

**MILWAUKIE CITY COUNCIL  
WORK SESSION  
AUGUST 2, 1999**

The work session came to order at 6:00 p.m. at the Milwaukie Center, 5440 SE Kellogg Creek Drive.

Council present: Mayor Tomei and Councilors King, Lancaster, Kappa and Marshall.

Center/Community Advisory Board members Molly Hanthorn, Chair; Jim McCreedy and Kim Buchholz, C/CAB Budget Committee; Carol Storment, Building Review Committee; Eleanor Johnson, NCPRD Representative; Joan Staley, Program Services; and Doug Marx, Meals on Wheels and Transportation.

Park and Recreation Board members Sharon Van Horn, Mart Hughes, and Edie Kerbaugh.

Staff present: City Manager Bartlett; Assistant City Managers Bennett and Richards; Neighborhood Services Director Gregory; Information Specialist Wheeler; Milwaukie Center Director Young; and Thom Kaffun, North Clackamas Parks and Recreation District.

**Center/Community Advisory Board (C/CAB)**

**Hanthorn** introduced the members present and discussed the important roles of the Board's subcommittees.

**Young** showed a video highlighting the community programs offered through the Milwaukie Center. She then reviewed the Center's six ongoing goals that the C/CAB adopted in 1996 through its self-assessment process:

1. Meet holistic needs and interests of older adults. Respond to the needs and interests of the whole person in later life recognizing the interrelation of social, intellectual, cultural, economic, emotional, and physical factors.
2. Empowerment. Offer seniors and others in the community ways to serve as well as be served.
3. Community building. Build a sense of community within the Center and community at large.
4. Outreach and marketing. Tell the story of the Center.
5. Resource development. Expand the base of community partnerships and support for the Center.
6. Planning and implementation. Prepare for future needs and interests by optimizing present opportunities.

The 1999 - 2000 budget goals are:

1. Recruit for a full time program services coordinator for Recreation/Education office;
2. Celebrate the Center's 20<sup>th</sup> Anniversary in May;
3. Replace the front entry and sidewalk during the Labor Day closure;
4. Improve lighting in the south parking lot; and
5. Prepare grant applications to obtain a freezer in order to expand nutrition services.

**Mayor Tomei** was very proud of the Milwaukie Center and excited about its programs and accomplishments. She congratulated the Center Board and staff.

**Councilor Lancaster** asked if the Center had gone out for bid for its projects.

**Young** responded that the bid requests had gone out, and several grant applications have been written.

**Hanthorn** thanked the City for providing grants for transportation and containers for Meals on Wheels deliveries. She indicated the Board was also interested in working with the City of Milwaukie on affordable housing, transportation, and inter-generational programs. Hanthorn also suggested the Center and City work together on sharing newsletter information and coordinating major events that might compete for volunteer time and public attention. The Board also hoped that the City would continue to be aware of the Centers interest in providing satellite services that are more accessible by public transportation.

**Councilor Kappa** was interested in developing the concepts of sharing information and resources.

**Johnson** discussed recent newsletter funding problems since the Center can no longer use the Friend's non-profit mailing status.

### **Park and Recreation Board (PARB)**

**Richards** discussed the Park, Open Spaces, and Trails (POST) Program designed to expedite purchase of property critical to the City's long range plans. Board members are scheduled to attend upcoming neighborhood activities to help identify potential land purchases in under-served areas. People who have specific parcels in mind will be asked to complete a survey sheet, so Council can consider them more specifically. Once the target areas are adopted, staff can proceed to talk with property owners. One of the Board members also sits on the Acquisition Committee that recommends certain properties. The Board will begin developing its work program in September and identifying funding priorities for the District's FY 2000 - 2001 budget.

**Van Horn** said the Board was interested in helping the City Council achieve its goal relating to environmental sustainability through an urban forestry program, trails, the downtown/riverfront plan, streetscape, and Milwaukie Jr. High site plan and use. The Board is also interested in involving youth by encouraging at least one member from a Milwaukie school.

The Board continues to support the acquisition of additional land for neighborhood parks with the first priority being Hector Campbell, second Lewelling, and third Ardenwald west of 32<sup>nd</sup> Avenue. The board also wants to acquire additional land for community or regional parks for active sports. **Van Horn** described the current efforts underway regarding the proposed skateboard park. Further District funding priorities included additional land for wetlands and open spaces and trails to connect existing and future parks. The Board was interested in getting Council input on connecting neighborhoods with the downtown and riverfront areas.

**Councilor Kappa** liked the idea of connecting neighborhoods to the downtown/riverfront and hoped to see an attempt at master planning a trail system. He also supported the idea of bringing the youth element to the Board through some type of active engagement. He asked if there were expectations for the Jr. High Site.

**Richards** said the Board identified the Jr. High Site development as an area in which members wished to be involved, but there had not been a lot of specific discussion about the site's development. The Board wanted to put its interest on record and was asking the Council if there was a certain role it might fill.

**Van Horn** added that the PARB had discussed the site being a community center and park for the downtown area during the course of conversation.

**Richards** suggested that PARB members could be assigned as liaisons to special committees. She added that the Board only meets once a month, so, if possible it would be best to assign tasks to individuals rather than the full board.

**Hughes** commented that, from his point of view, Milwaukie offered a lot of opportunities to make community trial connections.

**Mayor Tomei** supported youth involvement, and **Councilor Marshall** said he would like youth represented on all of the appointed boards and commissions.

**Richards** suggested the Board could work on identifying trails next year in a similar process that is being carried out for neighborhood parks. The Planning Department also has multi-modal plans that need to be considered.

**Councilor Marshall** referred to the last goal -- *continue efforts toward development of the downtown and riverfront through a planning process, acquisition of key properties, and construction of key public projects to support a long-term public private partnership.* He felt the PARB should be involved after Crandall completed his study. The Council will need to look at acquiring land for wetlands and trails as the next logical step after acquiring park land and added that he felt the District was responsible for community park land. Acquiring neighborhood park property is an ongoing process. He felt the PARB needed to be involved with developing the urban forestry ordinance.

**Richards** responded that the urban forestry program will be built into the PARB work plan after initial action is taken by the Planning Commission. The Board could also assist with the conservation easement element.

**Hughes** felt the Board could advise the Council on community sustainability and livability in addition to issues of parks and specific properties.

**Councilor Kappa** saw trails and connectivity, in addition to the urban forestry program, as part of the subdivision ordinance to create community.

**Councilor King** wanted the word "habitat" used more and discussed the Johnson Creek Watershed Committee and the Resource Management Plan. She said she would provide information to the PARB on this related issue.

**Richards** felt that open spaces, habitat, and trails could be the focus for the following year. She said the Board could put together a work plan based on that direction.

### 36<sup>th</sup> Avenue Traffic Calming Issues

**Bennett** said there were two primary issues involved with Dorothy Snowhill's 36<sup>th</sup> Avenue concerns: ownership of Dwyer Drive and the appropriate type of traffic calming. Snowhill requested speed humps; however, the Neighborhood Traffic Management Plan (NTMP) did not find that street warranted that method of calming. Providence Milwaukie provided a letter indicating it would fund the speed hump project up to \$5,000 if certain conditions were met. These conditions were: the proposed plans are approved by all emergency services providers; Council waives the NTMP; and 100% of the 36<sup>th</sup> Avenue residents are in favor of the speed humps.

Staff did not recommend adding the street to its system because of its poor condition, and Bennett discussed prescriptive rights. The City has never accepted Dwyer as a public road, and, according to the City Attorney, there are no grounds for estoppel.

**Bennett** said the traffic calming was probably the more significant issue since the NTMP criteria would have to be waived to install speed humps. If the City Council decides speed humps are desirable on 36<sup>th</sup> Avenue, then the motion should contain findings supporting that decision and clarifying why this street is unique. The street is unique in that it is the only local street in Milwaukie that has a hospital on it. Council would probably also want 100% private funding for this project. Staff is concerned that there is an existing policy and program that prioritizes traffic calming, and, if those are simply waived without clarifying the uniqueness of the situation, there will be no basis for dealing with anyone else that does not want to follow the NTMP in the future. Other options are to wait until the hospital moves its secondary entrance to King Road or select a different type of device such as a traffic circle.

**Bennett** pointed out that the Council staff report contained the petition Snowhill circulated among her neighbors. She also provided information on traffic counts between King Road and Dwyer Drive which was about 590 trips per day in May. From Dwyer Drive to Harvey Street, the traffic count was approximately 268 trips per day.

**Councilor Marshall** said, for clarification, that the City of Milwaukie has a traffic management program that prioritizes how funds are allocated to various project.

**Bennett** said that was correct, but the City does not have a policy on how private funds are spent.

**Councilor Marshall** understood this decision could set a precedent. In this case, it is a private entity, but similarly a neighborhood could raise the funds to install a speed hump of its own.

**Bennett** suggested that provisions for this type of action be included as part of the NTMP rather than being dealt with on a case-by-case. She recommended the Council clarify in its motion why this kind of action was different from a publicly-funded project.

**Councilor Kappa** said traffic calming could be accomplished by a local improvement district (LID).

**Councilor King** said it seemed that 36<sup>th</sup> Avenue residents were 100% for traffic calming, but they do not want to pay for it.

**Councilor Lancaster** felt the City Council should be considering criteria based on traffic engineering principles for any project, but that has not been mentioned.

**Bennett** said staff is recommending against traffic calming on that street because of low volume and speed. Current speeds are not that high, and staff is concerned that speed humps would not result in any significant reduction.

**Councilor Lancaster** added the other piece of the issue was the position of other emergency services providers.

**Snowhill** said she contacted all of the ambulance companies, and none of them objected to speed humps. Clackamas Fire District #1 wants a detailed drawing from the City, but the representative indicated the District would most likely approve of the speed humps. Chief Collier wanted a chance to review the design also.

**Eric Snow**, Providence Milwaukie Hospital, said the hospital would want to be assured that all ambulance companies had been contacted including those from outlying areas.

**Bennett** suggested that there be a condition that letters had to be solicited from all emergency services providers. She felt sure both police and fire would want to review the actual design.

**Councilor Kappa** was concerned about any liability issues that might be attributed to the speed humps.

**Bennett** did not believe there would be a problem.

**Councilor King** understood from a Portland Fire Department employee that traffic calming has not proven to be a great problem for emergency vehicles. She believed that 36<sup>th</sup> Avenue was completely different from any other street in the City because of the hospital traffic.

**Councilor Marshall** asked if anyone had considered temporary rubber speed humps.

**Bennett** said these are normally more steeply angled and flatter on top. Another staff concern was installing good speed humps on a street that would be improved in the future.

**Bartlett** commented that some cities which allow private placement of speed humps require a perpetual agreement. If the street is improved, the speed humps would have to be replaced by the private parties.

**Mayor Tomei** said the first issue was whether or not to waive the NTMP criteria.

**Councilor Marshall** repeated his point that the NTMP prioritizes the expenditure of public funds for traffic calming.

**Bennett** pointed out that traffic calming does not work if it is on every street. From that point of view, traffic calming does need to be prioritized. The issue may be complicated by the NTMP trying to accomplish two goals.

**Councilor Marshall** suggested that the City Council direct staff to work with the Traffic Safety and Transportation Board (TSTB) to incorporate criteria for privately-funded speed humps into the process. He saw two issues: whether or not to waive the NTMP and how to set up a mechanism to provide for privately-funded traffic calming.

**Bartlett** was concerned that sending the issue to the TSTB would delay bringing the revised NTMP to Council at its August 31 meeting. He suggested the City Council adopt the NTMP and then prepare a recommendation on the private funding issue.

**Councilor Kappa** believed Snowhill made a good case, but he also felt that private parties should be responsible for future improvements. He wanted to see traffic calming coordinated with the LID program.

**Bennett** said the NTMP would have to be revised to reflect the added flexibility of traffic calming through the LID process.

**Councilor King** agreed the TSTB should work on the addendum to its NTMP revision. Providence Milwaukie has made a good offer, and Snowhill made a good case that this street is exceptional because of the hospital access. She recommended careful wording to allow this exception without the TSTB making the decision on this situation.

**Councilor Lancaster** was concerned about making an exception, and he was not comfortable with King's recommendation without looking at potential impacts. If there is a compelling need to deal with this type of exception, then City Council should work on the process and not move forward too quickly. If the true intent of this request was to slow traffic, will the speed humps achieve the desired effect? He was not convinced the project needed to be done since traffic was already going 28 mph.

**Bennett** added that, if the numbers are correct, then there is a substantial concern the desired end would not be achieved.

**Snowhill** said last year the City estimated that each speed hump would cost \$3,000, and last year the Hospital offered to pay \$6,000 plus signage costs.

**Snow** said there were no formal records from that meeting, so the Hospital felt that \$5,000 was a reasonable sum to put toward this community-based project. One of the contingency pieces was resident agreement because Providence wants to be a good neighbor to all. He suggested that Hospital employee residences be taken out of the poll.

**Councilor Marshall** asked Snowhill her goal for this project, and **Snowhill** responded she wanted both volume and speed reduced.

**Councilor Marshall** referred to his earlier suggestion to direct staff to develop a mechanism, ancillary to the NTMP, to allow an individual or groups of individuals to provide traffic calming on their streets. He did not consider this an exemption.

**Bennett** asked if the intent was to create a policy that would allow traffic calming for anyone who wants it.

**Councilor Marshall** said that issue would be for further discussion after staff had prepared a preliminary draft process or mechanism. He agreed in this situation that the City should not provide the funding, and those involved needed to meet the Hospital's condition prior to a check being written.

**Bartlett** suggested that the Hospital work with the contractor directly, and the City issue the right-of-way permit based on a design built to specifications.

**Councilor King** asked for clarification of the Board's direction. Will the Council direct the TSTB to determine whether or not this type of program will take place in the City. If the Board approves, then it will set the standards.

**Bennett** said the NTMP is a Council-adopted policy, and the privately-funded traffic calming element does not fit into the current policy. The Board can do some work on it, but the final decision rests with the City Council.

**Councilor Marshall** said this conversation needed to be finished when the Board brings the NTMP forward for adoption.

**The group agreed it did not want to make the 36<sup>th</sup> Avenue decision before it made any decisions on privately-funded traffic calming.**

**Councilor Lancaster** added this would be a good opportunity for the parties to obtain complete emergency provider input.

**Bartlett** understood from the conversation that on privately-funded speed humps, the City Council first wants a policy and process in place. He suggested that the builder or developer work directly with the contractor on a design that meets the City's standards.

## Communications Plan

**Gregory** reviewed the *Draft External Communications Plan*. The purpose of the Plan was to outline ways to improve coordination, prioritize efforts, try some new strategies and improve some old ones. She discussed the communication audit process that she and other staff conducted internally.

The proactive communication goals were:

1. Employ state-of-the-art communications that respond to changes in the information exchange environment and open up access to the full diversity of Milwaukie citizens.
2. Build strong relationships between staff and citizens to create more public trust.
3. Provide excellent public information projects and events that anticipate the public's questions and concern, are easy to understand, have interactive elements, and provide accurate, timely information about City functions, projects and policies.
4. Maintain consistency and quality in City publications.
5. Well-coordinated, responsive public information and public involvement efforts.
6. More good news about the City of Milwaukie.

The reactive goal was:

7. Honest, accurate, timely, neutral and informative staff responses that reinforce the professionalism and preserve the integrity of the City of Milwaukie as a government organization.

**Councilor Lancaster** felt a handbook would be a good tool, so people can talk to the right person the first time. He thought the City calendar that was done a couple of years ago was good information to put in people's hands. He had the sense that citizens were still not reading the newsletter despite its new format.

**Councilor Kappa** thought, from his citizen contacts, that more people were reading the City newsletter. He asked if this Plan was sufficiently flexible to support revised Vision and Mission statements, and **Gregory** responded she believed it would accommodate any such changes.

**Councilor Lancaster** recommended evaluating efforts and reallocate resources to another area if necessary.

The group discussed the effectiveness of the interactive bulletin board, and some felt it was not worth the effort. Other suggestions for improved communication included additional programming on Channel 12, increasing e-mail, developing a modest City web page, posting yard signs for City events, training staff for improved presentations, and moving some Johnson Creek Blvd. staff to City Hall as part of downtown redevelopment.

**Bartlett** explained this Communication Plan was an internally-adopted document, and staff would act on Council direction and, if necessary, develop budget decision packages.

The group discussed the viability of *The Clackamas Review* for public notices, how to get more articles in *The Oregonian*, and the feasibility of a letter to the editor in response to the 32<sup>nd</sup> Avenue article.

### **32<sup>nd</sup> Avenue Raised Crosswalks**

**Bartlett** reviewed the history of the 32<sup>nd</sup> Avenue improvement plans that included a December 1994 DKS & Associates traffic study prepared by Randy McCourt that identified those three crosswalk areas. Related to the School Trip Safety Program (STSP), a map was drawn in May 1995 showing these proposed improvements. He felt that, although this has been a long-term project, the neighborhood had gotten a lot of information. Some of the communication problems area result of neighborhood leadership changes, and, at other times, City employee changes. He reviewed the number of times the City Council has been apprised of 32<sup>nd</sup> Avenue traffic issues including School Trip Safety Program (STSP) updates.

**Councilor Kappa** understood that certain Ardenwald Neighborhood District Association (NDA) members had been promised that a staff member would make a presentation prior the any City Council decisions.

**Bennett** said the issue was brought before the City Council based on a Traffic Safety and Transportation Board (TSTB) motion to slow the project.

**Bartlett** said one problem was that the decision-making process was never clarified. Such improvements are not made by a neighborhood vote. Other affected parties, such as Providence Milwaukie, need to be consulted also.

**Richards** added that the Ardenwald NDA had questions, but due to staff changes that loop was not closed.

**Bennett** clarified the TSTB motion that stated three raised crosswalks were not sufficient and that the City Council should look for additional funding.

**Bartlett** said staff would revisit 32<sup>nd</sup> Avenue after the Roswell Street project is complete. The impact of the three raised crosswalks needs to be measured before additional steps are taken. The STSP was a broad based group, and he felt the various sides were fairly represented in the recommendation process. The group identified those three locations for school crosswalks and the raised crosswalks are accepted methods for slowing traffic in school zones.

**Mayor Tomei** wanted it to be clear that the Council made its decision based on its desire to protect the children walking to Ardenwald School, and she resented the inaccuracies in *The Oregonian* article.

