

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
FEBRUARY 5, 2002**

4256

Call to Order

The 1879th meeting of the Milwaukie City Council was called to order by Mayor Bernard at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Mary King	Brian Newman
Larry Lancaster	

Staff present:

Mike Swanson, City Manager	Kelly Somers, Fleet & Facilities Manager
Gary Firestone, City Attorney	Alice Rouyer, Interim Community Development Director

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Mayor Bernard read a proclamation recognizing the week of February 3, 2002, as Scouting Anniversary Week in the City of Milwaukie.

CONSENT AGENDA

It was moved by Councilor King and seconded by Councilor Newman to adopt the consent agenda consisting of:

- A. City Council Minutes of January 22, 2002
- B. Compensation for Those Called to Active Military Duty

Motion passed unanimously among the members present.

AUDIENCE PARTICIPATION

Richard Cayo, 4203 SE Johnson Creek Boulevard, discussed the amount of money the City has spent to acquire riverfront property. He did not believe city government should be in the real estate business and felt surplus property should be sold. Under the previous Mayor, Council considered an ordinance regulating trees on private property. He felt the Council could redeem itself now by letting residents know what could happen to their property rights under the City of Portland's Healthy Streams Initiative.

Councilor Lancaster assured Cayo this Council is committed to doing the right thing.

Denise Magee-Gonzales, 4536 SE Conway Street, Milwaukie. She requested the Council change the City's right-of-way code to allow for roadside memorials. Her son Cole died in a pedestrian/motorcycle accident, and she believes memorials remind drivers to be more cautious. She discussed the inadequacies of Railroad Avenue.

Mayor Bernard said staff is scheduled to make a recommendation at the March 4 Council work session. **Magee** indicated she would attend the work session and provide input.

Council granted her request to re-erect the memorial during Cole's birthday month.

Dave Hixon, 12249 SE Oatfield Road, Milwaukie. His son died in a pedestrian/vehicle accident at 22nd Avenue and McLoughlin Boulevard. The area is dangerous and needs better lighting and crosswalks. He did not think it was fair to allow people to hang advertising from utility poles and make Magee remove her memorial.

Councilor Newman explained McLoughlin Boulevard is a state highway, and Milwaukie is interested in talking to the Oregon Department of Transportation (ODOT) about making needed safety improvements.

Swanson will research the status of the safety improvement issues and prepare a letter for City Council review.

Councilor Lancaster added the City Council will support Hixon in his endeavors with ODOT.

Heather Miller, 4516 SE Llewellyn Street, Milwaukie. She asked why real estate signs are allowed while Magee must remove the cross.

PUBLIC HEARING

Real Property/Property Sale Ordinance -- MMC Section 3.15 -- Ordinance

Mayor Bernard called the public hearing on the proposed municipal code amendment to order at 6:30 p.m.

The purpose of the hearing was to consider an ordinance adding chapter 3.15 relating to the acquisition and sale of real property. **Mayor Bernard** reviewed the conduct of the hearing.

Staff Report: **Rouyer** and **Somers** presented the staff report in which the City Council was requested to adopt an ordinance adding a new section to the municipal code relating to property sale and acquisition. The proposed ordinance categorizes properties and outlines the sale process, including Council's role and citizen participation, for each type.

Swanson added Budget Committee Chair Aschenbrenner wants to assure any property purchases or dispositions include Committee notification.

Councilor King suggested public notification in the newspaper.

Firestone said the process is different for substandard undeveloped property and standard undeveloped or developed property. In most instances, substandard undevelopable property is of interest only to an adjacent property owner, so notice would go only to those within 300 feet of the property. Standard, developable property goes through a much more formal bidding process.

Mayor Bernard commented in certain instances only a small strip of property is in question.

Councilor Lancaster agreed that in such an instance, only affected people needed to receive notification.

Correspondence: None.

Audience Testimony: None.

Additional Staff Comments: None.

Questions of Clarification: None.

Mayor Bernard closed the public testimony portion of the hearing at 6:40 p.m.

It was moved by **Councilor Newman** and seconded by **Councilor Lancaster** to read the ordinance adding Chapter 3.15 to the Milwaukie Municipal Code relating to property sale and acquisition for the first time by title only. Motion passed unanimously among the members present. The ordinance was read for the first time by title only.

It was moved by **Councilor King** and seconded by **Councilor Lancaster** to read the ordinance adding Chapter 3.15 to the Milwaukie Municipal Code relating to property sale and acquisition for the second time by title only. Motion passed unanimously among the members present. The ordinance was read for the second time by title only.

It was moved by **Councilor Lancaster** and seconded by **Councilor Newman** to adopt the ordinance adding Chapter 3.15 to the Milwaukie Municipal Code relating to property sale and acquisition. Motion passed unanimously among the members present.

ORDINANCE NO. 1897:

AN ORDINANCE ADDING CHAPTER 3.15 TO THE MILWAUKIE MUNICIPAL CODE RELATING TO THE ACQUISITION AND SALE OF REAL PROPERTY.

OTHER BUSINESS

Election of Council President

Councilor King nominated **Councilor Lancaster** for **Council President** and **Councilor Newman** seconded. Motion passed unanimously among the members present.

City-Owned Property

Mayor Bernard indicated a map of City-owned properties, and **Councilor Lancaster** noted there was very little property that was not actively in use.

Board and Commission Appointments

Mayor Bernard, with the consensus of Council, appointed Madalaine Bohl, Kathy Buss, Wilda Parks, and Susan Bradley-Frye to the Centennial committee

Adjournment

It was moved by **Councilor Newman** and seconded by **Councilor Lancaster** to adjourn the meeting. Motion passed unanimously among the members present.

Mayor Bernard adjourned the meeting at 6:50 p.m.



Pat DuVal, Recorder

REVISED

**CITY OF MILWAUKIE
CITY COUNCIL AGENDA
FEBRUARY 5, 2002**

MILWAUKIE CITY HALL
10722 SE Main Street

1879TH MEETING

REGULAR SESSION - 6:00 p.m.

**I. CALL TO ORDER
Pledge of Allegiance**

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

Scouting Anniversary Week -- Proclamation

III. 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 January 22, 2002**
- B. Compensation for Those Called to Active Military Duty**

IV. 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.)*

V. 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.)*

**Real Property/Property Sale Ordinance—MMC Section 3.15 -- Ordinance
(Rouyer)**

VI. 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. Elect Council President (Mayor Bernard)**
- B. Board and Commission Appointments (Mayor Bernard)**

VII. INFORMATION

- A. Planning Commission Minutes, December 11, 2001**
- B. Traffic Safety Board Minutes, December 10, 2001**
- C. Center/Community Advisory Board Minutes, December 14, 2001**
- D. Park and Recreation Board Minutes, November 27, 2001**
- E. Funding Award for McLoughlin Boulevard Improvements**

VIII. ADJOURNMENT

EXECUTIVE SESSION -- *At the end of the regular meeting, the Council may hold an Executive Session under the authority of Oregon Revised Statutes 192.660 as needed.*

For assistance/service per the Americans with Disabilities Act (ADA), dial TDD 786-7555.

