

**MILWAUKIE CITY COUNCIL
WORK SESSION
AUGUST 5, 2002**

The work session came to order at 5:30 p.m. in the City Hall Council Chambers.

City Council present: Mayor Bernard and Councilors King, Lancaster, and Newman.

Staff present: City Manager Mike Swanson, Director of Community Development and Public Works Alice Rouyer, Planning Director John Gessner, and Police Chief Larry Kanzler.

Information Sharing

1. **Councilor King** discussed the Johnson Creek Boulevard Improvement Project and interest in a raised bike lane design. She sensed traffic calming was the main neighborhood issue.
2. **Mayor Bernard** updated the Councilors on discussions he and Swanson had with the neighborhood leadership to gauge support for either a measure to annex to Clackamas County Fire District #1 (CCFD1) or a general fund operating levy.

Swanson's biggest concern is meeting the \$1.2 million general fund shortfall. The annexation tool is complicated, and the current economic climate is not friendly. Both factors may reduce the chances of solving the general fund problem. In addition, there are still some community concerns with the original decision to contract with CCFD1 and getting rid of the Milwaukie Fire Department. Reversing this decision, he added, would be a difficult and expensive. He suggests the City seek a 2- or 4-year operating levy and try the annexation measure in 2004.

Councilor Newman, not having heard community feedback, is still open to the annexation measure.

Councilor King agreed any money measure would be difficult to sell and noted the importance of educating voters.

Swanson will prepare a resolution and ballot title for the November general election for City Council consideration at its August 20 meeting. Although he believes annexation is the appropriate, long-term funding solution, he understands the timing is not right. Milwaukie will continue to pay CCFD1 for fire service but will do so without representation on the District Board. A levy to collect \$1.2 million per year will maintain the status quo and not add any new services.

Mayor Bernard discussed potential utility fees to meet infrastructure needs.

Councilor Lancaster has concerns with the temporary nature of a levy and is still inclined to go for annexation. The choices need to be clearly delineated for voters.

Swanson agreed with Lancaster's comments but is concerned about marrying the 2 issues: annexation and meeting the general fund shortfall. The main issue at this time is supporting the general fund, which could be clouded by the annexation question. He recommends a levy this year and going to the voters with an annexation measure in 2004. In the meantime, he will urge the District to form alliances with the community. The people he and the Mayor interviewed are generally supportive of the City, but he is not sure a lot of hearts are invested in making the annexation happen. If the annexation measure were defeated by a large margin, it might be difficult to recover at a future election. The District Board is looking for a reasonable chance of success. Although a levy is easier to understand, both he and the Mayor feel even the passage of a \$1.2 million levy will be challenging.

Mayor Bernard agreed the annexation question is confusing, and he is concerned about people's issues with past fire service delivery decisions in Milwaukie. He supports the levy option.

Councilor Lancaster feels this City Council has earned the community's trust. He asked if the City could do a wash with the annexation and deal separately with the shortfall.

Councilor Newman is in favor of the best method to address the general fund shortfall.

Comments on the Proposed Ordinance Creating the Public Safety Advisory Committee

Susan Stone, Traffic Safety Board (TSB) Chair, spoke on the proposed ordinance creating the Public Safety Advisory Committee (PSAC). She was concerned traffic issues would be diluted in this Committee, which seems more focused crime prevention. Ruth Harshfield, Executive Director of the Alliance for Community Traffic Safety (ACTS Oregon), expressed similar concerns after reviewing the proposed ordinance. Stone also has concerns about the number of members being proposed and the potential problems with achieving a quorum.

Stone suggested some verbiage incorporating the duties and responsibilities of the TSB. She recommended keeping the TSB active because she did not feel subcommittees of the larger PSAC could adequately address traffic concerns in the community. It also seems as if the new Committee will be advisory to the police department rather than the City Council.

Mayor Bernard felt the ordinance could be amended to include some of the verbiage Stone suggested specific to traffic safety.

Councilor King agreed stronger language relating to traffic safety should be included.

Councilor Newman agreed with Stone's comments about the quorum and suggested changing it from two-thirds to one-half. He also wants to ensure the Committee is advisory to the City Council.

Councilor Lancaster assured Stone the change is not being made to dilute TSB activities and livability issues. The intent is to change the structure of the advisory group to encompass other community policing needs. He believes the proposed size of the group is needed in order to represent the Milwaukie neighborhoods and special interest groups.

Mayor Bernard said Kanzler would need input on the Committee's development. He would like to limit the Chief's chairing of the group to 6 months unless otherwise requested by the membership to the City Council. He recommended one of the members be appointed vice chair with the idea of that person eventually taking the chair position.