**Bartlett** suggested a letter to the editor that outlined the fundamentals and the decision-making process signed by all Council members.

The group discussed hiring a traffic engineer to review the impacts of the raised crosswalks and validate the previous study. **Bartlett** pointed out that traffic is a network, and certain changes in one location usually result in changes to another. The group discussed the feasibility of hiring or contracting a traffic engineer to outline regional dynamics.

**Councilor Marshall** felt the process needed to include both improved communications with and sign-off by the neighborhood leadership.

**Bartlett** discussed the neighborhood outreach during the annual budget process that asked residents what projects they would like to see funded. This year there were only five responses from all of the neighborhoods.

### Legacy Program

**Mayor Tomei** asked that the Council authorize her participation in the Portland State Legacy Program at a cost of about \$2,400.

The group supported the Mayor's request to submit an application.

### Annexation and Community Planning Organizations (CPO)

**Councilor Kappa** believed it was important that the City Council communicate with the neighboring CPOs to discuss Milwaukie's annexation plans. The group felt that, although this was important, other issues, such as the Vision, needed to be addressed first.

### Meeting Dates

The group agreed to hold its second meetings of August on 30 & 31 and directed staff to prepare a resolution for adoption at the August 3 regular session.

Trees

**Councilor King** reported she had received two phone calls about the sale of the Van Bergen property on Washington Street and the possibility that two original Luelling cherry trees would be cut by the School District.

**It was moved by Councilor Marshall and seconded by Councilor King to adjourn the work session. Motion passed unanimously.**

The meeting adjourned at 9:40 p.m.

*Pat DuVal*

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Pat DuVal, Recorder

**CITY OF MILWAUKIE  
CITY COUNCIL WORK SESSION AGENDA  
AUGUST 2, 1999**

**MILWAUKIE CENTER**

5440 SE Kellogg Creek Dr.

***WORK SESSION – 5:30 p.m.***

Discussion Topics:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>
1.	5:30 p.m.	Dinner	Group
2.	6:00 p.m.	Center/Community Advisory Board	C/CAB Chair Joan Young
3.	6:30 p.m.	Park and Recreation Board	PARB Chair Charlene Richards
4.	7:00 p.m.	36 <sup>th</sup> Avenue Traffic Calming	Martha Bennett
5.	7:30 p.m.	Communication Plan	Michelle Gregory Grady Wheeler

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

*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.*

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



**\*\*\*MEMORANDUM\*\*\***

July 27, 1999

To: Mayor and City Council

From: Barb Kwapich

Re: Work Session August 2, 1999 Item 5.

Discussion Topics, Item 5, Communication Plan will be forwarded to in a packet on Friday July 30, 1999.



TO: Milwaukie City Council

THROUGH: Dan Bartlett, City Manager *DB*

FROM: Martha Bennett, Assistant City Manager *MB*

SUBJECT: Dwyer Drive/ 36<sup>th</sup> Avenue/ Snowhill Complaint

DATE: July 23, 1999 for August 2, 1999 City Council Work Session

Action Requested

Council direction on traffic calming on 36<sup>th</sup> Avenue and other issues related to the impact of Providence Milwaukie Hospital on the neighborhoods east of the hospital.

Background

At your July 6 meeting, you received a staff report and written testimony from Dorothy Snowhill about issues related to Dwyer Drive ownership and to traffic calming on 36<sup>th</sup> Avenue between Dwyer and King. You directed staff to bring this issue to you at work session on August 2. I have attached the original staff memo, the written testimony from Dorothy Snowhill, and a petition Mrs. Snowhill has submitted to the City that expresses support for waiving the Neighborhood Traffic Management Program (NTMP) to permit installation of traffic calming, most likely speed humps, on this section of 36<sup>th</sup>.

*Dwyer Drive*

Mrs. Snowhill's written comments include an extensive discussion of the status of Dwyer Drive as a private road or public street. Staff and the City Attorney disagree with Mrs. Snowhill's interpretation of case law regarding whether Dwyer should be considered as having reverted to public ownership. As noted in my July 1, 1999 memo, the City Attorney has advised us that common law dedication requires an intent to dedicate by the owner and either acceptance by the City or "estoppel." Providence Milwaukie Hospital has expressed a desire to maintain ownership of the private portions of Dwyer. The City has never accepted Dwyer as a public road, and there are, according to the City Attorney, no grounds for estoppel.

*Options for Dwyer Issue*

Staff recommends against City acceptance of this street. If the Council disagrees with this recommendation, staff can work with Providence Milwaukie Hospital to determine if they would be willing to dedicate the roadway.

*Traffic calming on 36<sup>th</sup> Avenue*

As I noted on July 6, City staff have three concerns about installing speed humps on 36<sup>th</sup> Avenue. First, Public Works staff are concerned about setting a precedent that is not consistent with the Neighborhood Traffic Management Program. Second, if the two studies on 36<sup>th</sup> are accurate, traffic volume on 36<sup>th</sup> is not significantly worse than the average residential street, and speeds are not excessive. In other words, speed humps may not solve what local residents perceive as the problem. Finally, 36<sup>th</sup> is in poor condition. Speed humps may make it more expensive to maintain or reconstruct the street in the future.

*Providence Milwaukie Hospital Position*

At the July 6 meeting, you directed staff to obtain more information from Providence Milwaukie Hospital about whether they are willing to contribute financially to traffic calming on 36<sup>th</sup>. As you will recall, I had received word from the Hospital that they did not recall having made any commitment to the neighborhood.

On July 23, 1999, Eric Snow, Facilities Plant Manager, of Providence Milwaukie indicated that the hospital would be willing to contribute up to \$5,000 for speed humps on 36<sup>th</sup> under the following conditions:

- The proposed plans are approved by all emergency services providers, including fire, ambulance and police.
- The NTMP is waived by the City Council.
- All of the residents (100%) along 36<sup>th</sup> are in favor of the speed humps.

Mr. Snow indicated that Providence would be mailing a letter to the City outlining their position. I will forward the letter to the Council for your review as soon as we receive it.

*Options for Traffic Calming on 36<sup>th</sup> Avenue*

The options available to the Council include:

- Council can waive the NTMP and authorize installation of speed humps on 36<sup>th</sup>. If this is the option you select, staff recommends that you include the following considerations in the motion:
  - ◆ 36<sup>th</sup> is the only street that is classified as a "local" street that has an access road to a hospital in Milwaukie. That means that it has a unique character and serves

unique traffic. Residents close to the access to the hospital experience problems from traffic that residents on other local streets do not confront.

- ◆ No city funds should be used to construct the speed humps. Although the humps should be built to City standards, the neighborhood should secure the commitment from Providence Milwaukie Hospital or some other private funding source to pay for the work. The cost of the speed humps can range from \$1,500 to \$3,000 depending on a number of factors.
- ◆ The neighborhood should comply with the NTMP requirement that at least 50 percent of the local residents should support the installation of speed humps.

If Council selects this option, staff will investigate the possibility of using the “temporary” rubber speed humps to reduce the problem that speed humps could interfere with future road repairs. Council may wish to consider the conditions that Providence Milwaukie Hospital has proposed.

- Council could direct staff to study other traffic calming options. This street is an old county road. It is unimproved, has poor pavement, no curbs and no sidewalks. One option is construction of a “skinny” street with curb, sidewalks, and street trees. Staff could also investigate a traffic circle, stop signs, and other possible options.
- Council could direct staff to undertake another traffic study during the warmer weather to see if traffic counts have changed since May 1998.
- Council could direct staff to do nothing on this street, given the indication that the hospital’s entrance may move to King Road in the future.



WS. 4 4

*Mrs. Snowhill + several  
other residents of  
32nd Ave here. who  
will object to a  
re-alignment of the  
hospital.*

**REVISED ON JULY 1, 1999**

TO: Milwaukie City Council  
THROUGH: Dan Bartlett, City Manager  
FROM: Martha Bennett, Assistant City Manager  
SUBJECT: Dwyer Drive/ 36<sup>th</sup> Avenue/ Snowhill Complaint  
DATE: July 1, 1999 for July 6, 1999 City Council Meeting

Action Requested

Council direction on traffic calming on 36<sup>th</sup> Avenue and other issues related to the impact of Providence Milwaukie Hospital on the neighborhoods east of the hospital.

Background

On May 28, I received a visit from Mrs. Dorothy Snowhill about issues related to Dwyer Drive and the possibility of traffic calming on 36<sup>th</sup> Avenue. Mrs. Snowhill also met with me, Paul Roeger, and Eric Snow of Providence Milwaukie Hospital on June 8, 1999 to discuss the same issues.

Mrs. Snowhill raised two primary issues. First, she expressed concern about the ownership of Dwyer Drive. Second, she is concerned about the volume and speed on 36<sup>th</sup> Avenue of hospital traffic.

*Dwyer Drive*

When the hospital received land use approval in March 1967, the east and west ends of Dwyer were dedicated as public right-of-way. The middle section of Dwyer, the portion on the hospital grounds, was created as a private road. In all subsequent land use actions proposed by the hospital and approved by the City of Milwaukie, the middle section of Dwyer has always been treated as a private road. In fact, since the original hospital construction, the hospital has modified the alignment of Dwyer, and the curves on the eastern portion of Dwyer are now much more severe than they were when the hospital was originally constructed.

Mrs. Snowhill has expressed concern that Dwyer is no longer a private road. She expresses this concern for three reasons:

- First, the City sands Dwyer (and subsequently sweeps up the sand) in the event of snow and ice. Mrs. Snowhill also has expressed concern that the City may also sweep and maintain Dwyer.
- Second, Mrs. Snowhill believes that the owners of private roads must close the private road to general traffic for at least 24 hours each year. She has provided staff with a legal notice (attached) that Schnitzer published in the Oregonian last year that notes that Schnitzer closed its roads to “establish the corporation’s Right to Closure.”
- Third, Mrs. Snowhill states that after ten years of uninterrupted use, Dwyer should revert to the City under prescriptive rights (a common law dedication)

#### *Analysis of Dwyer Drive Issue*

Mike Clark, Street Maintenance Supervisor, and Eric Snow of Providence Milwaukie Hospital both deny that the City provides routine street sweeping and maintenance on Dwyer. According to Eric Snow, the hospital contracts with a private company for sweeping and routine maintenance of Dwyer.

The City does sand Dwyer in the event of snow or ice because it is imperative for public safety that emergency vehicles and the general public are able to reach the hospital at all times. The City Attorney advises staff that this does not affect the status of Dwyer as a private road but that the City and the hospital should work out an agreement that spells out the reasons the City would sand this street.

In researching Mrs. Snowhill’s second concern, staff was not able to find any reference to state law that requires closure of a private road each year.

Finally, staff asked the City Attorney for a legal opinion of whether either uninterrupted use of the City’s sanding of Dwyer has automatically made it a public street. The City Attorney has advised us that common law dedication requires an intent to dedicate by the owner and either acceptance by the City of “estoppel.” (Estoppel is a legal principle that provides that a person who takes an action to cause another to believe a certain fact is true cannot deny that fact in litigation between the two persons, even if the fact is not true). The hospital has clearly indicated an intent not to dedicate, the City has never accepted Dwyer as a public road, and there are, according to the City Attorney, no grounds for estoppel. A copy of the City Attorney’s memorandum on this issue is attached.

#### *Options for Dwyer Issue*

Providence Milwaukie Hospital has expressed a desire to maintain ownership of the private portions of Dwyer. Staff recommends against City acceptance of this street.

Dwyer is not built to City standards and is in need of repair. In addition, given our limited street maintenance funds, staff would prefer not to add another piece of street to our system.

If the Council disagrees with this recommendation, staff can work with Providence Milwaukie Hospital to determine if they would be willing to dedicate the roadway. The hospital has stated that they are willing to consider dedication of Dwyer if the City feels it is important to the community.

### *Traffic on 36<sup>th</sup> Avenue*

Mrs. Snowhill also has expressed a desire to install speed humps on 36<sup>th</sup> Avenue. She has expressed concern about the speed and the volume of traffic on 36<sup>th</sup> and the safety of local residents. She also has expressed concerns that the two traffic studies, one in January 1998 and one in May 1998 were flawed because of timing and weather.

Under the Neighborhood Traffic Management Program that is in effect today, 36<sup>th</sup> Avenue does not qualify for traffic calming. Attached is a copy of a letter that Rob Shelton sent to Mrs. Snowhill after the May 1998 traffic count. Also attached is a copy of the current projects that do qualify, and how they compare to 36<sup>th</sup>.

In some ways, 36<sup>th</sup> Avenue could be considered a unique street in Milwaukie. It is the only local street that is immediately adjacent to (with access to) a hospital. In addition, Mrs. Snowhill notes that Providence Milwaukie has expressed a willingness to pay for speed humps. ~~I talked with Eric Snow on June 15, 1999, and he indicated the Hospital would be willing to pay for speed humps if it would satisfy neighborhood concerns about hospital traffic.~~ In a subsequent conversation on June 30, 1999, Eric Snow of Providence Milwaukie Hospital told me that the hospital has no record of a commitment to pay for speed humps. The Hospital Administrator also does not recall making such a commitment.

The hospital has worked with its employees and vendors to reduce business trips to the hospital, but some hospital traffic is using 36<sup>th</sup>. Neither the City nor the hospital has wanted to limit trips through the 36<sup>th</sup> Avenue entrance made by emergency vehicles, patrons of the hospital, visitors to the hospital, or employees who live close to 36<sup>th</sup>.

### *Future Hospital Development*

Representatives from Providence Milwaukie Hospital have told staff that at some point in the future, it is likely that the hospital's back entrance will be moved from 36<sup>th</sup> Avenue to King Road between 34<sup>th</sup> and 36<sup>th</sup>. Although there are no guarantees that the entrance will be moved at all, and even if relocation is likely, it could be years before the hospital moves forward with this project.

*Options for Traffic Calming on 36<sup>th</sup> Avenue*

City staff have three concerns about installing speed humps on 36<sup>th</sup> Avenue. First, Public Works staff are concerned about setting a precedent that is not consistent with the Neighborhood Traffic Management Program. Second, if the two studies on 36<sup>th</sup> are accurate, traffic volume on 36<sup>th</sup> is not significantly worse than the average residential street, and speeds are not excessive. In other words, speed humps may not solve what local residents perceive as the problem. Finally, 36<sup>th</sup> is in poor condition. Speed humps may make it more expensive to maintain or reconstruct the street in the future.

Bearing these issues in mind, the options available to the Council include:

- Council can waive the NTMP and authorize installation of speed humps on 36<sup>th</sup>. If this is the option you select, staff recommends that you include the following considerations in the motion:
  - ◆ 36<sup>th</sup> is the only street that is classified as a “local” street that has an access road to a hospital in Milwaukie. That means that it has a unique character and serves unique traffic. Residents close to the access to the hospital experience problems from traffic that residents on other local streets do not confront.
  - ◆ No city funds should be used to construct the speed humps. Although the humps should be built to City standards, the neighborhood should secure the commitment from Providence Milwaukie Hospital or some other private funding source to pay for the work. The cost of the speed humps can range from \$1,500 to \$3,000 depending on a number of factors.
  - ◆ The neighborhood should comply with the NTMP requirement that at least 50 percent of the local residents should support the installation of speed humps.
- Council could direct staff to study other traffic calming options. This street is an old county road. It is unimproved, has poor pavement quality, no curbs and no sidewalks. One option is construction of a “skinny” street with curb, sidewalks, and street trees. Other communities have found that this type of street slows traffic (the narrower a street, the slower the traffic, on average). This option will likely be more expensive than other options, but it would improve a street that is in poor condition and would also improve the neighborhood. If a portion of a project were funded through a local improvement district, the hospital would be participating, since they own a substantial number of properties on the west side of 36<sup>th</sup>. Staff could also investigate a traffic circle, stop signs, and other possible options.
- Council could direct staff to undertake another traffic study during the warmer weather to see if traffic counts have changed since May 1998. This is probably not the best option, especially since it does not provide us with additional options if volume and speed are still low.
- Council could direct staff to do nothing on this street, given the indication that the hospital’s entrance may move to King Road in the future.

*Other issues*

**Dwyer Drive Study.** One of the questions raised by Providence Milwaukie Hospital is whether there is a substantial amount of non-hospital traffic on Dwyer Drive. For example, could traffic from the apartment complex on the north side of Dwyer (near 32<sup>nd</sup>). In our discussions with both Mrs. Snowhill and Providence Milwaukie staff, we concluded that it may be a good idea to conduct a traffic count on Dwyer itself. The study would likely include an evaluation of turning movements on Dwyer at the apartment complex.

**Zoning.** Mrs. Snowhill also raised concerns about whether a hospital use is legal in the R-7 zone. The hospital has received "Community Service Overlay" approval for their recent activities. A CSO approval permits institutional uses, such as a hospital, park, City Hall, or transit facility, in any zone, including a residential zone, providing it meets the appropriate criteria.

*Recommendation*

Staff recommends that the Council not pursue dedication of Dwyer. Neither the community nor the hospital benefits from transfer of the road. Staff has concerns about speed humps on 36<sup>th</sup> Avenue, and urges the Council to make special findings about the uniqueness of this case should you opt to allow them.

We, the undersigned neighbors who live on SE 36th Avenue between King Road and Harvey Street, believe there is a traffic problem on this location. We understand that we did not qualify in the Neighborhood Traffic Management Program. However, we feel that the 36th Avenue is a unique street in that 85 Percent of the traffic is hospital oriented. Please reconsider our situation, and waive the NTMP ordinance.

NAME ADDRESS PHONE SIGNATURE LID

D. Snowhill 10218 SE 36<sup>th</sup> 654-0734 D. Snowhill No

Edwitt Palmer 10250 S.E 36<sup>th</sup> 659-5829 Edwitt Palmer No  
IRENE

Burbach 10272 SE 36<sup>th</sup> 653-5068 Irene Burbach No  
Dorothy Teataworth 10294 SE 36<sup>th</sup> 654-4097 Dorothy Teataworth No

Lynn Wallis 10316 SE 36<sup>th</sup> 659-4844 Lynn Wallis No

M. Stacey 10325 SE 36<sup>th</sup> 659-4842 No

Chris Miller 10241 SE 36<sup>th</sup> 654-2436 No

Ellen Wiseman 10196 S.E. 36<sup>th</sup> Ave 654-5800 No!

[Signature] 10110 SE 36<sup>th</sup> Ave 652-8564 No

Kathleen Hayse 10088 SE 36<sup>th</sup> Ave 654-5382 No!

