meeting of the Milwaukie City Council to order at 7:10 p.m. in the City Hall Council Chambers. The following Councilors were present:

Council President Deborah Barnes	Joe Loomis
Carlotta Collette	Susan Stone

Staff present:

Mike Swanson, City Manager	Kelly Somers, Public Works Operations Director
JoAnn Herrigel, Community Services Director	

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

**Advisory Board Interview**

**Charmaine Coleman** was interviewed for a vacant position on the Design and Landmarks Committee

**Proclamations**

- Workplace Safety Awareness Day, May 11, 2005
- Building Safety Week, May 8 –14, 2005

**CONSENT AGENDA**

It was moved by Councilor Barnes and seconded by Councilor Collette to approve the Consent Agenda that consisted of the following:

- A. City Council Minutes of April 5 and 19, 2005;
- B. Painting Contract; and
- C. Resolution No. 20-2005: A Resolution of the City Council of the City of Milwaukie accepting a quote from Professional Video and Tape, Inc. for government access equipment.

**Motion passed unanimously. [5:0]**

**AUDIENCE PARTICIPATION**

None.

**PUBLIC HEARING**

None scheduled.

**OTHER BUSINESS**

None scheduled.

**INFORMATION****Social Gaming**

**Mr. Swanson** reported that the City received an inquiry from a local business asking whether or not it allowed social gaming. It was defined as gambling if there were betting, which was using tokens in exchange for money and risking something of value on the outcome of a contest. Social gaming was not allowed and was illegal. It was a second-degree misdemeanor if one was doing it and a first-degree felony if the businesses supported it. If the City Council did nothing, then it remained illegal. The City Council did not have to establish a regulation to outlaw social gaming because it was already done. The only reason a council would want to consider an ordinance was to allow the activity and to establish some rules; otherwise it was a crime.

**Mayor Bernard** suggested looking at the Lake Oswego ordinance that made it a requirement that structures built in neighborhoods conform to the neighborhood character. He commented on the adult foster care facility on Guilford Drive.

**Mr. Swanson** believed that was on Planning Director Gessner's list of things to do.

**Councilor Stone** understood that would protect neighborhoods in terms of what could actually be built and commented on businesses such as the care facilities that have been going in all over the City. The other issue was design standards for neighborhoods and keeping the character of the overall predominant design structure. In her neighborhood there were many homes that were built in the 1920's and 1930's with mobile homes interspersed that did not really match the prevalent design. She would like to see something drafted that would protect neighborhoods from having some of that design mishmash. She did not believe that did anything positive for property values. She discussed keeping neighborhoods to the original style similar to the how one restored a home.

**Mayor Bernard** said by state law manufactured housing cannot be restricted. Milwaukie added the allowable standards earlier.

**Councilor Stone** was not singling out mobile homes because there were other houses being built that were not in conformance with the original homesteads in the neighborhoods.

**Councilor Collette** commented the City Council had talked about asking the Design and Landmarks Committee to look at residential guidelines as it did with the Downtown guidelines. She did not believe any decision was made.

**Councilor Stone** suggested that residential design guideline development be added to the Committee's work plan.

**Mayor Bernard** said his concern would be problems with someone who wanted to come in and improve the neighborhood. Would these be quality standards?

**Councilor Collette** replied there could be design guidelines similar to those downtown. She noted that a lot of cities had them.

**Mr. Swanson** believed this project was also on Mr. Gessner's list. The Design and Landmarks Committee could recommend guidelines, but someone had to do the research and write them. Currently, the Planning Department was inundated with cases.

**Councilor Stone** went back to the social gaming issues and asked Mr. Swanson what was expected of the City Council.

**Mr. Swanson** replied it was information for the Council because the question was asked. If the Council did nothing, then social gaming would remain illegal. If the City Council wished to establish an ordinance to regulate and license social gaming, then it could be done. If there were a desire to do that, he would like Chief Kanzler to speak to the Council about his previous experience. It was on the agenda because a local business had asked the question.

**It was the consensus of Council not to adopt any social gaming regulations.**

**Councilor Stone** understood there was one inquiry.

**Councilor Loomis** thought it likely had to do with a recent Corvallis ordinance and the popularity of such games as Texas Hold'em on television.

**It was moved by Councilor Collette and seconded by Councilor Barnes to adjourn the meeting. Motion passed unanimously. [5:0]**

**Mayor Bernard** adjourned the regular session at 7:22 p.m.

*Pat DuVal*

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Pat DuVal, Recorder

# AGENDA

MILWAUKIE CITY COUNCIL  
MAY 3, 2005

MILWAUKIE CITY HALL  
10722 SE Main Street

1957<sup>TH</sup> MEETING

## REGULAR SESSION – 7:00 p.m.

- I. **CALL TO ORDER**  
Pledge of Allegiance
2. **PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**
  - A. **Advisory Board Interview – Design and Landmarks Committee**
  - B. **Workplace Safety Awareness Day**
  - C. **Building Safety Week Proclamation**
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 of April 5 & 19, 2005**
  - B. **Painting Contract**
  - C. **Accept Competitive Quote for Audio Visual Equipment Upgrade -- Resolution**
4. **AUDIENCE PARTICIPATION** *(The Mayor will call for statements from citizens regarding issues relating to the City. It is the intention that this portion of the agenda shall be limited to items of City business which are properly the object of Council consideration. Persons wishing to speak shall be allowed to do so only after registering on the comment card provided. The Council may limit the time allowed for presentation.)*
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.)*

**None scheduled.**
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.)*

**None scheduled**

## **7. INFORMATION**

### **A. Social Gaming**

### **B. Park and Recreation Board Minutes, January 25, 2005**

## **8. ADJOURNMENT**

### **Public Information**

- Executive Session: The Milwaukie City Council may go into Executive Session immediately following adjournment at 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.

## PROCLAMATION

**WHEREAS**, the City of Milwaukie, Oregon OSHA and other organizations in Oregon recognize that ensuring safe workplaces in our state is a responsibility we all share; and

**WHEREAS**, Oregon's safety community has made significant progress in reducing worker deaths and injuries in the thirty years since the passage of the Oregon Safe Employment Act in 1973; and

**WHEREAS**, safe workplaces in Oregon result from business, labor and government collaborating to reduce the human and economic toll of workplace injuries and deaths.