The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

**CITY OF MILWAUKIE
CITY COUNCIL AGENDA
FEBRUARY 5, 2002**

MILWAUKIE CITY HALL
10722 SE Main Street

1879TH MEETING

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- I. **CALL TO ORDER**
Pledge of Allegiance

- II. **PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

- III. **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.)*
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 - B. **Compensation for Those Called to Active Military Duty**

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Real Property/Property Sale Ordinance—MMC Section 3.15 -- Ordinance (Rouyer)

- VI. **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

- VII. **INFORMATION**
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 - B. **Traffic Safety Board Minutes, December 10, 2001**
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**CITY OF MILWAUKIE
CITY COUNCIL MEETING
JANUARY 22, 2002**

Call to Order

The 1878th meeting of the Milwaukie City Council was called to order by Mayor Bernard at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Mary King	Jeff Marshall
Larry Lancaster	Brian Newman

Staff present:

Mike Swanson, City Manager	Alice Rouyer, Interim Community Development Director
Gary Firestone, City Attorney	Roosevelt Carter, Program Development Coordinator
Steve Smith, Finance Director	

PLEDGE OF ALLEGIANCE**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS****Comprehensive Annual Financial Report**

Smith and Auditor **Chuck Swank**, Grove, Mueller & Swank, P.C., reviewed Milwaukie's Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2001. Swank briefly described the various sections of the report and noted this was an unqualified opinion. The 2000 - 2001 report was submitted to the Government Finance Officers Association (GFOA) for the Certificate of Achievement for Excellence in Financial Reporting which if awarded will be the 12th consecutive year. Council recognized Smith for the progress he and his department have made in the past 12 months.

The group discussed implementation of GASB 34 requirements which include accounting for infrastructure. **Swank** noted Milwaukie has good fixed asset information, and GASB does not require a change in structure. **Swanson** added the new Management Information System software should assist the finance department in compiling information for the auditor.

Councilor Newman noted general government capital projects has decreased about \$1 million. **Smith** explained there were fewer major acquisitions, and the City did not receive many grants.

Councilor Newman referred to CAFR page 76 and asked what fund was credited with utility tax payments. **Smith** said these payments go into the general fund.

III. A. 2

Councilor Newman asked how Milwaukie compares fiscally to other cities of its size. **Swank** replied cities usually try to have a 10% cash carryover in the general fund, and Milwaukie is about at that standard. **Swanson** added Milwaukie will have the challenge of enhancing the fund balance over the next 6 months. The City is challenged in terms of evaluation and does not have a significant annual increase.

Damascus Concept Planning Study Results

Rouyer introduced Clackamas County Planner **Maggie Dickerson** who reported the Damascus Concept Planning Study results. The project was funded by a Transportation and Growth Management Program (TGM) grant and completed June 2001.

The 4,300 acre study area was formerly the urban reserve area. The purpose of the study is to determine if that area could meet the County Commissioners' goals of enhancing employment, providing a balanced community, and protecting fish resources. Test scenarios were developed for each of these goals and analyzed for employment and residential capacity and impacts to transportation, natural resource, and public facilities. **Dickerson** reviewed the details of each and said the study showed the area could meet the County's goals.

Dickerson discussed the transportation system needed to support such development including constructing the Sunrise Corridor; however, funding these projects is a major issue. Essential next steps will be to make decisions regarding governance, concurrent infrastructure, and job production. Several parallel studies are underway including the Pleasant Valley Concept Plan by Metro, Gresham, Portland, Happy Valley, Clackamas and Multnomah Counties.

Councilor Marshall asked if the study considered the necessary infrastructure to support employment development.

Dickerson responded major arterial roads were considered, but other infrastructure is not an issue.

Councilor King had concerns about making 172nd Avenue a major truck route.

Dickerson said the truck route would only be between Gresham and the Sunrise Corridor.

Councilor Newman respects the complexity of creating a complete community. He understands from County Commissioners that Damascus cannot be urbanized without the Sunrise Corridor. He sees some timing difficulties between urban growth boundary decisions and resolution of transportation issues.

Dickerson said timing of transportation improvements is a major issue, and this project will certainly test the concurrency policy.

Councilor Newman asked how much of the Sunrise Corridor traffic is projected to be local and how much regional.

Dickerson did not believe the model provided that information and will take that question back to the County.

Councilor Newman asked the estimated cost of the transportation component.

Dickerson responded the Sunrise Corridor phase 1 will be about \$162 million.

Councilor King sees this as an opportunity to create a transit structure.

Councilor Newman clarified his questions related to transportation are not intended to be obstructionist, but no one has provided answers on funding. It will also be important to know what improvements would be needed on I-205 and Hwy 224 as a result of the Sunrise Corridor.

Electrical Energy Assessment

Carter reported on the recent assessment of the City's electrical energy usage to determine if there were any methods to implement that could reduce costs. City Hall, Ledding Library, and Public Safety Building usages are reasonable based on the ages of the buildings and the types of daily activities going on within them. Usage in the Johnson Creek Facility is higher than expected due in part to the unit heaters in the shops area. A more efficient heating source would offset energy use in that area of the building. The water pumping system operates efficiently; however, public works may want to purchase new, more efficient motors instead of refurbishing old ones as they fail. Shutting off some of the street lights would not save money because of the costs associated with PGE's turning them off. The City does not qualify for PGE's dispatchable standby generation tariff. Fleet and facilities staff is evaluating radiant heat panels for the shops area and will make a budget request if warranted.

Carter reported the total cost of the study was \$5,140. The expense was shared by fleet and facilities, streets, and the water departments.

Mayor Bernard suggested fleet look into a waste oil burner, training groups to turn off all the lights after their night meetings, and installing sensors to the lighting system.

Councilor King suggested plastic curtains on the shops doors to prevent heat loss.

Consent Agenda

It was moved by Councilor Newman and seconded by Councilor Marshall to approve the January 7 & 8, 2002, City Council minutes. Motion passed unanimously.

AUDIENCE PARTICIPATION

Sharon Van Horn read a portion of a letter the Mayor sent on behalf of the Council thanking her for being part of the Neighborhood Grant Program. She understood she was appointed to the Centennial Committee but finds that Councilor Marshall is making an effort to keep her from serving on the Committee. This situation is unfair, and she suggested perhaps the Council should be recalled. She noted several private conversations she has had related to the Festival Daze Committee which are rumored to have been public arguments.