Esther Wisniewski 9982 SE 36<sup>th</sup> Ave No

Frank J. Stett 9975 SE 36<sup>th</sup> 645-6236 No

Philly J. Henry 10021 SE 36<sup>th</sup> 513-5240 No

Yvonne Allegioigis 10209 SE 36<sup>th</sup> 653-6340 No

Jean C. Hanson 10209 SE 36<sup>th</sup> Ave 659-6940 - No

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NAME	ADDRESS	PHONE	SIGNATURE	LID
Melvin Deines	3607 SE KING RD	653-5851	Melvin Deines	NO
Louise Deines	3607 SE King Rd.	653-5851	Louise Deines	No
RITCH MARTINEZ	10164 SE 36	653-6470	Ritch Martinez	"NO"
Ann Rush		654-1605	Ann Rush	No!
Jul Shilky	10040 SE 36 <sup>th</sup>			no
Gloria Belter	10,807 SE 36 <sup>th</sup> Ave.			No.
James Browning	9908 36 <sup>th</sup> St	786-2189		NO.
Sharon McNeil	10348 SE 36 <sup>th</sup>	659-9033		NO
Ryan Z. Kelly	10357 SE 36 <sup>th</sup>	794-1973		NO

RECEIVED

JUL 08 1999

PUBLIC WORKS

July 6, 1999

Martha's  
Copy

WS. 4 11

7/11/99

This is in response to the Memorandum to the City Council from Martha Bennett, dated June 18, 1999, for July 6, 1999, City Council Meeting.

The City based its entire response to CSO-97-09 and TPR 97-10 on the assumption that a portion of Dwyer Drive was private because it did not show up on Assessor's plats.

I have never made an objection to the City sanding during an ice or snow storm, and then picking up the remaining sand. This is certainly an humanitarian act for which we all are grateful. And is most certainly true for residents of 36th Avenue as sanding has to take place on our street in order to gain entrance to the auxillary entrance to the hospital.

My objection was to the City using public equipment and tax dollars to sweep and wash the center portion of Dwyer Drive, which the City presumes to be a private road. This was never addressed by the City Attorney.

About ten years ago I submitted notarized statements to the City showing that neighbors had witnessed just that -- City equipment and tax dollars on that middle section of the street. All entities admit that this is unlawful. Under Prescriptive rights this can show that the City has accepted the entire road into their maintenance system as a City street.

When I met with Maggie Collins and Tim of Public Works shortly after they moved into the new office on Johnson Creek Blvd., I had also submitted notarized statements that the Hospital had never blocked off the private road segment to maintain it as a private road. Under Common Law, this must be done to protect the owner's rights, as does Schnitzer on New Years Day and Tektronics on Christmas Day. See add from the Public Notice Section of The Oregonian. The accepted criteria is ADVERTISE, BLOCK, AND DOCUMENT.

The length of the interruption is insignificant as long as it disturbs continuous use. At that time the law retores constructive possession of the land to the true owners. This stops anyone trying to claim rights to the road. The owner's documentation would prove adherence to the accepted criteria, and it is done for the owner's protection to ward off any attempt to obtain possession of the road.

You may ask, "How can a hospital block off this section of the road?" One end could be blocked off one day, and the other blocked off another day. I drove out to the Schnitzer tract and found that they blocked off about 2/3rd of the entrance; they had a guard posted who advised that the road was legally closed for 24 hours, but if you needed to enter, you could.

WS. 4 12

At the meeting with Maggie Collins and Tim, I was advised that the City did maintain the entire length of Dwyer Drive including that portion which was set up as a private road. Under Prescriptive Rights the uninterrupted use of a road for a period of ten years must be accompanied with some work on the road (as evidenced by the City's maintenance). At this meeting it was concurred that the City had now accepted the entire length of Dwyer as a City street. I was no longer concerned with use of tax dollars to maintain. The Hospital removed their PRIVATE ROAD sign which had been placed mistakenly on the 115-foot public use road section. They have never replaced the PRIVATE ROAD sign, again attesting that both the City and Hospital felt that the road was a City street in its entirety.

I started my current efforts to try to get low-level speed bumps for my street. The Hospital paid for a one-day traffic study on January 9, 1998. The City advised us that we did not qualify.

The Hospital offered to close the 115-foot entrance road, as they had adequate access off 32nd Avenue. This would give the Hospital another lot in the R-7 zone, and would solve traffic problems along 36th Avenue -- 85 per cent of which is hospital oriented proven by virtue of the traffic study. Public Works would not allow this.

A resident, Yvonne Deligiorgis, then suggested a 3-way stop at Dwyer and 36th Avenue. Public Works stated that 3-way stops were not effective.

It became apparent that the City still considered a part of Dwyer Drive as a private road. Public Works so advised me that it did not appear on Assessor's plats. The City has contended in the past that their records were every bit as legal as those of the Assessor's Office. However, most of the records cannot be found, not even a map of the original section to be considered as a private road. I secured the map from the architect, after much time and trouble.

A road maintenance systems map was on display in the lobby last year, and it showed the entire length of Dwyer Drive as maintained by the City. Now the map has disappeared. The City can't find it.

At the time of finding this map, I asked a Foreman about the system. He advised of the sanding and picking up of the sand after snow or ice storms. I told him that we could all agree that this was good and admirable use of tax dollars. However, I asked, during their regularly scheduled sweeping and washing, do they start the equipment at 32nd Avenue, drive to the jog in the street where it enters the Hospital complex, and turn off their equipment at that time until they reach the last 115-foot segment just west of 36th Avenue. The answer was obvious.

Now Eric Snow, Engineer from the Hospital, contends that they

have a road maintenance contract with a private firm, but this only three years old. This leaves a period of almost 30 years from 1967 to 1996 with no one admitting to sweeping or washing the private road segment. This is hard to believe. The reason that this is important is that it indicates acceptance of the City of the entire length of Dwyer Drive as a City Street.

The reason the City should sand the street during ice and snow storms is for the benefit of the entire community. No agreement is needed, and these tax dollars are well spent.

I did not tie the sanding of the street into uninterrupted use. The public use of the street, uninterrupted, for 30 years brings the discussion to Prescriptive Rights. Oregon law states that after ten years of uninterrupted use, the street can revert to the City. Then add to this the work that the City has done on the street at other than winter storm times, which is an additional requirement. Add also that there is no record that the public use is by license, and the status of the way has never been debated in a court of law. Moreover, there is no known claim that the public use of this way is unlawful.

Common Law dedication is different. The right of the people to use the land of an owner for travel, acquired by the public's continued uninterrupted use of the owner's land for a period of time set by law (Oregon statutory period is 10 years).

This is where Private Road/Public Use criteria comes into play. Schnitzer and Tek close their private roads once a year. They ADVERTISE, BLOCK, AND DOCUMENT. Roads secured by Common Law dedication do not require maintenance and repair.

I make no representation of being an attorney. The doctrine of estoppel is relevant in Common Law dedications. Black's Law Dictionary states that estoppel has many significant meanings in a variety of circumstances. But its basis is misrepresentation. None of the parties involved here are guilty of misrepresentation. I have discovered that many professionals are not aware of the law covering Private Roads/Public Use, especially the younger generation.

I advised the City and the Hospital at the June 8 meeting that there was no ORS which requires closure of a private road each year. It was under Common Law -- the uninterrupted use. Eric Snow felt that there was an ORS which excluded hospitals from the ADVERTISE, BLOCK, DOCUMENT exercise. I wished him luck and told him that I would like to see anything he could come up with, whether it was an ORS or Case Law. I had researched the ORS and Oregon Law back to the Oregon Constitution, as well as the US Constitution, the US Code, and much related Case Law which might be remotely relevant.

I even called Dan Bearsdley now living in Alaska, Senior Member of the International Right Of Way Association, author and teacher

of a volume on Oregon Rights-Of-Way. He confirmed that there is no ORS covering Private Roads/Public Use. It is under Common Law and is the breaking of continued possession by the public.

The public has used this street uninterrupted for over 30 years. The City cannot ask the Hospital to regulate use of the 36th Avenue entrance. This is a public Use Road, and not a part of the original private road coursing through the hospital compound.

Oregon Department of Revenue publication titled "ROADS AND THE COUNTY -- A MANUAL FOR OREGON COUNTY OFFICIALS" states the following:

A road dedicated to the public must remain open to travel by the general mass of the people. No person may be excluded from common use of the public way. Although Cities are guardians of the streets and alleys, Cities are not the public. Cities have no constitutional authority to restrict the use of the streets and alleys to the exclusion of a limited segment of the community. The streets are in the public, not the municipality.

The City has asked the Hospital to restrict the use of just such a road dedicated to the public. This information was given to both the City and the Hospital at our last meeting.

The City does not want the added expense of this street. It is apparently not up to the present code. The Hospital wants to retain ownership and will make repairs and maintain the private road section, as was stipulated in the Planning Commission meeting of March 7, 1967. However, they may wish to close off this secondary entrance. That may or may not happen in the foreseeable future. The Police Department advises that they would not like to have this access closed. Anyone can see that it is the only through street in a 20 square block area.

No Local Improvement District for this street. There are too many retired people and disabled people to approve such an action. Even the six renters would feel the effect in increased payments.

As of last Friday, I was advised that the Hospital has not been able to find an ORS or Case Law excluding hospitals from closure of private roads.

ABOUT THE ROAD, LET'S NEGOTIATE, AND LET'S MAKE IT SIMPLE.

Ask the Hospital to abide by a closure agreement:

ADVERTISE, BLOCK, AND DOCUMENT

After all a former administrator told us that he did just that, and this why I secured the notarized statements that no one had ever seen the road blocked.

The Hospital keeps the private road and the City does not have the added expense of upgrading and maintaining the street. Both of their views are valid to their own organizations, even though the letter of the law has been stretched for a number of years and by a number of infringements. No one wishes to go to court to prove or disprove a point, especially not me.

*Notebook  
the law -*

#### TRAFFIC ON 36TH AVENUE AND SPEED BUMPS

The first study lasted only one day, January 9, 1998. It was a dead week. The holidays were over and so were end-of-the-year sales. The Hospital paid for this study, and we did not have a large enough problem.

The City advised us that the Fire Department and the ambulance companies would not approve of speed bumps. I contacted the local Fire Chief, and he advised he was well aware of our problem. He stated that he did not need the access from 36th Avenue since he had adequate access from the two entries on 32nd Avenue. I was advised to contact the County office on Fuller Road. Here we were advised that if we were to get the City to submit drawings of the proposed speed bumps, they would most likely be approved.

The ambulance companies were contacted, and all were aware of our situation. All agreed that speed bumps were no more of a problem than some of the streets and roads they had to travel. None objected to low-level speed bumps.

We were advised that our only recourse was to enter the Neighborhood Traffic Management Program (NTMP). We could select the time, and would have an entire week of study. We selected the week after Mother's Day, and that turned out to be the rainiest week in the history of all Mays ever recorded. The count lasted from 4 PM on Monday to 6 AM on Friday. Mondays and Fridays are usually the busiest days at the hospital. We were given the small green and white brochure which shows the categories involved, but does not show how they are weighted. We were not referred to your Resolution, and were not advised of additional help which could be obtained from the Traffic Safety Committee, or from the City Traffic Officer (who scolded me for not calling on him).

In June we were notified that the May study was not much different than the January study, but I found out that this study was paid for out of tax funds. My question to the city was, "If both studies were based on the same criteria, i.e., weighting under the NTMP, why were we not advised after the first study about how the results were concluded?" This would have saved the tax payers the cost of the second study. At the June 22 meeting we were given a copy of your resolution. This gives points for each category. One look would show that we would never qualify--to far from a school. Public Works stated that the resolution was new and they had not yet learned

how to administer it. This was a year after the resolution was passed. To me, we had just been exposed to the "Gottcha" syndrome.

We asked, "What do we do now?" Public Works replied to go to the elected officials who wrote the Resolution.

At the June 22 meeting, I gave the City and the Hospital the information about the Private Road/Public Use, but no answer has ever been received even though I called later. The City still contended that the Hospital can regulate ingress and egress over the private road by reminding their employees about use of the 36th Avenue entrance. The City will initiate further traffic studies, paid for by the Hospital, and then attempt further regulation. See Draft Memo dated June 24, 1998. A draft would seem to indicate that a final would be forthcoming. Nothing has transpired since.

The City apparently wants to adhere to number crunching under the NTMP, even though 85 per cent of the traffic is hospital oriented. Counterparts in Portland and Washington County both felt that numbers alone were not the answer. Their experience has been that Providence is acutely aware of its residential neighbors, and tries to address their concerns. We have all determined that since Providence has purchased the hospital, the neighbors are now listened to and attempts are made to address those concerns.

We already have traffic congestion at the corner of 32nd Avenue and Harrison. This is one reason that we have cut-through traffic. Now with any additional expansion of the hospital into the former Stanley property, it does not take a rocket scientist to guess what will happen next in order to avoid that 32nd Avenue signal.

Several neighbors have already asked the City to put in a stop sign at the top of the hill on King Road and 36th Avenue. This is the direct result of cut-through traffic. The City refused. However, they did ask some of the owners to cut back brush, and have placed a narrow asphalt strip on the south side of King Road between 36th and 34th. At least the City must have recognized that this is a potential problem.

NTMP policy states that residential streets are shared equitably by all users. There should be special consideration for situations like a hospital where a local access street funnels 85 per cent of its traffic into a back entrance. How many hospitals do we have in Milwaukie? How many corporations are willing to pay the costs involved in furnishing these low-level speed bumps?

Traffic Officer Giddings told me on May 28, 1999, that he could only speak for himself, but he had no problems in those areas where low-level speed bumps are already in place. I then

contacted Chief Brent Collier. He was aware of our area, and also requested to see the proposed design before making his decision. This seemed fair and equitable.

Expansion goes on at the hospital. Increased contiguous ownership may soon mean a request for a zoning change which would allow further related uses along the west side of 36th Avenue. In 1984 we were shown a beautiful drawing which named various hospital related ventures. On 36th Avenue only two contiguous ownerships remain in private holdings.

CSO approval permits for the Hospital have all met the requirements of the R-3 Zone in which the Hospital is located. Any infringement into the R-7 Zone must conform to the underlying criteria of that zone. So the CSO protects us only as long as the R-7 Zone is in effect, even if that includes a City Hall as Martha Bennett has indicated.

#### POINTS TO CONSIDER

Recording of the 5-foot easement when the Hospital was built has not been done. This followed the original private road segment. ORS 92.050 (6) The location of road has changed in an attempt to slow down traffic. However, there does not appear to be a survey or map of the new location. Since the original location was contingent on the building permit. was approval received from the City to relocate? No records can be found.

A segment of Dwyer Drive was accepted into the Milwaukie system as a private road. The criteria to maintain it as a private road was not followed. Ignorance of the law is no excuse.

At my meeting with Maggie Collins and Tim, I requested speed bumps. I was told that the City could not afford the insurance. Times have changed. My request was at least nine years ago and should be of record. This was long before your resolution was enacted.

I was prepared to file an appeal on the basis of the private road situation. But the Hospital filed based on their inability to control all traffic using this entrance. They may be able to suggest to their employees. but enforcement is impossible. In light of the information in the Department of Revenue publication, it is illegal to exclude anyone from the common use of a public way.

Access to two parking lots, the main entrance, and the loading dock are closest to the 36th Avenue entrance.

The Hospital has removed their signs which stated "LOCAL ACCESS ONLY" and "NO TRUCKS." This could indicate that they are no longer in control of the former private road segment where the

signs were once located. Also, this is in non-compliance with letter to the Administrator dated April 15, 1998, which stipulated that a "No Truck" traffic sign (MUTCD R 5-2) be posted on Dwyer PRIOR TO THE CITY GRANTING OCCUPANCY PERMITS FOR THGE SKILLED NURSING FACILITY. It's still not there. *Also shown in draft of 6-24-98,*

Additional counts were to be made every two months. We havenot seen evidence of these counts.

A stop sign at 36th and Dwyer is mostly ignored. There is a sight advantage in both directions, so turning is done without stopping. A parent who observes this daily has stated that if his child is hit, he may resort to mayhem or worse. Would an additional speed bump help here?

We are only a 5-block street, not so on 32nd Avenue or other streets where speed bumps exist. Very few parents allow their children to play in the front yard unsupervised.

Vancouver, Washington, Public Works are using a new type of speed bump which uses recycled rubber tires. These are said to be less expensive and can be moved when road repairs are necessary.

I want to go on record to say that I, too, believe that 32nd Avenue should have low-level speed bumps. I drive it often enough to know which measures have been initiated. But I have been tail-gated too many times, especially by delivery type trucks when I remain in the 20 to 25 MPH zone.

POINTS TO CONSIDER

85 Per Cent of the traffic on 36th Avenue is hospital oriented.  
NOT SO ON 32nd AVENUE

No sidewalks on 36th Avenue  
NOT SO ON 32nd AVENUE

No striping in the center of the road on 36th Avenue  
NOT SO ON 32nd AVENUE

No signage on 36th Avenue  
NOT SO ON 32nd AVENUE

No stop (Caution) signal on 36th Avenue  
NOT SO ON 32nd AVENUE

Warner weather and longer evenings means increased traffic and speed.

THE SAME FOR BOTH STREETS

In response to Martha Bennett's Revised memo on July 1, 1999, let me remind all of the following:

A meeting was held at the hospital to address the appeal filed

by the Hospital. About 18 residents of the street were in attendance, as well as two Hospital representatives, and Susan Heiser and Robert Shelton from the City. My information was presented first, and started thusly:

"Since the initial meeting with the Hospital and the City after the January traffic study, the Hospital has gone on record to state that they will pay for the speed bumps and the signage. This means that no tax money will be used except for salaries of City employees preparing reports and attending meetings to resolve our problem."

After almost six pages, I concluded with:

REMEMBER, THE HOSPITAL HAS AGREED TO PAY ALL COSTS. LET'S NOT MAKE IT MORE DIFFICULT AND COSTLY FOR THEM TO ACCOMMODATE THE NEIGHBORS.

Remember two Hospital employees and two City employees were in attendance and all received a copy of the complete presentation. No one objected to these statements either then or later.

