

**MILWAUKIE CITY COUNCIL
REGULAR SESSION
OCTOBER 5, 1999**

The one thousand eight hundred and twenty-fourth meeting of the Milwaukie City Council was called to order by Mayor Tomei at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Rob Kappa
Mary King

Larry Lancaster
Jeff Marshall

Also present:

Dan Bartlett,
City Manager
Jim Coleman,
City Attorney
Charlene Richards,
Assistant City Manager

Martha Bennett,
Assistant City Manager
Mike Swanson,
Interim Public Works Director

CONSENT AGENDA

It was moved by Councilor Marshall and seconded by Councilor King to approve the Consent Agenda that consisted of:

1. City Council Minutes of September 9 & 21, 1999; and
2. Authorization to Purchase Street Sweeper

Motion passed unanimously.

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING

Consider Zoning Ordinance Section 1500 "Boundary Changes and Establishing Related Fees -- Ordinance and Resolution

Mayor Tomei called the public hearing on file #ZA-99-01 -- Boundary Changes to order at 6:03 p.m.

The purpose of the hearing was to consider an ordinance to adopt a new Zoning Ordinance section relating to boundary changes affecting the City of Milwaukie. This was a legislative decision by the City Council to carry out the provisions of ORS 268.354 and Metro Code Chapter 3.09 by adopting an approval process and appeal procedure. **Mayor Tomei** reviewed the conduct of the hearing.

Staff Report: **Swanson** presented the staff report in which the Council was asked to adopt Zoning Ordinance Section 1500 "Boundary Changes" and a resolution establishing fees for annexation, expedited annexation, and other boundary changes.

The state legislature adopted SB 947 which eliminated the Portland Area Boundary Commission and directed Metro to develop a process. The Metro Policy Advisory Committee (MPAC) discussed the expedited annexation process in depth, particularly the amount of time allowed for notification. The result was that the Metro Council did adopt an ordinance creating an expedited process mostly for the purpose of single lot, non-controversial boundary changes. The proposed ordinance before the City Council was the City's attempt to codify its process around the Metro ordinance.

Boundary changes would go through the normal quasi-judicial notification procedure. Boundary, Comprehensive Plan, and Zoning Ordinance changes would go through the Planning Commission and the City Council with the exception of those applications submitted under the expedited process.

The expedited annexation process would be initiated with the written consent of 100% of the property owners and at least 50% of the electors residing in the area to be annexed. In most cases, the boundary change would be requested when property owners needed immediate access to City services such as sewer and water due to a failure of their existing systems. The expedited boundary change proposal is considered by the City Council without a public hearing, and the decision is considered final. **Swanson** said it was important to remember that annexations are not a matter of right but one of sovereignty.

The Planning Commission was concerned that the expedited process did not include a hearing or some type of Planning Commission review. The group also advocated using the same notification requirements as a major quasi-judicial land use application. It elected to revise the automatic rezoning provision and delete reference to R-15 and R-20. He indicated those areas within the Milwaukie Urban Growth Boundary with that zoning designation.

Staff continued to recommend the expedited process because there are property owners who need to hook up to specific City services quickly. Most of these boundary changes of this nature are non-controversial. The expedited process does include a pre-application conference and requires certain required materials be submitted. The process is expedited in that it eliminates the Planning Commission step.

Ken Martin, Metro, spoke to his experience with boundary changes and more specifically to the expedited process. The Boundary Commission conducted a twenty-five day expedited process, which was requested by the applicant, that

was mostly administrative. Notices were sent to affected units of government and Boundary Commissioners with complimentary copies going to the community.

The proposed process before the City Council has a number of safeguards including the pre-application conference and extensive notice requirements to all property owners. Few people attended the Boundary Commission hearings because there was normally nothing controversial about the application. Most of them involved access to specific urban services. From his experience, **Martin** said the expedited process was virtually never abused, and, if there was controversy, the application would be called up.

Councilor Lancaster commented on the issue of the notice area and asked how many additional houses would receive notice if the area were increased from 250 feet to 400 feet. He asked the rationale for the Planning Commission's decision.

Swanson responded that the 400 foot notice area was the distance used in a major quasi-judicial land use application. The Planning Commission was interested in establishing some kind of hearing process and ensuring adequate notification.

Martin added, that even 100 feet in an R-10 subdivision could include hundreds of notices. He has worked on about twenty-five proposals since beginning the new process, and even using a 100 foot radius, there is little response to the notices. He doubts the larger area would be productive.

Councilor Kappa asked if the additional number of notices would slow the process.

Swanson believed that it would. The question is whether or not to have an expedited process.

Councilor King was concerned that perhaps one of the few large, remaining, unsewered lots in the City could go through the expedited process, and then the owner could put more houses on it without going through the process.

Swanson said it would depend on the zoning design and referred to the chart that approximated County and City zoning on a one-to-one exchange.

Mayor Tomei re-phrased it by saying that a property owner would have no greater rights in the City than he or she would have in the County.

Coleman added that an applicant would have to go through the full process if he wanted to do something other than the exchange on Table 1.

Swanson explained that the City Council has the ability to deny the annexation and prevent it from happening.

Councilor Kappa asked if someone might be able to more easily circumvent the system through the expedited process.

Swanson responded that essentially only the forum for the change is different. The applicant would have to go through either the City or the County process. A zone change is not granted through the expedited process.

Councilor Marshall was concerned about cost recovery for annexed property and the decision to set fees at 60% of the cost.

Swanson said the annexation only gives the property owner the right to seek the needed service. The cost of a sewer lateral, for instance, would still have to be paid by the property owner.

Councilor Lancaster asked how the City arrived at a 60% recovery of its costs.

Bartlett said the percentage was arrived at by weighing the public and private benefit of an improvement. This was the previous Council's decision, but the current Council is not bound by it.

Councilor Marshall noted there was a blanket annexation fee whether the person was making an application for one parcel or sixteen.

Bartlett said that was a correct statement as long as the parcels were contiguous. He recommended looking at the fees in the spring if the City Council felt there were equity issues.

Councilor Marshall said, when someone constructs a single-family residence in Milwaukie, there is a systems development charge (SDC). He was concerned that annexed, existing single and multi-family residences would not have to pay the SDCs.

Bartlett said SDCs are charged at the time the building permit is issued, not at the time the land is brought into the City. He pointed out the Dual Interest Areas A & B. The incentive to property owners at this time to connect to sewer is that banks will not lend money on unsewered property. The area between Linwood and Stanley Avenues is a health hazard, and, without major financing, the City can only annex one or two parcels at a time.

Councilor Lancaster commented that an entire block could be put on a single application. He asked if there was any potential liability for the City.

Bartlett said, if the City itself was looking to buy property, it would go through due diligence, but the City would have no liability for a failing septic on privately owned property. The laws are designed to help eliminate health hazards and bring properties up to standards. At this time there are several residences and two businesses that have expressed an interest in the expedited process.

Councilor Kappa asked Bartlett if he anticipated other property owners to follow suit.

Bartlett said he did not. Ten years ago there was a plan along with funding from other agencies, but, for certain reasons, those plans did not come together. Homeowners are expected to pay the cost of the sewer lateral along with decommissioning their septic tanks.

Councilor Marshall returned to the SDC issue. He asked if there was a reason the City was not charging an SDC for annexation. The City has a significant storm water system deficiency, and there is no real funding source.

Bartlett said when the property owner comes into the office for a permit, he will be charged the SDCs for sewer, storm water, transportation, and parks. The City would likely be challenged if it charged a water SDC because most of the homes in the annexation area are served by Clackamas River Water. The goal would be to maximize existing infrastructure.

Coleman explained a property owner will be charged at the time a building permit application is filed. If the owner or resident of an existing house never applies for a building permit, no SDC will be charged. Annexation is not an event designed to trigger an SDC. It is a growth-related activity. State statute lays out the parameters of systems development charges.

Councilor Marshall pointed out that an existing dwelling coming into the City does impact the community.

Coleman said, if directed, he could research some other kind of fee.

Councilor Kappa asked if the County provided road improvement funds.

Bartlett said there is an urban growth management agreement to bring streets up to standards. Cities also receive state revenue sharing on a per capita basis. The resident will then also pay the full property tax rate unless there is another type of negotiated agreement such as phased value.

Correspondence: None.

Audience Testimony: **Donald Hammang**, Planning Commission Chair, 11104 SE Home Avenue. For clarification, he stated the Planning Commission had not

seen the zoning map Swanson referred to when pointing out the R-15 and R-20 designations. The Commission wanted to carry the idea forward that there should be a public review of actions that may have social or fiscal impacts. The root of good governance is a system of checks and balances, and the Commission felt obligated to let the City Council know its feelings about public oversight.

Councilor Kappa asked why the Planning Commission had not see the map.

Bennett said those zones had not been identified as an issue until after the Planning Commission met.

Close Hearing: **Mayor Tomei** closed the public testimony portion of the hearing on the new Zoning Ordinance Section 1500 at 7:00 p.m.

Councilor Lancaster took the comments about good governance to heart, and this Council was looking to restore citizens' faith. His main concern was adequate notice.

Councilor King felt that too much notification was preferable since communication was one of the Council's top goals. People need to know about changes taking place in their neighborhoods and suggested changing the notification area from 250 feet to 400 feet.

Councilor Kappa understood the Planning Commission's concerns about notification, but this ordinance was about providing urban services, not about development. He was concerned, however, that the Commission had not seen the map.

Councilor Marshall believed the Planning Commission's proposals reflected the community and its citizens. He did not understand the need for an expedited process since septic do not fail overnight.

Councilor King suggested the City Council adopt the Planning Commission's recommendation and review the process in one year.

Mayor Tomei had concerns about the additional City Council and staff resources that might result from the Commission's recommendation. She supported the Council's making the decision and the 150 foot radius notification area.

Councilor Marshall suggested the Planning Commission review the applications. He definitely wanted to move toward 100% fee recovery and to consider how new dwellings impact the existing community. He wanted the City to consider adequate fees, so citizens do not have to absorb the cost of providing additional services to a newly annexed parcel or area. He also recommended

the City consider a course that would include annexing commercial-industrial property to provide a net benefit in the amount of money recovered.

Bartlett said the Comprehensive Plan has language regarding short-term subsidy and long-term recovery. The Urban Growth Management Agreement speaks to logical boundaries rather than only picking the best areas for annexation. He pointed out the Dual Interest Areas A & B would offset each other in required levels of service. Many local commercial-industrial areas are under tax increment financing (TIF) districts, so the City would not enjoy full value until the districts were extinguished. He suggested that staff might look at current TIF laws to determine if it was feasible to look at certain areas.

Councilor Kappa urged that the City develop a strategic annexation plan. The tax base need to be broadened before raising the tax rate.

Councilor Marshall referred to Table 1 -- Zoning and Land Use Designations for Boundary Changes and recommended that County R-10 remain City R-10 even if the parcel is adjacent to City R-7. He did not feel it was appropriate to change zoning and impact the neighborhood.

Swanson understood the Planning Director and City Attorney developed the table, and it referred only to the expedited process. He believed the rationale was for consistency. The applicant would not be required to change the zoning.

Councilor King noted that County R-8.5 would be designated City R-7.

Bartlett explained that Milwaukie does not have an R-8.5 zoning designation.

Councilor Lancaster saw no problems associated with R-10 islands in R-7 neighborhoods.

Bennett said mixed zoning can create problems in enforcing codes such as parking and setbacks. People can develop at a larger lot size, but the purpose for the proposal was to provide regulatory consistency.

Councilor Kappa saw potential for conflict within a neighborhood.

Councilor Lancaster was willing to take on a little more work to preserve larger lots.

Councilor Marshall made the recommendation to ensure that Milwaukie would be a 2040 community with a choice of housing types.

Councilor King asked if the expedited process could go through the Planning Commission.

Coleman stated the City Council would have to act on the annexation somehow and suggested the option of dropping the expedited process.

Mayor Tomei said people do find themselves in emergency situations and supported reducing the amount of red tape by adopting the expedited process.

It was moved by Mayor Tomei and seconded by Councilor Kappa to read the ordinance adding section 1500, Boundary Changes for the first time by title only.

Councilor Lancaster made a friendly amendment to delete the automatic reduction of County R-10 to City R-7. Mayor Tomei and Councilor Kappa accepted the amendment.

Councilor Marshall asked how many days difference there was between the expedited and the standard application.

Bennett responded the expedited application would take about half the time or thirty to forty-five days versus ninety days. The standard application is also twice as expensive.

Councilor Lancaster understood there were safeguards in the expedited process.

Bennett said that was correct, and staff understands the desire for caution. The City Council has the power to send the application back and reject the annexation.

Councilor Kappa added that other applications such as lot line adjustments must go through the entire process. He did not perceive this new code section as an emotional livability issue.

Councilor King made a friendly amendment to the motion to increase the notice area to 400 feet to be consistent with the major quasi-judicial requirements. Mayor Tomei and Councilor Kappa accepted the friendly amendment.

Motion passed unanimously. The ordinance was read for the first time by title only.

It was moved by Mayor Tomei and seconded by Councilor King to read the ordinance adding section 1500, Boundary Changes as amended for the second time by title only. Motion passed unanimously. The ordinance was read for the second time by title only.

It was moved by Mayor Tomei and seconded by Councilor Kappa to adopt the ordinance adding section 1500, Boundary Changes as amended. Motion passed unanimously.

ORDINANCE NO. 1862:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADDING SECTION 1500 (BOUNDARY CHANGES) TO THE MILWAUKIE ZONING ORDINANCE, IN ORDER TO IMPLEMENT THE REQUIREMENTS AND PROCEDURES FOR BOUNDARY CHANGES AFFECTING THE CITY OF MILWAUKIE, PURSUANT TO CHAPTER 3.09 OF THE METRO CODE. (ZA-99-01)

It was moved by Councilor Marshall and seconded by Mayor Tomei to adopt the resolution setting fees for boundary change applications to recover 100% of the estimated cost and to adjust the fee accordingly. Motion passed unanimously.

RESOLUTION NO. 37-1999:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CRATING AN ANNEXATION APPLICATION FEE, EXPEDITED ANNEXATION APPLICATION FEE AND OTHER BOUNDARY CHANGE APPLICATIONS.

**Parks, Open Spaces, and Trails (POST) Refinement Process --
Neighborhood and Riverfront Parks -- Resolution**

Mayor Tomei opened the public hearing on adoption of the Parks, Open Spaces, and Trials Refinement Process to order at 7:45 p.m.

The purpose of the hearing was to consider Target Area Map 1 relating to neighborhood and riverfront areas. **Mayor Tomei** reviewed the conduct of the hearing.

Staff Report: **Richards** presented the staff report in which the City Council was requested to adopt a resolution amending resolution 21-1999 by adopting a target area map as Map 1 of the Refinement Process of the Parks, Open Spaces, and Trails Acquisition Program Implementation Work Plan.

The City Council and the Parks and Recreation Board have been working on this expedited process for over a year. The acquisition program set forth ways to quickly acquire land, and the refinement process is part of that program. She discussed the community outreach process. Several under-served areas were

identified in the needs assessment: Hector Campbell, Lewelling, Ardenwald west of 32nd Avenue, and south of Lake Road. City staff will also continue to look in the downtown/riverfront area. Staff requested that Council adopt the Target Map with discussions of particular tax lots taking place in executive session. Staff can proceed with acquisition within given parameters if it finds a willing seller.

Correspondence: None.

Audience Testimony: None.

Staff Comments: None.

Questions of Clarification: None.

Close Hearing: **Mayor Tomei** closed the public testimony portion of the hearing on the Parks, Open Spaces, and Trails Refinement Process at 7:50 p.m.

It was moved by Councilor Kappa and seconded by Councilor King to adopt the resolution adopting Map 1 -- Neighborhood and Riverfront Parks Target areas. Motion passed unanimously.

RESOLUTION NO. 38-1999:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING THE ATTACHED TARGET AREA MAP AS MAP 1 -- NEIGHBORHOOD AND RIVERFRONT PARKS TARGET AREAS.

OTHER BUSINESS

Revised Classification: Information Systems Analyst

Richards presented the staff report in which the City Council was requested to authorize the City Manager to amend the MEA/AFSCME agreement to add the Information Systems Analyst classification to the salary schedule at Range 15.0 for Fiscal Year 1999/2000.

Staff determined during the FY 1999 - 2000 budget development process that it would be more cost effective to hire personnel rather than to continue the practice of contracting for information services. The bargaining unit supported the classification and accepted the salary range which is similar to the senior accountant and other top level technical positions.

It was moved by Councilor Kappa and seconded by Councilor Lancaster to authorize the City Manager to amend the MEA/AFSCME agreement to add to Information Systems Analyst classification to the salary schedule at Range 15.0 for Fiscal Year 1999/2000. Motion passed unanimously.

Repeal a Portion of the City's Business License Code and Amend Business License Tax Code

Councilor Kappa removed himself from the discussion and vote.

Bennett presented the staff report in which the City Council was requested to conduct a second reading and adoption of the ordinance repealing Municipal Code Section 5.04, the business license code and amend section 5.08, the business tax code. The new terminology would be "business registration."

It was moved by **Councilor King** and seconded by **Mayor Tomei** to read the ordinance repealing section **Municipal Code Section 5.04**, the business license code and amend section **5.08**, the business tax code for the second time by title only. Motion passed 4 - 0 - 1 with the following vote: **Mayor Tomei, Councilor King, Councilor Lancaster, and Councilor Marshall** aye; no nays; **Councilor Kappa** abstained. The ordinance was read for the second time by title only.

It was moved by **Mayor Tomei** and seconded by **Councilor King** to adopt the ordinance repealing section **Municipal Code Section 5.04**, the business license code and amend section **5.08**, the business tax code. Motion passed 4 - 0 - 1 with the following vote: **Mayor Tomei, Councilor King, Councilor Lancaster and Councilor Marshall** aye; no nays; **Councilor Kappa** abstained.

ORDINANCE NO. 1863:

AN ORDINANCE REPEALING CHAPTER 5.04, BUSINESS LICENSES GENERALLY, AND AMENDING CHAPTER 5.08, BUSINESS TAXES GENERALLY, OF THE MILWAUKIE MUNICIPAL CODE.

INFORMATION

1. It was City Council concurrence that **Mayor Tomei** would be the City's voting representative at the League of Oregon Cities Conference and **Councilor King** would be the alternate.
2. **Councilor King** understood from **Dave Green** that there was interest in installing a microwave tower in the wetland, and **Bartlett** discussed the process and review for this type of request.

3. **Mayor Tomei** said the Metro Growth Management Committee has agreed to re-designate Milwaukie from a Regional Center to a Town Center.
4. **Councilor Marshall** requested an unstructured work session to discuss annexation generally. **Bartlett** said that could be scheduled in early 2000.

Mayor Tomei announced an executive session under ORS 192.660 (1)(e) to discuss real property acquisition.

ADJOURNMENT

It was moved by **Councilor Kappa** and seconded by **Councilor Lancaster** to adjourn the meeting. Motion passed unanimously.

Mayor Tomei adjourned the meeting at 8:15 p.m.