**NOW, THEREFORE**, I, James Bernard, *Mayor* of the City of Milwaukie, hereby proclaim Wednesday, May 11, 2005, as

### **Workplace Safety Awareness Day**

in Milwaukie and urge all citizens to recognize employers and workers for their important work and continued dedication to safety.

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James Bernard, Mayor

ATTEST:

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Pat DuVal, City Recorder

## **PROCLAMATION**

**WHEREAS**, Building Safety Week was initiated in 1980 to recognize the importance of making homes and buildings safe places where people can live, work, and play; and

**WHEREAS**, Building codes and code officials play an important role in keeping our buildings safe; and

**NOW, THEREFORE**, be it resolved that I, James Bernard, Mayor of the City of Milwaukie, Oregon, do hereby proclaim the week of May 8<sup>th</sup> – 14<sup>th</sup>

### ***BUILDING SAFETY WEEK***

In the City of Milwaukie and ask all our citizens to join us in its observance by recognizing the importance of building safety so that we can all be safe in our homes, work, and play.

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James Bernard, Mayor

ATTEST:

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Pat DuVal, City Recorder

# MINUTES

## MILWAUKIE CITY COUNCIL WORK SESSION APRIL 5, 2005

**Mayor Bernard** called the work session to order at 5:30 p.m. in the City Hall Council Chambers.

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

Staff Present: City Manager Mike Swanson, Planning Director John Gessner, Finance Director Stewart Taylor, Engineering Director Paul Shirey, Operations Director Kelly Somers, and Operations Supervisor Streets Mike Clark.

### **Advisory Board Interviews**

The Council interviewed the following persons for re-appointment to their advisory board positions: Ray Harris, Park and Recreation Board; Patty Wisner, Design and Landmarks Committee; Molly Hanthorn, Center/Community Advisory Board; Leslie Schockner and David Aschenbrenner, Budget Committee. Melissa Arne, a new applicant, was interviewed for a current vacancy on the Budget Committee.

### **Railroad Crossing Quiet Zone**

**Mr. Shirey** was joined by Scott Hale, Civil Engineer with HDR, Inc., and Mike Webb, Railroad Signals Manager, to respond to technical questions. The Union Pacific mainline went through the middle of Milwaukie. It was 2.4 miles through the City with 4 at-grade crossings at which locomotive were required to sound their horns. The issue with the horn noise was a long-standing source of frustration. The map indicated the grade crossings, and the circles illustrated the ¼-mile distance at which the trains were required to sound their horns. There was a lot of residential housing within ¼-mile of the track. He guessed if the City did a noise study that the noise would probably be at decibel levels to bother people who were even further. The Federal Railroad Administration was considering rules in April.

**Mr. Webb** commented that the agency was very methodical.

**Mr. Shirey** continued that those were imminent, and Milwaukie could take advantage of these upcoming rules. The report went into detail on each crossing and its configuration relative to rights-of-way and identified a proposed quiet zone set of measures. Those were additional crossing dates, center medians to prevent, and electronics that controlled the gates as a backup in the event power was lost.

For the 4 grade crossings, it would cost from \$825,000 to \$965,000 total. He did not recommend this was what the City should do and was presenting information to the City Council and public. He would take this report to the Neighborhood Associations who wanted to hear about the study in more detail. He thought the

City might look at setting up a local improvement district (LID) to assess property owners within a certain noise corridor. Apparently that method was used successfully in Vancouver, Washington. People were so fed up with the noise that they were willing to make payments to implement the measures.

**Councilor Barnes** asked how many calls the City was getting.

**Mr. Swanson** replied, although he did not get a lot of calls, this was probably one of the top 3 or 4 issues he was questioned about by phone and at neighborhood meetings. That was probably due to the number of crossings and the continuity. Something was always sounding when a train went through.

**Councilor Barnes** asked what funding alternatives there were other than coming out of the City budget or forming an LID.

**Mr. Shirey** said those were the only options he identified because he did not know of any federal or railroad assistance programs.

**Mr. Swanson** added the proposed Federal Railroad Administration Rules specifically exempted the railroads from any contributions. It would be a local responsibility. The theory was that congress required the sounding of the whistles for safety. As long as there were no other safety provisions at the crossings, they did not require anything else. It somehow had to be on the local jurisdictions. If the City had flexibility, then it could finance it over 4 or 5 years. However, the City did not have the money, and he did not see any federal money available.

**Councilor Barnes** commented that she grew up in Cedarcrest. She still lived in that area, but she no longer heard it. It got to the point after living there for years that it was just part of the neighborhood. With that many phone calls, she understood the City needed to address the issue. The longer a person lived in this town the more they tuned it out. She had not heard any complaints about the noise from people who had lived there for a long time.

**Councilor Stone** asked how the City was measuring the need for this. She lived near the tracks and had done so for more than 20 years. She agreed that one did tune it out. Her concern was the need and how to measure it. Did a few complaints by a few citizens validate spending almost \$1 million? Her other concern was the LID in Vancouver. What were the demographics? The demographics in Milwaukie would probably not support funding these projects with LIDs.

**Mr. Webb** replied that the homes in Vancouver were more expensive and were along the Evergreen Hwy. Councilor Stone had made a very good point. Five years ago he retired from his Signal Manager's position with UP, and this was part of his district. The railroad had done a lot with its own dollars to lessen the cost impact. At Harmony, there was a new instrument house as well as one near Mike's Drive-In. The crossing at 37<sup>th</sup> Avenue and Oak still had the 12-inch lights, and he thought there was a good possibility for a partnership to defer some of the costs. In order to have a quiet zone, one had to have a least ½ mile. Milwaukie had two zones. The zone with the 3 crossings was the worst for noise. What

was the long-term projection for an overpass at Harmony Road? He used to push for that himself.