I called the Hospital on Friday morning at about 10 AM, shortly after picking up my copy of the new memo. Eric Snow returned my call about 7 PM that night. I'm sorry that he didn't call me before calling the City and setting this revised memo into motion. I will furnish him a copy of the above presentation, and he has promised to contact Jim Werfelman, the Consultant hired by the Hospital to secure the CSO and TPR concerned.

I have asked the Hospital to specify on their letterhead that they will pay all costs connected with the low-level speed bumps and the signage involved.

Help us to live with the hospital on a more neighborly basis. Help us to cut down and slow down traffic now with low-level speed bumps which the Hospital will pay for. NO COST TO THE CITY. We ask your approval so that Public Works and Community Development will not have to bend the rules to accommodate non-conformance to the NTMP and your Resolution. Remember we are a unique street with problems singularly attributable to hospital traffic.

Please ask the City to submit to the Fire and Police departments plans for these low-level speed bumps.

THANK YOU FOR LISTENING TO US AGAIN.

June 22, 1998

Since the initial meeting with the Hospital and the City after the January traffic study, the Hospital has gone on record to state that they will pay for the speed bumps and the signage. This means that no tax money will be used except for salaries of City employees preparing reports and attending meetings to resolve our problem.

We were told by the City that the Fire Department and ambulance companies would not agree to speed bumps on 36th Avenue. This was proven wrong. No ambulance company objected to speed bumps as they are well aware of the conditions on this street. All wished us well. The Fire Department asked only to have the City submit a design and they would review it for probable approval. A design cannot be submitted until the City agrees to our need.

I have not seen the results of the May traffic study which was paid for again by the Hospital. But Susan Heiser advised me that the May count did not differ much from the January count.

(Hand out page from the study.)

Let's look again at that January study. TABLE 3 shows that Lake to Washington on 35th Avenue had met the criteria with 989 ADT (Average Daily Traffic) and 31 miles per hour as the speed. TABLE 2 shows ADT from Dwyer to King of 629 and from Dwyer to Harvey of 252 ADT. However, when our street was compared on TABLE 3, the City used only Dwyer to King, or 629 trips, plus the estimated increase by the additional traffic to be generated from the new nursing center at the Hospital, of 97 trips per day. This came to 726 trips a day as shown on the TABLE 3 comparison.

Never have we asked for only traffic calming devices on only a portion of the street. When the 252 trips per day north of Dwyer to Harvey are added to the 726 trips, we have a total of 978 trips per day for the whole street. This falls well within the parameters shown on TABLE 3 and that which was quoted to us by Robert Shelton, Associate Engineer for the City, as qualifying for speed bumps. In addition, why was MPH shown on TABLE 3 as 28, when 85% of the traffic goes south to King at the City's count of 29 MPH? Thirty miles per hour was told to us as the breaking point. Why was the count from Dwyer to Harvey not included? We are asking and have always asked for speed bumps in two places on 36th Avenue, because, in addition to the Hospital traffic, the street is a cut-through street between King and Harvey. It appears that we are being dismissed for ONE MILE PER HOUR.

Jim Brink of the Public Works Department stated to me that they were uncertain of their jurisdiction on Dwyer Drive, which actually begins at 32nd Avenue. The approximate 300 feet east of 32nd Avenue is shown on all City and county maps as a public street, a City street. I again furnished Public Works with the document executed by Robert Dwyer in 1968 showing the east 115 feet of Dwyer Drive, which ends at 36th Avenue, as a public road, and it, too, is shown on all county plats as such. The remainder of the street, that which lies within the boundaries of the Hospital complex, the City now considers a PRIVATE ROAD. However, ten years ago in a meeting I had with the Public Works and Community Development, I furnished them with about a dozen notarized statements from neighbors indicating that the entire street was maintained by City crews, sanding, street sweeping, and washing.

It was at this time the Head of Public Works stated that "Yes, the entire length of Dwyer Drive was in their maintenance system." There was a "PRIVATE ROAD" sign about 30 feet inside the east end of Dwyer. This was the section that Robert Dwyer turned over to public use in 1968. The sign was finally removed.

On Friday, June 19, a colleague of mine, who is a professional in the right-of-way business, suggested that I ask Public Works to see the map of their system layout of Internal Road Maintenance. The engineers were all out until Monday, but posted on a wall was a map dated June 12, 1997, showing all of the roads for which they were responsible. And guess what, the entire length of Dwyer Drive was shown within their system. Dave Freeman was called in from the field, and he attested to maintenance of the entire length of Dwyer.

Sanding I had no problem with, but sweeping and washing are not acceptable if it truly is a private road as Public Works now contends. He agreed that tax money should not be used if the road was private. He wanted to talk to his boss, Mike Clark, and said they would get back to me. Normally, a jurisdiction has an official document for the authority to include a street in their maintenance program. He was not aware of anything other than word-of-mouth. Someone will advise me on Monday. No one contacted me on Monday.

I went to the Clackamas County Transportation Department on June 19, because the County Road Master Plan shows excluded areas, that is, private roads, even though they fall within other jurisdictions. Their maps showed no roads at all within the parameters of the Hospital ownership. As far as they were concerned, there was no excluded area, or private road, within the Hospital complex. They referred me back to the City, and that was where I discovered the map showing the entire length of Dwyer Drive within the maintenance program of the City, as was stated to me ten years ago. Guess the right hand does not know what the left hand is doing.

A little over two months ago I requested a search of the public record to determine restrictions placed on the auxillary entrance to the hospital on 36th Avenue. I was advised that an intern was doing the search, and she had not been able to find a reference. As a follow-up on June 12, I wrote a letter to Pat Duval asking for results, and also asking for a copy of the plat of the Hospital complex which was submitted and approved by the City at the time the Hospital was built. I was advised by Janet Wright that plats were not required until 1971, several years after the Hospital was built. There should have been a map or Plot Plan of the complex. I am grateful to Janet for giving me the correct terminology, and for starting a new search by Connie. A call from Connie on Thursday, June 18, produced a map which showed the road, but it was a landscaping map with no road information. She advised me that she was unable to find the Plot Plan because the maps were being inventoried. I did not feel like spending another \$35 for another search. Connie had discounted about two hours of her time to try to find the information I requested. THANKS CONNIE.

The Plot Plan was not to be found, but Connie did find minutes of a Planning Commission meeting dated 3/17/67 which described the road.

( READ DESCRIPTION AND FOLLOW ON MAP )

Confusion sets in with the statement "30 foot combined private road with easement." No one I've spoken can clearly define this. It has never been recorded with the County and is not on any maps as private, or private with easement. Without a map to document the location, no title company would touch it. The County does not claim it either as a private road or as an easement because it has never been recorded with the road shown on a map. Since it took so long to uncover it, I may have been the first requester. It is an oddity that may keep the City's attorney busy looking for that missing Plot Plan.

The City has asked the Hospital to try to discourage use of the auxillary road with their employees and vendors. I contend that this is not necessary, because if the road was at one time determined to be private, it has lost that designation a long time ago. In order to maintain a road as private, certain criteria must be met, as follows: THE OWNER MUST ADVERTISE THAT THE ROAD WILL BE CLOSED FOR AT LEAST 24 HOURS (A visible sign may be posted well in advance of closure also), ROAD MUST BE BARRICADED, AND CLOSURE MUST BE DOCUMENTED ON FILM SHOWING DATES. Years ago this was done with film and a copy of the day's paper. If this is not done, the road in question reverts to public use and can no longer be considered private.

I have in the past furnished the City with notarized statements from a number of my neighbors who attested that Dwyer has never blocked the road to maintain its status as private. If they

really wanted to maintain it as private, they could have blocked it at two different times so the traffic flow would not have been cut off completely. But this did not happen. If the intent was to include an easement over this road, it should have been defined more clearly.

At a meeting at my home after I submitted the PETITION OF NEIGHBORS, Robert Shelton, Associate Engineer for the City, asked us to set a date for a new vehicle count on our street. I asked about the length and the hours of the study. He agreed it would be a full week starting at 8 AM on Monday and ending on Friday in time to remove the equipment before the weekend. Later we advised him of the date May 11 - 15. Traffic on Mondays and Fridays is usually heavier, and we chose the day following Mother's Day because surgeries are often postponed to fall after a holiday. We expected a good count, and it should have been because the Hospital parking lot was full, even though it was raining heavily.

By noon on Monday May 11, the counters were not installed. I called the City to see what happened. No call was returned, but I did notice the counters were installed by 4:30 PM. It rained heavily the whole week. Boy, did it rain. When I went outside at about 6:30 AM on Friday to get my paper, I noticed that the counters were gone. The City promised five full days of count. Prime traffic times are between 6:30 AM and 8:30 AM and from 2:30 PM and 4:30 PM. We missed the prime count on two days because of the City's scheduling. A call to the company doing the count verified that they started at 4:00 PM on Monday and stopped at 6:00 AM on Friday. I hope the Hospital was not billed for the full five days, or they, too, have been short changed.

NEIL ON RAIN

SHIRLEY ON DEMOGRAPHICS

The city claims part of the street is private, and wants the hospital to regulate ingress and egress of employees and vendors via 36th Avenue. Suggestion is one thing, but long-term compliance would be impossible to police or impose unless a guard is posted around the clock. Who is expected to pay for this? I'm certain that the Hospital would not want this added expense. And tax dollars cannot be used.

Then the Hospital is to pay for another traffic study to see if they have significantly slowed the ingress and egress of hospital employees. Do any of the neighbors feel that Dwyer Drive is anything other than a City street for its entire length? I doubt it. Since the City maintains the entire length, they must feel it is a City street also.

Jim Brink of Public Works stated he did not want to set a

precedent by not following their criteria which would allow the speed bumps. He wants to be able to look people in the eye and tell them that the neighbors on 36th Avenue have met the minimum criteria. Can the City look us in the eye about the Option House and trying to put a doctor's office into a R - 7 Zone. No one seems to want to admit it happened. I get weary of hearing "That's not my department." I wish someone would take charge of the responsibility of the City. I had to when working for BPA once looking down the barrel of two rifles, even though it was not my department or responsibility.

According to the City's own study in January, we missed the criteria by ONE MILE PER HOUR. Jim admitted that traffic speeds up and volume increases when the weather warms up. But ONE MILE PER HOUR during a dead week in January as opposed to no tax dollars used to solve the problem -- I'd say that the City would set a much more acceptable precedent by allowing the Hospital to pay now instead of the citizens of Milwaukie at some later date.

Had we been able to get approval while the Hospital was paving their parking lot, the cost for two speed bumps would have been \$1,500. The City estimates \$3,000 each for the speed bumps or a total of \$6,000.

If you recall from prior information I furnished you, Portland's traffic manager was amazed at 85% of the traffic on the street going to the hospital. He felt this needed addressing. The Washington County traffic example showed that if entry to the hospital can be made without speed bumps, then the decision should be up to the neighbors. Also, they do not play the numbers game. Many more things enter into a decision. These responses are more in line with fair treatment.

I secured a copy of the Quitclaim Deed transferring the hospital property from the Hospital Facility Authority of Clackamas County, Oregon, to the Sisters of Providence in Oregon, as successor in interest to North Clackamas Community Hospital subsequently known as Dwyer Memorial Hospital. No where in that recorded document is there any reference to a private road and easement as stated in the minutes of the Planning Commission. Title was transferred without reference to a private road and easement.

If it took over two months for the City to come up with the minutes of that meeting, it must not have been meant to be a part of the title or it would have been more accessible. I'm sure that transfer to Providence was an expensive piece of real estate. Title companies do not insure irresponsibly. Apparently, they didn't search, or nothing was found of record. If the City insists on calling a segment of Dwyer Drive a private road, then it could cloud the Hospital's title to the property. I can just see a 3-way litigation situation develop here.

the Hospital can't be expected to control traffic on a City street. The City maintains the street, so at some time they must have considered it as a public street even though their last report appears to be in conflict.

There is no way any portion of Dwyer Drive can be considered as private unless the City has different rules from the rest of the industry. This includes a determination by all other jurisdictions including the Federal Govt. We all know the Hospital will grow. The evidence is there, for instance, where P&C Tool was located, is now a vacant lot with much in the planning phase.

This should exclude almost all of the restrictions placed on meeting the criteria for traffic calming. The only obstacle not in conformance with the City criteria is ONE MILE PER HOUR on the reported speed. Number crunching should not be the criteria. Saving Tax dollars would set a better precedent.

REMEMBER, THE HOSPITAL HAS AGREED TO PAY ALL COSTS. LET'S NOT MAKE IT MORE DIFFICULT AND COSTLY FOR THEM TO ACCOMMODATE THE NEIGHBORS.

# Dedication

In *Harris v. St. Helens*,<sup>1</sup> a case often cited for its definition of dedication, the court said:

*"Dedication is an appropriation of land to a public use, made by the owner, and accepted for such use by or on behalf of the public. A dedication may be express, as when the intention to dedicate is expressly manifested by a deed or an explicit oral or written declaration of the owner, or some other explicit manifestation of his purpose to devote the land to public use. The dedication may be implied by some act or course of conduct on the part of the owner from which a reasonable inference of his intent may be drawn or which is inconsistent with any other theory than he intended a dedication."*

But the definition provided in the case of *Security Investment Co. v. Oregon City*<sup>2</sup> will suffice for the first principle.

## Principle 1

"Dedication is an appropriation of land by the owner for a public use."<sup>3</sup>

It has been repeatedly held in Oregon: "The dedication of land to the public for use as a street or highway may be either by statutory dedication or by common-law dedication."<sup>4</sup>

## Principle 2

"Dedications are of two general kinds: statutory and common law."<sup>5</sup>

A *statutory dedication* is made when a person complies fully with the provisions of the statutes, showing that certain formalities, when observed, operate as a dedication of lands to the public.<sup>6</sup> For example, a *statutory dedication* is made by recording a subdivision plat, approved in accordance with ORS Chapter 92, that contains a dedication of streets and alleys to the public.

Acceptance of the subdivision plat by the proper officials commits the responsible government body to maintain and repair the streets and alleys actually constructed and in use. With statutory dedications, acceptance is usually formal.<sup>7</sup>

*Common law dedications*, sometimes referred to as *parol dedications*, arise by operation of law from the

acts of the owners. A common law dedication may be made by express or implied acts, oral or written, nor by any form of deed. If the donor's acts are such as to indicate an intention to appropriate the land to the public use, then upon acceptance by the public, the dedication becomes complete.<sup>8</sup> Common law dedications are in the nature of *estoppel in pais*.<sup>9</sup>

Common law dedications do not require formal acceptance by cities or counties, or by anyone. However, the courts recognize certain acts that constitute acceptance by the public, or by counties and cities. This will be discussed in greater detail elsewhere in this publication. Although a city or county is committed to maintain and repair a public highway established by a statutory dedication, they are not responsible for maintaining and repairing a public highway created by common law dedication. This is the only significant difference between the effects of the two kinds of dedication.

In *Huggett et ux v. Moran et ux*,<sup>10</sup> the Supreme Court, citing *Moore v. Fowler*,<sup>11</sup> held to the rule that "... property owners for their own benefit, cannot impose a street or highway upon a municipality against its will and compel it to improve or repair that street or highway."<sup>12</sup>

## Principle 3

"The law of dedication does not permit property owners to impose land upon the public, or a municipality against their will."<sup>13</sup>

However, if the highway is duly accepted by the county, the duty to establish and maintain the way then arises.<sup>14</sup> An act of dedication may be accepted by some act or acts showing that the municipality has assumed control and possession of the common law highways.<sup>15</sup>

# The Public; Public Use

The definitions of the terms "the public" and "public use," supplied by the courts, are important to the law of dedication.

The public, by *Black's* definition, is: "Everybody and accordingly the body of people at large; the community at large, without reference to the geographical limits of any corporation . . . ; the people."<sup>16</sup> But since we know that *most* people will never use, desire to use, or need to

Previously, this publication has discussed the establishment of public ways by: (1) dedication—common law and statutory, (2) grant—by purchase or donation, and (3) statutory proceedings, including eminent domain. All of these methods are more common than that of establishing public way by prescription. The right of the public to use the land as an owner for travel, acquired by the public's continuous, uninterrupted use of the owner's land for a period of time set by law (Oregon statutory period is 10 years, Code 1930 subsec 1-202).

Prescription is not only the rarest of the methods for establishing public highways, it is the method least favored by the courts (in the decision in *Shumate v. Robinson*<sup>1</sup> the court said, "Easements by prescription are not favored by the law").<sup>2</sup> This does not mean the doctrine of prescription is not recognized in Oregon, nor does it mean that claims of easement by prescription are not upheld. But it does mean the courts will be conservative and technical in recognizing such claims. They will require approval of the claims only in cases where the party gives notice in its pleading that it is specifically asserting such a claim, and where that party can prove open, notorious, hostile (that is, the use is not by license), continuous and uninterrupted user for the statutory period of 10 years.<sup>4</sup> The recognition by the courts is because the doctrine of prescription is founded on the idea that it is in the best interest of the public that title to property should not long remain uncertain and in dispute. It also promotes private justice by putting an end to and fixing a limit to contention and strife.<sup>5</sup>

Prescription has nearly all the characteristics of adverse possession, but is distinguished from the latter doctrine in that prescription is a means of acquiring incorporeal hereditaments (in our discussion, easements), whereas, adverse possession is a means of acquiring corporeal hereditaments (land). The court, in *Raab v. Casper*,<sup>6</sup> explains the distinction better,

"There is a difference between a prescriptive use of land culminating in an easement (i.e. an incorporeal interest) and adverse possession which creates a change in title or ownership (i.e. corporeal interest); the former deals with the use of land, the other with possession; although the elements of each are similar, the requirements of proof are materially different."<sup>7</sup>

The acquisition of a public easement by user by the public, that is, by prescription, is similar to such an acquisition by custom. The latter is the result of a local usage, not connected to any particular person, but belonging to the community rather than its individuals. The major distinction between a prescriptive public easement and one established by custom is that the latter requires user for time immemorial; the for-

mer requires only continued, uninterrupted use for 10 years.

\* - - - \*

How is the doctrine of prescription relevant to the cadastral cartographer's task and the assessment and taxation of real property in Oregon?