Pat DuVal
Pat DuVal, Recorder

**CITY OF MILWAUKIE
CITY COUNCIL AGENDA
OCTOBER 5, 1999**

MILWAUKIE CITY HALL
10722 SE Main Street

1824th MEETING

REGULAR SESSION - 6:00 p.m.

I. CALL TO ORDER
Pledge of Allegiance

II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

III. CONSENT AGENDA *(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)*

- A. City Council Minutes of September 9 & 21, 1999**
- B. Street Sweeper Purchase**

IV. AUDIENCE PARTICIPATION *(The Mayor will call for statements from citizens regarding issues relating to the City. It is the intention that this portion of the agenda shall be limited to items of City business which are properly the object of Council consideration. Persons wishing to speak shall be allowed to do so only after registering on the comment card provided. The Council may limit the time allowed for presentation.)*

V. PUBLIC HEARING *(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)*

- A. Consider Zoning Ordinance Section 1500 "Boundary Changes" and Establishing Related Fees -- Ordinance and Resolution (Rouyer)**
- B. Parks, Open Spaces and Trails (POST) Refinement Process for Neighborhood and Riverfront Parks-- Resolution (Richards)**

VI. OTHER BUSINESS *(These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)*

- A. Revised Classification: Information Systems Analyst (Richards)**
- B. Repeal a Portion of the City's Business License Code and Amend Business Tax Code -- Ordinance, second reading (Bennett)**

VII. INFORMATION

A. Board and Commission Minutes

- 1. Library Board, August 23, 1999**
- 2. Planning Commission, September 14, 1999**

B. Departmental Monthly Reports

VIII. ADJOURNMENT

EXECUTIVE SESSION

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

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

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

**JOINT MILWAUKIE CITY COUNCIL
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
WORK SESSION
SEPTEMBER 9, 1999**

The joint work session began at 6:00 p.m. at Milwaukie City Hall in the second floor conference room.

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

Clackamas County: Commissioners Mike Jordan and Larry Sowa; Steve Rhodes Chief Executive Officer.

Staff: City Manager Bartlett and Assistant City Managers Richards and Bennett.

Council Goals

Mayor Tomei introduced the City's goals:

Support community environmental sustainability (livability) through review of zoning and subdivision ordinances; establishing a design review process; implementing an urban forestry program; and acquiring open space and trails property while it is available.

The objectives of this goal were to: enhance neighborhood livability; develop a design review ordinance including a board or committee; become a Tree City USA within two years; implement a system by which the City can more quickly acquire dwindling park and open space property; and increase code enforcement activity.

Mayor Tomei explained that Milwaukie does not currently have a design review process, and initial efforts would focus on the downtown core area and expand to include single-family residences to maintain neighborhood compatibility.

Councilor King was concerned about manufactured homes and how they matched and enhanced existing neighborhoods, and **Jordan** commented on the existing state standards to which local jurisdictions must adhere.

Councilor Kappa asked if the County had funds to purchase open space in the buffer areas between the City and unincorporated areas.

Rhodes responded that he did not believe funding was available for this type of purchase.

III. A. 2

Jordan understood there was a master planning process underway that included looking at the feasibility of an enhanced systems development charge (SDC).

Councilor Marshall pointed out that the current SDC only covers 60% of the true costs and that the North Clackamas Parks and Recreation District (NCPRD) was looking to acquire large parcels for regional parks.

The group discussed park standards and the target number of acres based on population.

Councilor Kappa was concerned that larger properties would sell more quickly than the City could act.

Councilor Marshall believed Metro should be of more help.

Rhodes suggested these concerns and ideas be expressed as the master plan evolves. He did believe, however, there could be an issue with Metro about the use of the property.

Jordan identified two issues: strategically developing an SDC methodology and addressing the issue of timing and ability of a government entity to act expeditiously. The master plan has to be clearly defined before the methodology can be developed.

Councilor King was concerned about the high density areas near the Clackamas Town Center with no requirements for developers to donate livable park space. She suggested the County look at its zoning ordinances.

Councilor Marshall strongly recommended that the County Commissioners review the District's request that the SDC fees be increased to reflect the true cost of growth.

Jordan replied that Oregon's legal framework does not allow local jurisdictions to ask a developer to enrich existing community standards. He did not know the standards the District was trying to reach, but, if it wishes to raise standards throughout the entire community, another funding mechanism will have to be identified. It is critical to go through the master planning process in order to support any proposed fee increases without legal challenges. The idea of acquiring land because of pending scarcity and increasing costs is sound reasoning for the master plan.

Sowa added that the residents of Clackamas County need to step forward in the Concurrency and Complete Communities processes and let the Commissioners know what they want. He commented on the Stonegate Golf Course project and the need for active sports fields in the area.

Mayor Tomei continued with the Council goals: 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.

The objectives if this goal are to: develop and adopt Downtown, Riverfront, and Streetscape Plans; develop and adopt downtown design standards and downtown development plan; develop a Milwaukie Jr. High School re-use and site plan; relocate the Kellogg Wastewater Treatment Plant within ten years; and initiate implementing actions for all of these plans.

The group discussed the Jr. High site potentials and the community's strong emotional ties to the property and the outdoor pool.

Sowa commented that Milwaukie, Oregon City, and Lake Oswego faced the similar problem of being close to the river with limited downtown development space.

Jordan asked the business community's level of support and the probability of energizing the independent businesses around funding mechanisms.

Mayor Tomei said Mike Richardson of Dark Horse has been very supportive of the efforts although others have expressed concern with the cost of a major project such as the waterway concept.

Bartlett added that the Milwaukie Downtown Development Association's (MDDA) latest occupancy study indicated only a 1% vacancy rate not including the Safeway building.

Mayor Tomei explained the MDDA Niche Committee is focusing on an Arts and Entertainment theme including college classes and utilizing Dark Horse Comics as a practicum. Gary Michael developed a grant application for the Regional Arts Commission to help fund sculpture shows in downtown public spaces. There is also a connection with Clackamas County Arts Commission.

Councilor King added that Milwaukie would be the site of a year-round Volkswalk beginning in January.

Sowa cautioned that Milwaukie needed to work closely with ODOT on how it plans to move vehicles through the City.

Bartlett said the Community Solutions Group and Commissioner Kennemer have been very helpful to the City in supporting the proposed boulevard concept and developing options for decreasing rush hour speeds.

III. A. 4

Councilor Kappa commented that jurisdictions needed to work together more closely on road designs and pointed out the impact of Sunnyside Road traffic on Milwaukie. He discussed the probable voter defeat of the gas tax measure.

Jordan discussed plans for the Sunnybrook interchange and the need to look at better mass transit options. He is chair of the Metro Policy Advisory Committee (MPAC) subcommittee on transportation funding. He believed there needed to be an integrated funding strategy because one jurisdiction does not have enough money to fund a complete project. A predictable funding source is critical.

The group discussed public demands on local jurisdictions and the need for outreach and education to explain the ramifications of expensive, long-term projects. There are trust, accountability, and honesty issues on the minds of many constituents. The group also discussed the South Bus Study and federal funding.

Mayor Tomei said the final goal was to: Encourage board, commission, and neighborhood goals that are consistent with Council goals which includes continued funding of neighborhood grants; creating a Citizen Involvement Board; encouraging more youth involvement; and supporting neighborhood visions.

The objectives of this goal are to: continue funding neighborhood grants and increasing allocations from the current \$5,000 by \$1,000 up to a total of \$10,000 annually; develop action plans and funding proposals to support neighborhood visions; develop and adopt a Citizen Involvement Board ordinance; develop and implement programs that encourage youth involvement; and review and update board and commission responsibilities.

Jordan was very interested in the City's visioning process because the County wants to get input from its sixty advisory boards and thirty CPOs in the near future. It is an issue of integrating diversity into a common community and preparing people to be partners. Citizens frequently feel frustrated when they have to deal with hard-to-understand regulations.

The group discussed the current Metro Council and its approach to growth and urban boundaries, funding, and addressing the disconnect between local and regional government. It was the general consensus that Metro should act more in the capacity of facilitator and clearinghouse.

The work session ended at ended at 7:40 p.m.

Pat DuVal, Recorder

**MILWAUKIE CITY COUNCIL
REGULAR SESSION
SEPTEMBER 21, 1999**

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Rob Kappa
Mary King

Larry Lancaster

Also present:

Dan Bartlett,
City Manager

Martha Bennett,
Assistant City Manager

Tim Ramis,
City Attorney

JoAnn Herrigel,
Program Services Coordinator

Charlene Richards,
Assistant City Manager

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Disability Awareness Month

Council President Marshall read a proclamation naming October 1999 as *Disability Employment Awareness Month* in the City of Milwaukie.

Walk a Child to School Week

Council President Marshall read a proclamation naming October 6, 1999, as *Walk a Child to School Day* in the City of Milwaukie and encouraged residents to meet at Lisac's store to accompany students to Ardenwald School.

CONSENT AGENDA

Councilor Kappa pointed out several corrections to the City Council minutes that included combining paragraphs on pages A.24 and A.25 regarding the September 18, 1999, in the September 7 minutes for continuity. The August 30 "Information Sharing" should refer to his attendance at the National League of Cities Leadership Conference and his recommendation that there should be a youth involvement process through a shadow Council program.

It was moved by Councilor Lancaster and seconded by Councilor King to adopt the Consent Agenda with the amendments to the minutes. Motion passed unanimously among the members present.

III. A.

1. City Council minutes of August 30 & 31 and September 7, 1999
2. Resolution 34-1999: A Resolution of the City of Milwaukie, Oregon, Adopting Fiscal Year 1999/2000 (Year Ten) Annual Waste reduction Plan.

AUDIENCE PARTICIPATION

Annaliese Hummel, 2802 SE Monroe Street. During the last two weeks, she counted the numbers of vehicles traveling Monroe Streets. In the span of 90 minutes on different days, she counted between 500 and 1,500 vehicles. She estimated that at least two-thirds went over the posted speed limit. Between 2:00 and 4:00 p.m. on this date, she observed continuous traffic including school and Tri-Met buses. This volume of traffic results in a loss of livability that is very important to the neighborhoods. She indicated she was speaking on behalf of her neighbors.

She discussed traffic calming devices in Portland that included traffic circles which she believed would help the local traffic situation. New development often means destruction to older, livable neighborhoods. She understood that some residents were interested in having a McMennamin's at the Jr. High Site, and she opposed that use. She was concerned about the amount of uncollected debris and litter particularly in the area of the overpass.

Council President Marshall suggested Hummel attend the public forum sessions in order to have a dialogue with the Council.

Councilor Lancaster asked if the City had parked the speed trailer on her street and suggested that would be a good means for collecting data on volumes and speeds.

Hummel said she had seen the speed trailer on Washington Street. She recommended the "Slow Down" banner be hung at or near the intersection of 28th Avenue and Monroe Street. Hummel had observed many near-accidents at that intersection. She noted that 28th Avenue was used more and more as a cut through between Washington and Harrison Streets.

PUBLIC HEARING

Change in Hauler Recycling Pick-Up

Council President Marshall called the public hearing on curbside collection of commingled recycled materials to order at 6:15 p.m.

The purpose of the hearing was to consider a resolution amending the solid waste, recycling, and yard debris collection administrative rules. He reviewed the conduct of the hearing.

Staff Report: **Herrigel** presented the staff report in which the City Council was requested to consider a resolution that would amend the Administrative Rules for Solid Waste, Recycling, and Yard Debris Collection to require that garbage customers commingle their recyclables at the curb and that garbage haulers keep glass separate from other recyclables on the collection trucks.

Since 1989, Milwaukie residents have participated in a curbside recycling program. The proposed new system would reduce the material sorts from thirteen to three with an occasional four. The categories would be all paper, containers including plastic and aluminum and tin cans, and glass of all colors. To further simplify the program, residents will no longer have to remove the tops and bottoms and flatten cans, although customers would still be asked to remove the labels. Haulers would also ask that larger piles of cardboard be tied to facilitate pick up and prevent them from being scattered by the wind. The fourth and less frequently used category would be large pieces of cardboard, scrap metal, and used oil.

The benefits of the new program would be cost maintenance by decreasing the amount of time spent at each stop; increased participation by reducing the number of customer sorts; and reduced traffic by increasing the volume of materials collected per truck.

Herrigel discussed two issues that were raised after her initial staff report: customer-provided, rigid weather-resistant receptacles container or paper grocery bag, and Waste Management's request that the decision on commercial and multi-family glass separation be postponed for six months. Staff was concerned about material contamination and marketability. After consideration, staff came to the conclusion that glass should be kept separate from other recyclables. In order to present the public with a consistent policy, staff recommended that not only residential, but also commercial and multi-family glass be collected separately on the trucks. Staff did not change its original recommendation on this issue.

Councilor Lancaster asked why the term "weatherproof" was changed to "weather-resistant" container and if it would have to have a lid or cover.

Herrigel said the biggest issue for the haulers was that containers not fall apart in the rain. The container can be a plastic bucket or box.

Correspondence: None.

Audience Testimony: **Darrell Lyons**, Waste Management, 4770 NE 55th, Portland, OR 97218. His company supported staff's recommendation on more commingling at the curbside level or residence. The difference in opinion has to do with the commercial proposal. Waste Management believes that commercial

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collection is much more complex than residential and the education process is more difficult. At this time, commercial is allowed to mix glass and other containers, and there are trucks dedicated to collecting containerized material. Waste Management requested that it be allowed to continue to collect glass and other containers commingled at the commercial level for six months. He indicated a potential for processing and other market availability for commingled glass that would enhance the product. The primary point was that the region was not at consensus regarding the commingling aspect of commercial recycling.

Council President Marshall asked how glass was currently separated from the other recyclables.

Lyons said it is collected commingled in containers and sorted and separated in the processing facility.

Councilor King asked if this six month grace period would be used to educate customers in the benefits of separating glass from the other recyclables.

Lyons said there were processes and markets available for commingled glass that would enhance or give more opportunity for the commingling aspect. The education element will not change. If at the end of the six months the region finds that glass needs to be separate, Waste Management will be happy to comply. If there are better markets and greater potential for eliminating any contamination, that would be the most opportune time to educate the public on the new direction.

Councilor Lancaster asked if there were obstacles to getting commercial compliance.

Lyons felt that right now space and education were both at a premium. Employees are expected to use their time cost-effectively during the work days, so recycling needs to be simple and convenient.

Councilor Kappa asked what would happen if processes and marketability did not go as anticipated after six months.

Lyons said, after the six month period of process assessment and education, Waste Management would work with the City on commercial recycling. He noted that other entities in the region have chosen to adopt residential commingling but not commercial, so there are some issues for Waste Management in coordinating its services throughout multiple jurisdictions.

Councilor Kappa asked if the issue would come back before the City Council.

Lyons replied this would be a postponement of administrative rules changes relating to commercial recycling.

Councilor Lancaster asked the percentage of commercial recycling in Milwaukee.

Lyons there is a higher percentage of residential participation than there is in the commercial arena. About 60% to 70% of the residential customers recycle and 45% to 50% of the commercial customers participate.

Herrigel understood that the City Council would consider any changes to the administrative rules after the six month period.

Questions of Clarification: **Councilor King** asked Herrigel if she believed glass was a problem with commercial recycling and if the volume would be reduced.

Herrigel stated that, from the commercial and multi-family accounts she personally set up, these customers have been separating their glass for years. From her staff perspective, it would be more cost effective for Waste Management to put all of the glass in one truck.

Councilor King said, for clarification, that commercial referred to apartment complexes and businesses. A lot of glass would be going in with the other recyclables.

Councilor Lancaster asked for clarification of staff's objection to waiting for six months.

Herrigel responded it had to do with the confusion during the public education process. From the consumer perspective, she was reluctant to tell commercial businesses they would have to commingle and perhaps change it again in six months.

Councilor Kappa asked the amount of time needed to implement the commercial element if the City Council were to support Waste Management's recommendation.

Herrigel stated it would not take a lot of staff time and suggested that Waste Management commingle when loading the trucks. She believed the City should be most concerned about impacts to the customers.

Lyons concurred with Herrigel's statements on consumer education. He agreed that the containers could be commingled on the truck without the customer education piece at this point.

Councilor Lancaster asked Lyons if he was reasonably certain the market conditions would change, and **Lyons** indicated he was fairly certain.

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Close Public Testimony: **Council President Marshall** closed the public testimony portion of the hearing at 6:50 p.m.

Discussion: **Councilor King** reviewed the history and purpose of recycling which was to reduce the amount of waste going into the landfills. The purpose of the source separation was to close the loop and avoid cross contamination of materials. The recycling community has worked very hard to educate people. Apartment complexes house a large number of Milwaukie citizens, and she was concerned that confusion might be created when recycling is taught in the classroom if the processes differ. She urged the Council to remember the environmental expense of using new raw materials to make clear glass. Someone in the region needs to be the first to say that glass and other containers should be separated. She recommended not changing the proposed resolution.

Councilor Kappa did not see the issue to be so critical as to not grant the six-month grace period during which technologies could be explored. He did agree with Councilor King's comments on the importance of recycling.

Councilor Lancaster said it is difficult to train and organize the public. He was in favor of the six-month postponement as long as it did not impact the education and training of City residents if changes are made.

Councilor King went on record to say that she did not support commingling glass.

Herrigel understood that there are no other jurisdictions that are requiring the haulers to keep glass separate on their trucks. Most of them have said to keep it separate on the curb, and the hauler would have the flexibility of separating it or not on the truck. Some of the haulers have concerns about de-educating the public.

It was moved by Councilor Kappa and seconded by Councilor Lancaster to adopt the resolution and to grant a six-month extension for commercial and multi-family customers.

Councilor Lancaster made a friendly amendment that the six-month extension would not adversely impact the education process. As the maker of the motion, **Councilor Kappa** accepted the amendment.

Bartlett said staff would redraft the resolution with Councilor Kappa's amendment.

Motion passed 3 to 1 with the following vote: Council President Marshall, Councilor Kappa, and Councilor Lancaster aye and Councilor King no.

RESOLUTION NO. 35-1999:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MILWAUKIE, OREGON.**

Councilor King added that she believed it was important to consider long-range environmental benefits versus corporate profit taking.

OTHER BUSINESS

**Repeal of a Portion of the City's Business License Code and Amendment of
the City's Business Tax Code**

Bennett presented the staff report in which the City Council was requested to consider an amendment to the City business license and tax codes. The code exists to collect information and to make sure the business is in compliance with the other municipal codes. Although a good idea, it does not work for several reasons including limited staff resources, confusion about business outside the City limits that, for various reasons, obtain a Milwaukie license, and use of that code chapter as an enforcement tool while efforts are philosophically directed more toward compliance.

Staff believes information can be effectively gathered via the business tax form for such things as history of the concern and as a record of hazardous material storage. Staff also believes there are already enforcement capabilities in other sections of the code. Resources can be used better by focusing on those areas in which there are actually violations.

Councilor Kappa withdrew from participating in the conversation or making a decision on this code amendment because of a possible business opportunity in the City, although in reality it did not reflect on what he was doing.

Councilor King asked if she, as a resident, would be protected if the person next door wanted to open a car repair shop.