**Mayor Bernard** believed that would result in taking out 2 blocks from the neighborhood, so that was unlikely. He believed it was still in the County's Capital Improvement Plan (CIP).

**Mr. Webb** said if Milwaukie was really interested, the railroad was also. He could not say it would put any money toward it, but there were a lot of people who could figure out ways to do this so it would not be so costly. He would be willing to help. He had a personal interest because he used to attend church on Linwood Avenue. There was probably about \$180,000 of railroad money plus some state funds that were put into the adjacent traffic signals. It was not as if the City would have to start from scratch. If the Council was interested, he could get a more realistic idea of the cost. There would be a quiet zone conference in Southern California in April, so he would look at some of the new equipment that might be less costly. He could not say what the bottom line would be at this point. It was certainly an issue with a lot of communities. They did a 48-crossing zone in northeast Ohio. One set of double mains had 80 trains per day, and the other had 60. The person living in the center could hear over 6,200 whistle sounds per day.

**Mr. Swanson** said this was done because there were enough inquiries that staff needed to be able to tell Council and people what would need to be done and how much that would cost. In the past year he talked with a safety person at the railroad. He had concerns about safety even with the development of a quiet zone. Even with the regulations and the equipment that would be required to establish a quiet zone, he was still concerned about safety and preventing the potential for accidents to happen. The railroad was doing what it was required under federal regulations, and the City would be choosing to establish the quiet zones.

**Mr. Hale** said there were funding options if one look at the whole corridor as a safety improvement. He discussed the feasibility of closing one of the crossings and getting federal grants to upgrade the others.

**Mr. Webb** said the only choice of street closure might be 37<sup>th</sup> Avenue.

**Mayor Bernard** met with someone last week who was starting to raise money to solve some of these issues based on the need for freight mobility. They were trying to raise money to upgrade crossings.

**Mr. Webb** had volunteered for Metro's Transportation Committee, and like everyone else, it had limited funds.

**Councilor Collette** was going to meet with the Oregon Energy Trust to find out if there was a way for Milwaukie to reduce its street lighting budget and any other budgets with energy grants. They wanted to push upgrading traffic signals, and she would ask if there was a potential to upgrade railroad-crossing signals. They had a lot of money, and the Trust approached her about giving money to Milwaukie.

## **Pavement Management Report**

Mr. Shirey, Mr. Somers, and Mr. Clark were joined by Michael L. Rybka, President, EIS Inc. and Joel Conder, Senior Project Manager provided the staff report.

**Mr. Shirey** said the report done by the consultants to test and evaluate the conditions of the streets in Milwaukie provided a quantitative means to talk to people about the greatest needs in terms of preserving the street surface or doing things within a relatively short period of time to prevent the streets from becoming so deteriorated that they had to be rebuilt. He discussed spending money on the street system so that conditions did not continue to deteriorate.

**Mayor Bernard** said one of his greatest concerns was King Road, which was, next to Railroad Avenue, one of Milwaukie's worst streets.

**Mr. Somers** discussed the option of taking the blacktop off and mixing cement with the existing dirt that sets up like concrete. That saved a lot of money. The travel lanes on King Road were deteriorating, but the center lane was not. One idea was to not worry about the center lane, deal with the travel lanes, and then pave over the whole thing. That would probably save quite a bit of money. There were many ways to rebuild a street, but he was a true believer in the concrete treated base. The City was trying to reserve some money in the street budget next year.

**Mr. Rybka** said Milwaukie hired his firm in 2004 to assess the City streets. An inventory was developed by driving all the streets in the City, measuring it in terms of length and width and giving it some identifiers to know what the inventory was and what the street network was made up of. In the second phase, inspectors went out to evaluate each street in the City based on a set criteria on the types of pavement distresses and deficiencies. Those were rated on severity – low, medium, and high – as well as quantities. Once that information was gathered, there was a series of components to the pavement management system the City purchased which took it through the inventory piece and budget analysis modules. He called this the financial impact analysis. They compared what the City was currently spending, the predicted models, and several scenarios of how much it would cost for Milwaukie maintain its streets. It was important to remember that the rate of deterioration was constant and without intervention, the cost of providing desired service levels increased if adequate investments were not made.

Milwaukie had 70 miles of centerline miles and 138.6 miles of lane miles. This recognized that arterials and collectors often had multiple lanes. Those were the major roads. There were 4.6 miles of arterials, 12 miles of collectors, and 54 miles of residential roads. Based on the hierarchy, collectors were the main roads moving through town taking traffic from the neighborhoods to the major roads to the state routes.

A pavement management program was a method to effectively manage streets and a planning tool to aid in decision making for broad areas or individual streets.

One could look at the timing and scheduling based on the predicted models in the pavement management system. It had a pavement deterioration model. One could find out the condition in the future based on current predictive models and what the overall street condition would be if no maintenance were done. It was also a cost benefit analysis tool to determine the differences between spending money today or deferring and the effects of various treatments. The rating of the pavement condition index was the score of overall condition of the road. It began at '0' and went to '100.' Once one had the score identified, it also began placing streets into a decision tree matrix based on the range of the pavement conditions. Decisions could be made on the street conditions. The budget needs analysis was the first financial impact that was produced. At this point the inventory was developed, the condition assessment was done, and the decision tree was based on the City's cost of doing business. This provided a good snapshot of what it would cost the City to do street maintenance and rehabilitation. He often referred the budget needs analysis to the 'blank check theory.' Without any fiscal constraints, this was how much it would cost to bring up the street system to a given benchmark. The pavement management system strived to bring the streets up to a condition of 82. There were also budget scenarios or 'what if' analyses. Once there was a budget number, then various scenarios could be run to provide quantified answers based on funding. It demonstrated and quantified deficiencies for current and future allocation. Another component was the GASB 34 accounting reporting. The pavement management system provided information for compliance purposes.

When streets were in these conditions, there were no further options. Reconstruction could be from \$40 – \$150 per square yard based on the functional classification. Given the fact that all roads when overlaid began at 100%, in order to maintain the same level of service, the cost on a square yard basis continued to increase. The City had the opportunity to stretch dollars further with early intervention.