Before that question is answered, consider the road or street, often encountered in the cadastral mapping process, that has all of the characteristics of a public way under jurisdiction of a city (or county), but there is no record of the way being dedicated, donated, granted, acquired by eminent domain, or established by any statutory means. Many such ways have been encountered during remapping programs. Typically, the circumstances will be:

1. The way is being used for public travel. In the majority of situations there is evidence of public use of the way for over 20 years. X
2. The city (or county) has assumed maintenance of the way (but in many situations these ways are not maintained in as good condition as other streets in the area). X
3. Other evidence that the city (or county) has assumed authority over the way includes:
  - a. Traffic signs are posted on the way. X
  - b. Stop signs are placed at certain intersections with the way. X
  - c. The way is patrolled by law enforcement agencies. X
  - d. Curbside public parking is permitted. In many cases parking is regulated by city signs, yellow curbs and, in some situations, parking meters.
  - e. The city (or county) has painted a dividing line, separating traffic lanes, down the center of the way.
  - f. The city (or county) has installed a drainage system in the right of way.
  - g. City (or county) maps show the way in the same manner as public ways of record. X
  - h. The city (or county) has passed ordinances relating to the way.

~~In some cases, city street lights have been installed.~~

4. Appraisal records reveal that improvements (residential or commercial) have existed along the way for many years, and the occupants have apparently



DRAFT

June 24, 1998

*No response to  
Hosp. since, per  
Wetzelmann on  
5-19-99*

### Proposed Revised Conditions for Providence Milwaukie Hospital

The following conditions are intended to implement the Planning Commission condition of approval No. 6 for CSO 97-09 and TPR 97-10. Community Development staff proposes that the following conditions apply to the Providence Milwaukie operation:

1. Providence Milwaukie Hospital shall have a stop bar painted, for the stop sign at the exit of Dwyer on to 36th Avenue, and have a "No Truck" traffic sign (MUTCD R 5-2) posted on Dwyer, prior to the City granting occupancy permits for the skilled nursing facility. The applicant shall work with the City to determine the proper location for the sign and stop bar.
2. Within the next three months, Providence Milwaukie Hospital shall institute an employee-parking program, which, at a minimum, requires the marking or tagging of the vehicles of hospital employees. After the tagging program is instituted, the City shall perform an evaluation of the number of hospital employees and vendors, as well as the number of other non-hospital-related users of this entrance. Following this evaluation, staff, the applicant, and the interested neighbors shall meet to determine the acceptable level of use, of this entrance, by hospital employees and vendors. The Hospital shall also conduct a survey of those employees that use the Dwyer Street entrance, to determine if their origin is local or regional.
3. In general, users of the 36th Avenue access shall be restricted to the Dwyer Avenue apartment residents, patrons to the hospital, ambulance and other emergency vehicles on local runs and hospital employees who live near 36th Avenue. The Hospital shall continue their employee and vendor notification program to remind employees that the use of this entrance is restricted. Evidence of these notifications shall be provided to the City every six months. ?

P. C. Meeting  
3/7/67  
Page 3

APPROVAL OF PLANS

Letter from Mr. Tom Haley, 914 Executive Building, Portland, Oregon, 97204, regarding Dwyer Memorial Hospital proposed plans was read. Mr. Jones asked for a staff recommendation. Mr. Thompson informed he had met with Mr. Haley, Mr. Ross and Mr. Daigle regarding the 24-foot minimum roadway with parking prohibited on both sides, and it was more or less then presented to the staff and architect and Mr. Haley to come to some suitable way to place a road through the property and design a roadway properly for the adequate radius on the corner for the type of vehicles to be using this roadway. Thompson further stated their opinion was the same, they could only recommend that which was felt best and consider alternate ways it could be done. It was felt the public dedicated right of way from 32nd Street to 36th Street was the most desirable method.

Fred C. Dyer, City Manager, reported that the best use for the public from the City Manager or Administrative point of view is dedicated right of way for an unrestricted public use as opposed to hospital administration and a restricted public use that would not be detrimental to hospital administration. Further, the City would accept some of the premises submitted by the Hospital. It was felt they (the Hospital) had satisfied all the restrictions of the City with the exception of the public right of way. The Planning Commission, it was believed, could require in writing that the street be put in to construction standards of the City and that it be deeded upon the acquisition of the City of additional right of way.

Donald Ross, Architect, 1023 SW Yamhill, Portland, proposed for the Dwyer Memorial Hospital an alternate to the dedicated right of way from 32nd Street to 36th Street.

(Recess 9:55 to 10:30 pm)

Kennedy moved, seconded by Eddy, that the plot plan be approved incorporating the following:

"Starting at the westerly property line, 32nd Street, the Commission would ask for a 50-foot dedication, moving in an easterly direction along the north boundary line to a point where there is a north-south jog in the property line, placed within this dedicated area. a 32-foot roadway paved curb-to-curb, constructed to City standards (this will be a City street and a sidewalk would be placed on one side, preferably to the south); thence, from this north-south property line jog a 30-foot combined private road with easement would follow the northerly property line to the easterly property line and then proceed along the easterly property line to the area which is now open for an easterly turn toward 36th Street; that within this area, a 24-foot private service roadway, paved curb-to-curb, built to City standards, be located five feet



**Date:** Thursday, July 29, 1999

**To:** Mayor and City Council *Jan*

**Through:** Dan Bartlett, City Manager; Charlene Richards, Asst. City Manager

**From:** Michelle Gregory, Neighborhood Services Mngr; *Michelle Gregory*  
Information Specialist; *Grady Wheeler*

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### **Action Requested**

Please review the *attached Draft External Communications Plan for the City of Milwaukie* and direct staff to make revisions as necessary for adoption.

### **Background**

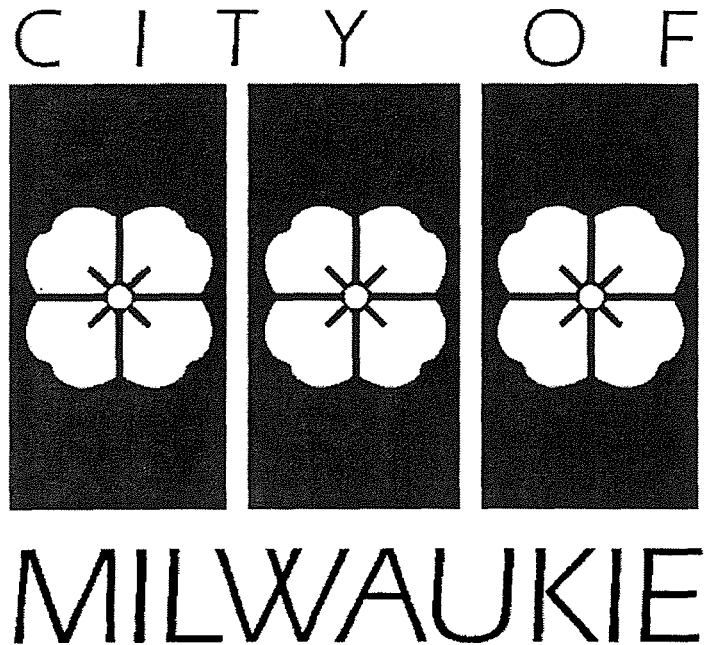
The City of Milwaukie as an organization strives to communicate with the citizens of the City. These efforts are not always apparent or successful. The organization is large, it is physically separated into three facilities, and several projects and meetings are usually running concurrently. A single staff member is typically assigned to multiple projects and is also expected to be attentive to every citizen they encounter during their daily work, regardless of whether the encounters are planned or unexpected. No single staff person is ever completely apprised of everything that is going on within the City.

Proactive outreach to the community can easily fall through the cracks when work loads are heavy, when requests for service take more time than initially expected, or when there is turn-over among staff.

For these reasons we need a plan for how we communicate with the community that will help us to coordinate our efforts and better understand the realm of possibilities for effective citizen involvement. This plan is intended to guide the City staff in these efforts. A companion document should be prepared that will serve a similar purpose for the elected officials and appointed citizens who serve on the city council, boards and commissions.



# **City of Milwaukie External Communications Plan Draft**



**Neighborhood Services  
July 1999**

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## 1. Purpose and Context of the Plan

The purpose of this Communications Plan is to organize, explain and make the best use of the various methods and tools that the City of Milwaukie staff has for communication with the Citizens of Milwaukie. The plan sets forth the current array of communication options that are available to staff and it identifies some goals that we should work toward for improving communication. The goal of the plan is to provide a foundation for excellent communication by City staff to and with the citizens of Milwaukie.

*The City of Milwaukie External Communications Plan* is a companion document to the *Communications Plan for the City Council, Boards and Commissions [yet to be developed]*. It is the product of a communications audit that was conducted by the Neighborhood Services Division during the 1998-99 fiscal year. The audit was combined with research on best practices for local government communications, Milwaukie citizens' opinions about city/community communications and a review by the City's management team. Final review of this document will be by the City Council. Several staff members and citizens contributed to this plan and it is a better product, thanks to their contributions.

## 2. What is Excellent Communication?

Communication as defined, is the science of exchanging thoughts, messages and information. Excellent communication is most often achieved when people have the ability to accomplish this in a timely, accurate and understandable way. Excellent communication in local government is the art of doing this with the least amount of tax dollars and to the greatest degree of accommodation to the citizen.

Citizens have a wide range of interests and responsibilities and generally speaking, a narrow window of time to spend on the issues of their government. In today's world, there is more information available to the average American than ever before. Ironically, we have the luxury of being highly selective about what we pay attention to and we are also burdened with the chore of constantly wading through information we care little about. It comes from everywhere. We all have a junk mail pile at home, and we all have a remote control that gets us past what we each perceive as "junk TV". Some of us even have call screening. Why? So that our lives can be simplified a bit by reducing the intrusion of stuff we don't want to know about.

Technology has ushered us into an information revolution. Human beings are resisting the onslaught of data that is being sent by so many competing sources. A good standard to keep to as we attempt to communicate with our public is to develop products with the intent to get past their "junk" filters. The challenge is getting their attention, anticipating who they are, what they are curious or perplexed about and how best you can reach them with the resources you have available in the time frame given.

Individuals don't all have the same capacity for absorbing information. Some people cannot read well or perhaps they cannot hear. Others may be able to do both just fine, but not in English. City employees have to be able to use and apply the most applicable communication tool(s) for the task at hand. And then they have to be ready to use alternative tools and techniques when special needs arise. For instance, a notice in the water bills that explains why and when a rate increase will go into affect may be effective for the majority of citizens. It may be the most economical way to convey the information. But some people will want more information or they will need to hear it rather than read it. They may also want to have a more in-depth conversation with a knowledgeable, helpful employee who can answer their questions, interpret and respect their concerns and provide additional information and follow-up if necessary. Whatever the information needs of an individual citizen are, city employees have a responsibility to meet them as best they can. Remember that the citizen has a right to almost all information about how their government functions\*.

## 3. What is our Internal Communications Environment?

In figuring out the best way to communicate externally, we have to consider the way we communicate internally. The City's internal communication environment is the critical underpinning of our ability to communicate with the community because it provides the infrastructure for accomplishing external communication. There is a basic work ethic in our environment that stresses communication. And there is the actual physical infrastructure or technology that we use to do the communicating.

\*Issues of potential litigation, property acquisition, labor negotiations and some personnel issues are not always available for full public disclosure. In these situations the public's right to know is superseded by the individual's right to privacy, or the priority of preserving the negotiation capacity of the public at large (City).

## Our Communication Ethic

Our commitment to communication is evidenced in many ways. The City's mission statement, our citywide values, our training requirements and opportunities, the neighborhood services team and several other cross-departmental team formation signifies how heavily good government service is based on internal communication.

### *The City Mission*

The City's mission statement serves as the operative philosophy that staff uses to work together in accordance with Council goals and the Community's Vision.

*The mission of the City of Milwaukie is to maintain Milwaukie as a good place to live and work, which is clean, safe, responsive and provides quality services. The City will have a commitment to achieving and maintaining:*

- *The sense of place, history and future that defines Milwaukie and distinguishes it from other areas.*
- *A livable, safe environment including preservation and enhancement of both built and physical environments; and*
- *A private and public partnership which provides for the maximization of business and individual opportunities.*

### *City-wide Values*

We also have employee-generated citywide values that create a strategy for improving quality and teamwork in our work environment. These values reinforce our commitment to excellent communication with citizens:

*Milwaukie employees are competent, confident, and contribute to the success of the organization.*

Citizen Service: Each employee is approachable and willing to listen to all sides. Looks for a variety of solutions using creative means to improve customer service and productivity. Goes to the customer for assessment of what the customer wants and understands the customer's definition of service level, and how it is provided, the quality and the quantity.

*A Milwaukie employee exhibits:*

Teamwork: A means for improved quality services and products, through collaborative team efforts and by assisting within each employees area of expertise or if needed, by referring to the appropriate source for response.

Quality: By consistently showing a high degree of accuracy, neatness, completeness, thoroughness, and excellent products and services.

Reliability: By ensuring that every request receives a response. Additionally, each employee keeps the commitments made to external and internal customers, including fellow team members and supervisors. Time frames and processes (no surprises) are communicated and timelines for job assignments are met. All telephone calls are returned no later than next workday.

Integrity: By doing the right thing even when no one is looking, being honest in actions and words, and remaining aware of each employee's impact on the perceptions of others.

Respect: By acknowledging the rights and values of each individual. Employees treat customers with dignity and respect through verbal and non-verbal communication.

Safety: By performing tasks in accordance with established safety procedures and by keeping up-to-date with changes in safety policies and procedures. Employees are willing to let someone know when there is a safety issue.

## Training

The City continually provides training for employees to further develop their communication skills. Some training is mandatory, while some is based on individual job descriptions and duties. Customer Service Training, Supervisor Training and special skills classes such as software program classes or mediation training all help to facilitate communication of different types.

*Citizen Service Training*  
*Mediation Training*  
*Dealing With Difficult People Seminars*  
*Work place Violence Training*  
*Anger De-escalation Training*  
*Email Ethics and Protocols*  
*Graphic Design Courses*  
*Writing Courses*  
*Training Specific to the Police Department:*  
*Field Interviewing Seminar*  
*Juvenile Deviant Behavior & Youth Violence Seminar*  
*Hostage Negotiations/Suicide Intervention Seminar*  
*Western States Information Network Conference*  
*Tactical Supervision of Critical Incidents Course*  
*Acting Watch Commander Training*  
*City of Milwaukie Customer Service Training*  
*Criminal Interviews and Interrogation*  
*Deception Detection*  
*Crisis Intervention Training*  
*Getting Confessions*

### **Neighborhood Services Team**

The City also encourages robust cross-departmental communication through the Neighborhood Services Team (NST.) The team is comprised of staff people who have routine contact with the community at any level. It may include front desk receptionists, public works crews, department heads, police officers or anybody else on staff with an ear to the community and a perspective on how to provide quality service. The team meets on a monthly basis to discuss day to day issues and the status of long term projects.

*NST Mission: To bring together staff who have frequent contact with the community, to improve internal communication and coordination on neighborhood issues so the city can be proactive in addressing common community issues. To raise red flags about emerging community concerns.*

For every employee in the organization there is a communications component to their job description that is commensurate with the staff person's access to information, their exposure to the community and their specific job responsibilities. Cross-departmental collaboration is strongly encouraged and problem-solving teams are continually formed around specific service delivery challenges as the need arises.

## **Our Communications Infrastructure**

Our will to communicate is matched by the resources we have on hand to do the job. Our communications infrastructure is made up of Staff, Technology and a Budget.

### **Staff**

The City is staffed by several people whose jobs are heavily based on some form of communication development, management or support:

The **Neighborhood Services Manager/Public Information Officer** serves as the official spokesperson to the media, oversees the external communications administration, coordinates the Neighborhood Service Team and serves as the communications liaison when the Emergency Response Plan is in effect.

The **Information Specialist** edits and produces the Pilot (monthly newsletter), plans and produces proactive public information projects in partnership with other staff members, maintains information on the Interactive Bulletin

Board and at City facilities, and also serves as a communications liaison when the Emergency Response Plan is in effect.

The City Police Department has a designated Public Information Officer, who serves as the official spokesperson to the media on all matters having to do with police activity. Within the Police department there is also the Emergency Communication Dispatch staff that handles all the 911 correspondence and a Crime Prevention person who does outreach to the community.

There is a City Recorder, who serves as the official recorder of public records. This person also manages the Records and Information Management Staff (RIM), who are responsible for public information records, information support services within individual city departments and front-counter reception at facilities throughout the organization.

There is an Information Services and Technology Manager who oversees the City's computer network administration and new information technology projects, as well as all other internal technological communication administration. This person supervises the City's technical support staff and the Geographic Information Systems Coordinator, who produces and maintains all of the City's mapping information.

In addition to these core external and internal communications staff, many other staff members have some peripheral communications responsibility. The City's Management team and Department Heads have biweekly meetings to exchange information and coordinate the business of separate City departments toward cohesive and efficient service delivery in the community. These individuals also rotate liaison responsibilities to the City's seven Neighborhood Associations. Together, these two functions provide a critical communication link at the highest administration level both of internally and externally.