Bennett said the home occupation regulations still govern the conditions under which a business of that sort is permitted. The Planning Division would still have to approve home occupation applications which would be the enforcing mechanism.

Councilor King asked how those 4% - 5% out of compliance would be identified.

Bennett said that was the trade off. Some of the violations are caught by driving by the site, but others are not. This code amendment would generally provide better customer service to business owners. Citizens are not hesitant to notify the City when they believe a home occupation is out of compliance, and she believed the City would continue to be able to provide good code enforcement. Staff, however, will not inspect each home occupation annually.

Bartlett added that many times staff finds that business licenses are not a good tool because the person who opens a home occupation simply does not complete the application. Typically, the City finds out about home occupations or businesses operating improperly through neighbor complaints and has nothing to do with the licensing process. The City would continue to collect the emergency contact information under Chapter 5.08.

Bennett explained the City would also continue to collect data from the Home Occupation Application form.

Council President Marshall said he had no problem with this proposal conceptually. He did ask, however, why inspection costs were not factored into the fee.

Bennett said the business tax code and the business license code are separate. The current practice is not necessarily to have an inspection but for the various departments to sign off on the application.

Bartlett added that there were few other types of codes in place, such as the Zoning Ordinance, sign code, and fire inspection activities, when the business license ordinance was enacted. The business license tax was not calculated to cover inspection costs, but other applications, such as the sign code, involve a processing fee.

Council President Marshall commented this seemed redundant to other types of inspections.

Bennett pointed out a resolution that established a \$20 temporary business fee for people and institutions conducting business for less than two months per year.

It was moved by Councilor Lancaster and seconded by Council President Marshall to read the ordinance repealing Chapter 5.04, Business Licenses Generally, and amending Chapter 5.08, business taxes generally, of the Milwaukie Municipal Code for the first time by title only. Motion passed 3 – 0 – 1 with the following vote: Council President Marshall, Councilor King, and Councilor Lancaster aye; no nays; Councilor Kappa abstained. The ordinance was read for the first time by title only.

The ordinance will be on the October 5, 1999, agenda for a second reading.

It was moved by Councilor King and seconded by Councilor Lancaster to adopt the resolution creating a temporary business fee for people and institutions conducting business for less than two months per year within the City. Motion passed 3 – 0- 1 with the following vote: Council President Marshall, Councilor King, and Councilor Lancaster aye; no nays; Councilor Kappa abstained.

RESOLUTION NO. 35-1999:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CREATING A TEMPORARY BUSINESS FEE FOR PEOPLE AND INSTITUTIONS CONDUCTING BUSINESS FOR LESS THAN TWO MONTHS PER YEAR WITHIN THE CITY OF MILWAUKIE.

Councilor Kappa asked a procedural question about his abstention, the Mayor's absence, and the need to carry the second reading of the ordinance to the next meeting. He understood his abstention would not reflect on the rest of the City Council taking its vote.

Coleman said the Charter does refer to the Councilmembers present, but he did not see this as an issue since there was no emergency. Other Councilors indicated they were in favor of the Mayor's participating in the decision at the next meeting. He believed this was a reasonable interpretation of the City Charter.

Councilor Kappa had asked this question based on previous Council decisions.

INFORMATION

1. **Councilor King** announced several community events: September 25th Johnson Creek Watershed Cleanup and Ardenwald Kids' Parade; September 30th Johnson Creek Watershed Summit; and October 6th, Walk a Child to School Day.
2. **Council President Marshall** announced the Riverfront Downtown Town Hall Meeting on September 22nd in the Milwaukie High School Commons.
3. **Councilor Kappa** said the South Corridor Transit Study had been mentioned at a recent Chamber meeting and asked if Metro had filed the papers. **Bartlett** said staff prepared a letter for the Mayor's signature reminding Metro that Milwaukie wants to be on the federal aid project list. He understood that Metro staff was working on the papers necessary for Milwaukie's transit

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4. center to be considered. This is the only project identified to date. **Bennett** added the filing needed to be done by January. **Bartlett** said this was an appropriate response to the concerns raised at the Chamber meeting, and a copy of the letter would be forwarded to that organization.
5. It was moved by Councilor Lancaster and seconded by Councilor King to designate Mayor Tomei as Milwaukie's representative to the Complete Communities group and Council President Marshall and Mayor Tomei as alternate to the Concurrency Committee. Motion passed unanimously among the members present.

Council President Marshall announced an executive session under ORS 192.660 to consult with legal counsel to discuss potential litigation.

ADJOURNMENT

Council President Marshall adjourned the regular session at 7:25 p.m.

Pat DuVal, Recorder



MEMORANDUM

TO: Mayor and City Council

THRU: Dan Bartlett, City Manager *[Signature]*
Martha Bennett, Assistant City Manager *[Signature]*

FROM: Kelly Somers, Fleet/Facility Manager *[Signature]*

DATE: September 13, 1999

RE: Purchase new sweeper

Recommendation/Action Requested

Authorize the City Manager to sign a Purchase Order in the amount of \$103,756 for the purchase of a new Elgin Pelican Sweeper. The sweeper will be purchased from the local dealer, Ben-Ko-Matic.

Background

The City currently has two sweepers. The front line sweeper is a 1995 Elgin whirlwind Vacuum Sweeper. This machine is five years old; and it has 1,950 hours on the hour meter. The general condition is good. This machine should have a life of 4,000 hours before major rebuild time. The back-up sweeper is a 1990 Tymco vacuum sweeper. This sweeper is now 10 years old, and has 5580 hours on the hour meter. It is time to replace this machine, or be faced with the cost of a major rebuild. We would normally try to replace the sweepers at around 4,000 hrs or in 8 to 10 years.

Discussion

The budget committee approved the Fleet Services replacement schedule for FY 99-00. This schedule included the new Sweeper. The amount budgeted for the replacement of the sweeper is \$110,000.

The sweeper that will be replaced is the 1990 Tymco forward high dump vacuum machine. The 1995 Elgin Whirlwind will become the backup sweeper.

The City of Portland recently purchased 3 new Elgin Pelican Sweepers from the local dealer and is allowing us to piggyback their bid. The term piggyback is a term used by government agencies which allows the agency to take advantage of another agency's efforts, and cost involved in the bidding process.

The Elgin Pelican Sweeper is a much simpler type of sweeper that will reduce the operation and maintenance cost significantly. The vacuum sweepers have two engines compared to one engine in the Pelican. This alone makes a big difference in the operation and maintenance cost of a sweeper. The machine is all hydrostatic drive, it can sweep at twice the speed of the vacuum sweeper. (Vacuum sweepers sweep at about 2MPH verses 4MPH for the pelican sweeper). This is a very important feature now that we are doing contract sweeping for Happy Valley. The only draw back to the Pelican sweeper is the hopper is only ½ the size of the vacuum sweepers and will need to be dumped more often. The street department will need to spot a dump truck in the zone being swiped for the sweeper to dump in. This can be done as needed for considerably less cost than the additional operating and maintenance cost of the vacuum sweepers.



To: City Council

Through: Dan Bartlett, City Manager *DB*
Martha Bennett, Assistant City Manager *MB*

From: Alice Rouyer, Planning Director *AR*

Subject: Consideration of a new Milwaukie Zoning Ordinance Section 1500
"Boundary Changes"

Hearing Date: October 5, 1999

Date: September 24, 1999

Action Requested

Staff recommends that the City Council adopt Exhibit A, Section 1500 of the Milwaukie Zoning Ordinance, "Boundary Changes".

Staff further recommends that the City Council adopt the Exhibit B, which establishes fees for the Annexation, Expedited Annexation and Other Boundary Changes

Background

Purpose. At the April 19, 1999 work session, City Council directed staff to draft an annexation ordinance to meet the following goals:

1. Provide a uniform hearing and notification process that is consistent with recent amendments to state law and Metro regulations.
2. Offer an expedited process for annexations that are initiated with the consent of 100% of the property owners. This expedited process will allow property owners adjacent to the City with septic systems or well water systems to efficiently request annexation and receive City services.
3. Provide a process for the Planning Commission and City Council to consider annexation of larger land areas, which may be in need of city services or within the City's dual interest areas or urban growth management area.

Ordinance Content. The attached draft ordinance provides the following:
(see Exhibit A):

1. A process and approval criteria for annexation to the City (Section 1502).
2. A process and approval criteria for other boundary changes. "Other Boundary Changes" include the rare instances when a party is requesting to withdraw from the city limits or is proposing extension of city water or sewer mains outside the city limits (Section 1503).
3. A process and approval criteria for Expedited Annexations (Section 1504). According to Metro Code and the proposed ordinance, expedited annexations can only be pursued if 100% of the property owners and at least 50% of the registered voters in the area proposed for annexation consent to it. According to the proposed ordinance, expedited annexations do not require a Planning Commission or City Council public hearing, only a City Council decision by ordinance. The expedited process automatically assigns the appropriate zoning designation, as outlined in the table found on Page 1500-5 of the attached ordinance. This table applies an equivalent Milwaukie zoning and Comprehensive Plan designation, based on the densities and land uses already permitted in the existing Clackamas County zoning designation.
4. A process for Appeals of Boundary Change decisions (Section 1505).

Several references are made in the ordinance to Metro Code Chapter 3.09. This chapter establishes a uniform boundary change process for the entire metropolitan region. ORS 268.354 requires that Metro adopt such uniform regulations. Therefore, the proposed ordinance is drafted to be consistent with those regulations.

Policy Issues

1. Expedited Annexation Process

The proposed ordinance will codify a local annexation process, which is consistent with both Oregon Revised Statutes and Metro Code. Both the Oregon Revised Statutes and the Metro Code offer local governments the option to adopt expedited annexations. The expedited process offers a quicker path to annexation for those requests that are uncontested by the property owners in the area proposed for annexation. This expedited process takes the request directly to Council without a hearing. The zoning table outlined on Page 1500-5 will assign a zone and Comprehensive Plan designation that is consistent with the existing Clackamas County zoning. City Council must approve the annexation request by ordinance. Annexation requests which propose a zoning and Comprehensive Plan designation differing from this table would not qualify for the expedited process. In the required pre-application meeting, staff will have the ability to recommend against the expedited process when the automatic zoning is not appropriate or compatible with the surrounding land use already in the city limits of

Section 1504.1(B) "Expedited Process" (see page 15000-4 and 1500-5 of Attachment A):

- B. Notwithstanding Section 206, an expedited boundary change proposal shall be considered by the City Council ~~without~~ after a public hearing. The Council decision on the proposal shall be considered the "final decision" for purposes of compliance with Metro Code Chapter 3.09. If the petition is for annexation, the decision shall be by ordinance.
- C. Notice of petition for an expedited process must be provided to interested persons a minimum of 20 days prior to the final decision and shall follow the public notification requirements in subsection 1011.4.B as well as the expedited notice requirements provided in of Metro Code Section 3.09.045(b) and ORS 198 and 222. ~~For purposes of this subsection, "interested persons" include the Planning Commission, those residing or owning property within 250 feet of the territory to be annexed, necessary parties as defined in Metro Code Section 3.09.02(j), and any persons who have requested notice.~~

Planning Commission also expressed concern that properties proposed for annexation having an existing Clackamas County R-15 or R-20 zone may not be appropriate for the expedited annexation process. Under the Zoning and Land Use Designation table for the expedited process, Clackamas County R-20 and R-15 zoned properties would be applied with a City R-10 zone upon annexation. This is the lowest density zone in the City of Milwaukie. The Commission believes that the R-20 and R-15 zoned properties coming into the city should go through the full annexation review process to determine the appropriate city zoning designation rather than automatically applying an R-10 zone through the expedited process. The Commission was concerned that more consideration should be given to those areas that would receive a higher density zone inside the city limits than the existing Clackamas County residential zoning (NOTE: Only six properties in the far eastern segment of the City's Urban Growth Management Area (east of I-205) have either the R-15 or R-20 zoning designation. Staff will have a map illustrating the UGMA at the October 5 hearing). Therefore, Planning Commission recommends the following text amendments to the proposed annexation ordinance, removing the R-20 and R-15 Clackamas County zoned properties from the expedited annexation process:

Section 1504.1(E) "Expedited Process" (see Page 1500-5 of Attachment A):

- E. The City zoning and Comprehensive Plan designation for an expedited annexation request shall be automatically applied based on the existing Clackamas County zoning designation in accordance with Table 1, provided below:

Table 1 Zoning & Land Use Designations for Boundary Changes		
County Zoning Designation	Assigned City Zoning Designation	Assigned Comprehensive Plan Land Use Designation
R-20	R-10	Low-Density Residential
R-15	R-10	Low-Density Residential
R-10	R-10	Low Density Residential
R-10 (Adjacent to City R-7)	R-7	Low Density Residential
R-8.5	R-7	Low Density Residential
R-7	R-7	Low Density Residential
MR1	R-5	Moderate Density Residential
MR2	R-2	Medium Density Residential
PMD	R-1-B	High Density Residential
HDR	R-1-B	High Density Residential
SHD	R-1	High Density Residential
C2	R-O-C	Commercial/High Density Use
C3	C-G	Commercial
OC	C-L	Commercial
RTL	C-C	Commercial
PC	C-CS	Commercial
I2	M	Industrial
I3	M	Industrial
BP	BI	Industrial
OSM	R-10/CSO	Public

Recommendation

Based on the conclusions and analysis presented above, staff recommends that the City Council:

Recommend that City Council adopt Exhibit A, Section 1500 of the Milwaukie Zoning Ordinance "Boundary Changes"

ATTACHMENT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADDING SECTION 1500 (BOUNDARY CHANGES) TO THE MILWAUKIE ZONING ORDINANCE, IN ORDER TO IMPLEMENT THE REQUIREMENTS AND PROCEDURES FOR BOUNDARY CHANGES AFFECTING THE CITY OF MILWAUKIE, PURSUANT TO CHAPTER 3.09 OF THE METRO CODE. (FILE #ZA-99-01).

WHEREAS, as of January 1, 1999, the Portland Metropolitan Area Boundary Commission was disbanded and no longer responsible for decisions on boundary change proposals; and

WHEREAS, pursuant to ORS Chapter 222, the City of Milwaukie is responsible for processing boundary change proposals; and

WHEREAS, pursuant to ORS 268.354, the Metro Council has adopted minimum standards for local jurisdiction processing of boundary change proposals; and

WHEREAS, consistent with the language of Metro Chapter 3.09, the City Council finds that certain requirements and procedures must be implemented;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Zoning Ordinance Text Amendment. The Zoning Ordinance text of Ordinance Number 1712 is amended by adding a new Section 1500, BOUNDARY CHANGES, as shown in Exhibit A.

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

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

Signed by the Mayor on _____.

Carolyn Tomei, Mayor

ATTEST:

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

Pat DuVal, City Recorder

City Attorney

SECTION 1500 BOUNDARY CHANGES

1501 PURPOSE

The purpose of this Section is to carry out the provisions of ORS 268.354 and Metro Code Chapter 3.09. This Section provides standards and procedures for all boundary change proposals, including annexation proposals. For the purpose of this Section, the term "boundary change" includes the formation, merger, consolidation, or dissolution of a city or district; annexation or withdrawal of territory to or from a city or district or from a city-county to a city; or an extraterritorial extension of water or sewer service by a city or district.

1502 ANNEXATIONS

1502.1 Administration and approval process

- A. Annexation petitions shall include a request for Comprehensive Plan and zoning designations, and shall be reviewed by the Planning Commission and the City Council in accordance with subsection 1011.4, Major Quasi-Judicial review. The Council decision on the proposal shall be considered the "final decision," for purposes of compliance with Metro Code Chapter 3.09.
- B. Notice of the Planning Commission and Council hearings to consider annexation proposals shall follow the procedures of subsection 1011.4, Major Quasi-Judicial review, as well as the uniform notice requirements provided in Metro Code Section 3.09.030.
- C. A staff report shall be issued at least 15 days prior to the hearing, pursuant to the requirements of Metro Code Section 3.09.050(b).
- D. The final decision shall be made by the Council, by ordinance, after a public hearing. The decision shall be reduced to writing and shall include findings, conclusions, and conditions, if necessary; based on compliance with subsection 1502.3, other implementing ordinances, and the uniform hearing and decision requirements of Metro Code Section 3.09.050.

1502.2 The petition

- A. A petition to annex to the City of Milwaukie will only be accepted for sites located within the City of Milwaukie Urban Growth Boundary. A petition to annex may be initiated by a property owner(s) of the area to be annexed or the City, as listed below:

- 1. By consent of all owners of land, ORS 222.125.

When all the owners of land in the territory to be annexed and not less than 50 percent of the electors, if any, residing in the territory to be annexed

consent in writing to the annexation of their land in the territory and file a statement of their consent with the City.

- 2. By triple-majority consent petition, ORS 222.170(1).

ORS 222.170(1) allows annexation when a majority of the landowners in the territory to be annexed consent in writing with the City. The land owned by the consenting landowners must total over half the area of the land in the territory to be annexed and must have an assessed value totaling more than half of the assessed value of the land in the territory to be annexed.

- 3. By double-majority consent petition, ORS 222.170(2).

When a majority of the electors registered in the territory proposed to be annexed consent in writing to the annexation, and the owners of more than half of the land in that territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the City.

- 4. By the City Council on its own motion, pursuant to ORS 222.111(2) or the "island" annexation statute, ORS 222.750.

- 5. Pursuant to the health hazard annexation process, ORS 222.840 to 222.915.

B. A prerequisite to the filing of an annexation petition is a preapplication conference, at which time the Planning Director shall explain the requirements and provide the appropriate forms.

C. An annexation petition shall include the completed petition form and 13 copies of each of the following, except for each drawing submitted there shall be 12 at the original scale and 1 copy reduced to an 8½" x 11" paper size.

- 1. The minimum petition requirements of Metro Code Section 3.09.040.
- 2. A narrative that addresses the approval criteria set forth in subsection 1502.3 and Metro Code Sections 3.09.050(d) and, if applicable, (e).
- 3. Vicinity, legal, and other descriptive maps necessary to show compliance with subsection 1502.3 and Metro Code Section 3.09.040. This shall include 2 County Assessor's quarter section maps on which the territory to be annexed has been outlined in red.
- 4. Metes and bounds legal description for the area to be annexed, including road right-of-way where appropriate. Lot and block legal description may be used if the territory includes only platted area and does not include any street right-of-ways.

D. The applicant shall pay the requisite fee. The fee for an annexation shall be established by resolution of the Council.

1502.3 Approval criteria

The City Council shall approve or deny an annexation proposal based on findings and conclusions addressing the following criteria:

- A. The subject site must be located within the City of Milwaukie Urban Growth Boundary;
- B. The subject site must be contiguous to the existing City limits;
- C. The requirements of the Oregon Revised Statutes for initiation of the annexation process must be met;
- D. The proposal must be consistent with Milwaukie Comprehensive Plan Policies; and
- E. The proposal must comply with the criteria of Metro Code Sections 3.09.050(d) and, if applicable, (e).