Lisa Haberlock, Athens Hair Co., and **Wayne Schumacher**, Optometrists Association, discussed property located on King Road east of 44th Avenue. Haberlock was granted a non-conforming use in 1998 for her business, and she now wishes to move it west to the building across the parking lot. She does not believe she should have to apply for a non-conforming use to do this. Schumacher believes the R-3 zoning is very subjective, and he has problems leasing the building because of zoning restrictions.

Firestone said the City Council cannot act outside the land use process, but it could ask staff to review the Zoning Ordinance. Haberlock and Schumacher may file an application with the Planning Department and may appeal a staff decision they believe is incorrect. The 1998 non-conforming use approval was made on that one property and does not apply to another.

Swanson added the process is not easy and includes a \$3,000 application fee.

Schumacher said the code seems to be extremely subjective with one individual making the decision. These restrictions seem contrary to the City's desire to retain businesses.

PUBLIC HEARING -- None scheduled.

OTHER BUSINESS

Annexation of Unsewered Area near 55th Avenue, Stanley Avenue, and Johnson Creek Boulevard

Swanson said this relates to a study begun several years ago but was postponed due to staff shortages. Staff is seeking Council input on reinvigorating the program.

Carter pointed out the subject area on the map which is part of dual interest area A. He asked if there was further direction to staff on data gathering related to costs of annexation and property owner interest in the affected area. Some of the industrial property owners have shown positive interest, but residential is yet to be determined.

Councilor Marshall is concerned about doing piecemeal projects without an overall annexation plan. He also wants to know how much revenue would be gained.

Swanson suggested contracting with Ken Martin to develop an annexation plan once the Portland State urban services report is finalized.

Councilor Lancaster commented the City needs to serve the community responsibly as well as economically. Although this is a small area, it could serve as a model project for the overall plan.

North Main Street Redevelopment Update

Carter presented an update on the old Safeway site renamed the North Main Street Redevelopment Project. The sale has closed, and the property is now publicly-owned. He announced the workshop on January 28, 6:00 p.m. at City Hall where participants will have the opportunity to provide direct input to the market study.

Other Items and Announcements

Mayor Bernard announced the January 26 Riverfront Cleanup and the February 2 Johnson Creek and Willamette River cleanup and planting project.

Councilor Newman requested that anyone interested in housing a Milwaukie High exchange student contact him or the school office.

Councilor Marshall suggested submitting the Neighborhood Grant Program for the Oregon Downtown Development Association's (ODDA) Founders of the Northwest Award. He also noted the ODDA conference was the same time as the Oregon Housing Conference.

Councilor King asked for an update on the Johnson Creek Boulevard project. **Swanson** said Portland staff made some commitments they were not able to keep, and Milwaukie stressed the importance of following through on commitments.

Councilor King had an opportunity to lobby in Washington, D.C. during her recent visit. She left a small memento from Milwaukie at the World Trade Center site.

Mayor Bernard announced the City Council would meet in executive session pursuant to ORS 192.660 to discuss real property and potential litigation.

It was moved by Councilor Newman and seconded by Councilor Marshall to adjourn the meeting. Motion passed unanimously.

Mayor Bernard adjourned the meeting at 8:00 p.m.

Pat DuVal, Recorder



To: Mayor and City Council
Through: Mike Swanson, City Manager *[Signature]*
From: Mary Rowe, HR Director *[Signature]*
Subject: Compensation for those called to Active Military duty
Date: January 23, 2002

Action Requested

To adopt the attached Administrative Procedure, which provides for continued compensation for those called to active military duty as a result of the September 11, 2001 events.

Background

As a result of the September 11, 2001 events the United States declared a "war on terrorism." As a result many serving in reserve units of the armed forces have been called to serve for extended periods of time. This can cause an economic hardship for the employees and their families if the compensation from military duty is less than the compensation they would otherwise receive from their regular position held at the City.

Additional compensation for those called to active military duty is limited to six (6) months duration.

The policy would be in effect for a period of one year. Also it is stated in the policy that the City can rescind the policy at any time with 30 days notice to employees. This is included in case the United States declares that the "war on terrorism" is over.

Concurrence

This has been discussed with the City Manager and he concurs with providing this benefit for a limited period of time.

Fiscal Impact

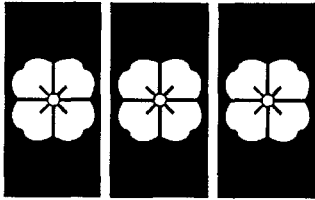
Currently the City has 2 employees that are part of military reserve units and have the potential to be called to active duty. One employee has been called to serve active duty as security for the Olympics. His anticipated duration of duty will be 6 weeks. The anticipated salary difference between what he will receive from the military and what his rate of pay is at the City is \$1637 per month or \$2,455.50 for the period of six weeks.

Work Load Impacts

The work load impact for implementing this policy is minimal. There will be some payroll administration to calculating and issuing the pay.

Alternatives

Not adopt the policy. The City must still abide by statute governing employees who serve in the military. Therefore we would still be obligated to allow an employee leave to serve in the military.



MILWAUKIE

Administrative Procedures

SUBJECT: **Special Event Military Leave Policy**

Effective Date: **January 1, 2002** **Procedure No.**

PURPOSE

To provide continuation of pay for those called to active Military duty as a result of the September 11, 2001 events.

Definitions

Uniformed Service: The uniformed services are the Army, Navy, Air Force, Marine Corps, Coast Guard and their reserves.

Objective

To provide economic support to City employees that are involuntarily called to active military duty in direct response to the national war on terrorism as a result of the September 11, 2001 events.

Scope

Applies to all City of Milwaukie employees.

Policy

The City provides leaves of absence for any employee who is a member of a uniformed service and is absent from work due to an obligation to a uniformed service. The City will provide salary continuation at the employee's current salary level at time of deployment for a period up to six (6) months, less any military earnings received by the employee (as documented in the employee's service orders or as otherwise confirmed by a military document.). The six month time period begins once the employee has exhausted his/her 15 paid military service days.

During the period of absence, employees do not continue to accrue additional vacation or sick leave, but will be able to remain on their current City –sponsored health insurance program and contributions to the employees Deferred Compensation/ Section 457 Plan may be continued.

The City will reinstate the veteran to the position he or she would have held if employment had not been interrupted by military service as required by law.

III. B. 4

This policy is effective as of January 1, 2002 and will remain in effect for one (1) year period of time. The City may also rescind this policy at any time with 30 days notice to employees.

Guidelines for Use

The City will provide leave for involuntary active duty for those individuals whose membership as of September 11, 2001 may require service.

The City consistent with existing policy, already pays the first 15 calendar days per year for military leave taken for active duty or active training duty. Once the 15 paid military service days are exhausted, the City will provide salary continuation for a maximum period of six (6) months.