**Technology**

The City has several hardware tools, software applications and systems for communicating internally (among staff) or externally (with the community.) Some technology is basic and all staff has access to it. Other technology comes in the form of more advanced information tools that require specific training or skill to use. The tools we have at hand are:

- The computer network*
- Basic software package on network stations:*
  - Microsoft Office: Word Processing, Excel Spreadsheets, Presentation Software, Access Database, Project Management Software, Calendar and Scheduling Software)*
  - Interoffice and External Email*
- PageMaker desktop publishing software*
- Adobe PhotoShop*
- Scanners*
- Photocopiers*
- Digital Cameras*
- Multimedia Projectors*
- Laptops*
- Plotters*
- Interactive Video Bulletin Board System*
- Audiovisual broadcasting/recording equipment*
- Geographic Information Systems*
- Emergency Dispatch Radio System*
- Telephones*
- Fax*
- TDD*
- Internet Access (some staff)*
- Interoffice Mail*
- US Mail*
- Express Mail*

**Budget**

The Communications budget for the City is spread throughout the organization. In total approximately \$624,464.00 is allocated for some form of external communication with the Community. This includes materials, services and staffing costs. A breakdown follows:

There is money dedicated for specific public information efforts that are either legally required communications or simply best administered by the individual department. This is the bare minimum expenditure for external communications and totals to about \$50,464.00. There is also money allocated for supplemental communications made to the general public. The supplemental public information budget is approximately \$127,000. The PILOT is the primary communication tool in this category and it costs about \$66,000 to produce. The remainder is used for various public involvement and promotional efforts and products throughout the year. These may include brochures, door hangers, display advertising, town halls, open houses or posters for special projects such as the Riverfront/Downtown Development effort. The breakdown of past public information expenditures and the current fiscal year's public information budgets follows:

Department	Actual Public Information Expenditures FY 1998-99	Adopted Public Information Budgets FY 1999-00	Purpose
Neighborhood Services	\$59,100	\$127,000	Pilot, Various proactive communications products and events
Community Development / Planning	7,500	10,000	Legal Notices, Pilot, Public Workshops, Newspaper Ads, Brochures.
Police	5,000	8,000	Brochures, Pamphlets.
Storm	3,500	5,000	Mandatory flyers about upcoming projects
Records & Info Management	300	4,400	Brochures, Posters, Legal Notices, Display Ads
Water	2,000	4,000	Advertisement for projects
City Council	300	4,000	Display Ads, Public Meetings
Recycling	2,000	2,000	Brochures, Printing Costs
Finance	7,300	2,000	Legal Notices
Streets	300	1,800	Bid Notices, Flyers, Door Hanger Projects
Engineering	300	1,800	Brochures, Pamphlets, Flyers
Sewer	800	1,000	Yard Signs, Flyers, Brochures
Dispatch	0	1,000	Educational Classes, Flyers, Safety Town and other Fairs
Library	450	1,000	Posters, Brochures, Flyers
Fleet & Facilities	450	950	Advertisements
Admin Services Accounting	0	515	Flyers, Mailers
Human Resources	400	500	Legal Notices, Signs
City Manager	500	0	Legal Notices
Public Works Administration	300	500	Pamphlets, Brochures, Legal Notices, Surveys
<b>Total Direct External Com. Budget</b>	<b>\$92,399.00</b>	<b>\$177,464.00</b>	

Photocopying costs for the entire organization come to approximately \$62,000. Of that, approximately \$31,000 is copies for public dissemination and the other \$31,000 is for archiving or internal office reproduction needs.

Staffing costs for external communication efforts is difficult to gauge because there is a general philosophy in the organization that all staff members who have high contact with the community are expected to contribute to communication efforts in addition to their other functions. One way to gauge it is to separate the staff with indirect external communications responsibilities from the direct external communications responsibilities. For instance,

police officers that are in charge of traffic also attend neighborhood meetings to present information about traffic safety and traffic management. Planners routinely produce staff reports, make presentations and respond to public comments and inquiries regarding development applications. Department Heads serve as neighborhood liaisons and often conduct public presentations about specific programs. City Management staff is expected to attend regional and state functions where they represent the City and often report or present on behalf of the community. These are just a few examples of the outreach responsibilities that are folded into many peoples' jobs.

Direct staffing costs for external communications is a bit easier to assess. If we were to take approximately 1/2 Neighborhood Services Manger, 1 Information Specialist, 1/2 City Recorder, and 1/2 of all RIM staff time and call it time dedicated to external communication efforts the total would be approximately **\$ 416,000** in direct staffing costs per year.

The internal communications budget can be defined as the money we spend to maintain and improve our daily operations and emergency communications infrastructure. This is the basis for how we communicate with each other and with the outside world to run the city. This includes the computer network, hardware, phone system, modems, fax machines and other equipment and the associated technical support staff, which has an annual budget of approximately **\$509,000**. The budget for our emergency communications system and staff (911 dispatch) is another **\$595,000**.

In total the City spends approximately \$1.7 million annually on our efforts to exchange thoughts, messages and information in the interest of the public, whether it be high profile community outreach, emergency response, or behind the scenes interoffice business.

<b>External Communications</b> (staff , products, materials and services)	\$ 624,464.00
<b>Internal Communications</b> (staff, materials and services)	509,000.00
<b>Emergency Communications</b> (staff, materials and services)	595,000.00
<b>Total Annual Communications Expenditures</b>	<b>\$1,728,464.00</b>

#### 4. What is our External Communication Environment?

##### The Perception

The public's affection for government is inherently scarce. Throughout the 20<sup>th</sup> century, government has proven to be as imperfect as the humans of which it is comprised and intended to serve. Graft, corruption, abuse of power, deceit, waste or just plain bad decision-making has been exposed at every level of government and people who are not closely involved in the workings of government tend to form a generally suspect impression of anyone who is. At least when they encounter us in the working environment. The public trust in government is running at a constant deficit.

Often times, this negative feeling about government comes home to roost at the local government level because it is the most directly accessible for people who have complaints or feel their tax dollars are being squandered by unscrupulous elected officials or inefficient, unethical bureaucrats. To make matters worse, the government is the enforcer of the rules. If a citizen has been on the wrong side of regulations at some point in his or her life, they are also very likely to have a less than favorable view of government. Regulations exist to protect the public health, safety and welfare of the whole society, through the enforcement of rules and standards. Regulations would not be necessary if all people went about their business in a way that did not cause harm or unfavorable impact to others.

##### The Challenge

So citizens don't have a warm, fuzzy feeling about what government does. Well, the good news is they aren't necessarily supposed to. This doesn't mean we're off the hook. But it does mean that the best feature of democracy is that it is constantly evolving at the hands of harsh critics. It's perfectly natural for citizens to question and disagree with policy-makers and employees, organize for or against an issue, and generally get in our faces about how government works. If citizens didn't criticize or question their government, it simply would not be as effective...that's the way it works. And despite all the bad press and the horror stories about how awful our system of government is, it really does work better than any other system on the planet!

The challenge of communication in government is to make every citizen communication count. In addition to carefully prepared publications, that means identifying and taking advantage of opportunities for connecting with people, where we typically have had transactional relationships. For instance, when people come in to pay their water bills, seeking their opinion on something and appreciating them for sharing it or taking the time to explain the rationale for a policy, changes the nature of the person's experience with their government. It goes beyond them waiting in line, paying taxes and wondering what we do with all of their money. In a minor but critical way, they are conveniently contributing to their own governance. And we are better informed of what people in the community are thinking.

Capitalizing on these kinds of interactions and building relationships that are founded on positive, constructive, educational exchanges make a better system because it involves and responds to real humans, not demographic models or population cohorts. Maintaining respectful, trusting relationships is more likely when the basis for it is genuine and local. Identifying and solving problems is much easier when people are accustomed to being called upon to be a part of the solution. They are more inclined to share responsibility for the problem and less given to blaming the "government".

But we all know that not every exchange with a citizen is going to be ideal. Angry people will still vent, needy and helpless people will still remind us of everything that is still wanting about our society, dangerous people will still have to be apprehended and mean people will still be hurtful. In these circumstances the individual representing government must respond to the ultimate challenge of public service. Maintaining your cool, delivering respect even when you're not getting it, rising above situations that can haunt you forever if you don't, being honest and choosing the course of action that will serve the greatest public good are all guideposts to the most professional outcome in high conflict situations.

#### 5. Communications Audit

An assessment of the type of communications we currently conduct with the public is a good way to show the variety of our communication options. This audit is broken into proactive and interactive communication efforts and reactive communication efforts.

##### Proactive and Interactive Communication

Proactive communication describes the type of communication the City initiates. These messages allow the City a degree of control over content and timing of when the messages are disseminated and to some degree, who receives them or is targeted

to receive them. Proactive information is usually educational as well as informative. The intent is to draw positive or constructive attention to programs or events and to prevent misinterpretations of public policy.

The following is an audit and a brief analysis of the Proactive Communication tools the City utilizes.

***The Annual Handbook/Calendar/Community Survey*** – This project was done in FY 1998-99. It was a great success and provided citizens with important phone numbers and contacts, City statistics, details about each board and commission, the Vision and City Council Goals and complete information about each department. The calendar also featured all of the meetings council attends along with meetings open for citizen participation – Neighborhood Association Meetings in particular. And it included a survey card insert that received a higher than average response rate. The downside of the project was the cost. The Calendar was expensive to produce (approximately \$30,000) and because it was a calendar format some information became outdated quickly. Due to budgetary constraints this project has been replaced by the City Newsletter, which provides more timely information on a monthly basis. However, due to limited space, information about Boards and Commissions, City goals and visions and a complete listing of contacts and numbers are not regularly featured in the Newsletter.

***The Pilot*** – The newsletter is an eight-page publication that is released every month to every business and residence in Milwaukie. It contains articles about city-sponsored events, but also covers other events and organizations that directly affect its citizens. The newsletter has become a very useful tool, especially in light of the *Clackamas Review's* cut in editorial content. The newsletter provides news and features that residents can't find anywhere else and also provides a largely unfettered forum for the Neighborhood Associations to address local concerns. The publication intends to engage the citizens in their community. The newsletter's major detractor is that it is a high cost product (approximately \$66,000 per year) and the information it provides has to be ready a month in advance.

***Interactive Video Bulletin Board*** – This is a time-driven, selective data display system that offers information about upcoming city meetings and events. A scrolling menu of topics is displayed and viewers can dial an access code that will provide more detailed text about the selected menu item. Information concerning the Milwaukie Senior Center, Milwaukie Downtown Development Association, North Clackamas Parks and Recreation and other programs are also broadcast. This is an underused tool by both staff and the public. This is in part because not everyone in Milwaukie has cable television, about 40% of households subscribe. Also the system is outdated.

***Press Releases*** – Releases alert the media of events they might be interested in covering. Press Releases describe what the event is, who is involved, when the event will take place and should convey a reason why that news organization should cover the event. The majority of Press Releases are currently disseminated from the Division of Neighborhood Services and the Police Department. Response from Press Releases has been scattered in the past. But we also probably don't do enough of them. Staff reported that it was hard to predict which releases would get attention. Staff also reported frustrations with being caught off guard when one department does a press release and they are suddenly getting several calls that they cannot respond to for lack of information or time to prepare it.

***Public Information Projects*** – Pamphlets, leaflets, brochures, posters, storyboards, multimedia presentations and handouts are created by most City Departments describing their events and projects. Departments handle many of these projects in-house, and make them available to the public at the front desks of City facilities. Because we do create these products in-house and in several places, it is often difficult to maintain a level of design continuity, to keep track of what materials are located where, when new ones are introduced, who is the key staff involved with the project and how many copies are available.

***Cable*** – Our Cable Access channel broadcasts City Council meetings and Work Sessions both live and on tape-delay, several times throughout the week. The meeting broadcasts help to personalize the Council and make them more familiar and accessible to the community. There is a public access studio in Milwaukie that is part of our Cable franchise agreement. This medium is available for anyone in the community and to the City for programming. The City does not staff the studio or determine the nature of its programming. It also does not currently make use of the studio because there is very little staff time available to coordinate, plan and provide talent for productions. Members of the community do use the studio however. The Mayor has a show, as do other Councilors and community groups. However, under the City's recent franchise agreement with TCI, the studio is set to close in a year and a half. Alternative studios will be investigated.

***Phone Calls and Voice Mail*** – The communications audit shows that the vast majority of communication that takes place between citizens and staff is conveyed over the telephone. Citizen complaints, questions and requests are addressed, and the phone offers an opportunity for citizens to receive some one-on-one communication with staff members. All City staff is expected to maintain the 24-Hour callback policy. It's important for front desk employees to be familiar with the organization so they can efficiently direct incoming calls. Calls channeled to the wrong person leave citizens with the impression they're being passed around and that the City is not a well-run organization.

**E-Mail** - All City employees who have workstations have access to external and internal email. This is becoming an increasingly important tool for staff as more and more citizens are beginning to use the Internet to contact staff. A response policy similar to the City's 24-Hour callback policy should apply to email correspondence. E-mail allows direct access to City staff, but does necessitate the employee make a prompt response of some sort. Using e-mail to send information and documents in the form of attachments also saves trees. There is a policy in place to help ensure that this publicly funded communications system is not abused and all staff has had mandatory e-mail ethics and protocols training.

**Neighborhood Association Outreach: Liaisons and Presentations** - In addition to the staff members that serve as liaisons to each of the seven Neighborhood Associations, staff members periodically visit the meetings and make presentations, recruit volunteers, explain upcoming projects, solicit feedback or just share information about the City. Liaisons and Staff not only relay information but are also able to gauge and report public sentiment back to project managers and City Council. These presentations are also highly personalized. Staff is often addressing a group of a manageable size, which allows for more interactive and personal communication. Questions and comments offered at the meeting can be immediately addressed and City staff credibility is generally heightened. On occasion staff has attended neighborhood meetings with incomplete information, inadequate handouts or bad news. Ensuring that these presenters have information and the skills necessary to do their job effectively is a key city value.

**Council Presentations** - Several staff persons make presentations at Council meetings and work sessions. These are public meetings and are televised live and played back several times throughout the week. These presentations seek approval for programs, share information and explain future projects. These presentations are critical because information is coming from the people that are most familiar with the subject material and being shared with the community so that elected representatives can make wise decisions on behalf of the public. A limitation is that these same people may not be the most comfortable speaking in public or they may not be well versed in translating their expertise into terms everyone can understand.

## **Proactive and Interactive Communication Goals**

### **I. Goal: Employ State of the Art Communications that Respond to Changes in the Information Exchange Environment and Open up Access to the full diversity of our Citizens.**

**a. Objective - Develop an Official City Web Page** – The City currently does not have an official web page. In the opinion of most everyone that was interviewed, a City Web Page would be an invaluable resource. The Web Page could feature all the content from the newsletter, information from the city departments, opinion polls, council agendas and decisions and links to other news organizations and government jurisdictions that have web pages. A community Chat-Room would also provide a great forum to exchange public opinion and give citizens the opportunity to learn what's going on in other neighborhoods. Web Pages do need to be maintained, and staff time would have to be dedicated to making sure the information was current and relevant and the discourse was non-offensive. The current Riverfront and Downtown Development web site that is being maintained by students and staff at Milwaukie High School offers a good model for how the City Page might function in the future.

**b. Objective - Enhance our Use of Cable Programming** – Develop programs about specific projects (such as the Riverfront Project) or livability tips such as home-recycling strategies, programs about city functions or systems would also be beneficial.

**c. Objective - Upgrade IVBB** - The graphic quality is not especially attractive and the system is not accessible via our network, so staff has to spend lots of time duplicating efforts by keying in information at a stand-alone terminal. The system will be checked for Y2K readiness.

**d. Objective - Provide Information Delivery in Alternative Languages** - These efforts should match the ethnic make up of the City, be available upon request, and be provided at a reasonable cost.

**e. Objective - Provide Comprehensive Information** - Because the City Calendar is temporarily out of print, develop information tools that cover the information that has been lost in discontinuing its printing.

### **II. Goal: Strong Relationships between City Staff and Citizens, More Public Trust**

**a. Objective - Improve the quality of Council Presentations** - A good goal for all staff would be to become effective presenters. This might be done with training or making use of internal presentation opportunities to serve as 'dress

rehearsals' for public presentations. The Neighborhood Services Team meeting is a great forum for some of these presentations.

**b. Objective - More professional development for Neighborhood Association Outreach & Presentations** - Staff should project the most professional, well-prepared, credible and responsive image as possible. More training or perhaps simply better planning and preparation on the part of staff should be considered. Staff should have the earliest possible advance notice of meetings they are expected to attend, so that preparation is possible. Neighborhood Liaisons should coordinate with presenters and offer support.

**c. Objective - Streamline and track Phone Correspondence** - Make request routing smarter and more systematic. The new version of ELVIS (our internal reference directory should help to improve call routing.) RIM currently tracks the types of calls that come in by which department they are forwarded to, but the City does not currently have an electronic inquiry tracking system in place. Such a system would serve as a record of requests, could also support staff as a logging tool that reminded them of follow-up work and it could serve as a tracking tool that teaches us about trends in peoples' concerns. A new citizen directory is also in the works, which will give residents a resource that gives them numbers for the specific departments they are seeking.

**d. Objective - Encourage Quick Email Response** - Institute a 24-hour email response policy similar to the one that governs returning phone messages. Responsiveness shows attentiveness and concern.

**e. Objective - Capitalize on existing or pre-funded moments of contact with the community for better information sharing** - Using the water bills and the in-person transactions we have with citizens to solicit their opinions or inform them of something that the City is doing, saves money we would otherwise spend on new efforts and makes the experience of government more meaningful.

**f. Objective - Personalize and Open up the Amorphous Blob, also known as Government** - The more the City can personalize the workings of government the more likely we are to instill trust. Putting faces with names, listening carefully to what people are saying and feeling, validating their concerns and politely encouraging citizens to take a more active role in their city government so they can effect change, are all ways that we serve as ambassadors to the community. Staff has made itself available to address the Neighborhood Associations about issues that effect their community. Develop a list or database of "go to" people on staff and their associated responsibilities so Neighborhood leadership can contact them in to coordinate presentations. Maintain such a list of similar resource people at other agencies.

**III. Goal: Excellent public information products and events that anticipate the public's questions and concerns, are easy to understand, have interactive elements, and provide accurate, timely information about city functions, projects and policies.**

**a. Objective - Evaluate our efforts** - Solicit and share regular feedback from citizens regarding the materials they receive, or the functions they participate in. These may take the form of surveys, evaluation forms at events, and proper recording and follow-up of citizen complaints.

**b. Objective - Plan Ahead and Brainstorm around specific projects** - coordinate project staff with public involvement staff toward the best public outreach strategy. Form Public Involvement swat teams for every major project the City undertakes. By mapping out primary information campaigns early, efforts can be focused and the sheer number of messages can be managed so the City does not over saturate the public.

**IV. Goal: Consistency and quality in City Publications.**

**a. Objective - Maintain a similar style in printed materials so that each is readily recognized as a city publication.** This can be achieved by:

- Using the City-Font – any font from the Eras family.
- Using the City Logo on all publications.
- Incorporating the City's color somewhere in the publication or product – Teal, more specifically Pantone 328 CV.
- Coordinating production plans with Neighborhood Services so public information staff is aware of efforts.
- Solicit assistance from Neighborhood Services in determining the best public information/involvement approach.

**b. Objective - Design products and programs in-house whenever the task is within our range of expertise and resource capability** - The City public information staff is trained in graphic design, public writing, target-audience assessment, public involvement planning and product development. Staff is equipped with state of the art desktop publishing technology and encourage product and program development that involves direct line staff, citizens and officials toward the best public involvement effort. By creating these publications in-house a product that is tailor-made for the City of Milwaukie can be distributed in a cost-effective and professional manner.

**c. Objective - Maintaining a current inventory** - By forwarding copies of public information materials that are created by other departments or outside contractors to the Information Specialist, a central inventory of our information materials can be maintained and distributed at the appropriate City facilities. This also ensures that public involvement staff and other high-customer-contact staff are aware that the materials exist.