Councilor King would like to have language in the ordinance about liaison roles to public works and other City departments.

Councilor Lancaster feels it is important for Kanzler to implement the PSAC, and it is his decision whether or not he wishes to continue as liaison.

Stone addressed the comments on staff report page 4 regarding the staff burden if both the TSB and PSAC operated. She noted that police department personnel had not attended TSB meetings, and it was not an issue.

Dolly Macken-Hambright, TSB member, feels the TSB's current charge is too narrow, and the proposed PSAC addresses other important community safety issues. Although the scope is broader, traffic safety will not be overlooked. She believes the Chief should act as chair for as long as necessary, and it is her understanding that the PSAC is charged with being advisory to Council. She urged the Mayor and Council to move forward with the ordinance as soon as possible.

Kanzler discussed the Committee composition and purpose of the at-large positions. Since the City Council makes appointments, youth and other representation will be at its discretion.

Councilor Lancaster pointed out there are overall objectives in the community policing model. The goal is to be as inclusive as possible and to be flexible as needs and community issues change.

Flag Lot Amendments

Gessner updated the City Council on the July 23 Planning Commission hearing on proposed flag lot amendments. He requested final City Council direction on the package that has grown to include house design standards, size limits on accessory structures, several administrative provisions, and correcting a defect in the transportation regulations. He discussed capturing funds at the time of development to improve substandard infrastructure such curbs and sidewalks. The proposed value threshold on new, single-family residence applications, including modular homes, is \$90,000. Values are currently between \$85,000 and \$185,000, so the proposed threshold is at the lower end. He believes this action is consistent with Council's desire to get improvements at the time of development.

Councilor Newman commented he would not want to discourage people from improving their properties.

Gessner discussed accessory structures, their maximum size, exterior siding material requirements, and roof pitch.

Councilor Newman wants to ensure that accessory structures cannot be closer to the street than the house.

Other

Councilor King announced upcoming art shows at Providence Milwaukie Hospital.

The work session adjourned at 6:55 p.m.

Pat DuVal

Pat DuVal, Recorder

**CITY OF MILWAUKIE
CITY COUNCIL WORK SESSION AGENDA
AUGUST 5, 2002**

MILWAUKIE CITY HALL

Second Floor Conference Room
10722 SE Main Street

WORK SESSION – 5:30 p.m.

Discussion Items:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>
1.	5:30 p.m.	Dinner and Information Sharing	Group
2.	6:00 p.m.	Joint Session with Planning Commission	
3.	7:00 p.m.	Adjourn	

The Council may vote in work session on non-legislative issues.

The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the preceding items.

At the end of the work session, the Council may hold an Executive Session under the authority of Oregon Revised Statutes 192.660 as needed.

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



To: Mayor and City Council

Through: Mike Swanson, City Manager
Alice Rouyer, Community Development and Public Works Director

From: John Gessner, Planning Director

Date: August 5, 2002

Subject: Planning Commission Work Session

Action Requested

Review work program and feedback to the Commission.

Background

Each year appointed boards are required to meet with the City Council to review the Board's work plan for the coming year. The Planning Commission is scheduled to meet with the Council on August 5, 2002.

The following is a summary of work undertaken in 2001-2002.

FY 2001-2002 Projects	
Transportation Impact Analysis Code	Erosion Control and Flood Management Regulations
Downtown Design Guidelines	North Industrial Land Use Study
Flag Lot & Other Code Improvements	Cell Tower Code
Limited Uses in the Business Industrial Zone	Urban Forestry Ad Hoc Committee

The following is a summary of the possible work program items that were reviewed by the Planning Commission on July 23, 2002. The Commission expressed interest in prioritizing code improvement projects that help improve the quality of development.

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Project	Description
Complete North Industrial Land Use Study	State funded economic and transportation project. (Year long project)
Complete New Cell Tower Regulations	(Adoption is scheduled for fall)
Complete Vegetated Buffer Regulations	(Adoption is scheduled for fall)
Complete Downtown Design Guidelines	(Adoption is scheduled for fall)
Tree Preservation	Per Council direction, look at ways to provide incentives for tree preservation and protect trees on public properties.
Revise the following code sections: Variance, Nonconforming Situation, and Conditional Use Criteria. Develop needed parking standards	Improve codes to correct the inadequacies or deficiencies. Parts of the existing code are difficult to apply or do not meet current expectations for quality development.
Environmental Standards for Stormwater Management	Look at ways to improve the quality of runoff from buildings and parking lots.