Benefits are continued during any paid military leave, unless comparable benefits are otherwise available to the employee and his/her currently enrolled dependants.

Procedures, Equipment and Training

Responsibilities

Employees must provide a copy of their written orders at least thirty (30) calendar days in advance of the anticipated date that the leave will begin, or as soon as possible. The notice should be sent to the Human Resources Director.

Employees must also provide a copy of documentation of pay they will receive from military service for time spent in active duty status. If there is a change in the employee's military pay while they are on active duty they are to report that change to the payroll department immediately upon their return.

Payroll will be responsible for issuing the difference in compensation less any applicable deductions for taxes, health insurance etc.

General



TO: Mayor and City Council
THROUGH: Mike Swanson, City Manager
FROM: Alice Rouyer, Interim Community Development Director *ACR*
DATE: January 23, 2002 for the February 5, 2002 meeting
RE: Real Property/Property Sale Ordinance—MMC Section 3.15

Action Requested

Adopt a new Municipal Code section outlining the process for sale and acquisition of property.

Background

In December 2001, Council asked staff to draft an ordinance outlining a process for the sale and acquisition of real estate. This was in response to the discovery that no set procedure was in place for the recent sale of the former Police station. The proposed ordinance is attached for Council consideration.

The ordinance includes the following elements:

1. **Section 3.15.005—A classification system for properties:**
Properties are classified into four categories. A different procedure is used for each category. The categories are:
 - Substandard undeveloped property.
 - Standard undeveloped property.
 - Developed property
 - Special-case property

2. **Section 3.15.010—A process for the sale of substandard undeveloped property:**
This process is less rigorous and more routine since property in this category is undevelopable. No public hearing is required, but notice is still provided to property owners within 300 feet of the property for sale, and

any parties who have inquired about the purchase with the City Facilities Department within one year prior to the Council meeting.

3. Section 3.15.0150—A process for the sale of standard undeveloped property and developed property:

This process requires several steps:

- A. If an inquiry is made regarding the sale of a City-owned site in this category, Council must conduct a hearing to determine if the property will be offered for sale. The Council must determine that the property is surplus to the City's needs.
- B. If Council approves the property for sale; a property appraisal must be completed.
- C. The property is offered for sale through a bidding process defined in the ordinance. The highest bid above the minimum acceptable terms will be accepted.
- D. The ordinance outlines a procedure for those instances when no bids are offered above the minimum acceptable terms.

4. Section 3.15.025—A process for the selection of a real estate broker:
The ordinance outlines a procedure for selecting a broker that may be used to represent the City in the sale of property.

5. Section 3.15.030—A process for the acquisition of property:
The ordinance authorizes the City Manager to approve property purchases for less than \$25,000. A property appraisal and City Council approval is required prior to the purchase of any properties valued at \$25,000 or greater.

6. Section 3.15.040—Transfer of an Interest other than Fee Title:
This section addresses all those instances when the property proposed for transfer is an easement or other type of property not considered surplus City property. The City Manager is authorized to approve such transfers when the value of the interest is less than \$25,000. All other transfers require City Council approval.

Concurrence

The City Attorney drafted the attached ordinance. Department Heads reviewed and commented on the draft before transmitting it for Council consideration.

Fiscal Impact

No direct fiscal impact results from adoption of the ordinance. When the City engages in selling or acquiring property, the ordinance determines which sites will require a more rigorous process. The ordinance outlines those instances when the City will be required to pay for appraisals and extra notice to citizens and property owners. The anticipated indirect fiscal impact is that by having such a policy the City will receive the best possible price on property.

Alternatives

City Council has the following alternatives:

1. Approve the proposed amendment.
2. Request staff to clarify or amend the proposal.
3. Do not approve the proposed amendment.

Exhibits

Exhibit A: Adopting ordinance with proposed amendment

EXHIBIT A

ORDINANCE NO. _____
MILWAUKIE, OREGON

AN ORDINANCE ADDING CHAPTER 3.15 TO THE MILWAUKIE MUNICIPAL CODE RELATING TO THE ACQUISITION AND SALE OF REAL PROPERTY.

WHEREAS, the City Council wishes to provide procedures and standards for the acquisition and transfer of real property; and now, therefore,

THE CITY OF MILWAUKIE ORDAINS AS FOLLOWS:

Section 1: The Milwaukie Municipal Code is amended by adding a new Chapter 3.15 to read as follows:

REAL PROPERTY

3.15.001 Purpose and Application.

This chapter provides procedures and standards for the acquisition and transfer of real property by the city. This chapter applies to properties owned by the city and does not apply to rights of way and other property dedicated to the public.

3.15.005 Qualification—Classification.

Real property owned by the city is classified as follows:

- A. Substandard Undeveloped Property: Lots or parcels without structures which are not of minimum buildable size for the zone in which located;
- B. Standard Undeveloped Property: Lots or parcels without structures which are of minimum or greater buildable size for the zone in which located;
- C. Developed Property: Lots or parcels of any size with structures;
- D. Special-case Property: Any real property that, notwithstanding subsections A, B and C of this section, were acquired by the city subject to an agreement for the manner in which they would be disposed.

At the time of a proposed sale of real property by the city, the city manager or designee shall determine the classification of the property.

3.15.010 Sale of substandard undeveloped property.

- A. Whenever real property is proposed for sale by the city or a purchase inquiry is made and the property is classified as substandard undeveloped property, the

proposed sale shall be set on the regular council agenda, but no public hearing is required. Notice shall be given of the agenda item no less 10 days before the council meeting to all property owners within 300 feet of the parcel and to any parties who have inquired about purchase with the City Manager's designee within one year prior to the date of the council meeting. After discussion of the agenda item, the council shall decide whether it will offer the property for sale. The council may direct the sale of the property only if it determines that the property is surplus to the city's needs.

B. If the council decides to sell the property, it shall direct the city manager or designee to proceed with the sale, publicize as deemed appropriate, determine the existence of interested prospective purchasers and negotiate for the sale of the property.

C. After the details of the sale have been negotiated, the terms and negotiated agreement for the sale of the property shall be submitted to the council for approval at a regularly scheduled council meeting.

3.15.015 Disposal of standard undeveloped property and developed property.

A. Whenever real property is proposed for sale by the city or a purchase inquiry is made and the property is classified as standard undeveloped property or developed property, the proposed sale shall be set for a hearing before the council.

B. Notice of the hearing shall be published once in a newspaper of general circulation in the city at least five days prior to the hearing and shall describe the property proposed for sale. Notice shall also be given to property owners within 300 feet of the subject property.

C. Public testimony shall be solicited at the hearing to determine if a sale of the property or any portion of it is in the public interest.

D. After the hearing, the council shall decide whether it will offer the property for sale and what the minimum acceptable terms shall be. The council may decide to offer the property for sale only if it determines that the property is surplus to the city's needs.