In 2004, the City's overall network condition was 67. 60% was good condition, 17% was satisfactory, 15% was fair, and 7% was poor. Mr. Rybka provided slides that gave examples of the various conditions. He noted that a city bus was equivalent to 7,000 cars making a single trip, so they had an adverse impact on streets over time. He offered a quotation, "Streets maintained in a good to excellent condition cost significantly less to maintain."

**Mr. Rybka** discussed the needs analysis which was originally based on a 6-year window. The City would need \$5.9 million to rehabilitate the streets with a current annual budget of about \$200,000. He provided a financial distribution based on the functional classes. A majority of the funding requirements were for those residential roads. If funding were not an issue, it would require \$8.5 million -- \$850,000 annually -- over a ten-year period to maintain the pavement condition index at that level. He discussed the streets that were not being addressed but should be based on the assessment. Although the City was spending \$200,000 annually, over a 10-year period the pavement index dropped to 55 and was

almost ready to drop into the fair category. The unmet needs were \$1.7 million. The cost of deferred maintenance was continuing to grow at an exponential rate.

One of the Budget Committee members had asked about the sliding scale and the potential plane crash. There was still time for adjustment after pondering the results and working with the engineering staff. It would be about \$450,000 per year to maintain the status quo with a 67 rating. If the City wanted to improve slightly, it would take \$600,000 to get to 76. He noted the ideal rating was 82 in the pavement management system. Mr. Rybka liked 76 because the City could still get by with low-cost maintenance alternatives without going into extensive overlays or dig-outs. It could get by with low cost alternatives such as seal coating and other inexpensive treatments. It may not be a perfect world, but could get maintenance done at a lower cost once it got to that point; however, that point was still a quantum leap.

**Mr. Rybka** added some recommendations to pursue additional funding. Other cities have been successful with local maintenance access fees. He discussed the Wilsonville model that was \$3 – \$5 for a residence. The city was able to give rebates once all of its maintenance needs were addressed. Other recommendations were to develop investment level funding packages, and develop a 3-year plan with measurable outcomes.

**Mayor Bernard** thought the solution was in street lighting.

**Councilor Collette** asked if the work on Lake Road would affect the charts in any significant way.

**Mr. Shirey** replied it would bring the number of lane miles up and increase to condition rating slightly if nothing else were done.

**Mr. Rybka** said it was a fraction of a larger pie. It would increase the overall condition slightly and would reduce the overall impact. He discussed the functional classifications. Arterials and collectors had a higher rating and were typically more expensive because they carried higher volumes of traffic because of curbs and sidewalks and pavement widths and structures.

**Councilor Collette** asked if the new transportation systems development charge (SDC) would help in any way.

**Mr. Shirey** replied that SDCs can only be used to provide for new capacity and cannot be used for pre-existing deficiency. The longer the City waits and conditions worsen, the greater the cost.

The group discussed the quality of the last King Road repairs.

**Mr. Somers** indicated it was a state overlay project that was very poorly done.

**Councilor Barnes** asked why the City did not complain about the quality of the project. Those were the calls that she got. People were tired of trying to drive on it and wanted to know when it was going to be fixed.

**Mr. Somers** said the contractor did what he was told to do.

**Councilor Barnes** suggested adding that to the list of things to call the State Representatives about.

**Mr. Shirey** said Lake Road between 21<sup>st</sup> and 38<sup>th</sup> Avenues would be rebuilt. It did not require that level of reconstruction from 38<sup>th</sup> Avenue to the east.

**Councilor Loomis** said the presentation was very helpful and was the first time it was broken down individually. People could use this information to make an educated decision. The biggest problem with roads was at one time the streets budget looked really flush, and the decision-makers decided to pay for street lighting out of that. It originally came out of the general fund. When a pot looked big, there was likely a need there, and eventually there would be consequences.

**Mayor Bernard** agreed at one time cities were really flush with gas tax money, and many used it to pay for street lighting. He thought the City needed to resolve that and get street lighting back into the general fund. He recommended that the City add street lighting to the PGE bills. That would be taxing the citizens and would be easier today to put \$.25 to \$.30 cents on each bills than taxing people in the future.

**Councilor Loomis** commented this made it easier to relay the message to the people who would be more willing to pay if they believed and trusted their local governments. People thought the City was just not spending the money it had to fix the streets.

**Councilor Stone** thought King Road was a fine example of why citizens mistrust how government spends money. That was a waste of time and money. She asked what the City could forecast in terms of getting grants or tap other sources of funding to do some of these needed projects.

**Mr. Shirey** said it was difficult to forecast grants. The City spent a lot of time and energy getting the McLoughlin Boulevard and Lake Road grants. About every 6 years when the reauthorization of federal highway funds comes up, the City had a chance to get a project. Metropolitan Transposition Improvement Project (MTIP) funds were limited, and Milwaukie did receive \$450,000 this year for the downtown project. Predicting grant amounts was really difficult. Milwaukie needed a dedicated and constant flow of dollars to keep the pavement conditions from ongoing deterioration.

**Councilor Stone** said a lot of the breakdown of the City streets was due to TriMet busses. 32<sup>nd</sup> Avenue was reconstructed with gas tax dollars and cost just under \$1 million. Why were busses not held accountable for putting some money in for keeping City streets in good repair?

The group discussed TriMet's paying gas taxes and how those funds were apportioned.

**Councilor Stone** added that Milwaukie had lots of busses throughout the community and noted that routing on 32<sup>nd</sup> Avenue just increased.

**Mr. Shirey** said the City should make sure that busses stayed on arterials and collectors because they were built at a design standard to handle the weight.

**Councilor Stone** commented that 32<sup>nd</sup> Avenue had really held up, whereas King Road had not. It always concerned her when street cuts were made.

**Mr. Shirey** concluded that the City would continue to use the software it bought to periodically assess and update the condition of the streets. It had a lot of tools to portray the choices and tradeoffs to citizens if the Council wished to move to a new funding mechanism. He believed it was a great asset and hoped the City could find a way to increase the overall funding level to maintain the street system.