1503 OTHER BOUNDARY CHANGES

1503.1 Administration and approval process

- A. A petition for any type of boundary change, other than annexation, shall be processed as provided by state law and Metro Code Chapter 3.09.
- B. Boundary change proposals shall be considered only by the City Council. The Council decision on the proposal shall be considered the "final decision" for purposes of compliance with Metro Code Chapter 3.09.
- C. Notice of the Council hearing to consider boundary change proposals shall follow the uniform notice requirements provided in Metro Code Section 3.09.030.
- D. A staff report shall be issued at least 15 days prior to the hearing, pursuant to the requirements of Metro Code Section 3.09.050(b).
- E. The final decision shall be made by the Council after a public hearing. The decision shall be reduced to writing and shall follow the uniform hearing requirements of Metro Code Section 3.09.050.

1503.2 The petition

- A. A prerequisite to the filing of a boundary change petition is a preapplication conference, at which time the Planning Director shall explain the requirements and provide the appropriate forms.
- B. A boundary change petition shall include the completed petition form and 13 copies of each of the following, except for each drawing submitted there shall be 12 at the original scale and 1 copy reduced to an 8½" x 11" paper size.
 - 1. The minimum petition requirements of Metro Code Section 3.09.040.
 - 2. A narrative that addresses the approval criteria set forth in subsection 1503.3.

3. Vicinity, legal, and other descriptive maps necessary to show compliance with Metro Code Section 3.09.040. This shall include 2 County Assessor's quarter section maps on which the territory to be annexed has been outlined in red.
 4. Metes and bounds legal description for the area located within the proposed boundary change, including road right-of-way where appropriate. Lot and block legal description may be used if the territory includes only platted area and does not include any street right-of-ways.
- C. The applicant shall pay the requisite fee. The fee for a boundary change shall be established by resolution of the Council.

1503.3 Approval criteria

The City Council shall approve or deny a boundary change proposal, other than annexations, based on findings and conclusions addressing the following criteria:

- A. The proposal complies with the criteria of Metro Code Section 3.09.050(d) and, if applicable, (e).

1504 EXPEDITED PROCESS

1504.1 Administration and approval process

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by Metro Code Chapter 3.09.
1. Initiation of an expedited boundary change petition must follow the requirements of Metro Code Section 3.09.045(a).
 2. A prerequisite to the filing of an expedited boundary change petition is a preapplication conference, at which time the Planning Director shall explain the requirements and provide the appropriate forms.
 3. An expedited boundary change petition shall include the materials required by subsection 1502.2.C for annexations and subsection 1503.2.B for other boundary changes.
 4. The applicant shall pay the requisite fee. The fee for an expedited boundary change shall be established by resolution of the Council.
 5. Approval criteria for annexations are found in subsection 1502.3 and for other boundary changes in subsection 1503.3.
- B. Notwithstanding Section 206, an expedited boundary change proposal shall be considered by the City Council without a public hearing. The Council decision on the proposal shall be considered the "final decision" for purposes of compliance with Metro Code Chapter 3.09. If the petition is for annexation, the decision shall be by ordinance.

- C. Notice of petition for an expedited process must be provided to interested persons a minimum of 20 days prior to the final decision and shall follow the expedited notice requirements provided in Metro Code Section 3.09.045(b) and ORS 198 and 222. For purposes of this subsection, "interested persons" include the Planning Commission, those residing or owning property within 250 feet of the territory to be annexed, necessary parties as defined in Metro Code Section 3.09.02(j), and any persons who have requested notice.
- D. A brief report shall be issued at least 7 days prior to the date of decision, pursuant to the requirements of Metro Code Section 3.09.045(c).
- E. The City zoning and Comprehensive Plan designation for an expedited annexation request shall be automatically applied based on the existing Clackamas County zoning designation in accordance with Table 1, provided below:

<p align="center">Table 1 Zoning & Land Use Designations for Boundary Changes</p>		
County Zoning Designation	Assigned City Zoning Designation	Assigned Comprehensive Plan Land Use Designation
R-20	R-10	Low Density Residential
R-15	R-10	Low Density Residential
R-10	R-10	Low Density Residential
R-10 (Adjacent to City R-7)	R-7	Low Density Residential
R-8.5	R-7	Low Density Residential
R-7	R-7	Low Density Residential
MR1	R-5	Moderate Density Residential
MR2	R-2	Medium Density Residential
PMD	R-1-B	High Density Residential
HDR	R-1-B	High Density Residential
SHD	R-1	High Density Residential
C2	R-O-C	Commercial/High Density Use
C3	C-G	Commercial
OC	C-L	Commercial
RTL	C-C	Commercial
PC	C-CS	Commercial
I2	M	Industrial
I3	M	Industrial
BP	BI	Industrial
OSM	R-10/CSO	Public

SECTION 1500—BOUNDARY CHANGES

Last Rev. Ord. #(#####) ##/##/##

- F. An expedited process cannot be used if a necessary party gives written notice to contest the decision, pursuant to Metro Code Section 3.09.045(b) or, in the case of an annexation petition, if the requested zoning designation does not comply with the automatic Comprehensive Plan designation listed above.

1505 APPEALS

The City Council decision on an annexation or other boundary change may be appealed by a necessary party to the Metro Boundary Appeals Commission, pursuant to the provisions of Metro Code Section 3.09.070. An appeal by any other person will be processed according to state law.

ATTACHMENT B

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CREATING AN ANNEXATION APPLICATION FEE, EXPEDITED ANNEXATION APPLICATION FEE AND OTHER BOUNDARY CHANGE APPLICATION FEE.

WHEREAS, The City of Milwaukie has created a process for annexation and other boundary changes in Zoning Ordinance Section 1500 ; and

WHEREAS, The City of Milwaukie establishes fees for land use applications;

NOW, THEREFORE, BE IT RESOLVED that persons and institutions subject to Zoning Ordinance Section 1500 shall pay an Annexation Application fee of \$1,200, or Expedited Annexation Application fee of \$600, or an Other Boundary Change application fee of \$1,200.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on October 6, 1999.

Carolyn Tomei, Mayor

ATTEST:

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

Pat DuVal, City Recorder

City Attorney



To: Honorable Mayor and City Council

Through: Dan Bartlett, City Manager *[Signature]*

From: Charlene Richards, Assistant City Manager *[Signature]*

Subject: Parks, Open Spaces and Trails (POST) Refinement Process –
Neighborhood and Riverfront Parks

Date: September 24, 1999

Action Requested

Adopt the attached Resolution amending Resolution No. 21-1999 by adopting the attached target area map as Map 1 of the Refinement process of the Parks, Open Spaces and Trails Acquisition Program Implementation Work Plan.

Background

After over one year of development and review, the City Council adopted the POST Acquisition Plan, effective July 1, 1999. The refinement process is one component of that plan. The refinement process is explained as follows in the POST plan document:

POST Acquisition Plan Components

- 1. Refinement-** is the public process whereby the City adopts specific geographic boundaries and acquisition objectives for each target area and trail project. A refinement process is necessary because the amount of land available in each target area exceeds the dollars available for purchase, or in the case of trails, the exact trail alignment of the trail is not known. The process involving community meetings, PARB meetings and Council meetings provides opportunities for citizen involvement. Refinement plans for all 5-target areas will be completed and approved by the City Council in the fall of 1999.

The refinement component presented tonight is for neighborhood parks, PARB recommendation, and riverfront acquisitions. Next year, the PARB will continue to work on the refinement process developing target areas for trails and open spaces.

Neighborhood Parks

Neighborhood parks are defined for the City of Milwaukie as “roughly 1 to 20 acres in size, easily accessible to the neighborhood served, geographically centered with safe walking and bicycle access; service area ¼ to ½ mile.” Elements of a neighborhood park may include: play equipment, walking paths, open turf areas, covered shelters, picnic areas with tables, benches, drinking fountains, hard court surfaces for tennis, basketball (half and full court) and volleyball and natural areas.

The proposed four neighborhood park target areas were developed after using the following process:

- The PARB and City Council during development of their fiscal year 1999-2000 funding recommendations to the North Clackamas Parks and Recreation District recognized that certain neighborhoods did not have land designated for neighborhood park purposes within a ¼ to ½ mile service radius. The underserved areas, after neighborhood and public involvement, were prioritized in the budget request as follows:
 1. Hector-Campbell neighborhood,
 2. Lewelling neighborhood, and
 3. The area west of 32nd in the Ardenwald neighborhood.
- During development of the POST acquisition program, the area east of the North Clackamas School District Administration Office and south of Lake Road in the Lake Road neighborhood was identified as an underserved area.
- Staff met with the Neighborhood District Association Leadership to outline the POST acquisition program and request information on possible areas for parkland acquisition. Staff received a variety of forms recommending sites for acquisition. The Lewelling neighborhood park subcommittee provided a prioritized list of possible sites.
- PARB members met with the Ardenwald, Historic Milwaukie, Island Station, Lake Road and Linwood NDAs at their National Night Out or summer picnic events. The PARB members discussed the service areas of existing parks and possible target areas for new parkland acquisition. Participants placed dots on neighborhood maps in those areas where they most wanted to see parkland acquired for a new neighborhood park. See attached neighborhood maps. Completed land acquisition forms, identifying specific parcels, were returned to the City.
- At the August 23, 1999 PARB meeting, after review of the listing of identified possible parcels and review of a confidential tax lot map in executive session, the PARB highlighted target areas for neighborhood parkland acquisition.

Council Memo: POST Refinement Process – Neighborhood Parks
September 24, 1999
Page 3 of 4

See attached map Milwaukie Proposed Neighborhood Parks, Proposed Parks.

- At the September 20, 1999 Council work session, the Council reviewed the PARB recommendations for neighborhood park target areas and confidential tax lot specific map, and staff recommendations for a riverfront target area and confidential tax lot specific map.

Concurrence

The North Clackamas Park and Recreation District staff liaison to the PARB reviewed all recommended parkland requests. Staff comments were reviewed with the PARB.

Fiscal Impact

To complete acquisition of all recommended sites could cost up to \$1 million for all four-neighborhood park target areas. Budget allocation for neighborhood parkland acquisition in fiscal year 1999-2000 is approximately \$656,000. On-going costs related to stabilizing and maintaining sites under the land banking program are estimated at approximately \$500 to \$2,000 per acre per year. Actual costs will depend on the individual sites acquired.

Work Load Impacts

City community services, public works and planning staff will be involved in developing and implementing the stabilization and land banking plans for all sites. NCPRD staff time will be required as well.

Alternatives

After reviewing public comment in Open Session and the confidential tax lot specific map, in Executive Session, either

1. Take action tonight by adopting the attached resolution:
 - without amending Map 1 or
 - by amending Map 1 to:
 - Add or delete target area/s or
 - Revise the coverage of recommended target area/s to reflect proposed changes in recommended specific tax lot specific map acquisitions or
2. Direct staff to amend Map 1 to reflect changes identified by the Council this evening and bring the revised Map 1 back to the October 19, 1999 Council meeting.

Attachments

- Refinement Process Work Plan Flow Chart
- Neighborhood Maps
 - Ardenwald Neighborhood Parks
 - Hector Campbell Neighborhood Parks
 - Historic Milwaukie Neighborhood Parks
 - Island Station Neighborhood Parks
 - Linwood Neighborhood Parks
 - Milwaukie Neighborhood Parks (mislabel, additional Linwood map)
- Milwaukie Proposed Neighborhood Parks Map

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING THE ATTACHED TARGET AREA MAP AS MAP 1 – NEIGHBORHOOD AND RIVERFRONT PARKS TARGET AREAS.

WHEREAS, the City Council by Resolution No. 21-1999 established the Parks, Open Spaces and Trails (POST) Acquisition Program and Implementation Work Plan.

WHEREAS, pursuant to the POST Acquisition Program there is a need to prioritize acquisition efforts in the City to achieve pre-determined objectives (hereafter referred to as “*Refinement*”); and

WHEREAS, there is a need to identify properties considered critical in a target area so if these properties come on the market, the City has the ability to evaluate the situation and move in a timely manner, if appropriate; and

WHEREAS, there has been a refinement process to identify the boundaries of the 5-target areas of which four target areas are for neighborhood parks and one target area is for riverfront parks that included:

- Stakeholder interviews, including City staff, PARB members, City Council and neighborhood association members; and
- Analysis, including review by City management staff, planning staff, to assure consistency with the 2040 Concept Plan and Functional Plan, and North Clackamas Parks and Recreation District staff, and
- Citizen workshops, including neighborhood district associations summer gatherings held August 3, 1999 and August 14, 1999; and
- Milwaukie Park and Recreation Board (PARB), at their August 23, 1999 meeting, reviewed the results of the above responses and analysis resulting in a recommendation for City Council; and
- Council Review at the September 20, 1999 work session and executive session and public hearing on October 5, 1999.

NOW, THEREFORE, BE IT RESOLVED that the attached target area map is adopted as the refinement plan for the 5-target areas as Map 1 – Neighborhood and Riverfront Parks Target Areas.

V. B. 6

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on this 5th day of October, 1999.

Carolyn Tomei, Mayor

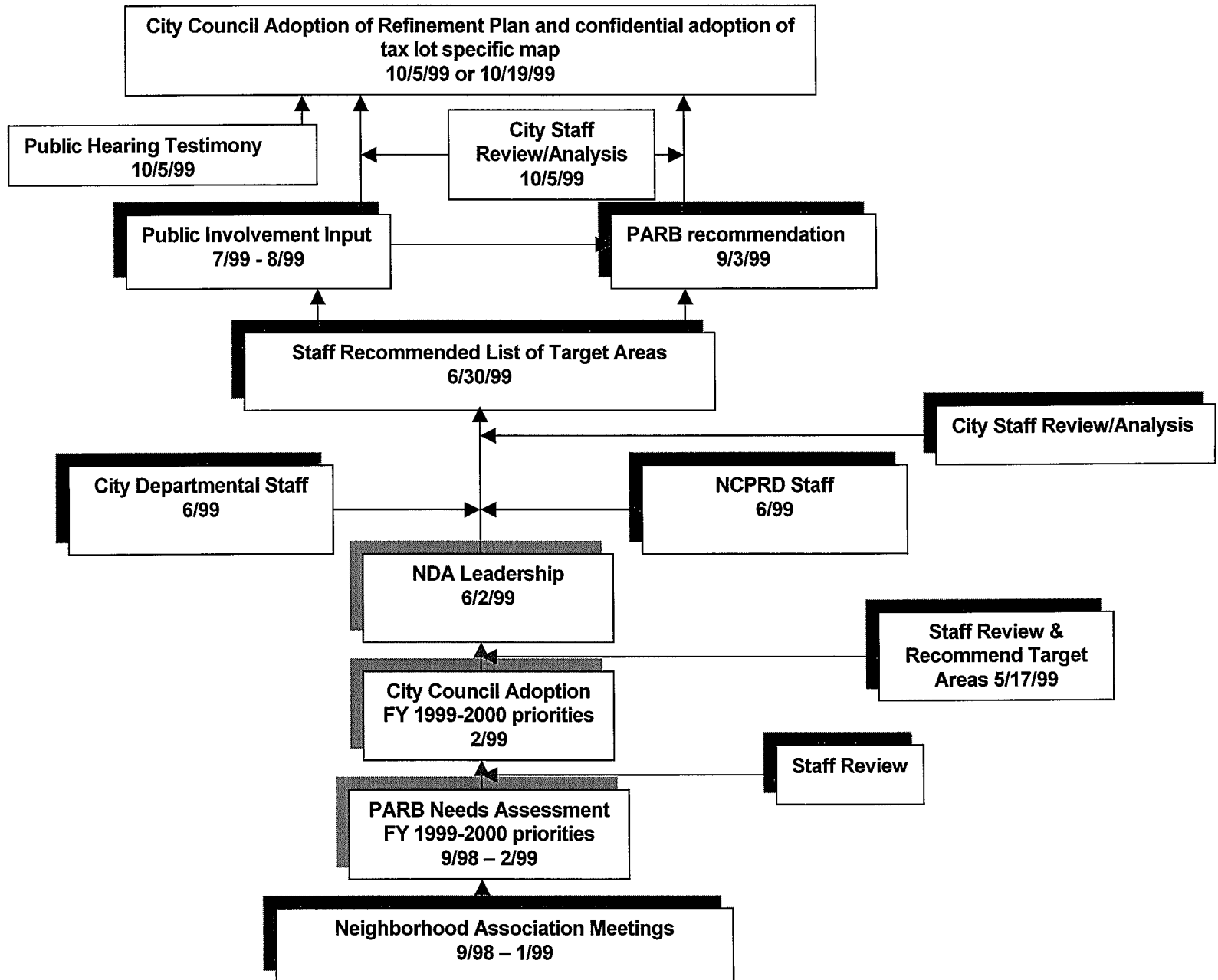
ATTEST:

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

Pat DuVal, City Recorder

City Attorney

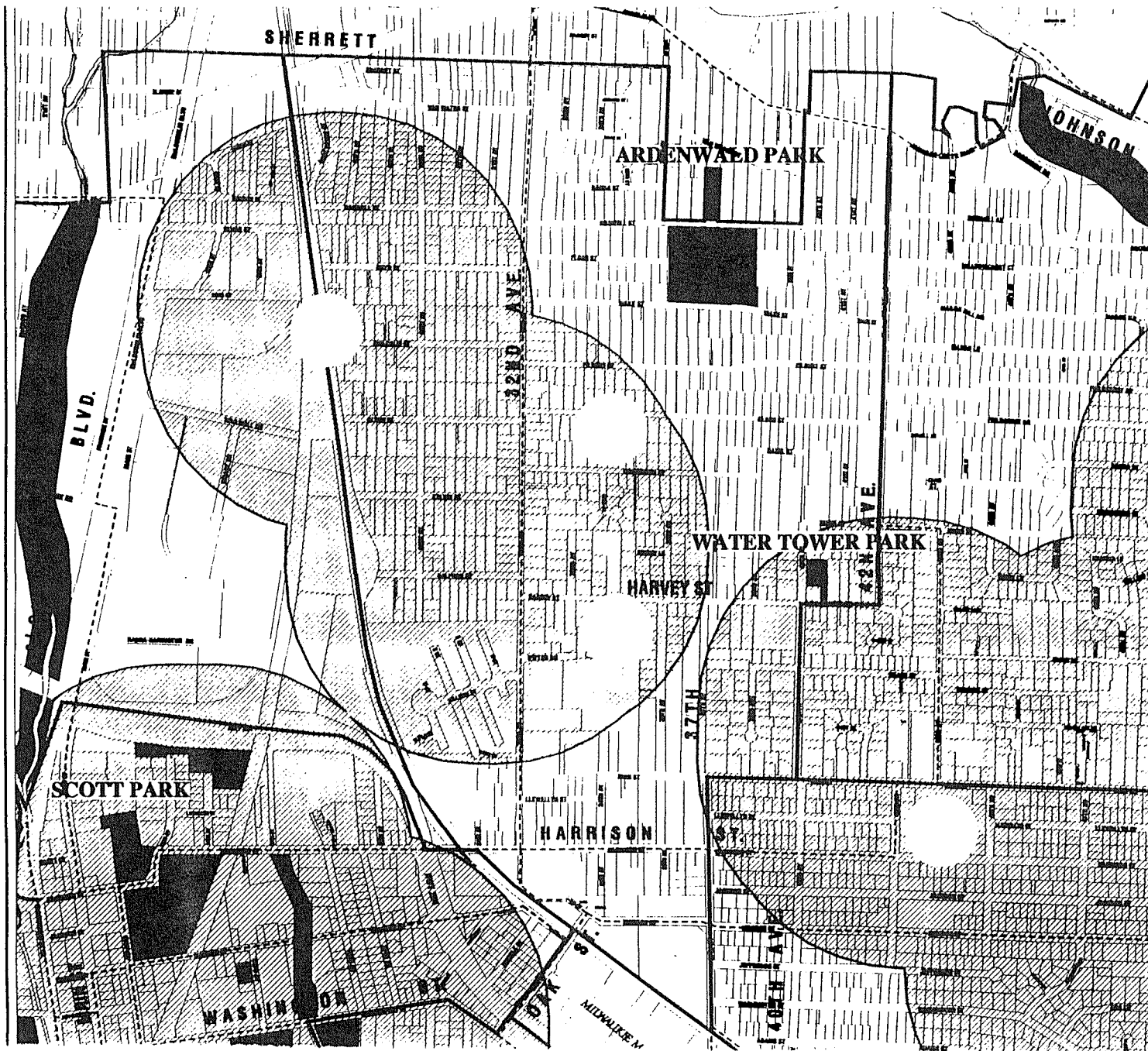
Refinement Process Work Plan Flow Chart









Legend

Completed







To Be Completed

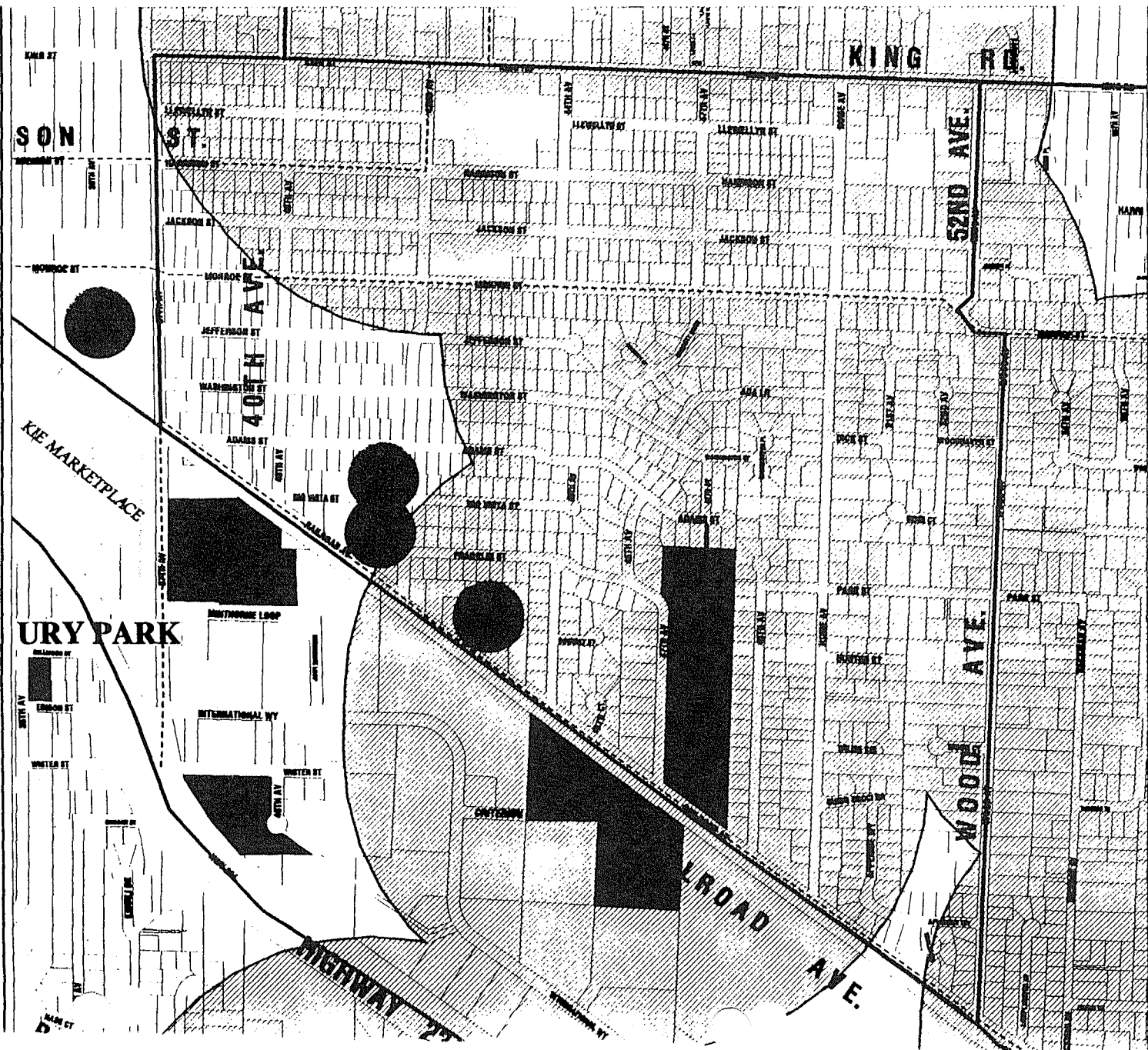


Ardenwald Neighborhood Parks

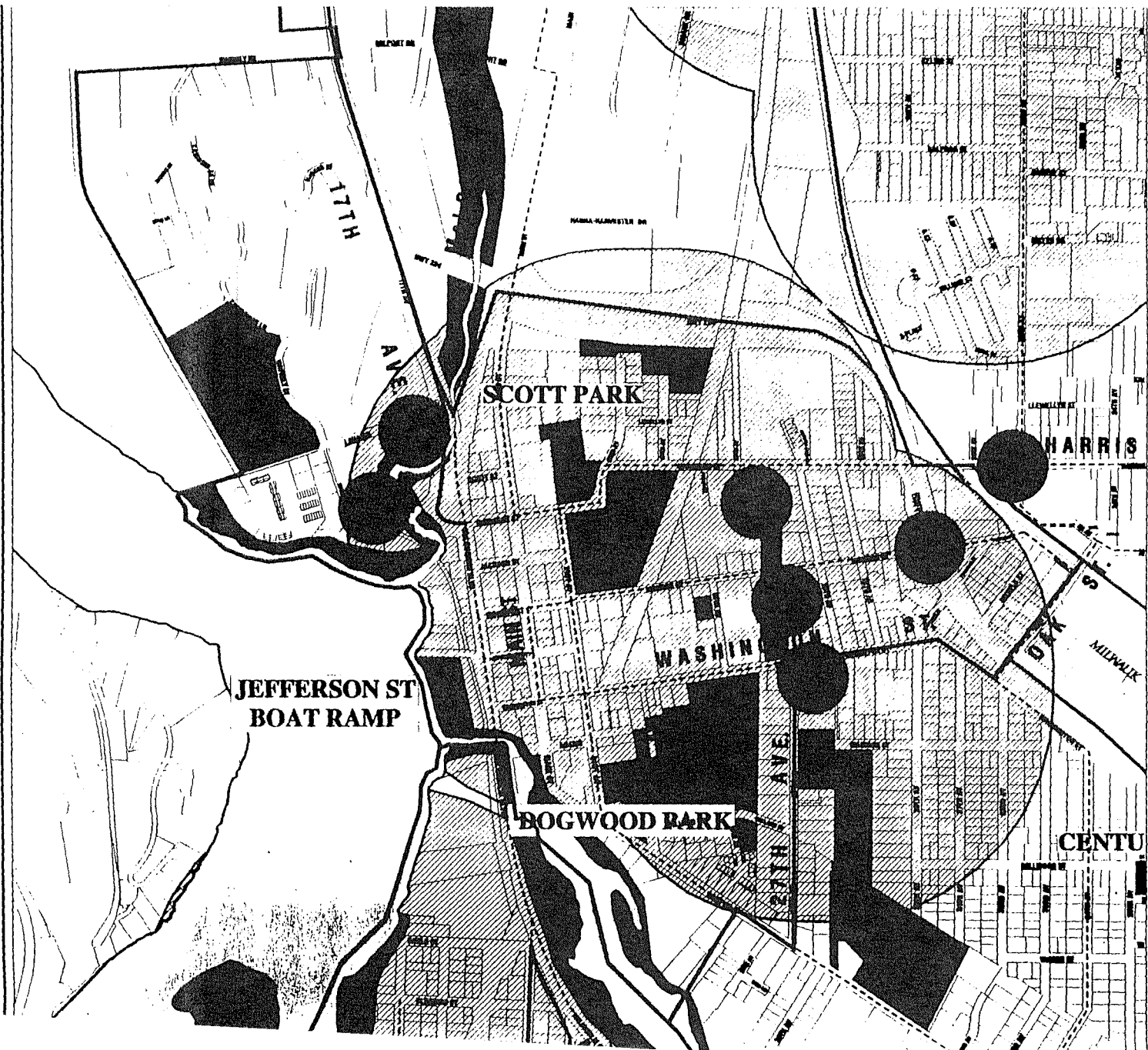
-  SCHOOLS
-  NATURAL RESOURCE AREAS
-  1/4 MILE BUFFER
PROPOSED PARK SITES
-  NEIGHBORHOOD
ASSOCIATION
BOUNDARIES
-  EXISTING BIKEWAYS
-  PROPOSED BIKEWAYS
NETWORK







Hector Campbell Neighborhood Park

-  SCHOOLS
-  NATURAL RESOURCE AREAS
-  1/4 MILE BUFFER PROPOSED PARK SITES
-  NEIGHBORHOOD ASSOCIATION BOUNDARIES
-  EXISTING BIKEWAYS
-  PROPOSED BIKEWAYS NETWORK









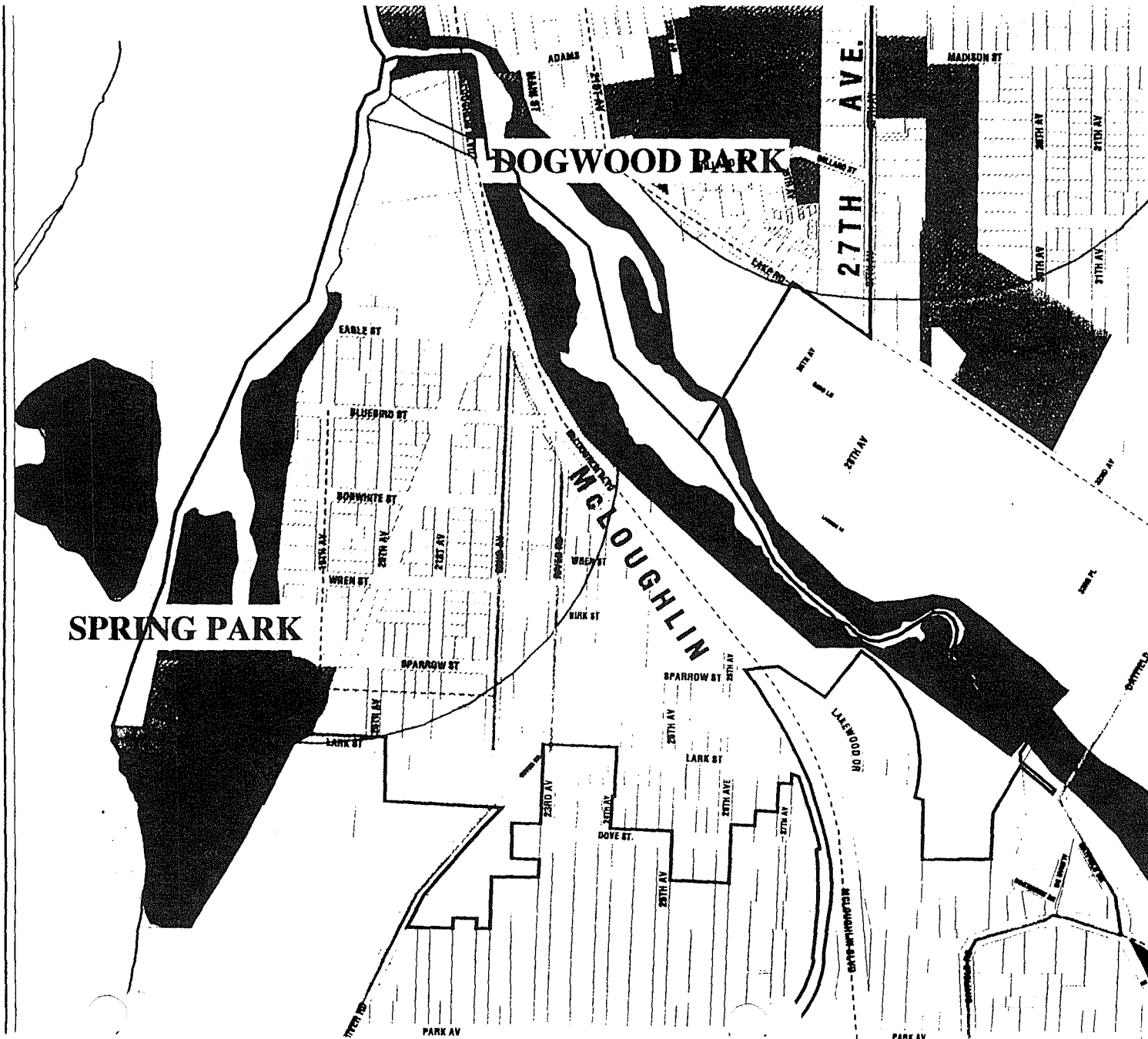
Historic Milwaukie Neighborhood Parks









-  SCHOOLS
-  NATURAL RESOURCE AREAS
-  1/4 MILE BUFFER PROPOSED PARK SITES
-  NEIGHBORHOOD ASSOCIATION BOUNDARIES
-  EXISTING BIKEWAYS
-  PROPOSED BIKEWAYS NETWORK

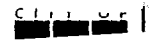
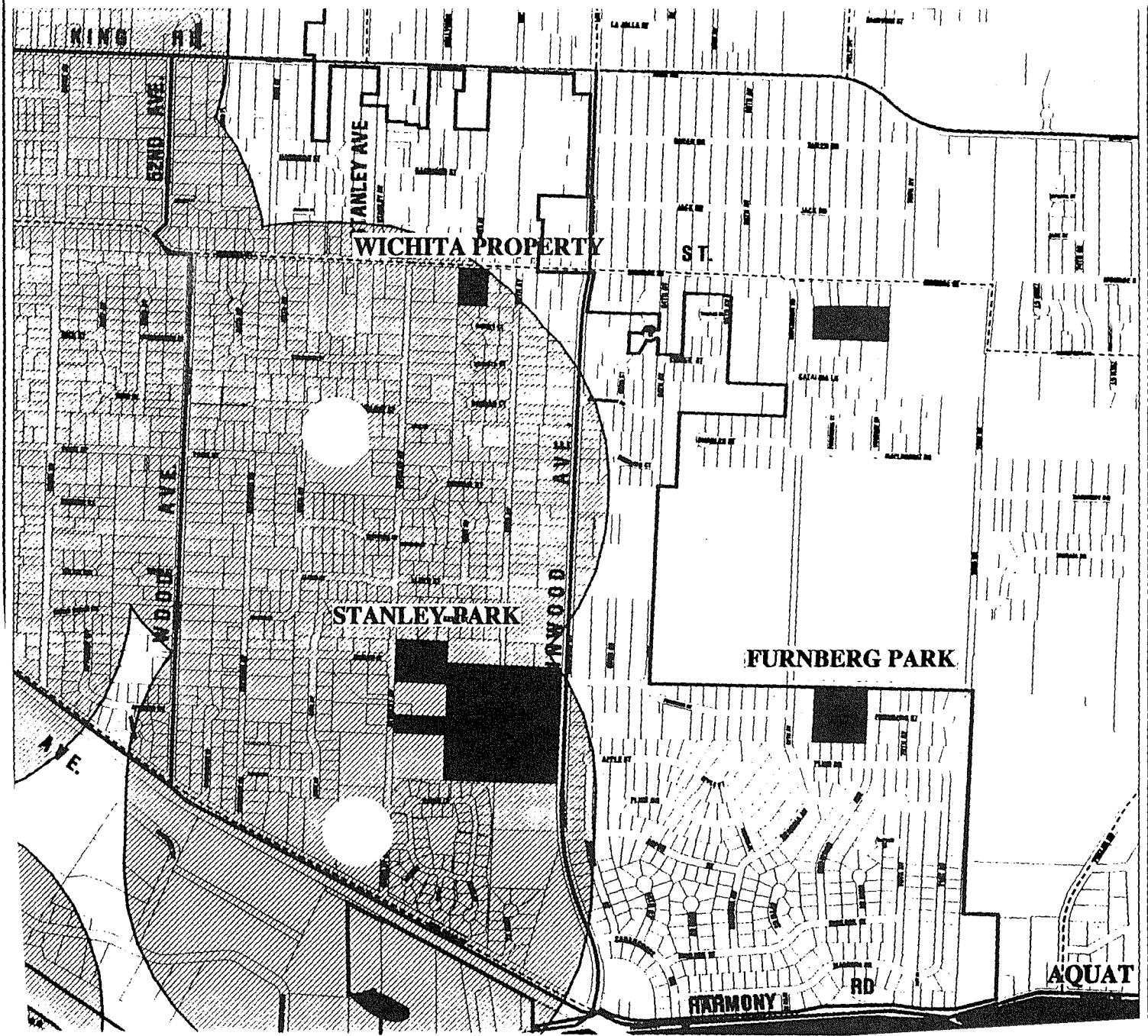
Island Station Neighborhood Parks

-  SCHOOLS
-  NATURAL RESOURCE AREAS
-  1/4 MILE BUFFER
PROPOSED PARK SITES
-  NEIGHBORHOOD
ASSOCIATION
BOUNDARIES
-  EXISTING BIKEWAYS
-  PROPOSED BIKEWAYS
NETWORK