E. Prior to the sale of real property under this section, an appraisal of the property shall be conducted. The appraisal may be ordered prior to or after the hearing. The appraisal may be made available to the public at the hearing if it has been prepared by that time.

F. If an offer to sell is authorized by the council, a notice soliciting sealed bids shall be published at least once in a newspaper of general circulation in the city be made a least two weeks prior to the bid deadline date. The notice shall describe the property to be sold, the minimum acceptable terms of sale, the person designated to receive bids, the last date bids will be received, and the date, time and place that bids will be opened.

G. If one or more bids are received at or above the minimum acceptable terms, the highest bid shall be accepted and the city manager or designee shall complete the sale.

H. If no acceptable bids are received: (1) the council may alter or keep the same minimum terms as established under subsection D of this section and direct staff to hold another sale, or (2) the council may alter or keep the same minimum terms established under subsection D of this section and list the property for six months with a local real estate broker on a multiple listing basis. Brokers shall be selected in accordance with the criteria found at Section 3.15.030 of this chapter. A listing may be renewed for an additional one six-month period.

I. After expiration of the period set out in subsection H of this section, the property shall be removed from the market. Any decision to sell a piece of property once it has been removed from the market shall require that the entire procedure set forth in this chapter be repeated. The council may, however, decide whether or not an additional appraisal is necessary.

3.15.025 Broker selection.

The selection of a real estate broker shall be in accordance with the following procedures:

(1) The city shall publish notice in a newspaper of general circulation in Milwaukie inviting proposals for the sale of the real property. The notice shall be published at least one week prior to the date on which proposals are due.

(2) The broker's proposal shall be in writing and it shall address the selection criteria set forth in subsection (3) of this section.

(3) The city manager or designee shall consider the following factors in the selection of a broker:

(A) The broker's record in selling the type of real property being offered by the city for sale and the broker's familiarity with Milwaukie-area market values;

(B) The broker's proposed marketing plan and timelines: signs, advertising, direct mail and/or other methods;

(C) The amount of the broker's commission; and

(D) Other factors which were stated in the notice of the invitation to submit a proposal.

3.15.030 Acquisition of Real Property

The city manager may approve the acquisition by the city of an interest in real property if that interest is valued at less than \$25,000 or if the property is valued at more than \$25,000 but is donated to the city. All other acquisitions of an interest in real property shall be approved by the city council. An appraisal shall be required for all property acquired by the city for more than \$ 25,000. Dedications of property for rights-

of-way shall not be considered acquisitions of property by the city for purposes of this section.

3.15.040 Transfer of an Interest Other Than Fee Title

The transfer of an interest in real property by the city is not a sale of surplus real property if the city retains title to the property. The city manager may transfer an easement or other interest in real property less than fee title if the value of the interest transferred is less than \$25,000 and the city manager determines that the transfer is not contrary to the public interest. The transfer of any other interest to real property with a value of \$25,000 or more shall follow the procedure for the sale of substandard undeveloped property as provided in Section 3.15.010.

Section 2: The amendment to the Milwaukie Municipal Code made by Section 1 of this ordinance shall take effect 30 days after adoption.

Read the first time on _____, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the Council on _____.

Signed by the Mayor on _____.

James Bernard, Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:
RAMIS, CREW, CORRIGAN &
BACHRACH, LLP

City Attorney

CITY OF MILWAUKIE
PLANNING COMMISSION MINUTES
TUESDAY, DECEMBER 11, 2001

VII. A 1

COMMISSIONERS PRESENT

Tracy Cook, Chair
Barbara Cartmill
Rosemary Crites
Donald Hammang
Mike Miler
Howard Steward

STAFF PRESENT

John Gessner,
Interim Planning Dir.
Shirley Richardeson,
Hearings Reporter

COMMISSIONERS ABSENT

Judith Borden

1.0 CALL TO ORDER

The meeting was called to order at 6:30 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 PLANNING COMMISSION MINUTES -- November 27, 2001

Mike Miller moved to approve the minutes of November 27th as corrected. **Donald Hammang** seconded the motion. MOTION CARRIED 5-0 with one abstention. Barbara Cartmill was not at that meeting.

Ayes: Crites, Hammang, Miller, Steward, Cook; Abstentions: 1; Nays: None.

4.0 INFORMATION ITEMS

4.1 City Council Work Session Minutes

4.2 City Council Minutes

5.0 PUBLIC COMMENT -- None.

6.0 PUBLIC HEARINGS -- None.

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7.0 WORKSESSION ITEMS

7.1 Flag Lot Standards

John Gessner reviewed the staff report with the Commission. He noted that last week staff went to the Neighborhood District Association (NDA) quarterly meeting and there was a lot of good conversation with the neighborhood about flag lots.

Flat lots have been a common issue of disagreement but have been supported by regulations. Documents in the files date back to the 70's where land use decisions were changing policy about how flag lots should be developed. Consideration has been given on whether it is the flag lot itself that causes concern or is it what gets put on the flag lot. It has been questioned whether to eliminate flag lots entirely or better regulate flag lots.

Two years ago a resident asked City Council to impose a moratorium on flag lots; Council considered it and they elected not to do so. It was again asked at the NDA meeting and the Mayor asked staff to review the issue.

Partitioning has been responsible for the bulk of new lots created in the last five years. New lots mean upgrading of housing stock and having housing available that is consistent with present market.

In many cases, the potential for flag lots depends on approval of variances. Lot area is a part of the consideration. There must also be width for the access drive. Variance policy and minimum design standards must be decided. Placement of existing structures has a lot to do with whether or not a lot can be partitioned.

Due to a decreasing land supply there has been a drop from 11 to 0 subdivision applications in the last two years. There were 17 applications in 1997/98. In 1998, the design standards were changed from a 15-foot access way to a 20-foot access way and changed the variances from 25% to 10%. The number of partitions for flag lots is about the same as variance requests. There have been 5 flag lot applications in the last two years. The relationship between variances and flag lots is very strong.

Community concerns about flag lot development include reduced privacy for abutting properties, poor relationship to the street, visual and physical overcrowding, increased curb cuts, and reduced potential to build streets and preserve connectivity.

Rosemary Crites voiced concern that flag lots will encourage a slam-dunk type of development. Flag lots invite the potential for rentals. **John Gessner** noted that he feels the flag lots are owner-occupied because staff deals with the property owner as the applicant as opposed to a developer. The Fair Housing Act limits the city in treatment of housing differently for rental versus home ownership.

Increased regulation may reduce the potential to develop future flag lots. Issues have come up on what can be learned from existing flag lot development towards improving zoning standards. Also, should opportunities for second dwelling units on single-family lots be expanded. Maybe options should be considered for improving economic use of the property as an alternative to a flag lot.