**Councilor Collette** heard over and over again about the condition of King Road, and it was a major concern of Milwaukie citizens.

**Councilor Loomis** suggested making this presentation to the Budget Committee next year.

**Mr. Rybka** observed there was not a lot of hope that the Legislature would address transportation issues. Local agencies – cities and counties – were solving the problems on their own volition.

**Mayor Bernard** adjourned the work session at 6:54 p.m.

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Pat DuVal, Recorder

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
APRIL 19, 2005**

**City Manager Swanson** announced that the City Attorney was excused from the meeting pursuant to Resolution No. 9-2003.

**CALL TO ORDER**

**Mayor Bernard** called the 1956<sup>th</sup> meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Council President Deborah Barnes	Joe Loomis
Carlotta Collette	Susan Stone

Staff present:

Mike Swanson, City Manager	Kelly Somers, Public Works Operations Director
John Gessner, Planning Director	Paul Shirey, Engineering Director
Grady Wheeler, Information Coordinator	

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

**Milwaukie High School Student of the Month**

Between the ages of 6 and 16, **Violet Read** was a ward of the state living in foster homes. Today as a senior at Milwaukie High School, Ms. Read was a superior student who recently traveled to Washington, D.C. to receive a \$10,000 Horatio Alger scholarship for students who had overcome adversity in their lives. In addition to maintaining a 4.0 GPA, Ms. Read was an orchestra student, a member of the National Honor Society, and participant in habitat for humanity. She tutors and volunteers at her church and the Angel Tree Prison Ministry. Ms. Read was an example of how a young woman can overcome adversity and give so much back to her community. She plans to pursue a degree in elementary education.

**Recognize Off-going Board and Commission Members for Service to the Community**

The Council recognized **Peter Koonce** for his six years of service on the Budget Committee and **Sue Trotter** for her seven years of service on the Library Board.

**Mayor Bernard** noted that former Planning Commission member Howard Steward had passed away. He would be truly missed.

## CONSENT AGENDA

It was moved by Councilor Barnes and seconded by Councilor Stone to approve the Consent Agenda that consisted of the following:

- A. City Council Minutes of March 12 and April 5, 2005; and
- B. Resolution No. 18-2005: A Resolution of the City Council of the City of Milwaukie, Oregon, authorizing the Mayor to execute the third amendment to personal services contract with Ramis, Crew, Corrigan & Bachrach establishing new rates for service effective July 1, 2005.

**Motion passed unanimously. [5:0]**

## AUDIENCE PARTICIPATION

None.

## PUBLIC HEARING

### Sale of Surplus Property

**Mayor Bernard** called the public hearing to order at 7:15 p.m. The purpose of the hearing was to consider public comment on declaring the property located at 12125 SE 21<sup>st</sup> Avenue surplus and setting minimum terms for the sale.

No ex parte contacts or conflicts of interest. There were no challenges.

Staff Report: **Mr. Somers** reported that the property was advertised as two parcels. The vacant lot had a minimum bid of \$60,000, and it sold for \$65,000. The lot with the house was appraised at \$140,000, and that was established as the minimum bid. After people looked at the house, they felt that amount was too high to bring it up to standards. He initially proposed to have the house demolished, but since that time several people suggested that the house be advertised at \$60,000. The buyer could repair it and re-sell it. He was assured this time the property would sell for \$60,000 or more. The revised resolution would allow the City to sell the property with the house intact as a package.

**Mr. Swanson** said the new draft resolution directed staff to sell the property located at 12125 SE 21<sup>st</sup> Avenue consisting of tax lot 1401 consistent with Milwaukie Municipal Code Section 3.15.015, the minimum sale price shall be \$60,000. The last two "whereas" clauses stated that there was a structure located on tax lot 1401 and that the structure would remain and would be declared surplus with the tax lot.

**Councilor Collette** asked if the City would incur any liability if something happened at that site either before or after it was sold.

**Mr. Somers** did not believe the City would have any liability once it was sold. It was being sold "as is." According to the building official, the new owner would have to present to the building official that it was brought up to codes when it was built. Everything had to work properly.

**Councilor Collette** asked if the structure would not have to be brought up to current code if the remodel was more than ¼ of the value of the structure.

**Councilor Barnes** asked if staff had gotten feedback from the Neighborhood Association.

**Mr. Somers** said several of the people in the Neighborhood suggested that it be put back on the market for \$60,000.

Correspondence: None.

Public Comment: **Lisa Batey**, Island Station Neighborhood Chair, 11912 SE 19<sup>th</sup> Avenue. Ms. Batey said the Association had not had a meeting since learning that the house did not sell. Based on some e-mail exchanged, the Land Use Committee and officers were aware of these plans. There were concerns with the draft resolution that required demolition. Now that the plan was to retain the house and let the purchaser decide what to do with the house, she did not believe there would be any objections. All of the neighbors were keen to have it cleaned up and occupied. She believed the Neighborhood Association was very supportive of the proposal, and she hoped the bid would be higher than \$60,000. The previous bid was for \$90,000 - \$100,000 for the entire property, and land values have gone up in the neighborhood since then.

Questions of Council: None.

Deliberations: **Mayor Bernard** toured the house, and he thought it would take a lot of work to make it livable.

**Councilor Collette** thought this plan made it more cost effective for the City because it would not have to spend \$10,000 for demolition. She was in favor of saving older buildings whenever possible. If the neighborhood was supportive, she thought it was a great plan.

**Mayor Bernard** closed the public hearing portion of the testimony at 7:22 p.m.

**It was moved by Councilor Barnes and seconded by Councilor Loomis declaring the property located at 12125 SE 21<sup>st</sup> Avenue as surplus and setting minimum acceptable terms. Motion passed unanimously. [5:0]**

**RESOLUTION NO. 19-2005:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DECLARING PROPERTY LOCATED AT 12125 SE 21<sup>ST</sup> AVENUE TO BE SURPLUS, DIRECTING THE SALE OF THE PROPERTY, AND DETERMINING MINIMUM ACCEPTABLE TERMS.**

**OTHER BUSINESS**

**Councilor Barnes** asked to be excused from the work session.

**Mayor Bernard** announced that the City Council would meet in work session to hear the annexation evaluation presentation.