## **V. Goal: Well-coordinated, Responsive Public Information and Public Involvement Efforts**

**a. Objective - Get out of our Silos** - Become better at collaboration among departments on these projects by scheduling them out in advance so there is enough time for planning and sharing information.

**b. Objective - Develop a tracking resource** - A database of materials, projects, events etc. that is maintained by the Information Specialist would help us figure out who's on first, where we have gaps or needs in terms of public info., and what resources are available to accomplish the tasks.

**c. Objective - Coordinate and Standardize the Press Release Process** - Do more press releases and have a coordinated process that enables staff to initiate them and informs others of when they have been generated. Develop a template that is located on S Drive for staff to use.

**d. Objective - Develop some basic protocols that are triggered when reaction communication is in play** - For example, if a staff person is directly interviewed by the press, a post-notification system that works for the staff person's supervisor as well as one that informs the Public Information Officer that the contact has occurred is important. Email "media alerts" have worked well in the past, but they are not consistently done. Also, if the Public Information Officer receives a call and needs to refer the reporter to another staff person, a similar protocol that informs the staff person's supervisor should exist.

## **VI. Goal: More Good News About the City of Milwaukie**

**a. Objective - Formalize internal contacts to shine light on what's working** - The City continually initiates projects, solves problems and institutes policies that prove we are maximizing public resources in order to improve or preserve quality of life for Milwaukie citizens. But all too frequently this news never comes to light. Public involvement staff can aggressively and routinely solicit information from key contacts within each department, by recruiting other department staff members to be part of a Success Stories Team. Team members can report to the Information Specialist, any issues, events or projects that they feel should be considered for some type of information sharing effort. The group can meet regularly to discuss collaborative and individual projects.

**b. Objective - Have a central source for public involvement related info** - Add more information to the S Drive and make it easy to find. Develop a public info. project/contacts database that is ultimately available on the S Drive, for staff to contribute and refer to as the need arises. Imagine a single source that staff could go to, search on term like "riverfront" and get a full listing the the projects we are doing or have done. The contacts in the community who are interested in the project, the official actions that have been taken to date and the nature of the inquiries or concerns that people in the community would all be listed.

**c. Objective - Inspire more positive and proactive coverage of City activities and events in both print and electronic media** - Maintain greater contact with beat reporters so they trust the City's judgement enough to take a lead and follow-up. Distribute more press releases, but only if the situation warrants one. Overkill will build insensitivity to the City's releases. Radio and television is an underused resource. The Information Specialist can take a proactive role and call stations to become familiar with the contacts, the type of news they're looking for, and to cultivate better relationships with their reporters.

**d. Objective: Improve Information Dissemination among City staff** - Staff is often unclear as to what is going on in other departments. The more staff understands what's going on, the better they are able to explain it to citizens. Department Heads can be more aggressive about updating their staff and the City as a whole through NST meetings and the Department meetings. Meetings take time, but good ones go a long way in bringing people up to speed with

what others are working on. Greater understanding within the organization facilitates greater understanding within the community. Questions and apprehensions expressed within the organization are good harbingers of questions and apprehensions that will be expressed within the Community. The Manager's Musings also helps meet this objective, especially in so much as it provides a forum for managers to recognize outstanding employees. The Pilot provides information about City policies and projects.

Other ways to Improve Internal Communication and Understanding:

- Greater use of internal e-mail providing updates
- Bulletin Boards in each facility posting information
- Brown Bag lunches that staff can attend on various subjects
- Incentives for staff to attend or watch and report back public meetings.
- Tests (just kidding)

## **Reactive Communications**

This type of communication lies outside the City's realm of control. While it may often be caused by City actions, it is not generated by the City. Sometimes reactive communication is initiated by an emergency or major disaster, in which case the Emergency Communications Plan should go into affect and be followed. It is important to understand that staff is often interviewed and consulted before the message is made available to the public, but the City does not write or produce the end product. Staff usually has very little time to prepare for these situations if any at all. These encounters have a much higher potential for negative exposure of the City and they put staff in a defensive position.

***Calls or Face to Face Interviews by the Media*** - The City's public information officer and the Police Department's public information officer are usually the initial recipients of these requests, however Department Heads, the City Manager and occasionally line staff will be called upon to provide the most appropriate responses. There is little to no preparation time for these situations and cross- departmental coordination is critical to the success of these encounters. Public information staff is not always informed when another member of staff has had press contact, which creates problems for consistent and accurate message delivery.

***Calls or Visits by Members of City Council*** - Requests from City Council members and the Mayor are supposed to be made through the City Manager, most of this is done through public meetings and work sessions, though some staff have received direct requests from elected officials. Sometimes they are seeking general information about a topic. Other times they are requesting assistance or delivering direction to the staff member. Though elected officials have as much right as any other citizen, to interact with staff for the purposes of understanding government and the services available substantive direction is not suppose to be given directly to staff by elected officials. Though these efforts may be well intentioned, they often create workload problems for staff, or they conflict with previously given direction from supervisors and they are not always actions representative of the unified body of Council. Supervisors are suppose to be apprised of when this occurs.

***Calls or Visits by Board and Commission Members*** - Requests by Board and Commission members generally come to the employee who staffs the board or commission. Most requests come through the meetings of the boards and commissions. Requests for information or basic assistance may come to any employee who can most appropriately provide it, though things work best, when the employee who staffs that board and commission is in the loop regarding the request.

***Calls From the Public in the Form of Complaint*** - A large portion of these requests are initially made of the front-counter staff and the Code Compliance staff or Neighborhood Services Manager. However the City Manager, Assistant City Managers, Department Heads and field staff also receive several of these types of requests. In short, everybody on staff gets them and everyone is trained to handle them. A citizen request form exists to track these encounters however, not everyone uses them and they are not always appropriate.

***Impromptu Visits From the Public in the Form of Complaint*** - Front Counter staff are the initial recipients of most of these types of requests, though some people wander into staff offices if they know where to go and the facility is not secured. Staff who have high face-to-face contact with the public are training in mediation, dealing with members of the public and anger de-escalation. A citizen request form exists to track these encounters however, not everyone uses them and they are not always appropriate.

***Requests for Public Records*** - Requests for public records that are not for regular distribution are made through the City recorder's office. A form is used to document the nature of the request. Requests for public information such as meeting minutes, brochures, applications, plans and reports, are made through several departments. Requests for information

regarding employment or personnel files are made through the human resources department. Some of this information is proprietary.

### Reactive Communication Goals

There is only one.

**VII. Goal: Honest, Accurate, Timely, Neutral and Informative Staff responses that reinforce the Professionalism and preserve the integrity of the City of Milwaukie as a government organization.**

**a. Objective - Clarify protocols for staff / Elected official / Appointed official interfacing** - Provide this as part of staff orientation and regular training. Provide this as part of Council, Boards, Commissions orientation and regular training.

**b. Objective - Routinely provide citizen service training to staff and other forms of job-specific communication training** - Classes such as those listed at the beginning of this document provide a skill base and a protection for people who serve the public.

**c. Objective - Develop staff who have the confidence and expertise to deal with the Media** - A future NST on how to do this could be presented by the Information Specialist and the Public Information Officers for the City. Representing the City in front of the press can be a scary thing. If done poorly, the city looks bad, the staff person looks bad, and permanent damage is done to the public trust. But it can also be a very effective and vital means of communicating with the community. Some tips for interfacing with the media, are provided here:

### Tips for Dealing with the Media

**Recognize and be aware reporters need a hook** - Reporters are looking for the most interesting aspect of a story so they can hook their reader. Reporters have to prove in the very first paragraph that their story is worth reading. This being the case, reporters will often pursue the issue that is most provocative -- unfortunately that issue may not be the one that's most important. So when a reporter is pursuing such a line, don't try to be evasive, it will only make the reporter's angle seem more "interesting." Answer questions directly and honestly. Don't add any more intrigue to the angle than is necessary.

**Don't talk to reporters angry or if you're caught off guard** - If time permits, ask the reporter if you can call him back later in the day. The reporter will likely be on a very tight deadline, so even if it's a five or ten minute break, it's best to clear your head and organize your thoughts before sitting through an interview. As everyone can attest, people say things they don't mean when they're mad, or they say them the wrong way. And you can use the time to gather information you think you might need for the interview.

**NEVER say "No Comment"** - Saying "no comment" can create an adversarial relationship and signifies there's something to hide even if there might not be. "No comment" triggers suspicions in the reader and the reporter. Even saying something like "I really can't address that at this time" is better than saying "No Comment."

**Don't be shy to say you don't know the answer to a question** - It's better to admit you don't know something than to stumble through an answer or deliver misinformation. A good idea is to tell the reporter you simply don't know the answer, but that you'd be happy to get back with them with the information or refer them to someone who knows the answer.

**Don't burn any bridges** - The Oregonian and The Clackamas Review have beat reporters that cover our City. If you've been interviewed by one of them, chances are the same reporter will interview you in the future. That being the case, it's advantageous for both parties to forge a solid working relationship. These reporters don't want to make enemies with you because you hold the information they need. And we don't want to make enemies with them for the simple reason it's easy for them to show us in an unfavorable light and because they control a forum we can use to air positive and useful information. We will be working with them on a continual basis, so it's wise not to burn any bridges.

**Don't take things personally** - Related to this idea, it's important to bear in mind that reporters are doing a job and their ethics dictate that they ask tough questions that they would just assume let go sometimes. Some reporters want to take the hard line and doggedly pursue a sensitive angle, others will ask tough questions because their job demands it. It's a matter of style. Try not to take it personally. Everyone is trying to do their job the best they can.

**Going "Off the Record"** - If you go off the record it means the reporter is unable to attribute any of the comments or opinions you make while off the record. Comments made off the record are largely negative, or supply the "unofficial" story behind the story. Going off the record offers a way to supply information while protecting your identity. It's recommended to stay on record. Going off record on a regular basis creates the illusion that there are always two versions to the story -- a more benign and palatable official story and a more titillating unofficial story. And going on and off the record can create confusion. You might think you're off the record while the reporter is getting ready to quote you in their story. Staying on the record keeps things simple and honest. It also keeps you from developing a reputation as one who leaks information to the press.

**Over doesn't mean done** - Some of the best information a reporter gathers is when the interview is "over." Just because the pen is tucked away or the recorder is shut off, don't assume that the interview has concluded. You're still on the record and everything you say is fair game.

**6. Media Resources: The Media We Have Access To**

<b>The Oregonian</b>	A daily newspaper. <i>The Oregonian</i> covers national and worldwide news but has a Metro South section that covers Milwaukie along with the other cities that lie outside the Portland metropolitan area. One reporter covers Milwaukie, and several others cover Clackamas County. Coverage for Milwaukie is sparse, and their beat reporter only occasionally covers City Council meetings and other City events.
<b>Clackamas Review</b>	This is the local weekly newspaper that covers Milwaukie and the rest of Clackamas County. The paper has recently changed its format to a tabloid that is primarily focused on advertisements. There is limited editorial content, and Milwaukie news is very rarely published.
<b>KGW - TV</b>	The City seldom receives coverage from this news source. It is a network news station so coverage might take the form of a very rare human-interest feature or if some sort of crisis broke here in Milwaukie.
<b>KOIN - TV</b>	The City seldom receives coverage from this news source. It is a network news station so coverage might take the form of a very rare human-interest feature or if some sort of crisis broke here in Milwaukie.
<b>KATU - TV</b>	This network new station has made a stronger effort to cover neighborhood news that occurs outside of Portland.
<b>KEX Radio</b>	This A.M. radio station calls the Police Public Information Officer if a newsworthy crime occurs within the City. On average, the Police Public Information Officer works with this organization about once a month.
<b>KXL Radio</b>	This A.M. radio station calls the Police Public Information Officer if a newsworthy crime occurs within the City. On average, the Police Public Information Officer works with this organization about once a month.
<b>KINK Radio</b>	This is an F.M. station with a music format so news programming is relatively small. KINK seldom covers Milwaukie happenings.
<b>KOPB Radio</b>	This is the public radio station based in Portland and it features a relatively large amount of news programming. But their programming covers national, international, and state news. Rarely do they focus on local municipalities.

**7. External Communication Tools**

These are the public information tools available to us for planning a public involvement or public information effort. You are likely to use many of them for a single project. Though occasionally, one is all you need. The options listed below are loosely organized from the most inexpensive and least involved methods to the most expensive and complex tools. This is a good list to peruse in search of the tools that will work best for a project.

**Interactive Video Bulletin Board** - Displays bulleted information about upcoming city meetings and events on the City's cable access channel. A scrolling menu of topics is displayed and viewers can dial an access code that will provide more text concerning the menu item. Information concerning the Senior Center, Milwaukie Downtown Development Association, North Clackamas Parks and Recreation and other programs are also broadcast. This is a good tool for announcing an upcoming event, but is not very effective for relaying more detailed information.

**Handouts** - Handouts are essentially fact sheets that put more emphasis on providing information that they do on being visually attractive. Handouts are more text intensive and work well when coupled with more visual mediums.

**Brochures** - Brochures organize and relate basic information in a format that is easy to read and is visually attractive. Graphics and layout are important in grabbing attention and organizing the information. Brochures can be varying paper sizes depending on how much material is being included, but are typically bi-folds or tri-folds. Brochures effectively lay out general concepts and provide some of the basic underlying information. Brochures can be produced in house, but only in one color. Different colored papers can be used for variety.

**Flyers** - Flyers are essentially pared down brochures and feature much of the same basic information. But because they are smaller, they don't have as much of a capacity to provide some of the deeper issues that may exist. Flyers can be cheaply produced in-house and have the same capabilities and limitations as brochures. Flyers are ideal for announcing and promoting a specific event.

**Newsletter** - The City produces a monthly eight-page newsletter that is sent to every business and resident in Milwaukee. It contains articles about city-sponsored events, but also covers other events and organizations that directly effect its citizens. Articles are typically fairly short, but can provide the context and some real explanation about a particular topic. Smaller items providing the most basic information can also be run in *The Pilot*.

**Posters** - Posters are a good way to summarize basic points or overarching themes of projects and programs. Posters are more visually attractive, and draw people to the presented information. Posters are not very effective in presenting involved material that requires explanation unless the poster is paired with handouts or staff people that are on hand to offer assistance. When produced in-house, posters are relatively cheap to produce. The City can print posters in various colors and fonts, and can feature art and graphics.

**Press Releases** - Alerts media of events they might be interested in covering. Press Releases describe the event, who's involved, when the event will take place and should clearly illustrate a reason why that news organization should cover the event. It's important releases are created with the question in mind, "What would make this worth-while for them to cover" because news organizations get piles of news releases every day. Press Releases are most effective if there's an event that can be used as a catalyst to attach surrounding issues and information. For example, if coverage for the City's wetland restoration efforts is desired, a press release recruiting media attention should be created for a weekend planting event.

**Banners** - Banners are effective in announcing the dates, times and locations of a particular event. Banners are a good tool for gaining attention but are not effective in conveying a lot of information. Banners are not produced in-house, which means costs need to be considered. If the banners are to be hung on private buildings the owners of those buildings need to be contacted and the owners must grant permission. If the banner is to be hung from poles within Milwaukee, Portland General Electric needs to be contacted to determine who owns the poles. If PGE owns the poles, PGE requires those who put up the banner be insured should injury result from posting the banner.

**Direct Mail** - A Direct Mail campaign is a mass mailing that is sent directly to a segment or the entire population of Milwaukee. This is a good method to better ensure affected publics receive a particular message. A fairly good amount of information can be conveyed on post cards or letters, which makes a direct mailing a good tool for explaining a particular issue. Because of postage, direct mailings can be expensive, and because the post office enters the equation, consideration must be given as to when the message will actually reach the public.

**Bus Bench/Billboard Advertisements** - The stationery, public advertisements are a good way to create general public awareness around a specific issue or to promote an outreach campaign. They can be very expensive however, and should not be used for short term efforts, because the lead time to produce them often exceeds the length of the project. Also, for highly controversial projects they may not be appropriate because they can become targets for vandalism. The City used bus bench advertisements to promote public participation in a "Catch the Spirit" campaign in 1995.

**Theater Trailers** - Movie theaters have captive audiences, which is why upcoming films are advertised in this format. Using this medium to inform citizens can be very effective if the theater audience matches the target audience for the outreach effort. With enough lead time, they can assist in drawing participation at major events and serve as a good public education format for short videos, though the videos can be costly to produce.

**Polls** - a poll is a non-scientific, convenient gathering of peoples' opinions. We use polls in the newsletter. The responses are self-selected rather than forced. Polls can be done in person or with voice mail. Polls generally only seek one simple piece of information and the response is open-ended or multiple choice.

**Surveys** - a survey can be self-selected or randomly selected by the group conducting the survey, or it can be universal, meaning all of the population is surveyed. It can be done over the phone, in person or mailed with response postage-paid, which usually ensures a better response rate. Surveys ask more questions, usually they take time to prepare and the response information has to be codified and analyzed and presented in a report. It is quite time-consuming and expensive.

**Focus Groups** - Focus groups are informal, facilitated gatherings of key informants about a specific issue. They work very well for researching the best approach to a new or existing problem. Focus groups are commonly used in the private sector to do strategic planning. A key benefit of focus groups in the public sector is that they often serve the dual objective of engaging new people in the process of local government. The city has used focus groups to provide better youth services in the area and to do the neighborhood visions. The important thing about using focus groups is to keep the opportunity to serve on focus groups open to the targeted public you are trying to serve. In other words, if you're doing a focus group on how to improve the transit center, you would notify the public around the transit center of the meeting particulars as well as recruit individuals to be a part of it, rather than simply recruiting individuals selectively, which be construed as a closed process.

**Display Advertisements** - These are ads published in *The Oregonian* and *The Clackamas Review* that promote City events and programs with the intent the ad will be seen by a large portion of the Milwaukie citizenry. The ads are designed to be both informative and eye-catching. Ads are used for large events like Town Hall meetings and for programs where public participation is key. Ads are currently designed and placed by the Information Specialist. Display ads can be run in all sorts of sizes, but all are costly. Even ads that are three inches by three inches can cost \$300. Full-page display ads can cost as much as \$1500 for a single edition.