There are currently two types of accessory dwelling units. Possibly these regulations can be made more flexible considering the distinction between someone who is looking to buy a house on a lot versus someone who is looking for an apartment. These are two different markets. Should the accessory dwelling unit regulations be changed to create more opportunities for on-site rentals. These structures would have to be attached to the existing structure.

Howard Steward noted that the average age of Milwaukie residents is above the state at large. As people retire, income is lower and their decisions to move or sell is dependent on the resident's ability to pay taxes. This has tremendous economic impact on the city. He would like to see these types of issues considered.

Rosemary Crites stated that many residents are in the situation of taking care of their parents. More and more of the parents want to be closer to their children. Accessory units are good for these situations. Grandparents can care for the grandchildren and this is good for the neighborhood. This type of guesthouse provides privacy to the grandparent and brings money to that property to help share expenses. There is always a concern too that these accessory units become slum houses.

Mike Miller stated that his concern is what will be left for the next generation in this city? Should this city look like a lot of other inner-cities with houses sitting in every direction; very little area for kids and families; and will the result be a mish-mash of duplexes, apartments, granny flats, old house, and unhappy residents? This is his concern about flag lots. Flag lots seem to be divorced from the rest of the neighborhood.

Chair Cook suggested consideration of lot design in that there has to be adequate separation that someone's front door is not in the front-house's back yard. Standards need to be developed that do not make flag lots a nuisance. Possibly zoning could be changed to address these issues.

Options to improve flag lot development include: improvement of relationship to the street; require front of house to be oriented to the street; increase all setbacks in proportion to building height; increasing flag lot side yard setbacks; prohibit variances for flag lots; prohibit irregular lot shapes; improve buffer requirements; reconsider fencing requirements; or impose a maximum building size.

VII. A 4

Other options considered were to preserve street building opportunities by prohibiting stacked flag lots; reduce impacts to privacy by expanding perimeter and buffer planting requirements; and require shared curb cuts.

Chair Cook raised concerns about the five-foot requirement from the driveway to the existing structure. The buffer was required to prevent car lights from intruding in someone's windows. The distance between the driveway and the existing structure should be increased. **John Gessner** stated that staff would like to recommend that access requirements for flag lots be increased. This will allow for greater view into the back parcel and better connection to the street.

Discussion followed on dissatisfaction with flag lot development. Flag lots are being stuffed onto lots and they don't fit very well. What is needed is flag lot regulations that result in appropriate applications where both lots benefit from the development.

It was discussed that variances have created most of the flag lots. It may be appropriate to prohibit variances. **John Gessner** stated that staff is talking with the city attorney to draft up some prohibitions to variances.

It was concluded that:

- Flag lots should be a method of last resort for partitioning
- Better regulation is needed
- Eliminate variances where possible
- Improve standards with goal of maintaining livability
 - a. Setbacks on all sides
 - b. Minimize impacts of driveway on adjoining property
 - c. Minimize impervious surface
 - d. Consolidate driveways
 - e. Standard that there be only one flag lot deep
 - f. FAR, relating the square footage of the building to the lot
 - g. Are there incentives for better design
- Economic loss due to impacts to adjoining property owner
- Activity of flag lot disrupts front lot due to bedroom location, etc.
- What happens to manufacturing house value over time?

Jean Michel, Chair, Lewelling LUC, stated that he is opposed to flag lots of any nature, but what was discussed tonight makes him realize that there could be situations where flag lots would fit into the neighborhood. Flag lots are not bad; if properly developed and good regulations, good things could happen.

John Gessner stated that he would talk with Gary Firestone on future design standards and fiscal analysis of the impact of regulating flag lots. Staff will come

back to the Commission with draft code revisions. The timeline for completion is April 2002.

8.0 DISCUSSION ITEMS

Barbara Cartmill suggested that staff prepare a summary of future Commission decisions to be presented to Council to better inform them on how that decision was made and why. This will improve the communication of how the Planning Commission got to their recommendation and decision. Discussion followed on previous decisions and how Council could have been better informed about the Commission's decision. Staff will work on the format of a draft summary for this proposed use.

9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS / UPDATES

10.1 Matters from the Planning Director -- None.

10.2 Design and Landmark Commission Report

Barbara Cartmill reported that the Commission is reviewing design review guidelines. The comments from the public meetings have been incorporated and staff is in the process of drafting standards.

10.3 Election of Officers

It was decided continue this issue to another meeting.

11.0 NEXT MEETING -- January 8, 2002

Agenda to be determined.

Barbara Cartmill moved to adjourn the meeting of December 11, 2001. **Donald Hammang** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 8:53 p.m.

Tracy Cook, Chair

Shirley Richardson, Hearings Reporter

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CORRECTIONS MADE AT TONIGHT'S MEETING TO THE:

**CITY OF MILEAUKIE
PLANNING COMMISISON MINUTES
TUESDAY, NOVEMBER 27, 2001**

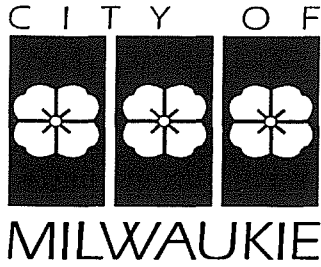
PAGE 1, COMMISSIONERS PRESENT/ABSENT

COMMISSIONERS PRESENT

Tracy Cook, Chair
Rosemary Crites
Donald Hammang
Mike Miller

COMMISSIONERS ABSENT

Judith Borden
Barbara Cartmill
Howard Steward



Traffic Safety Board

TSB Minutes

For December 10, 2001

Johnson Creek Blvd., Meeting Room

Final

Type of meeting: Regular

Attendees: **Board Members**-Susan Stone (Chair), Gene Covey , Linda Montgomery, Julie Wisner , Bogdan Garbar (Student Member)

Staff – Brion Barnett (Staff Liaison)

Others – Debbie Patten (11880 34th Ave.), Pat Patten (11923 SE 34th Ave.)

----- Agenda Topics -----		
Meeting called to order at 5:18 PM		
Minutes		
Discussion: Susan Stone moved, Linda Montgomery seconded the motion to accept the 10/08/01 minutes as noted.		
Action items:	Person responsible:	Deadline:
Submit approved minutes for Council packet.	Brion Barnett	12/21/01
ACTS/Future Mini Grants		
Action items:	Person responsible:	Deadline:
Traffic Control Device Requests		
11/30/01 TCDR from Roger Wills to change existing no-parking limits on Mason Lane to increase available parking. Staff to visit and assess situation.		
Ernie Bisio request for 25 mph signage on 37 th Ave.- Signage was installed on 37 th Ave. between Lake and 224.		
Evaluate pedestrian crossings on 37 th Ave for crosswalk warrants	Person responsible: Barnett	Deadline: 2/8/02
Discussion		
Staff and TSB members discussed moving the monthly meetings to either the Council Chambers or the Public		

CITY OF MILWAUKIE TRAFFIC SAFETY BOARD
 Final Minutes of December 10, 2001

Safety Building (PSB). **It was decided that regular meetings would be held at the PSB at 32nd and Harrison and that the start time for the meetings would move up to 5:30 PM.**

Two local resident living on 34th Ave. were present, Debbie and Pat Patten, and both advocated for an additional speed bump on 34th Ave. just North of Lake Rd. to help reduce the # of vehicles speeding to make the signal at Lake/Oatfield Rd. TSB members strongly support an additional/5th speed bump on 34th Ave. Discussion ensued about how to fund the additional bump, where it could be located, and if the lenses on the signal at 34th could be changed to limit the visibility time of the green phase for drivers of vehicles coming down 34th towards Lake Rd.