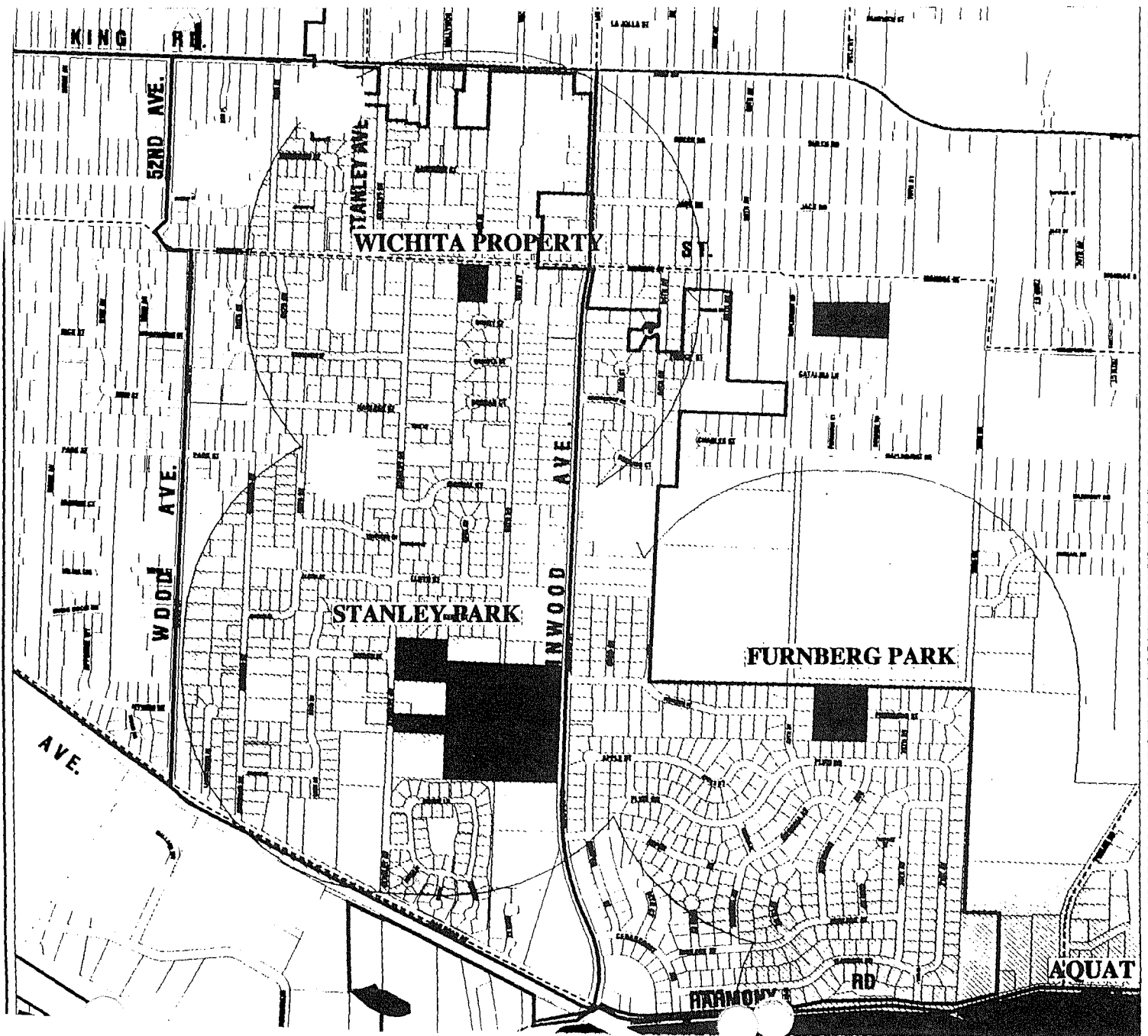
Linwood Neighborhood Parks

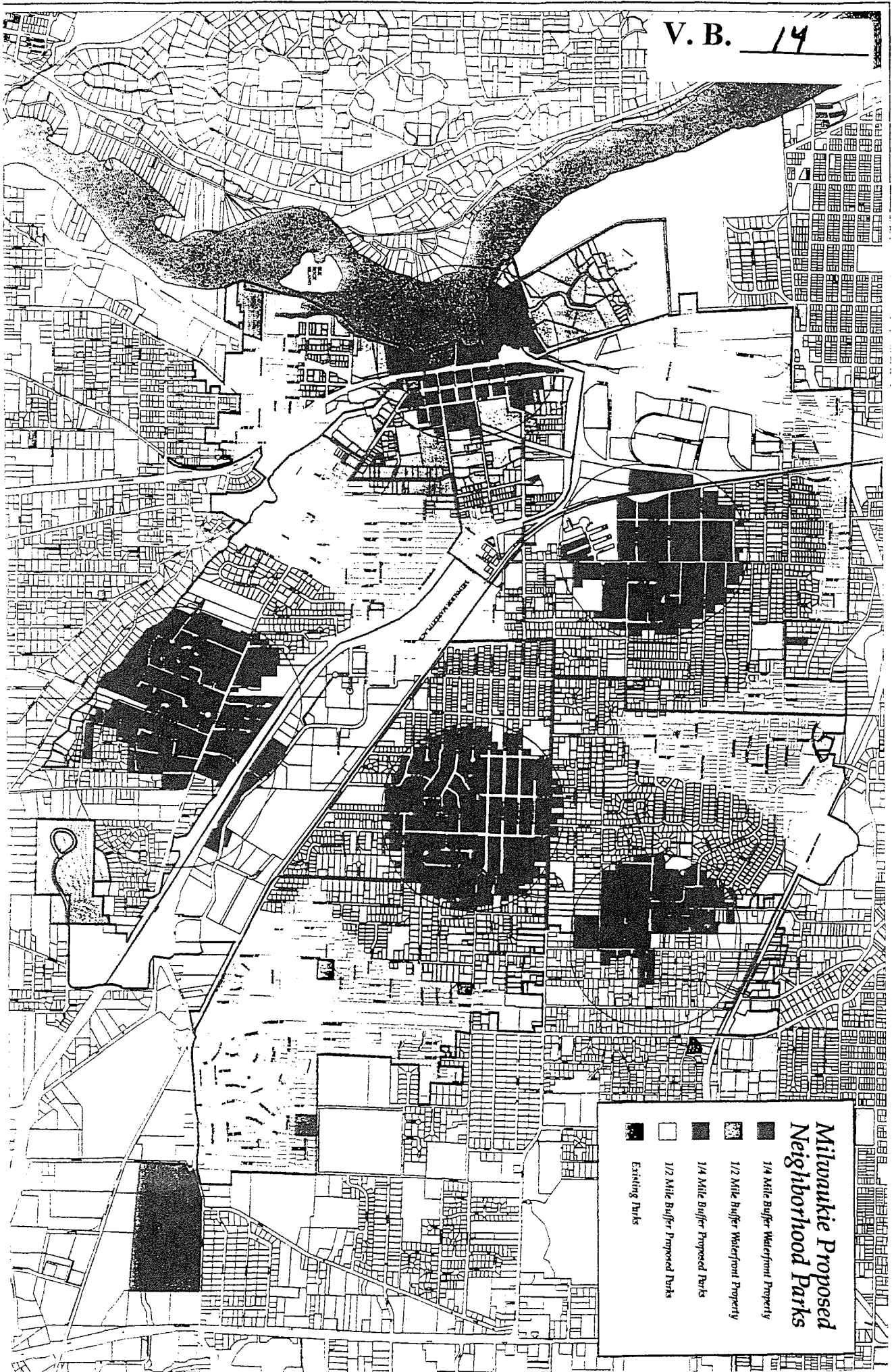
-  SCHOOLS
-  NATURAL RESOURCE AREAS
-  1/4 MILE BUFFER
PROPOSED PARK SITES
-  NEIGHBORHOOD
ASSOCIATION
BOUNDARIES
-  EXISTING BIKEWAYS
-  PROPOSED BIKEWAYS
NETWORK



Milwaukie Neighborhood Park

-  SCHOOLS
-  NATURAL RESOURCE AREAS
-  1/4 MILE BUFFER LOCAL PARKS
-  NEIGHBORHOOD ASSOCIATION BOUNDARIES
-  EXISTING BIKEWAYS
-  PROPOSED BIKEWAYS NETWORK








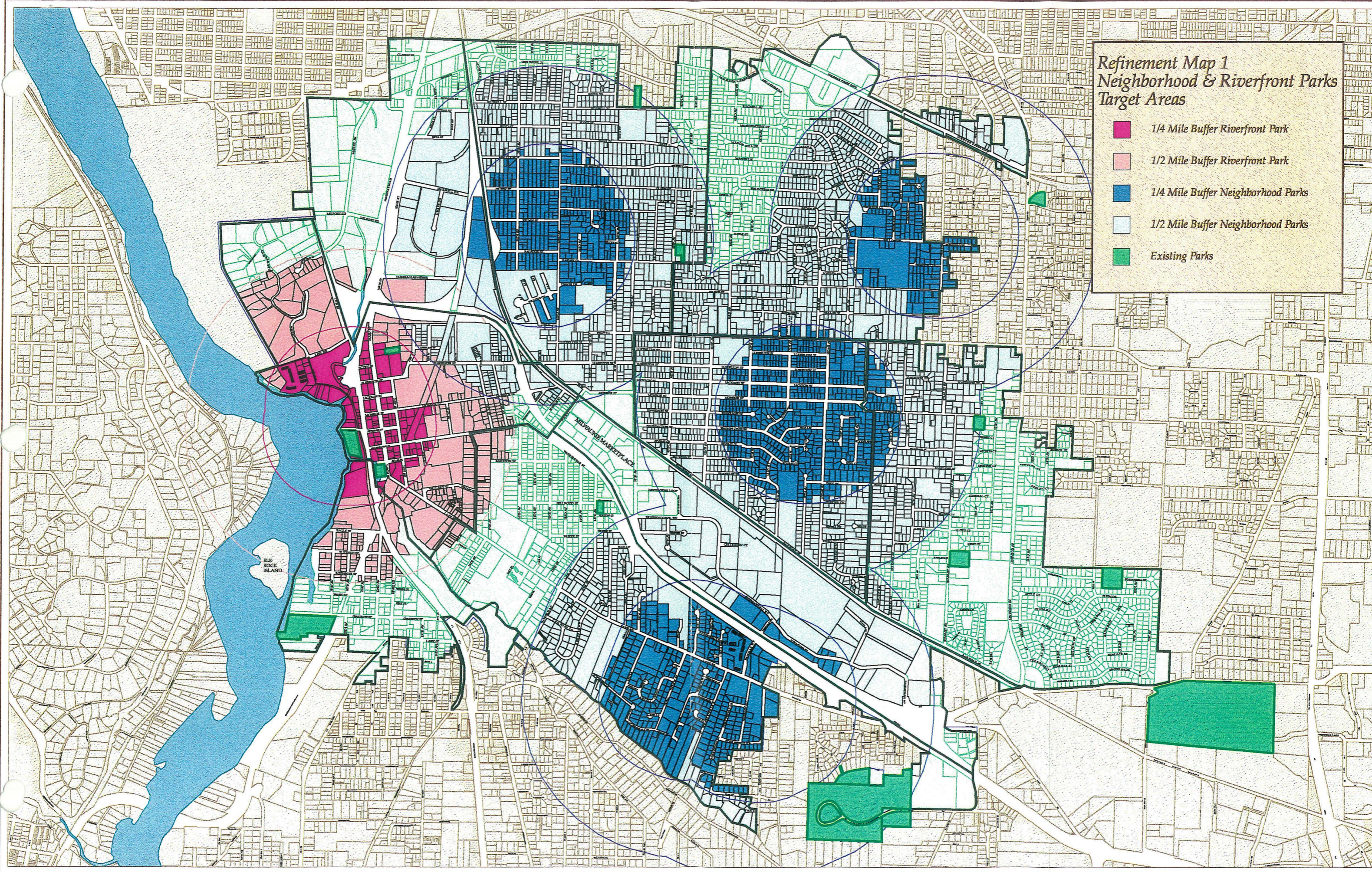


Milwaukee Proposed Neighborhood Parks

- 1/4 Mile Buffer Waterfront Property
- 1/2 Mile Buffer Waterfront Property
- 1/4 Mile Buffer Proposed Parks
- 1/2 Mile Buffer Proposed Parks
- Existing Parks

*Refinement Map 1
Neighborhood & Riverfront Parks
Target Areas*

-  1/4 Mile Buffer Riverfront Park
-  1/2 Mile Buffer Riverfront Park
-  1/4 Mile Buffer Neighborhood Parks
-  1/2 Mile Buffer Neighborhood Parks
-  Existing Parks





MEMORANDUM

Date: September 17, 1999
To: Honorable Mayor and City Council
Through: Dan Bartlett, City Manager *DB*
From: Charlene Richards, Assistant City Manager *CR*
Subject: Revised Classification – Information Systems Analyst

RECOMMENDATION:

Authorize the City Manager to amend the MEA/AFSCME agreement to add the Information Systems Analyst classification to the salary schedule at Range 15.0 for Fiscal Year 1999/2000.

BACKGROUND:

In May 1998, the Assistant City Manager received a request to create a new position for the Dispatch Division. HR staff met with the dispatch center managers of the cities of Milwaukie and Lake Oswego. After reviewing their needs for the position, staff researched comparable positions in other organizations and developed a new classification description. Staff worked with the City's Information Systems and Technology (IST) Manager to ensure that the description also could meet, if needed, future IST division requirements for similar positions. HR redrafted the classification incorporating the comments of all potential users. The salary range was set at Range 15. Subsequently, it was determined that Lake Oswego would be the employer and the assignment would be shared via an intergovernmental agreement.

During development of the fiscal year 1999-2000 budget, the information systems and technology division determined that it would be more cost effective, once the City's system was stable, to employ two analysts rather than contract for services. The classification description was revised and finalized to meet the current and future needs of the City. It was again determined the classification would be covered by the Milwaukie Employees Association/AFSCME agreement. This classification qualifies as a professional and technical computer position that is exempt from the Fair Labor Standards Act; exempt from federal overtime pay requirements. The MEA/AFSCME representative reviewed the proposed salary range. The union agrees with the salary range for this revised classification.

VI. A. 2

The proposed salary range of 15.0 currently covers the following classifications and includes the following pay steps:

Class	Range	Step A	Step B	Step C	Step D	Step E	Step F
Senior Accountant, Civil Engineer, Senior Planner	15.0 (65.0)	\$3,377	\$3,546	\$3,723	\$3,909	\$4,104	\$4,309

Staff believes the salary is competitive in the market and placed accurately within the City's existing salary structure. Computer and other technology related positions are highly competitive as illustrated by the high turnover rate experienced by other employers.

Enc. 1

CITY OF MILWAUKIE**CLASSIFICATION: Information Systems Analyst**

Department: Administration Job Code: 226 Grade Number: 15.0 (65.0)
Division: Information Systems Location: Public Safety Bldg. Union: MEA (AFSCME) FLSA: E

Description:

Performs a variety of professional and technical responsibilities for assigned area of responsibility. Implements and maintains system hardware and software upgrades. Provides technical support and training to users. Assigned systems may include: Microsoft NT Server, NT Workstation, Win9x, Win2000, Exchange Server, SQL Server, IIS Server, Office 9x, Outlook 9x, and IE browser; Unix-type systems; Netscape Browsers; Cisco Systems; 3COM; and business-specific applications. The worker offers limited direct service or assistance to the public. Reports directly to the Information Systems and Technology Manager.

Duties and Responsibilities:

(Tasks listed are intended to be descriptive and not restrictive. An employee in this classification may perform any of the tasks listed; however, these examples do not include all the tasks which an employee may be expected to perform.)

ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Evaluates, installs, configures and maintains system hardware and software; provides technical assistance to system users in accordance with applicable information systems policies, procedures, methods and techniques.
2. Investigates system functionality complaints from users; diagnoses and resolves computer hardware and software problems.
3. Conducts analysis of defined computer information system problems and develops feasible solutions to specific problems in accordance with standard computer industry standards and technology. The work affects the operation of systems or programs developed for various departments and agencies.
4. Installs, configures, and maintains hardware and software upgrades to system, including operating and application software, workstations, printers, NICs, faxes, and data communication lines; develops and documents hardware and software installation processes for IST staff.
5. Develops computer system specifications for proposed solutions to information system problems or for distinct portions of larger information systems projects. Develops general and detailed logic or flow charts from general program specifications. Investigates and resolves production problems. May confer with end-users to determine feasible data processing solutions.
6. Provides system training and technical support for users; distributes information regarding system changes or enhancements; prepares training materials.
7. Performs systems administration tasks including establishing and maintaining user accounts for the network, Internet e-mail, business-specific software, and dial up access. Maintains file servers, monitors network performance; troubleshoots network problems; coordinates maintenance and repair with information systems or vendor staff.
8. Attends and participates in technical conferences, seminars and outside user groups to keep abreast of changes in technology.

PERIPHERAL DUTIES

1. As assigned, performs database administration duties; provides support in planning, designing and implementing databases; maintains database security and user access; designs, creates and maintains physical objects including tables, files, libraries and indexes to support computer applications using database management systems; monitors database performance and troubleshoots problems; monitors and maintains space allocation for databases and files.
2. As assigned, serves as project lead over all aspects of assigned information systems or telecommunication system projects; evaluates and assesses client needs; identifies and allocates resources including staff, equipment and materials; sets project priorities, goals and objectives.
3. As assigned, reviews and assists in the evaluation of new software and tools related to web development.
4. Participates in meetings with department and agency representatives.
As assigned, reviews and assists in the evaluation of new software and tools related to web development.

Job Specifications:

(Job preparation and prior work experience requirements are minimum standards. Other equivalent combinations of education, training and experience will be considered.)

1. Job Preparation:

- a) General:
 - i) Must possess, or be able to obtain by time of hire, a valid State driver's license without record of suspension or revocation in any State;
 - ii) Must be able to speak, read and write the English language; and
- b) Education:
 - i) Bachelor's degree in computer science or a related field from an accredited college or university OR an equivalent combination of education and experience.
- c) Training:
 - i) Desirable to possess Unix System Administration, MCSE, MCP, CCNA or CCDA.

2. Prior Work Experience:

- a) Necessary Knowledge, Skills and Abilities:
 - i) Considerable knowledge of installation and administration of MS NT Server and Workstation, Seagate Backup, MS Office Professional 97, and Exchange Server, MS Internet Information Server, DHCP, WINS, DNS and other email and network related issues; administration of user accounts, groups, policies, profiles, shared resources, permissions, etc. automation and computerized financial applications; In depth knowledge of networking systems, architectures, and protocols used on MS Windows NT systems including TCP/IP; Knowledge of principles and procedures of quality assurance and security related to computer information systems or telecommunication systems, methods and techniques of file manipulation and data validation, Knowledge of the software tools and concepts, methods and techniques used in developing computer applications, such as database structures, various fourth-generation languages, application generators and job control language. Desirable to have knowledge of the uses and capabilities of data processing hardware, software and telecommunications used in City departments and outside agencies.
 - ii) Skill in operating the listed tools and equipment; excellent troubleshooting, analytical, problem solving, follow-through, and written/verbal communication skills.
 - iii) Ability to prepare and analyze complex reports; ability to perform advance math; ability to plan and maintain efficient and effective complex computer systems in a distributed client/server environment; ability to perform basic and advanced programming; ability to develop, recommend, implement, install troubleshoot and upgrade City information or telecommunications systems

hardware and software including but not limited to PC, server, router, switches, and GIS systems in a distributed client/server environment; ability to detect, isolate and resolve information or telecommunication system problems and analyze and assess the technology needs of City departments; ability to establish and maintain effective working relationships with employees, city officials; and ability to communicate complex technical information in a professional, grammatically correct and effective manner in verbal and written format. Ability to attend meetings or perform assignments at locations outside the office within established time limits.

SPECIAL REQUIREMENTS:

(A) Must possess, or be able to obtain by time of hire, a valid State Driver's License. (B) Ability to meet Department's security clearance standards.

TOOLS AND EQUIPMENT USED

Telephone, servers, workstations, printers, faxes, projectors, Cisco routers, 3 COM and HP switches/hubs and DSU/CSU.