**It was moved by Councilor Stone and seconded by Councilor Collette to adjourn the meeting. Motion passed unanimously. [5:0]**

**Mayor Bernard** adjourned the regular session at 7:24 p.m.

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Pat DuVal, Recorder



**To: Mayor and City Council**

**Through: Mike Swanson, City Manager**

**From: Kelly Somers, Public Works Operations Director**

**Subject: Painting Contract**

**Date: April 14, 2005 for May 3, 2005 Council Meeting**

### **Action Requested**

Authorize the City Manager to sign a contract and issue a purchase order with Craftsman Painting in the amount of \$40,000 per year for a maximum of five years. There will be an option to renew the contract each fiscal year for up to a total of five years. The maximum amount of the contract will not exceed \$200,000 for all five years. The contract will be extended only if the previous year's projects were completed to the City's satisfaction.

### **Background**

The City recently called for bids for painting of the interior and exterior of buildings and related work. The City received two bids with the low bidder being Craftsman Painting. The bid is based on several items, which include: Cost per Hour, Cost of Materials, Response Time, and Man Power. The City has four (4) major building sites and several well sites, lift stations, and other small structures that require painting. The painting will be on an as needed basis and will be scheduled throughout the year. It is anticipated that the City will have various types of painting projects for the contractor to perform. Some examples of the projects might be a small interior wall repair that may require minimal time and materials. Another scenario might be painting the interior of an office or hallway completely, including walls and woodwork. The exterior work might be painting the complete exterior of one of the large buildings or possibly painting the exterior window frames, and trim of a building. Staff anticipates that it will budget for approximately \$20,000 to \$40,000 per year in painting projects.

The City attorney has advised staff to consider using requirements contracts for projects that are on-going and normally done by the same contractor to prevent violation of our purchasing rules. This is the first of several types of projects that a requirements contract will work with.

### **Concurrence**

The Public Works Operations Director and the Facilities Coordinator both support this action.

### **Fiscal Impact**

The fiscal impact to Public Work's budgets would be up to a maximum of \$40,000 per year. As stated before, the projects are on an as needed basis.

### **Work Load Impacts**

These projects will require staff time from the appropriate division on an as needed basis.

### **Alternatives**

1. Approve as presented.
2. Approve with modifications.
3. Deny request.



To: Mayor and City Council  
Through: Mike Swanson, City Manager  
From: JoAnn Herrigel, Community Services Director  
Subject: Resolution – Accepting Competitive Quote  
Date: April 19, 2005

### **Action Requested**

Approve the resolution accepting the competitive quote for upgrade of equipment located in the Audio Video room, Council Chambers and conference room at Milwaukie City Hall.

### **Background**

The equipment used to film and broadcast City Council and other meetings taking place at City Hall has been in need of upgrade for several years. In 2004, Jamie Gross, Technical Manager of Multnomah Community Television, donated his time to evaluate our filming and broadcast equipment at City Hall and provided staff with an upgrade proposal.

On January 4, 2005 the City Council adopted resolution number 2-2005 transferring appropriations for upgrade of the equipment for the government access studio.

Competitive quotes were requested from possible vendors but the only complete quote was received from Professional Video & Tape, Inc. The proposed resolution accepts the quote for upgrade of the government access equipment from Professional Video & Tape, Inc. in the amount of \$38,000.

### **Concurrence**

The City Manager, Community Services Director and Finance Director concur with the proposed resolution.

### **Fiscal Impact**

The resolution accepts the quote up to \$38,000 from Professional Video and Tape, Inc. for upgrade of the government access equipment. Funding is available in the current budget for this project.

### **Work Load Impacts**

Community Services staff will work with Jamie Groce to coordinate the installation effort. City staff work load impacts will be minimal.

### **Alternatives**

1. Approve the resolution as proposed.
2. Modify the resolution.
3. Do not approve the resolution.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE  
ACCEPTING A QUOTE FROM PROFESSIONAL VIDEO & TAPE, INC. FOR  
GOVERNMENT ACCESS EQUIPMENT,**

**WHEREAS**, the equipment used to film and broadcast City Council and other meetings taking place at City Hall is in need of upgrade; and

**WHEREAS**, on January 4, 2005 the City Council adopted resolution number 2-2005, transferring appropriations for upgrade of the equipment for the government access equipment; and

**WHEREAS**, competitive quotes were requested from possible vendors but the only complete quote was received from Professional Video & Tape, Inc.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON** that the quote from Professional Video & Tape, Inc. for upgrade of government access equipment at City Hall is accepted in an amount up to \$38,000.

**BE IT FURTHER RESOLVED** that this resolution shall be effective immediately upon its passage.

Introduced and adopted by Council on this \_\_\_\_\_ day of May, 2005.

\_\_\_\_\_  
James Bernard, Mayor

ATTEST:

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

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney



TO: Mayor and City Council  
FROM: Mike Swanson, City Manager  
DATE: April 25, 2005  
RE: Social Gaming

### **ACTION REQUESTED**

The action requested is Council policy direction on whether or not the City should regulate social gaming.

### **BACKGROUND**

ORS 167.117(7) defines "gambling" as risking something of value on the outcome of a contest. ORS 167.111(7)(b) creates an exception if the contest is played only for tokens which cannot be redeemed for cash and if only a limited amount of tokens can be purchased during the day. ORS 167.117(7)(c) also exempts "social games" from the definition of gambling. ORS 167.117(21) defines "social games" as those played in a private home or private business, club, or "place of public accommodation" authorized by ordinance of a city or county and where there are no house odds and no house income from operation of the game.

ORS 167.122 and ORS 167.122 establish the crimes of unlawful gambling in the second degree (misdemeanor) and unlawful gambling in the first degree (felony).

There have been recent inquiries about social gaming within the City of Milwaukie. Absent action by the City to authorize social gaming in a private business, private club, or in a place of accommodation, a person operating a business in which there is social gaming is committing the crime of unlawful gambling in the first degree.