Staff shared that the straight portions of the calming/entrance island on 32nd Ave. will be painted grey this spring at the same time that the approach and departure striping is modified. Additional work this spring will include the placement of reflectors on the pavement between the curb and the new lane striping.

Criteria for the NTMP were discussed and the issue of the changing the scoring for vehicles from the existing 7 mph over the posted speed back to 5 mph over the posted speed was the issue TSB felt needed the most attention. **Staff and TSB agreed that at the next regular meeting, a date would be set for a work session to evaluate the present NTMP criteria.**

Conclusions:

Action items:	Person responsible:	Deadline:
Confirm if funds can be moved to pay for a 5th speed bump on 34 (including written commitment)	Lively	1/14/02
Check to see if the lenses on the 34 th signal can be modified	Barnett	1/14/02

Information Sharing

Barnett shared that the City has set guidelines for a pilot program to establish neighborhood pole toppers that would distinguish NDA's by placing a small sign on top of existing street signs. Presently, the Lewelling and Island Station NDA's have shown interest. The NDA pays for the cost of the signs, and an additional cost of \$75/sign for installation. The maximum # of signs is 8 per neighborhood. For more information on the program and guidelines, contact Jason Wachs w/Neighborhood Services (503-786-7568).

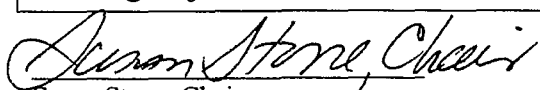
Action items:	Person responsible:	Deadline:

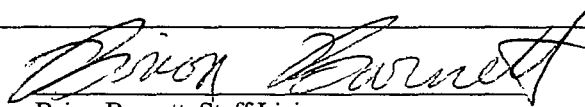
Next meeting – agenda topics, date, time & location

Conclusions: Next Meeting Date: January 14, 2002 Time: 5:30 PM, Location: Public Safety Building, Community Meeting Room, 3200 SE Harrison

Action items:	Person responsible:	Deadline:

Meeting Adjourned at 7:03 PM


 Susan Stone, Chair


 Brion Barnett, Staff Liaison

1/17/02

North Clackamas Parks and Recreation District
MILWAUKIE CENTER DIVISION
Monthly Report for December, 2001

Programs/Services:

The Friends of the Milwaukie Center, Inc., with co-sponsor American Medical Response, provided a fun Adult Holiday Party on December 13 for over 250 people. Folks enjoyed entertainment by Ms. Senior Oregon and Washington "Elegant Entertainers", refreshments, door prizes AND the master of ceremonies was none other than the big guy in the red suit!

The entire array of Milwaukie Center programs and services are provided through the oversight of skilled paid staff and an ARMY of volunteers. During 2001, over 80 new volunteers joined the ranks of the 1,000+ volunteers who give more than 85,000 hours of service annually.

Home delivered meals on wheels continue to be important throughout the holidays for homebound residents of our community. To cover the days the Center was closed for the holidays, we sent out over 400 frozen meals as well as the usual 900+ hot Meals on Wheels during the week spanning Christmas and New Years Day.

Twice a week the library of the Milwaukie Center turns into the living room for A Place at the Center, a social respite program for people with memory loss or confusion issues. Annually we serve over 50 families from our community and provide over 3,800 hours of respite care. In addition to receiving the respite care relief; unpaid caregivers are offered one-on-one help with problem solving, referrals to other resources, and numerous education and peer support opportunities through our Caregivers Support Group.

Fund-raising:

The annual Santa Breakfast, a cooperative event of the Milwaukie Center Nutrition Program and the Recreation Services Department, fed pancakes and sausage to over 130 hungry Santa fans on December 8. This community-oriented family affair provided entertainment, pictures with Santa and fun activities for the kids. Proceeds support Meals on Wheels in north Clackamas County.

North Clackamas Parks and Recreation District
Milwaukie Center
Center/Community Advisory Board
Minutes of Friday, Dec 14, 2001

Members Present: Eleanor Johnson, Jim McCready, Stan Keltz, Marc Burnham, Ben Tabler, Carol Storment, Molly Hanthorn, Mary Siberz, Alice Neely, Dolly Macken-Hambright, Kim Buchholz, Joan Staley

Excused: Joan Newman, Janet Witter

Potential Member: Sharon Phillips

Staff Present: Joan Young, Cheryl Nally

I. Call to Order: Chair Eleanor Johnson called the meeting to order at 10:02 am.

II. Minutes: The minutes of Nov 9, 2001, were moved to be approved by Molly Hanthorn and seconded by Carol Storment. Motion carried.

III. Correspondence: None.

IV. Action News: Motion for acceptance of Sharon Phillips to be a member of the Board was moved by Molly Hanthorn and seconded by Carol Storment. Motion carried.

V. Board and Committee Reports:

North Clackamas Parks and Recreation Advisory Board (DAB) – Marc Burnham reported that the last meeting was a work session reviewing programs and services of the District and budgetary issues for the board to understand. Marc shared that the District will be developing a budget for vandalism concerns. A discussion followed regarding the need to understand where and how revenues are from that support the District.

Eleanor Johnson proposed an ad hoc committee to brainstorm marketing and promotion of programs and services to enlighten the public. Eleanor asked for volunteers for this group. Marc Burnham, Kim Buchholz, Carol Storment and Molly Hanthorn volunteered. The first meeting of this group is to follow the next board meeting.

Marc Burnham states Metro is acquiring the Portland traction line for trails.

Budget/Finance – Jim McCready reported on a five year budget forecast. After the third year, the District's budget will depend on additional revenue needs. Alice Neely states Oregon Project Independence is potentially on the chopping block for cuts. Other potential cuts may be in Medicaid and the special transportation fund.

Programs and Services – Molly Hanthorn states there was no meeting this month.

Nutrition/Transportation – Ben Tabler states food costs are rising as donations are falling.