3. **Supervision:** This is not a supervisory classification but may provide daily work direction and job skill training to subordinate classifications and employees in other departments.
4. **Communication:** This classification has communications with others, over the telephone, via e-mail and in face to face situations to solve technical problems. The communications with vendors are complex and may be confidential. Other contacts with customers are with a degree of complexity requiring translation into layperson terminology. Have access to confidential materials and communications. Must develop and maintain courteous, professional and effective working relationships with employees at all levels of the organization and with clients, vendors and/or any other representatives of external organizations.
5. **Cognitive Functions:** The work is performed under general direction based upon deadlines and objectives provided by the supervisor. An incumbent has significant control over the planning and performance of the work. Work is reviewed based on results obtained, conferences and reports. The employee uses ingenuity and resourcefulness to modify, adapt or deviate from the normal guides, methods and procedures to accomplish the work in new or unusual situations. Guidelines consist of city codes and regulations, departmental policies and procedures, user system specifications and technical standards and manuals. Must adapt, with minimal or no advance notice, to changes in how business is conducted and work is accomplished.
6. **Physical Conditions:**
 - a) **Physical Demands:** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
 - i) While performing the duties of this job, the employee is occasionally required to stand or walk. The employee is frequently required to use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is frequently required to sit and regularly required to talk and hear. Occasionally the employee is required to climb or balance, stoop, kneel, crouch, or crawl.
 - ii) The employee must occasionally lift and/or move up to 50 pounds.
 - iii) Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.
 - b) **Work Environment:** The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

VI. A. 6

- i) Work is performed mostly in office settings with extensive computer workstation inflexibility in order to input and retrieve information from the computer system. Some travel for training and seminars and customer service. Occasional non-business hour work time to maintain operating systems. Constant interruptions while working on technical information.
 - ii) The noise level in the work environment is usually moderate to quiet.
7. **Resource Accountability:** This classification may make budgetary recommendations and partially accountable for control of capital assets. Persons in this classification are responsible to make purchasing decisions resulting in the most efficient solution for the lowest cost. Incumbents may make recommendations concerning software and hardware purchases.

The job classification description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Draft: 9/13/99
Adopted:
Revised:
Draft:
Revised:

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TO: Milwaukie City Council

VIA: Dan Bartlett, City Manager *[Signature]*

FROM: Martha Bennett, Assistant City Manager *[Signature]*

SUBJECT: Repeal of a portion of the City's Business License Code and amendment of the City's Business Tax Code

DATE: September 24, 1999 for October 5, 1999 City Council Meeting

Action Requested

Staff recommends that the City Council conduct a second reading and adopt the attached ordinance which will repeal section 5.04 of the Milwaukie Municipal Code, the Business License code, and amend section 5.08, the Business Tax Code.

Background

At your September 21, 1999 Council meeting, you took first reading of this proposed ordinance. Currently, each business in Milwaukie is required to both pay a Business Tax and obtain a Business License to operate in the City limits. Staff has experienced several problems in implementing the business license code:

- Resources are limited, and so we have not investigated every business in Milwaukie.
- The business license has not been a significant tool in gaining compliance.
- Applications from businesses outside the City complicate the enforcement process.

Staff concluded that the best option for resolving our enforcement problems is to repeal the code requiring the "license" but retain the portion of the code that taxes businesses for their impact on the community. We reached that conclusion because:

- Violation of City Code can be remedied through other processes and codes.
- The City can still obtain the information we need to serve businesses in the community through the business receipt/ tax.

Fiscal Impact

This change would not result in additional revenue. Rather it will free up staff time in several City departments that can be dedicated to other projects, including code enforcement of specific violators.

U:\BennettM\blamendment2-mmb.doc

COMMUNITY DEVELOPMENT DEPARTMENT
 Planning • Public Works • Facilities
 6101 SE Johnson Creek Blvd., Milwaukie, Oregon 97206
 PHONE: (503) 786-7600 • FAX: (503) 774-8236

ORDINANCE NO. _____
MILWAUKIE, OREGON

AN ORDINANCE REPEALING CHAPTER 5.04, BUSINESS LICENSES GENERALLY, AND AMENDING CHAPTER 5.08, BUSINESS TAXES GENERALLY, OF THE MILWAUKIE MUNICIPAL CODE.

WHEREAS, the City Council finds that it is no longer necessary to issue business licenses for regulatory purposes; and

WHEREAS, the City Council finds it is in the City's best interest to retain the ability to impose a business tax for revenue purposes; now, therefore;

THE CITY OF MILWAUKIE ORDAINS AS FOLLOWS:

Section 1: Chapter 5.04, Business Licenses Generally, of the Milwaukie Municipal Code is hereby repealed.

Section 2: Subsections 5.08.020(C) and (G) are amended to read as follows:

3. "City Manager" means the city manager or designee.
7. "Rental Property" means a building, portion of building, or group of buildings within the city which are rented, leased or let for any purpose, including but not limited to dwelling or business purposes. Rental property includes, but is not limited to, a hotel or motel, automobile or tourist court, rooming or lodging house, mobile home or trailer park, private residence, office or warehouse.

Section 3: Section 5.08.060(E) is amended to read as follows:

5. The city manager or designee shall have the authority to waive a delinquency charge when, in the manager's judgement, circumstances are such that a delinquency charge should not be assessed.

Section 4: Section 5.08.090 is amended to read as follows:

1. Upon payment of the business tax a person or business shall be issued a receipt by the city for such payment. The receipt shall be

kept posted in a conspicuous place on the business premises at all times. If there is no regular place of business in the city, the receipt shall be in the possession of a representative of the business present within the city at all times during which the business is being transacted by an employee, agency or representative within the city.

2. Payment of the business tax by a person does not authorize any conduct that violates any applicable provision of local, state or federal law. Possession of a receipt for payment of the business tax shall not be asserted as a defense in any enforcement action other than an action related to payment of the business tax.

Section 5: Subsection (A) of Section 5.08.100 is amended to read as follows:

1. The city manager shall be responsible for the administration of this chapter. The manager may adopt reasonable rules and regulations relating to any matter pertaining to the administration of this chapter, as well as preparing, adopting and making available to the taxpayer all forms necessary for compliance with this chapter. The application form shall, at a minimum, require the following information:
 1. Name and address of business;
 2. Whether the business is a home occupation, as defined by the City Zoning Ordinance;
 3. Type of business (i.e., retail, office, warehouse, manufacturing);
 4. Owner and/or manager of business;
 5. Start date of business;
 6. A description of any change in business use from previous year;
 7. Business location square footage;
 8. Number of employees at business;

9. Whether business uses or stores hazardous or combustible materials;
10. Emergency contact person's name, home phone number, cell phone number, pager number and any other after hours number available.

Section 6: Subsection (C) of Section 5.08.100 is amended to read as follows:

- C. To the extent allowed by law, the city manager shall keep all information furnished or secured under the authority of this chapter in strict confidence. Such information shall not be subject to public inspection and shall be kept so that the contents thereof shall not become known except to the persons charged with the administration and enforcement of this chapter.

Section 7: Section 5.08.110 is amended by adding new subsections (H) and (I) to read as follows:

8. Licensed real estate salespeople or associate real estate brokers who engage in professional real estate activity only as an agent of a real estate broker or real estate organization.
9. Contractors or landscape contractors when:
 1. Their principal place of business is outside of the City and their gross receipts from business conducted within the boundaries of the city during the calendar year for which the business license tax is owed is less than \$125,000; or
 2. Their principal place of business is outside of the City and they have proof that they have obtained a business license from the metropolitan service district.

Section 8: Subsection 5.08.120(A) is amended to read as follows:

1. A violation of this chapter shall be punishable by a mandatory fine not to exceed two hundred dollars. A violation of this chapter shall be processed pursuant to Chapter 1.08 of the Milwaukie Municipal Code.

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

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

Signed by the Mayor on _____.

Carolyn Tomei, Mayor

ATTEST:

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

Pat DuVal, City Recorder

City Attorney



Ledding Library Board August Minutes

8/23/99
6:30 PM
Ledding Library, Fiction Room

Meeting called by: Sue Trotter

Attendees: Attendees: Pat Healy, Anna O'Guinn , Sue Trotter, Kim Wilber, and Ed Zumwalt.
City Council Member: Rob Kappa
Staff: Cynthia Sturgis

Agenda topics

Approval of minutes

Discussion: Approved as written.

Librarian's report

Cynthia reported that new PAC computers with PAC for Windows will be installed next week. Currently the staff is learning how to use it.

The new president of the Friends of Ledding Library is Carol Kay. Senior Librarians presented a request to the Friends for 2 additional internet stations for the adult library, a handicapped accessible computer table, and a book binding machine. The Friends have previously agreed to match a grant from the Fine Arts Commission for adult and juvenile programming for fiscal year 2000-02.

Action item.

Deadline:

Future's Committee

Discussion: Ed reported that the Future's Committee will have the results of the patron questionnaire at the September 1 meeting.

Action:

Deadline:

Include the questionnaire results in the September packet.

Board planning/Council work session

Drafts of the cover letter, Long Range Plan Key Issues, committee makeup, and time line were discussed. The Board approved the letter, time line, and key issues. Changes to the committee list included eliminating "Majority of" before Library Board Members and adding Executive Committee Members to the Subcommittee Participants.

Discussion was held about the proposed budget request for the project. Sue will compile the results and send to Cynthia.

Action: Cynthia will submit the final documents to Charlene Richards for the Council work session packet.

Advocacy

Discussion: Anna has agreed to write an article for the Pilot about memorials and donations to the library.

Action:

Deadline:

Anna will send a copy to Grady for the Pilot.

Sept.10

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CITY OF MILWAUKIE
 PLANNING COMMISSION MINUTES
 WEDNESDAY, SEPTEMBER 14, 1999

COMMISSIONERS PRESENT

Donald Hammang, Chair
 Judith Borden, Vice-Chair
 Barbara Cartmill
 Tracy Cook
 Mike Miller
 Doug Ouderkirk
 Howard Steward

STAFF PRESENT

Alice Rouyer,
 Planning Director
 John Gessner,
 Associate Planner
 Gary Firestone,
 City Attorney
 Shirley Richardson,
 Hearings Reporter
 Mike Swanson,
 Pro-Tem PW Dir

COMMISSIONERS ABSENT -- None.

1.0 CALL TO ORDER

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

2.0 PROCEDURAL QUESTIONS -- None.

3.0 INFORMATION ITEMS -- City Council Minutes, August 2 & August 3, 1999

4.0 PLANNING COMMISSION MINUTES -- July 27 and August 10, 1999

Tracy Cook moved to approve the Planning Commission minutes of July 27, 1999, and August 10, 1999, as presented. **Mike Miller** seconded the motion.
 MOTION CARRIED 7-0.

Ayes: Hammang, Borden, Cartmill, Cook, Miller, Ouderkirk, Steward;

Nays: None.

5.0 PUBLIC COMMENTS -- None.

6.0 PUBLIC HEARINGS

6.1 Applicant: Anthony Harwood
 Property Owner: Ken Hoffman
 Location: 4400 SE International Way

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Proposal: Remodel an existing building for use as a restaurant/sports bar.
File Number: CU-99-02/TPR-99-02
NDA: Business Industrial/Lake Road (neighboring)

Chair Hammang opened the public hearing on Conditional Use CU-99-02 and Transportation Planning Review TPR-99-02 to allow a minor addition and occupancy of 4400 SE International Way by a restaurant & tavern. The criteria to be addressed are found in Section 324.5, 602.6, and 1400 of the Milwaukie Zoning Ordinance.

Chair Hammang asked if there were any conflicts of interest or ex-parte contacts to declare? There were none. He asked if any member of the Planning Commission visited the site; seven hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in the Staff Report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

STAFF REPORT

John Gessner reviewed the staff report with the Commission. He reported that the Applicant is now doing business as Jo's Saloon located on Webster Road. It is his intent to relocate to International Way at the former Clackamas Federal Credit Union building. The restaurant is a restricted use. There must be a Planning Commission decision for any restaurant occupying over 25 percent of it's building. In this case, the business is occupying 100 percent of the building. A Transportation Planning Review is required to insure adequate on-site parking and bicycle/pedestrian facilities are in place.

The proposed use is a combination restaurant and drinking establishment. Drinking establishments are defined as high-impact use and have a separate approval process.

The conclusion in the staff report is that the proposed use is consistent with the applicable criteria. Overheads were shown of the subject site and surrounding area. An overhead was shown of the Clackamas Federal Credit Union building. Site improvements were made, but not completed by that use. The drive-through canopy will be filled in for a freezer and walk-in cooler. The front portion of the site will remain as it is. The gravel portion in the rear is not part of the lease, and will not be used.

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Under past approval, a sidewalk between the J C Penney site and the subject site has been installed, as well as an additional sidewalk between the parking lot and the sidewalk along International Way. These sidewalks, as well as a bike rack were required as part of a prior TPR approval, for the credit union.

Hours of operation have been modified to Sunday through Thursday, 7:00 a.m. to midnight and 9:30 a.m. to 2:30 a.m. on the weekends. The use calls for an enclosed deck at the back of the property to be used for outdoor dining for 18 persons. Two signs are proposed for this use.

QUESTIONS FROM THE COMMISSIONERS

Mike Miller asked how many signs would be located on the site? **John Gessner** stated that it is his understanding that there will be two signs.

Donald Hammang asked for clarification of the parking configuration. **John Gessner** stated that the proposed parking is two or three spaces short of the minimum required for the restaurant. There is an area that has been asphalted under the prior approval, but has not yet been striped. If used, it will address the adequacy of on-site parking during peak events.

CORRESPONDENCE RECEIVED BY STAFF

John Gessner passed out a letter received from Mary Jay, Workforce Development Manager for J C Penney's Credit Union. This letter addresses concerns of potential overflow parking on their site.

APPLICANT PRESENTATION -- None.

TESTIMONY IN FAVOR -- None.

QUESTIONS OR COMMENTS

Speaking: Mary Jay, 4560 SE International Way, Milwaukie

Ms. Jay stated that she just wanted to voice concern about overflow parking. There is also concern about the interaction between the two uses between the two sites. J C Penney's hours of operation are until 9:00 p.m. in the evening, and there are several female employees who will be walking to their cars at night.

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QUESTIONS FROM THE COMMISSIONERS -- None.

TESTIMONY IN OPPOSITION -- None.

ADDITIONAL COMMENTS FROM STAFF

John Gessner stated that he talked to Ms. Jay. Staff feels that a security fence is not needed at this time. It may limit the ability of on-site security to monitor the site. If the walkway is preserved, it will serve as an access for people to walk between the two sites. There is a condition of approval addressing this issue. If there is a violation of conditions of approval, or other problems ensue as a result of the conditional use, enforcement will be used and the Planning Commission can take corrective action.

QUESTIONS FOR CLARIFICATIONS

Tracy Cook noted that this will be a lease for Jo's Saloon, but the property is owned by Mike Galvin. She asked if the improvements would be completed by this applicant? **John Gessner** stated that when Clackamas Federal Credit Union left the site, required improvements had not been completed.

Chair Hammang asked for more information on the proposed parking configuration. **John Gessner** pointed out the proposed parking configuration on an overhead. The required space for this use is 36. The lot can be striped for 45 spaces.

Tracy Cook asked if the trench on the site is part of the previous improvements that were not completed? **John Gessner** stated that this trench would be paved over by the Applicant. The Zoning requirement for the restaurant is based on floor area. There is more space on-site than needed to meet the minimum zoning requirements, however, there is concern about over-flow parking. Staff recommends that the greatest number of parking spaces be provided on-site.

Howard Steward suggested that Staff talk with both parties to see a mutually satisfactory resolution to the overflow parking be can be reached. He asked if 45 spaces is the maximum parking that is available on site? Is there anything across the street that could be used for overflow parking in the evenings? **John Gessner** stated there was no parking across the street. There is more space in the back of the property that is presently gravel and not suitable for parking. This portion of the property is excluded from the lease and cannot be used for parking.

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Mike Miller voiced concern about the parking and suggested that there be more parking to avoid conflict between the subject site and any business along International Way.

Chair Hammang asked if all the landscaping plantings of the previous use were completed? **John Gessner** stated that landscaping plantings and trees were not installed. Very little was done by the previous owner – the credit union.

APPLICANT'S CLOSING COMMENTS

Speaking: Anthony Harwood, 7121 SE Ranada, Milwaukie

Mr. Harwood stated that they currently use Western Security for surveillance. There will be outside cameras mounted on the building. These tapes are made available for Clackamas County Police. This type of security has worked well for them.

Mr. Harwood stated that there is an exclusion in the lease for the back portion of the property. He does not know if he would be able to get the back part of the lot for parking. The owner of the lot has discussed putting in storage buildings.

QUESTIONS FROM THE COMMISSIONERS

Mike Miller asked who would be the clientele? **Mr. Harwood** stated that there are no minors allowed. Employees of area businesses would use this facility. Many of the companies are clientele now on Webster and Theissen Roads. They hold a lot of company activities, e.g., retirement parties, company parties, etc.

Howard Steward asked if there was any data on customer parking use at the Webster location? **Mr. Harwood** stated that he would be happy to have 45 spaces, but he believes that currently the parking is in the 30 range.

Gary Firestone stated that it would be feasible to impose a condition requiring the maximum number of parking spaces be installed. Since the owner is a co-applicant, it is appropriate to ask the owner questions.

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Speaking: Ken Hoffman, PO Box 637, Clackamas

Mr. Hoffman stated that he and his partner purchased this site from the Credit Union as an under-developed site. There is an acre of land with a 3,700 sq.ft. building. Jo's Saloon has been in business for 25 years and has an impeccable reputation. They felt he would be an excellent tenant.

On a building that takes 100 patrons, 36 parking spaces are required. This site is 25% over the parking requirements. There is 175'x60' feet of land in the back that is to be used as an industrial building.

Mike Miller asked for clarification on the number of signs? **Mr. Harwood** stated that there will be two signs on the building and one sign at the entrance inside the building. It will be visible from the outside. There will be a sign on the front walkway where the base of the Clackamas Credit Union sign remains. Another sign will be placed on the backside of the building, visible from the expressway.

John Gessner stated that the sign regulations are those for the underlying zone. The Applicant is restricted to 1-1/2 square feet per foot of frontage. The Applicant is within the regulations.

DELIBERATIONS AMONG THE COMMISSIONERS

Chair Hammang closed the public portion of the hearing and opened the meeting to discussion among the Commissioners.

Barbara Cartmill stated that she feels the parking as proposed is sufficient. She will be voting in favor of this Application.

Doug Ouderkirk stated that he is encouraged that the Applicant has met and exceeded the parking requirements. He is concerned about parking on the J C Penney site. He suggested signage "no parking allowed in the adjacent area" as a condition of approval. He hopes the applicant will work out differences should they occur.

Mike Miller voiced concern about the 2:30 a.m. closing on Friday and Saturday nights. There is a residential area not far from the site. He would like to see the hours reduced to 1:00 a.m. on the weekend. He does not feel that parking is adequate.