**Open House** - These are fairly unstructured, well-planned public gatherings that offer the citizen a self-guided tour of information. They usually involve story boards, handouts, pictures, evaluation or survey tools and possibly continuous play slides or videos. The event is not facilitated and it does not require an audience or formal agenda. Generally key staff and citizens co-host the event to answer questions and interpret information. Planning has used open houses several times to give people the opportunity to absorb complex information to whatever extent suits the individual.

**Town Hall Meetings** - Town Halls present a forum for idea exchange and problem-solving. They encourage a large number of citizens to attend the Town Hall so they can express their comments and opinions and share responsibility for the outcome. Town Halls are quite involved and require a good number of supportive public information tools to make the event a success. Town Halls typically feature handouts, posters, advertisements, press releases and sometimes include direct mailings. A large meeting space needs to be reserved and outside facilitators are sometimes brought in to facilitate the process.

### 8. Information Tools - Lead Time Required

Below is a general guideline for how much lead time various communication tools require, in order to be produced and be effective.

Tool	Lead Time Required for Product
Interactive Video Bulletin Board	1 day to post on board
Press Releases	1 day to produce and distribute. Should reach media 2 to 4 days before the event.
Classified ad (Legal Notices)	1 day to produce, must be submitted 3 days prior to publication date for the <u>Oregonian</u> . 6 days prior to publication date for <u>Clackamas Review</u>
Display Advertisement	2 to 3 days to produce, must be submitted 1 week before placement in <u>The Oregonian</u> , For <u>Clackamas Review</u> , 6 days before publication date.
Banners, Posters, Brochures, Pamphlets, Flyers	1 to 2 weeks to produce, 1 week to print if out-sourced, 1 - 2 days if reproduced in-house.
Bus Bench/Billboard Advertisements	Unknown
Theater Trailers	Unknown
Polls	1 day to post, but a longer period of time is required to gather the information.
Focus Groups	1 week to plan, 2 weeks to notify participants, 1 week for follow up report.
Pilot	Space is limited. Ideas for articles should be suggested as early as possible. Articles must be completely written and ready for final edits by the 15 <sup>th</sup> of the month before the desired publication month.
Direct Mailings	1 week for design, 1 week for printing, 1 week for distribution.
Surveys	1 week for survey design, 1 week for printing, 1 week for distribution.. Anticipate Several weeks for returns.
Town Halls	1 month for planning and notification, if held at City Facility. 2 months if external facility required.
Open Houses	1 month for planning and notification, if held at City Facility. 2 months if external facility required.

### 9. Tips for Effective Citizen Involvement

In addition to tools, there are a variety of methods and maxims to keep in mind when approaching a public involvement effort. The Public Involvement firm of Kezziah Watkins specializes in helping cities and counties re-connect with the citizens they serve toward effective citizen involvement. The firm facilitated a very productive Town Hall in Milwaukie in the winter of 1997. Provided here are some words of wisdom collected by KW from their experiences with many local governments throughout the country.

**The Communications Trilogy - Begin every conversation or gathering with an explanation of:**

- The Problems
- The Givens
- The Process

**Key Questions to ask in any public participation process:**

- Do people think this is a serious problem or opportunity that this agency should be involved in addressing?
- Is doing nothing a responsible alternative?
- Are there parts of this decision that are not negotiable?

What are the "givens?"

Who will make the final decision?

How many interests are there, who are they, and what are their issues likely to be?

What role will people be expected to play in decision-making?:

*Describing the problem*

*Defining the ideal*

*Advising on a general approach to a solution*

*Developing alternative solutions*

*Narrowing options*

*Selecting a preferred solution*

*Making the final decision*

How complex and technical are the issues?

What information do we need to provide for people to develop an informed judgment?

What is the sequence of decisions that need to be made to arrive at a final solution?

What are the best methods to engage people and encourage deliberation?

How will we communicate with people?

How much calendar time will be needed?

Have we dedicated enough staff time and resources?

Have we done our best to design a process that is open, honest and fair in the minds of the people it is intended to serve?

### Common Staff Mistakes in Public Participation:

***Assuming that people are unable or unwilling to understand technical information.*** If explained in non-technical terms in a setting where questions can be addressed and time taken to deliberate, people can understand anything.

***Frustrating/confusing people with information "overload".*** People do not often need as much technological detail as staff. Decide what it is you want to know from people, and then give them enough information to have, judgment, and to make informed choices.

***Believing that public participation takes too much time and is not worth the effort.*** If you enjoy having your projects stalled, blocked, and even taken to court, then you could have a point.

***Getting impatient because you keep hearing the same old points from people over and over again.*** It may be the seventy-seventh time, you've heard it, but it's the first time that person has said it.

***Expecting to get "beat up" every time you go out to hear what's on people's mind.*** The first time or two, that may be the case. But once people believe you genuinely care about and are willing to listen to what they have to say, you'll feel like a hero.

**Thinking of people, your stakeholders, as **THEY**, and routinely bad-mouthing people outside the organization as a form of office entertainment.** The we/they attitude will get you in trouble every time. The goal is to build trust and positive relationships, and that doesn't happen with a bad attitude.

### Common Misperceptions in Public participation:

Public participation is not anarchy. Collaborative problem-solving is not an abdication of responsibility or authority. No one charged with the ultimate decision-making authority for any organization should simply turn over decisions to the public they serve, nor should they make any decision which is irresponsible, or which violates the organization's mission. To do so would betray a trust placed with that decision-maker.

What does have flexibility is the process through which decisions are reached. By using public participation, the ultimate decision-maker is able to:

- Weigh possible options;
- Generate new ideas;
- Discover compromises not initially apparent;
- Increase their public understanding of the issues involved; and
- Gauge what solutions seem to be in the best interests of the people they're working hard to serve.

**Other Citizen Involvement Methods to consider:**

- Door-to-door visits
- Charettes
- Conference attendance by citizens
- Working with exciting organizations
- Newspaper inserts with response form
- Hot line
- On-line discussion groups
- Potlucks, Brown Lunches

**10. External Communication Protocols - Quick Reference**

In order to improve coordination and efficiency in the way we communicate, we should develop some basic protocols for some elements of our communications practice. These items would be developed with an appropriate team of Public Information staff, Department heads, City management and City attorney as first item of this plan's implementation:

*Proactive Communications*

- Press Releases
  - Events of Direct City Involvement
  - Events of Indirect City Involvement
- Publications Consistency
- Editorial Standards for the City Newsletter

*Reactive Communications*

- Responding to Press Calls
- Responding to Requests from Elected Officials
- Responding to Requests from Board and Commission Members
- Responding to Requests from Citizens
- Rumor Control

*Emergency Communications*

- Refer to elements of the Emergency Communications Plan

**11. Appendix A - Extra-Agency Communications**

The City's management team was asked to provide some detail about what other agencies they communicate with and how frequently. This gives us a good picture of how we collaborate as an organization in the region and who may be the best in-house source for pursuing communication efforts with other agencies. It does not mean that communication with these entities is restricted to the individuals listed.

**Outside Agency by Department                      Frequency of Contact                      General Topic of Discussion**

**City Manager**

Clackamas County	Monthly	Intergovernmental service, annexations, service coordination, service costs and rate charges
Clackamas County Fire No. 1	Weekly	See Above
Clackamas River Water	Monthly	See Above
Oak Lodge Sanitary	Monthly	See Above
Happy Valley	Weekly	See Above
Gladstone	Monthly	See Above

**Finance Director/Risk Manager**

City's Insurance Company	Weekly	Settling and sorting through claims
Citizens laying claims against City	Monthly	Describing process, finalizing details, referring them to the insurance company
Auditors	Quarterly	Discussing accounting issues, use them as an informational resource to make sure City is following all the necessary procedures
Waste Water Environmental Services	Annually	Pricing negotiations

**City Recorder/Director Records and Information Management**

Cities of North Clackamas Valley	Regularly	Various shared projects, information sharing, send each other background information and agenda items.
State of Oregon	Every election	Elections issues, records practices and regulations
Clackamas County	Every election	Election issues

**Information Services and Technology Management**

Clackamas County Fire District No. 1	Monthly	Intergovernmental Services
Clackamas County Library Network	Monthly	Intergovernmental Services
Equipment Vendors	Weekly	Equipment purchases
Happy Valley	Monthly	Intergovernmental Services
Metro	Weekly	Intergovernmental Services
Multnomah County Y2K	Weekly	Technical information
North Clackamas School District	Quarterly	Surplus equipment, technical info.
Oak Lodge Sanitary District	Weekly	Surplus equipment, technical info.
State of Oregon	Monthly	Technical Information

**Chief of Police**

Metro Area Law Enforcement Agencies	Daily	Information sharing, inter-agency policing
Clackamas Fire District No. 1	Bi-Weekly	Multi-disciplined operations
Equipment Vendors	Weekly	Equipment purchases
Milwaukie Together!	Bi-Monthly	Multi-disciplined operations
MDDA	Bi-Monthly	Multi-disciplined operations

Tri-Met	Weekly	Multi-disciplined operations
ODOT	Bi-Monthly	Multi-disciplined operations
North Clackamas School District	Monthly	Multi-disciplined operations
Oregon Dept of Fish and Wildlife	Bi-Monthly	Multi-disciplined operations
Metro	Monthly	Multi-disciplined operations
Bureau of Emergency Communications	Weekly	Multi-disciplined operations
Clackamas County Communications	Weekly	Multi-disciplined operations
Clackamas County Animal Control	As Needed	Referrals for assistance
Clackamas County Mental Health	As Needed	Referrals for assistance
Clackamas County Social Services	As Needed	Referrals for assistance
Clackamas County Adult and Family Services	As Needed	Referrals for assistance
Clackamas County Dispute Resolution Service	As Needed	Referrals for assistance
Clackamas County Juvenile Department	As Needed	Multi-disciplined operations
Clackamas County District Attorney	As Needed	Multi-disciplined operations
Oregon Department of Justice	Weekly	Multi-disciplined operations
United States Attorney	Daily	Multi-disciplined operations

**Assistant City Manager, Community Development**

Metro	Almost daily	Transit funding, Functional Plan matters, land-use issues
Tri-Met	Several times a month	Capital projects that run through or originate in Milwaukie
League of Oregon Citities	Weekly	Legislative issues, Information sharing about programs and projects
Clackamas County	Several times a month	Transportation, sewage, land-use cooperation
Portland	Several times a month	Transportation, water, future annexation
Oregon Department of Transportation	Several times a month	Roads projects - (McLoughlin Blvd. project)
Dept. of Land Cons. And Development	Not very often	Land-use topics, adoption of new regulations

**Public Works Director**

DEQ	Several times a month	Water quality issues, hazardous waste sites
Clackamas River Water	Monthly	Water supply
Clackamas County Service District No. 1	Monthly	Sewage treatment plant
City of Portland, transportation	Monthly	Johnson Creek Boulevard project
City of Portland, water	Monthly	Intertie project
ODOT	Monthly	Covers the roadways of Milwaukie, traffic and signage, - primarily McLoughlin Blvd., Highway 224, and the Main Street Improvement Project

**Planning Director**

Metro	Weekly	Functional Plan, Land Use issues
Clackamas County	Several times a month	Land Use, Annexation
ODOT	Several times a month	Grant funding, Land Use Coordination
Department of Land Conservation	As needed	Land Use, Periodic Review, Intergovernmental Coordination, Land Use Notices
City of Portland	As needed	Intergovernmental Coordination
North Clackamas Parks District	As needed	Park Development Coordination Regulation
North Clackamas School District	As needed	School Development Coordination, Regulation

**Fleet and Facilities Manager**

State of Oregon Motorpool	Weekly	Fleet Issues
State of Oregon Energy Division	Monthly	Facility Efficiency
Environmental Protection Agency	As needed	Compliance
Multnomah County	As needed	Intergovernmental Coordination
Clackamas County	As needed	Intergovernmental Coordination
Cities of the Metro-Area	As needed	Information Sharing and Intergovernmental Coordination
North Clackamas Fire District No. 1	Weekly	Fleet Maintenance and Operations

**Assistant City Manager, Community Services**

North Clackamas Parks District	Several times a month	Park land, greenspaces, programs
Metro	Quarterly	Greenspaces
Other Libraries, (city and Clackamas County)	Monthly	Sharing information about funding

**Program Services**

Clackamas County	Weekly	Solid waste
Solid Waste (local jurisdictions)	Weekly	Solid waste
Metro	Weekly	Solid waste
Tri-Met	Monthly	Transportation coordinator issues
TCI	Bi-Weekly	Cable negotiations and customer concerns
Waste Haulers	Bi-Weekly	Franchise management and customer concerns
DEQ	Monthly	Solid waste questions
Recycling Center in Portland area	Quarterly	Questions about processing recyclables
Wetlands Conservancy	Weekly	Wetland enhancement technical assistance
Johnson Creek Watershed Committee	Quarterly	Volunteer recruitment for wetland improvement projects
Friends of Kellogg and Mt. Scott Watershed	Quarterly	Volunteer recruitment for wetland improvement projects
School District and Principals	Quarterly	Distribution of recycling education materials
Portland Parks	Quarterly	Spring Water Trail information

**Neighborhood Services**

North Clackamas School District	Weekly	Youth Services, Neighborhoods
North Clackamas Parks and Recreation District	Monthly	Youth Services, Code Compliance
Clackamas Fire District #1	Monthly	Neighborhoods, Code Compliance
Milwaukie Downtown Develop Assoc.	Bi-weekly	Historic Milw NDA, Parking, Code Comp.
Milwaukie Together!	Weekly	Youth Services, Volunteerism
Metro	Bi-Monthly	Public Involvement/Info
Portland Office of Neighborhoods	Quarterly/As needed	Info Exchange
Other Jurisdiction Neighborhoods Offices	Quarterly/As needed	Info Exchange
Happy Valley Public Information	Quarterly/As needed	Info Exchange
Oak Lodge Public Information	Quarterly/As needed	Info Exchange
Gladstone Public Information	Quarterly/As needed	Info Exchange
Portland State University	As needed	Research/Information Sharing
Boys and Girls Club	Quarterly	Youth Services
Tri-Met	Monthly	Public Involvement/Transportation
Columbia River Gorge Commission	Occasionally	NDA/Public Involvement
DEQ	As needed	Code Compliance
Clackamas Co. Dispute Resolution Services	As needed	Code Compliance
Clackamas Co. Animal Control	As needed	Code Compliance

Clackamas Co. Public Health	As needed	Code Compliance
Clackamas Co. Social Services	As needed	Code Compliance
Clackamas Co. Mental Health	As needed	Code Compliance

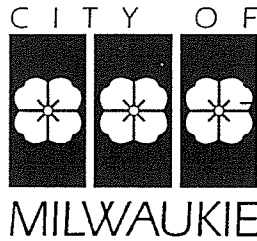
**Library**

Library Network	Almost daily	Coordinate activities and programs, clarify policy
North Clackamas Parks District	Bi-Weekly	Maintenance of grounds and park
Book Vendors	Weekly	Purchase new materials

12. Appendix B - Communication Tools used by Departments

Department →	City Manager	Police	Comm. Development	Public Works	Program Services	Nihood Services	Library	Human Resources	Fire	Finance	Front Desk City/Hall	IST	Records
Information Tool													
Brochures, Pamphlets	X	X	X	X	X	X	X		X	X	X		X
Flyers, and Posters	X	X	X	X	X	X	X		X	X	X		X
Oregonian	X	X	X	X	X	X		X	X				X
Clackamas Review	X	X	X	X	X	X		X	X				X
Newsletter	X	X	X	X	X	X	X		X				X
Press Release	X	X	X	X	X	X	X		X				X
Press Conferences/Inter views	X	X	X	X		X	X	X	X	X			X
Phone Calls	X	X	X	X	X	X	X	X	X	X			X
Interactive Video Bulletin Board	X	X	X		X	X	X	X					X
Complaints / Questions	X	X	X	X	X	X	X	X		X	X		X
Legal Notices	X	X	X	X	X	X	X	X	X	X	X		X
Surveys	X	X	X	X	X	X	X	X	X	X	X		X
Town Halls	X	X	X	X		X	X	X					X
Focus Groups	X	X	X	X		X							X
Bulletin Boards/Info Racks	X	X	X	X	X	X	X	X	X		X		X
N/A Meetings	X	X	X	X	X	X	X	X	X	X			X
Direct Mail	X		X		X	X			X				X
Radio	X	X							X				
Web Page	X												
Signs, Banners Posters	X	X	X		X	X	X	X	X				
Cable Programming Board/Comm Mtgs	X	X	X		X	X	X	X		X			
Council Meetings	X	X	X	X	X	X	X	X	X				X
E-Mail	X	X	X	X		X	X	X	X				X

13. Appendix C - Sample Press Release



City Logo should lead all press releases. This ensures serves as an "official" seal for the recipient.

From: Grady Wheeler, City of Milwaukie, 786-7503

Date 5-20-99

Title should try to summarize the release in interesting terms.

Riverfront/Downtown Open House recruits citizen input

The first paragraph should try to grab the reader's attention.

The City of Milwaukie is working with citizens and an accomplished team of consultants to develop a plan that will transform the City's Riverfront and revive its struggling downtown.

A citizen-based Riverfront Board, the Milwaukie citizenry and city officials have been meeting with the consultant firm of Crandall and Arambula to figure strategies that will make Milwaukie a region-wide attraction. So far they've come up with some really interesting proposals. These proposals will be presented to the public on **Wednesday, May 26**, at 6:30 p.m. in the **Milwaukie Elementary School Gym**.

The Who, What, When, Where and the Why. All should build interest and show why the event is worth covering.

At last month's Open House more than 50 citizens reviewed the six different design options and offered their opinions and comments. Their input was collected and has helped narrow and define current designs.

Some of the options that will be considered at the May 26 meeting will be whether or not to lower McLoughlin Boulevard, bring in a marina into downtown Milwaukie near Kellogg Lake or to build a pedestrian tunnel to the Riverfront.

Every citizen opinion and comment will be recorded and considered in the formulation of future models.

**What:** Downtown/Riverfront Plan Open House  
**When:** Wednesday, May 26, 6:30 p.m.  
**Where:** Milwaukie Elementary School Gym, 11250 SE 27<sup>th</sup>

An easy-to-read recap of the most pertinent information helps reporters who are scanning the release.

**For more information call:**  
**Martha Bennett, Assistant City Manager - Community Development, at 786-7651 or**  
**Dan Bartlett, City Manager, at 786-7501**

Contact information comes at the end and it's a good idea to use boldface type and a slightly larger font.