Does the Council wish to adopt an ordinance authorizing and regulating social gaming?



# Park & Recreation Board

## PARB

Tuesday, January 25, 2005

7:00 PM to 9:00 PM

Conference Room – City Hall

## Minutes

**Attendees:** Sherri Dow, Rob Gabrish, Ray Harris, Kathy Buss, Mart Hughes, Kate MacCready

**Absent:** Sonny Newson,

**Staff:** JoAnn Herrigel, Joan Young

### Minutes

Herrigel noted that there were a few typos she found. With those corrections, Buss motioned to approve the minutes of the December 28 meeting. Dow seconded and the motion carried 4-0-2 with MacCready and Hughes abstaining due to their absence at the last meeting.

### North Clackamas Park Update

Charlie Ciecko updated the group on the status of North Clackamas Park. In summary:

- The old proposal had 157 parking spaces, four adult fields and no horse arena.
- Over the past six months the District has had significant public input at many venues, with lots of written and oral testimony.
- The DAB has identified common threads among the testimony and has asked staff to develop an alternative design to accommodate many of the concerns
- In Sept the DAB chose an option to pursue but still had some concerns that they asked staff to follow up on:
  - Hire a consultant to finish plan design
  - Contract with a traffic impact consultant
  - Draft an amplified sound policy
  - Meet with local youth league reps
- On December 22 staff presented a revised plan to the DAB and the DAB voted 6-2 to adopt this concept plan (Hughes and Shook voted against )
- The DAB asked staff to:
  - Proceed with the design consultant
  - Proceed with the Community Service Overlay (CSO)(submit to Milwaukie Planning Commission)
  - Do additional traffic impact study of – 1) traffic counts on Rusk Rd 2)Research status of shoulders on Rusk, Kellogg Creek and Aldercrest
  - Characterize peak event traffic
- Major changes that have been made since the very first proposal:
  - Permanent PA system dropped from plan
  - Lights are to go off at 10pm
  - Youth fields only – no adult fields
  - 245 parking spaces total now
  - Horse arena retained
  - Oak tree on knoll retained

- Incorporated a trail system around and between fields (northern portion of trail was moved out of 50 foot wetland buffer)
- Inserted a full-sized soccer field
- Added a fence and a vegetative buffer between the church and the park
- Access gates to the south of the field retained
- Honoring 50 ft buffer
- Bioswale is in the buffer but is planted with natives
- Total of 45 acres on site
- 6.4 acres are currently ball fields
- 5.6 acres will be ball fields in the new design
- 1.16 acres now soccer
- 1.9 acres will be soccer in new design
- 3.06 acres will be new pavement for parking
- Next Steps:
  - In process of submitting CSO (Plan Comm in April)
  - Traffic impact study on-going
  - Design and engineering on-going
  - Already held pre-app with Milwaukie Planning
  - Will have meeting with Oak Lodge CPO and Linwood and Lake Rd NDAs
  - Bid will be in Spring and construction in summer 05
- Cost of total project with all proposed amenities is \$3.5 million
- District only has \$1.9 million left
- DAB will take public comments in February re: priorities for amenities

MacCready: How long is phasing? Will more money come later?

CC: District will go after grants for some portions of the plan.

Herrigel: How are the fields restricted to youth only?

CC: Adult leagues use 330 ft fields – these fields are 225 ft.

MacCready: Is the gazebo retained?

CC: Yes

Hughes: Your printed information says that you have \$3 million...you said \$1.9 million

CC: \$2.2 million was held in reserve for this project. \$ 234,000 of this was used for the construction drawings and management

Herrigel: What about a plan for the north portion?

CC: Needs to be more planning done on the northern part of this site but CCC wanted staff to focus on the lower portion first. There is a good argument that more attention is needed for the oak grove and the wetland areas.

Harris: Who owns the properties to the north and east of the site?

CC: The church is to the east and the north is residential – the closest residence is 400-500 feet away

Herrigel: Is the amplified sound policy for the whole District?

CC: No, just this park.

Herrigel: What about your recent proposal for new dog rules?

CC; The District has been approached by abutters with a petition requesting off-leash dog hours - 7 days a week from 5 am to 10 pm and 3 pm to dusk. District has notified City Manager to see if there is interest by Council to consider this.

Hughes asked if the group wanted to talk about dogs at this meeting and the consensus was that this should be tabled for another night.

Hughes said he felt the PARB had an opportunity to suggest how they want North Clackamas Park to be developed and managed. He felt that there should be a master plan for the whole site, not just the southern portion. He felt that we should make a master plan for the whole site be a condition of the approval of the ball field project. He felt that maintenance actions should be listed for the area above the swale area. He further noted that the neighbors of the park have expressed concerns re: lighting and sound and that he feels their concerns have not been addressed fully.

Dow said she has lived near LaSalle High School for 22 years and she can hear the games in the school fields all the time but that's really not a problem for her. She said they are good about being off the fields by a particular time. They even upgraded the fields and put in a PA system and they still don't bother her.

Hughes repeated that he's still concerned about the testimony of the neighbors and their concern re: noise and lighting.

Gabrish noted that he too has lived near ball fields for years and asked if the fields were used by youth - how late could they play anyway? And if the fields aren't lit - it's a moot point.

Hughes said that maybe the DAB could compromise on shutting off lights at 9 pm.

Gabrish and Dow said they didn't think 10 pm was unreasonable.

Harris asked if Dow had lots of families with kids in her neighborhood. He wondered whether maybe kids outweighed the curmudgeons in her area....

Dow wondered whether anything the DAB did to change the proposal would make the neighbors of the North Clackamas Park happy.

Buss said she thought there were already noise rules in the City.

Hughes said the District doesn't want to implement a decibel level.

CC said the District did put in a decibel level but that they didn't want to enforce on this measure in general - but only for specific hours during special events.

Harris said he thought the District should go ahead with what they have proposed and then change it later since it's easier to ask for forgiveness than permission.

MacCready said she thought leagues were seasonal anyway.