Park & Recreation Board

PARB

Tuesday, November 27, 2001
 7:00 PM to 9:15 PM
 City Hall Conference Room

MINUTES

Attendees: Mart Hughes, Kathy Buss, Don McCarty, Sharon Van Horn, Joe Loomis, (late arrival), Suzanne Bader
 Absent: Edie Kerbaugh
 Staff: JoAnn Herrigel

Hughes called the meeting order at 7:00 pm.

McCarty motioned to approve minutes as amended by Bader. Buss seconded.
 Passed 4-0 (Loomis not present).

Park Design Review Process

Van Horn asked why it was necessary to have a review process when the informal system motivated by grassroots neighborhood involvement (shown in Lewelling NDA) seemed to work fine? She felt having PARB review the plans suggested that we were superior in some way. The group acknowledged the good work done by Lewelling and other NDAs but noted that a more formalized process might help those groups who were not as organized know what steps to take to get projects off the ground.

After going through the draft review process and the Homewood Park process – the group discussed various aspects of the design development and review. In general, the group felt there was a need for a formal review policy and Council should formally adopt it as a city policy. The group also felt that the District should provide some guidance with respect to landscape and maintenance-related aspects of park designs. The group asked that the District allow Thom Kaffun, District Maintenance Manager, (or other professional staff) to review park designs. They suggested that if Kaffun could not attend all meetings that he be asked to review designs and potentially visit sites with design groups before the plans got too far.

Hughes asserted that the City should attempt to expand the land area of parks wherever and whenever possible. He felt strongly that this needed to be incorporated into design plans.

Herrigel asked that members review the draft review policy and either get their comments to her or bring them to the next meeting. All agreed that this should be on the agenda for the next meeting.

Homewood Park Plan

Sarah Smith, a landscape designer and board member of Hector Campbell NDA, walked the group through the master plan she'd drawn up for Homewood Park. Following were the comments made by PARB members:

- Try to use education to decrease illegal dumping and use of informal pathways near abutters' fence gates.
- Lights used by abutters to discourage unwanted activity may be problematic
- Too much restriction of movement and activity in the Park may discourage use in general (ie- no bikes, using path only, no dogs...)
- Wood chips for path are preferable

Bader said she would ask Thom Kaffun to review the plan by January (some concern regarding his vacation schedule and meeting this deadline...)

Loomis motioned that PARB support the proposed master plan presented by Sarah Smith with the caveat that the District criteria for neighborhood parks be integrated into final design. McCarty seconded and motion passed 5-0.

Van Horn reinforced that she understood the District was low in funding and staff but that she felt the City had to demand at least a small amount of District input on these park designs. She said she expected the services of someone (Kaffun or other) to be provided to the City for design review.

Walking Clubs

Mary King (private citizen) presented her idea for walking clubs based in Miwlaukie neighborhoods. ("Milwalkians" – she called them.) She asked if this was something that PARB would be willing and able to take on.

Herrigel noted that PARB might consider two levels of involvement: one would be simply identifying and mapping routes and then developing fliers to be distributed to NDAs and the other might be to actually go out into neighborhoods and organize groups and lead walks.

Hughes said he thought the concept was a good idea and he thought PARB should support it.

McCarty suggested maybe identifying walkers in individual NDAs and getting THEM to build groups. Then if they needed help with maps etc PARB could help.

It was suggested that an article be placed in the Pilot asking if there were residents interested in walking. Herrigel suggested that they might organize a meeting or event to gather walkers together and then brainstorm on what residents might be interested in.

The group agreed that PARB would sponsor an event in February or March. Loomis said he would work with Mary King to organize such an event.

Bader stated that the District would be happy to provide any needed support and said she'd speak with the District's Recreation staff to see if they might attend future planning meetings for this walking group effort.

Updates

Herrigel handed out the Riverfront Board's proposal for future roles and activities that they would discuss with Council at the Dec 3 work session. She also noted that the District would meet with Council on Dec 3 to provide them with an update on the Master Plan.

Bader handed out a list of vandalism in district Parks. It was suggested that an article might be written for the Pilot regarding the cost of vandalism in Parks.

The group agreed that getting updates from Bader on Parks projects and rec services outside the City was a good way for them to keep informed.

Loomis motioned to adjourn, Buss seconded. (5-0) Adjourned at 9:10.



To: Mayor and City Council

Through: Mike Swanson, City Manager
Dennis Lively, Director of Engineering

From: Brion Barnett, P.E., Associate Engineer

Subject: Additional Funding Award for McLoughlin Boulevard Improvements

Date: January 23, 2002, for February 4, 2002, City Council Meeting

Action

None. For information only.

Background

In fall of 2001, the City completed an application requesting monies from House Bill 2142 (Oregon Transportation Investment Act) on behalf of the McLoughlin Blvd. project. On January 16, 2002, the Oregon Transportation Commission approved \$2 million dollars in funding to supplement the existing \$1.9 million federal dollars already set aside for the project. Combined with the City's local match of approximately \$200,000, funding is now in line with the expected total project cost of \$4.1 million dollars and all phases of the project can go forward (this includes engineering, right-of-way acquisition, and construction). The \$2 million dollar award should be available to the City later this spring.

Because most of the project is funded with state and federal dollars, the City is required to follow a strict federal and state contract administration process. I will be managing the project and have established the following tentative project schedule:

Project Phase	Beginning Date (Month, Year)	Ending Date (Month, Year)
Project Planning (IGA, RFP)	Dec. 2001	April 2002
Preliminary Engineering	June 2002	Dec. 2002
Right-of-Way Acquisition	June 2002	July 2003
Construction	Aug. 2003	July 2004

Date 2.5.02

I wish to address City Council on Agenda Item # Right Away Code

Name Denise Magee-Gonzales

Organization _____

Address 4536 S.E. Conway St Milwaukie, OR

Phone 503-794-1778

Speaking in Support

Speaking in Opposition

Raising Questions

Providing Information

Comments Memorial Sites to stay

Date _____

I wish to address City Council on Agenda Item # OTHER

Name RICHARD CAYO

Organization _____

Address 4203 S.E. JOHNSON CR. BV.

Phone MILWAUKIE - OR 97222

Speaking in Support

Speaking in Opposition

Raising Questions

Providing Information

Comments _____

Date 02-05

I wish to address City Council on Agenda Item # CROSS

Name Heather Miller

Organization _____

Address 4516 SE Jewell Ln St

Phone 353 9690

Speaking-in-Support

Speaking in Opposition

Raising Questions

Providing Information

Comments CROSS

Date 2-5-02

I wish to address City Council on Agenda Item # _____

Name DAVE AIXON

Organization _____

Address 12249 SE Outfield Rd Milwaukie, OR

Phone 794 2955

Speaking in Support

Speaking in Opposition

Raising Questions

Providing Information

Comments _____

Right Away Codes
CROSS WALKS
Street Lighting