Gabrish noted that they can play till 9:15 pm at the latest without lights even in the summer.

CC noted that the District would double their investment if they installed lights since two games could be played per night verses one.

Harris noted that considering the distance from the closest house to the fields - lights don't seem to be an issue.

Buss said she thinks it does make a difference to have lights on late like that but it is something you learn to live with and even love. She said if the neighbors don't like it they shouldn't have moved near the park. We live in an urban area and there are consequences and these are mild ones.

Harris said he thinks lights from the road can be even worse. He added that if kids are making noise then that's a happy noise.

MacCready said she thinks this is a better activity for kids than hanging out on 82<sup>nd</sup> Ave.

Young noted that this is a consistent use for this site since there have been ball fields there for years. In 15 years at the Senior Center she has never heard complaints about noise.

Buss asked Young if when she sits in her office if amplification bothers her.

Young said that the upland areas have more of a problem with amplification.

Buss asked if more trees could be placed as a buffer.

Hughes again asked if there should be a master plan or just a CSO. He felt that as owners of the property we should look at the other uses of the site and get these issues on the table and record them now.

MacCready said she did like those treed areas of the park.

Hughes said that without the master plan we have no plan for the dog run area or the wetland areas etc.

MacCready said that with more people on the site with the new field they will impact the rest of the site – that is a concern.

Hughes said he understood that the PARB members didn't feel strongly about the light and the noise – but what about the master plan?

Dow said she didn't want to lose this opportunity and she'd rather allow the ball field project to move forward and do the master plan later.

Buss said there must be a way to get the master plan done and wondered whether it was just money keeping it from being completed.

(There was discussion regarding a master plan and whether it would delay the CSO and whether that was worth it).

Dow stated that she agreed that there should be a plan for the whole site but she didn't want to slow down the ball field project. She said she felt strongly that if we didn't go forward with this project we would impact kids. (Others concurred).

Hughes suggested that maybe we write a project specific IGA with the District regarding what they would do on the rest of the site.

Herrigel suggested that the PARB recommend to the Planning Commission that a master plan be completed within a year as a condition of their CSO approval.

The group requested that Herrigel draft a letter for them to review requesting that a master plan for the site be completed within a specified period of time.

Gabrish said he felt the District had done a good job of addressing the concerns of the neighbors and that we should move forward without slowing down the ball field project.

Buss concurred saying that she felt the District had bent over backwards to accommodate the concerns raised. She asked Hughes if he had specific concerns about the current plan.

Hughes responded that he didn't think the District is wise to use the funds for this particular project but felt a more prudent use would be to purchase land elsewhere that could be developed into fields later. Once we had the land, he said, we could go to the taxpayers later and ask for funds to build a project. He said we might not have available land in the future and buying now makes more sense. He said he prefers youth fields to adult fields. His major concern is the conflict between the District and the neighbors of this park. He would have preferred to see this project go forward without any dissension. He also questioned the net gain of only two fields for almost \$1million a field. The most important issue to him, he said was the proper management of the natural resources on the site. He said the development proposed on the southern portion of the site will impact the northern portion and he felt that there needed to be a balance in the planning of development and natural resources on the site.

Dow asked if Hughes was okay with setting a timeline by which the master plan should be completed. Hughes set he was okay with that.

Herrigel was asked to draft a letter and circulate it to the Board for their review.

### **City Update**

Herrigel reminded the group of the Spring Park meeting on January 27 regarding parking for the site. She also noted that the City has received a grant of youth crews that will be working at Spring Park for the next six weeks.

### **District Updates**

- Aquatics Park Task Force meeting coming up the next evening (1/26)
- The CCC approved a volunteer coordinator – Clee Ann Hart has been hired.
- Lynn Dahl is retiring

### **Discussion of PARB function in decision making**

Herrigel said that the recent discussion of the North Clackamas Park project has raised an interesting issue regarding communication between the City's PARB and the District Advisory Board (DAB). She said that Hughes is the City's designee to the DAB and has been very vocal about his opinion regarding the ball field project. She noted that there was a difference in opinion, it seemed, between Mart and the other PARB members and the only way to convey that difference has been through staff and PARB minutes. She asked the group what they thought Hughes' role was at DAB. That is, is he to speak for them and the Council or just state his opinions?

MacCready asked Hughes if, when he spoke at DAB meetings, he was speaking for the PARB.

Hughes responded that he was not speaking on their behalf. He said he was appointed by the CCC and by the City Council to be a "Milwaukie Representative." He said he sees this as a "sage" role and therefore he speaks his own mind. He said he is okay with letting go of an opinion if he has no support from the PARB, though. He said it is fairly difficult, given the timing of the DAB packet distribution, to get adequate input from the PARB before meetings.

There was a suggestion that perhaps the DAB packets could be sent to Herrigel when they went out to DAB members so issues could be forwarded to PARB members for input. Young said she'd look into that.

Dow asked Herrigel if an appointment by Council meant that you were appointed as an individual. Herrigel said she'd check on that.

Hughes noted that at the next DAB meeting that priorities for the North Clackamas Park would be discussed. He asked if the packet information could be scanned by Herrigel and sent to the Board for review. Herrigel said she'd work on that.

Herrigel also noted that the City Manager now sends out a Friday memo to Council that Herrigel was thinking might be a good way to convey information from PARB to Council. She said she would forward the Friday memos to the PARB members.

It was also suggested that the PARB meeting day could be rescheduled to allow better PARB input on District issues.

Herrigel noted that PARB is due to review their work plan and to meet with Council. She said she would put that on the next meeting agenda.

### **Other**

David Aschenbrenner addressed the group regarding a new fence for the Riverfront Park. He said he thought the City should look into replacing the chain link fence along the parking lot at the Riverfront with a split rail fence. He also suggested placing a similar fence along the edge of the cliff in back of Vic's to keep folks from falling over the edge at events like the Solstice. He said he thought it would be a good way to show that something is happening there. He added that the NDAs have grant funds that they may be willing to dedicate to this effort. Herrigel said she would mention this to the Riverfront Board at their next meeting.

Motion to adjourn passed 6-0.