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Doug Ouderkirk moved to approve CU-99-02 and TPR-99-02 authorizing minor addition and occupancy of 4400 SE International Way by a restaurant and tavern and to adopt the staff recommended Findings and Conditions of Approval. Further amend Condition #5:

“Problems with, or complaints about overflow parking or off-site disturbances will be addressed to Staff. If Staff is unable to resolve the problem, it will be forwarded to the Planning Commission for reconsideration of the conditional use pursuant to Section 601.5.”

Add Condition #11:

“The use is required to have at least 45 parking spaces at this location.”

Add Condition #12:

“The hours of operations shall be 7:00 a.m. to midnight on Sunday through Thursday, and 7:00 a.m. to 2:30 a.m. on Friday and Saturday.”

Tracy Cook seconded. MOTION CARRIED 7-0.

Ayes: Hammang, Borden, Cartmill, Cook, Miller Ouderkirk, Steward;
 Nays: None.

Recess was taken at 7:40 and the meeting reconvened at 7:45 p.m.

6.2	Applicant:	City of Milwaukie
	Property Owner:	N/A
	Location:	N/A
	Proposal:	Amend the Zoning Ordinance to add Section 1500 - Boundary Changes to allow for future annexations, consistent with Oregon Revised Statutes and Metro Code.
	File Number:	CU-99-03
	NDA:	ALL

Chair Hammang re-opened the legislative hearing on Zone Amendment ZA-99-01 to reconsider boundary changes in the Milwaukie Zoning Ordinance, Section 1500. This hearing is continued from August 10, 1999.

STAFF REPORT

Alice Rouyer reviewed the Staff Report with the Commission. A recommendation was sent to City Council to approve the annexation section of the Zoning Ordinance minus Section 1504 and revisions to Section 1502.2. There

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were concerns expressed about the expedited process. She introduced Ken Martin, Annexation Consultant, and Mike Swanson, Pro-Tem Public Works Director.

Revisions to the ordinance were included in the staff report. Substantive changes were made to the notice provisions to make them consistent with the Code.

Mike Swanson stated that he and Ken were involved with the process of developing the Metro Ordinance. The major issue discussed was the expedited process. Considering a discussion last Spring with City Council, the City Attorney prepared the proposed ordinance that is before the Commission tonight.

Mr. Martin is here tonight to explain, in terms of numbers and the kinds of cases and issues that were presented to the Metro Council. He is the person who knows most about the current Metro process and what is going on in the region under the new process. He can comment on what expedited cases looked like in the past and what could be expected if expedited annexations happened in Milwaukie.

QUESTIONS FROM THE COMMISSIONERS

Donald Hammang stated that there are two issues that were discussed the most:

1. Why is there a need for an expedited process?
2. Why is the Code written that expedited processes bypass the review of the Planning Commission?

Mike Miller asked why there is no allowance of a hearing for citizens in this process?

Ken Martin stated that the Boundary Commission is the agency for all annexation activity for all the cities and special districts in the three-county area. The process has been shifted so that cities do all of their own annexation processing. Special district annexations are handled by the County.

Under the Boundary Commission, there was an expedited process specified in the statute. This statute was adopted in the early '80's. An applicant previously had to go through a process that took about 50-60 days. The Boundary Commission had a limit of 90 days to complete an application.

The Homebuilders Association was concerned because they were annexing territory to water districts and cities. They did not want to go through a lengthy

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process when there were no planning concerns or issues about services. This took a lot of time and added to the cost of housing; they wanted an expedited process. Likewise, there were single lot annexations that occurred for reasons other than development where an expedited process made sense. Particularly for people who had wells that went bad and needed to be hooked up to water systems and sewer systems. There was rationale why the expedited process was included.

The people who wanted the expedited process went before the Legislature and had the State Statute changed.

Under the Boundary Commission, this is a 25-day process. Any applicant could request any boundary change. During the first 15 days, the Commission staff is required to do a brief summary of the proposal. This would explain the location, size, planning and zoning designations, what was being proposed, and where the services are located. This information goes out to every unit of government in the area. At this point, the 10-day period started. If there was a response in that time, the application is kicked out of the expedited process and forwarded to a public hearing.

The process being proposed by Milwaukie is more restrictive and protective of citizen rights than the Boundary Commission process. The Boundary Commission also reviewed extra-territorial and sewer line extensions. There were about 500 proposals done under this expedited process. None were denied and very few were called to a public hearing. They were not controversial types of proposals. The typical expedited proposal is 1-5 acres. There are no giant subdivisions, commercial developments, malls, etc.

The Statute change that required Metro to pass these rules, required that there be an expedited process. The expedited process can only be used on one type of annexation, a petition signed by 100% of the property owners and lower than 50% of the electors. If the City wants to initiate an annexation, it cannot be expedited. The notice requirements in the Metro code are far more extensive than those requirements under the Boundary Commission process. Milwaukie is requiring notice of 400' rather than the 100' state requirement.

If the process is to go through the Planning Commission and the City Council, it is not an expedited process.

QUESTIONS FROM THE COMMISSIONERS

Mike Miller stated that he is very concerned that a citizen would not have the right to go before City Council and in a public hearing express their concern, support or opposition to an annexation. If a citizen goes to the annexation hearing, he has no right to speak. **Alice Rouyer** stated that this is correct as indicated on Page 7 of the Staff Report. **Ken Martin** stated that, under the Boundary Commission rules, notice went out and if there was a concern expressed, a public hearing could be requested. Under the proposed ordinance, City Council would have the authority to call a public hearing if requested.

Mike Miller asked when an annexation came before the Council, why couldn't it be handled as a public hearing rather than a Council-only decision? Citizens do not know the process, only activists and those in public light know the process being discussed. Citizens are left out of the process. He cited an example where two people come in for an annexation who represent 60% of the property and 60% of the value of the property, forcing a third person in who owns a lesser amount of property. **Gary Firestone** stated that there are three different ways properties can be annexed. The expedited process has an additional requirement of 100% of property owners and 50% of electors. **Ken Martin** read Section 3.09045(a) of the Metro Code. The Milwaukie ordinance references the Metro Code section.

Chair Hammang stated that this process could be reviewed as a block to participation by the way the rules are written. It does not allow any review by other parties.

Alice Rouyer stated that the Commission could make a recommendation to City Council that the expedited process be a public hearing at the Council level. This will allow notice and the opportunity for citizens to speak at the hearing.

Mike Miller suggested that the notification be consistent with the notification for regular annexation, 400 feet. This would be an amendment to Section C, changing the notification from 200 feet to 400 feet.

Howard Steward stated that he would be opposed to voting on anything that does not public participation.

Chair Hammang asked for a definition of the objections. **Gary Firestone** stated that there were two objections. The primary objection is delays. The second level is not objection, but a consideration of what is an

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annexation. Minimal land-use annexations are the reason for the expedited process. The only land-use issue is determining the appropriate zoning designation. He suggested the Commission recommend approval of Section 1500 with the exception in the expedited process that a public hearing will be used. Regular notice procedures would be required. Further that the Zoning Chart be reviewed for changes.”

Mike Miller suggested that lots should come in with their present zoning and have to go through a zone change in the City. This should be done rather than an automatic zone change. He has a problem with properties coming in for a change. **Alice Rouyer** stated that spot zoning can get confusing on the map. She has concerns from a land use perspective about spot zoning in the City.

Ken Martin explained that an applicant comes in at a pre-application conference for an expedited process. If staff feels that the ultimate zoning for the property is not appropriate under the expedited process, there is no annexation. Staff could give the applicant two options; go through the expedited process for annexations as proposed by the chart, or get turned down because it is inappropriate. Another option would be going through a full annexation process for a decision. This is a decision of the applicant to take the chance of being denied or a full annexation process.

Gary Firestone suggested the option of taking R-15 and R-20 out of the expedited process.

Mike Miller moved to approve the proposed Boundary Changes in Section 1500 of the Milwaukie Zoning Ordinance, and requiring a public hearing at the City Council level for expedited annexations. Further that County property zoned R-15 and R-20 be removed from the expedited process. **Barbara Cartmill** seconded. MOTION CARRIED 7-0.

Ayes: Hammang, Borden, Cartmill, Cook, Miller, Ouderkirk, Steward;
Nays: None.

7.0 WORKSESSION -- None.

8.0 DISCUSSION ITEMS -- None.

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9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS / UPDATES

10.1 Historical Resources Commission Report -- No Report.

10.2 Community Development Director Report

Commission Calendar. Alice Rouyer stated that the September 28th worksession will be on the Draft Tree Ordinance. The Commission is invited to attend a joint worksession on September 20, 1999, with City Council to discuss Title III and the Natural Resource Overlay Zone.

There is a Town Hall Riverfront Plan Open House on September 22, 1999, at the Milwaukie High School. Alice Rouyer invited the Commission members to attend the Clackamas County Growth Conference on October 15, 1999.

11.0 NEXT MEETING -- September 28, 1999

11.1 Worksession -- 1996 Draft Urban Forestry Ordinance and policy questions.

Mike Miller moved to adjourn the meeting of September 14, 1999. **Barbara Cartmill** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 9:06 p.m.

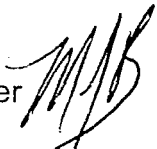
Donald Hammang, Chair

Shirley Richardson, Hearings Reporter



TO: Milwaukie City Council

VIA: Dan Bartlett, City Manager

FROM: Martha Bennett, Assistant City Manager 

SUBJECT: September Community Development Report

DATE: September 22, 1999 for October 5, 1999 City Council Meeting

Action Requested

None. This memo is for information only.

Background

This report includes activity for Community Development for the past four weeks. The building division activity is reported for the month of August.

Community Development

- Continued work with ODOT on the details related to the boulevard treatment of McLoughlin Boulevard project. ODOT will be updating the project prospectus by October 13.
- Continued recruitment for a new Public Works Director. An assessment center was held on September 23, 1999, and by the time of the Council meeting, we will have completed reference checks on the finalists.
- Supported the Downtown/Riverfront plan and the September 22, 1999 Open House.
- Worked with the City of Portland on the next steps on the Johnson Creek Boulevard construction project.

Future Community Development Activities

- Continue to support the Downtown/Riverfront effort.
- A community open house/work session on the Johnson Creek Boulevard Project is scheduled for October 12, at 6:00 p.m. at Ardenwald Elementary School. We are coordinating this open house with the Ardenwald/Johnson Creek Neighborhood Association.
- Coordinate Milwaukie's participation in review of the Regional Transportation Plan.

Planning Division

- Worked with the Planning Commission to complete a list of goals for 1999/2000. Both City Council and Planning Commission discussed the ideas and approach at a joint work session on August 30, 1999.
- The Planning Commission approved a conditional use permit at 4400 SE International Way to allowing a restaurant/bar to occupy more than 25% of an industrial building in the Business Industrial zone.
- Met with the Neighborhood Land Use Committee Chairs on September 15, 1999 to discuss Planning Commission goals, work program and upcoming projects for fall 1999.
- Interviewed candidates for the Associate Planner position.
- Ongoing building permit review and code compliance projects.
- Conducted a joint City Council/Planning Commission work session on Title 3 on September 20, 1999.
- Worked with the Development Review Team to implement a new manual for all permits and to improve the submittals for both land use and building permit submittals.

Future Planning Activity

- Continued work on the urban forestry ordinance. We will be working with the Planning Commission and Parks and Recreation Board on September 28.
- Presenting the annexation ordinance for Council consideration on October 5, 1999.

Engineering Division Activity

- Continued project management of the Brookside Pump Station project, which is under construction. We are working on modifications to this project.
- Worked with Clackamas County to bid the CDBG Curb and Sidewalk project on 42nd Avenue and Harvey St. Bids were opened on September 23.
- Managed the Waverly/Lava Drive Sewer and Waterline Project, working on finalizing with punch list.
- Managed the '99-2000 Waterline Project – Phase 1, which is under construction.
- Continued design of the '99-2000 Waterline Project – Phase 2.

Building Division Activity

- During the month of August, the Building Division issued 11 commercial building permits, 5 residential permits, and 58 "other" permits. The "other" permits include erosion control, plumbing and mechanical permits. This level of building activity generated approximately \$21,000 in revenue.
- Coordinated the work of the Development Review Team in developing a manual for development review staff and all applicants.

Future Building Activity

- Continued work in improving the development review process.

Street Division

- Completed the sweeping of approximately 180 miles of city streets and 45 miles for Happy Valley; hot patched 19 pot holes and 14 utility cuts; completed 8 infra-red repairs; close to completing our crack sealing program; installed new signs for City and Happy Valley; repaired damaged signs; various shoulder rock repairs; and responded to 22 citizen requests.
- The County work crews have completed many jobs for the Storm, Sewer, Water, Street and Facility Divisions.
- Close to completion of pavement marking repairs for the season.
- Continue working with engineering on the CDBG and NTMP projects.
- Completed the installation of the stone retaining wall on Washington St.
- Reformulating the Street CIP.

Street Division future activities

- Continuing the sweeping schedule to include Happy Valley, patching of potholes, shoulder rock repairs, infra-red pavement repairs, crack sealing, sign replacement and installation, assisting Happy Valley with their needs, and training of street crew on using the new sign inventory program. Also, work with Engineering on the completion of the CDBG sidewalk project .

Water Division

- Completed the Waverly Drive and Lava DR water line project.
- Continued design on the Phase II 1999-2000 SE Olsen, SE Floss and 36th project. It will be out to bid in October.
- Continued Phase I 1999-2000 SE 51st and SE Dick, SE Woodhaven and SE 52nd, SE Harlene project. It is 90% complete.
- Completed the project of upgrading the water system controls working with Technical Systems Incorporated. Water staff presented a demonstration and request for acceptance at the September 7, 1999 at City Council meeting.
- The field maintenance team has done 1 dig in water services, 1 dropin water services, changed out 4 water meters, 81 utility locates, 2 fire hydrants repaired, 1 main break repaired, 5 water services repaired, and 87 turn offs on turn off days, and responded to 6 citizen requests.
- The City Hall Service team completed 185 service requests. These consisted of final reads, leak investigation, rereads, turn ons, turn offs, and other miscellaneous calls.
- The summer field crew has located, mapped, exercised, and updated the records for 1700 water valves in the system since June 1st.
- The water quality section has completed several projects and maintenance on the water system. The Consumer Confidence Report has been completed in the draft form to be sent out in October.

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Sewer Division

- Overseeing Brookside Liftstation (S-5) HYDRONIX INC.
- Cleaning and televising Area 2
- Installed new hatch cover at Home & Monroe (S-3) liftstation
- Cleaned the wet well at Home & Monroe (S-3) liftstation
- Conducted flow monitoring in the Island Station area
- Conducted liftstation maintenance

Future Sewer Activity

- Planning and ordering materials for pathway at Jack's park
- Generator & Telemetry testing

Storm Division

- Stenciling catchbasins
- County work crews cut grass & weeds at Willow Detention Pond and cut blackberries at Waverly Court outfall
- Participating in Johnson Creek Watershed summit planning
- Cornell Washington passed driving test for Commercial Drivers License
- Attended Johnson Creek Watershed Tour & Project Impact Signing
- Drywell installation at 11003 Wood-NTA contractor
- Working with Engineering on Wood & Monroe project
- Reviewing erosion control plans and inspecting sights.
- Dave Butcher & Storm crew have been performing dry weather outfall screening as per NPDES.
- Quarterly sampling as per NPDES, Harmony & R.R., Johnson Creek & Brookside, Main & Lake and Roswell outfall.
- Attended: NPDES, CERT and DRT meetings.
- Worked with RIM to digitize the NPDES permit.
- Working with GIS to acquire aerial photos of detention ponds.
- Designing signs for detention ponds.

Future Storm Activity

- Planning for County crews to clear outfalls
- Continued stenciling of catchbasins.
- Cleaning catchbasins
- Working with our partners to support the Johnson Creek Watershed summit at the end of October.



To: Mayor and City Council
Through: Dan Bartlett, City Manager
From: Pat DuVal, Records and Information Manager *Pat*
Subject: Monthly Activity Report for August 1999
Date: September 23, 1999

Action Requested

None. This report is for information only and summarizes the activities of the Records and Information Management (RIM) division.

Staffing Activity, Training, Certifications, and Appointments

- Intermediate PowerPoint '97

Records Management

- Continued verifying the indexes and de-prepping the files returned from the scanning service bureau;
- Purged 4 cubic feet of records in Public Works and Police

Special Teams

- Lake Road Neighborhood District Association liaison;
- Payroll Problem Solving Team;
- Safety Committee; and
- Finance/RIM monthly staff meetings.

Administration

- Supported 2 regular Council meetings and 1 work session: agenda packets, notices, and minutes;
- Processed 11 contracts and agreements;
- Recorded 1 easement and 1 deed with Clackamas County;
- Processed 3 traffic regulations;
- Reformatted court billing forms and envelopes;
- Continued design of central Access database;
- Worked on template problem-solving; and
- Began annexation ordinance revisions.

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Community Development/Planning

- Supported 2 Planning Commission meetings: packets and notices;
- Researched 2 public records requests;
- Assumed responsibility for coordinating pre-application conferences;
- Set up 2 planning application files and prepared referrals.

Community Development/Public Works

- Completed 2 public records inspection requests;
- Compiled information on 34th Avenue and 32nd Avenue Speed Hump projects;
- Supported 1 Traffic Safety and Transportation Board (TSTB) meeting: packet, notices, and minutes; and
- Administered total of 9 Planning and Public Works contracts.

Fleet and Facilities

- Processed 55 requests for vehicle maintenance and 30 work orders for Clackamas Fire District #1;
- Processed 202 repair orders for Public Works, Happy Valley, and Milwaukie Police;
- Processed 28 and completed 11 facilities maintenance requests and participated in monthly "walk through " of City facilities;
- Assisted in preparing for silent auction of 17 pieces of equipment and vehicles;
- Assisted with state surplus sale and inventoried all items stored at 40th and Harvey site;
- Added Clarks Fire District as fleet "customers";
- Coordinated work orders and purchases for Lowry maintenance; and
- Set up special cleaning projects with janitorial service.

Municipal Court

- Scheduled and attended 2 court sessions;
- Entered 372 citations and 432 infractions;
- Scheduled 42 trials;
- Processed 1,896 after-court entries;
- Sent 320 abstracts to DMV;
- Processed 132 bills; and
- Sent 507 accounts to collections.

Police Department

- Processed 78 false alarm permit letters and accepted 17 new applications;
- Assisted with 64 background checks;
- Processed 352 reports and 81 subpoenas;
- Prepared 47 letters for abandoned and towed vehicles;
- Responded to 91 insurance requests;
- Processed 18 vehicle releases and 34 validations; and
- Scheduled 26 room reservations and 3 cancellations.

Front Counter Activity Tracking: RIM front counter staff had direct contact, either on the phone or in person, with 4,498 customers during the month of August.


Facility	Department	Calls	Walk-ins	Monthly Totals
City Hall	Court	209	168	377
	Water	251	213	464
	Business licenses	13	13	26
	Finance	21	19	40
	Administration	22	15	37
	Neighborhood Services	30	28	58
	PSB	33	39	72
	JCB	98	106	204
	Other	98	87	185
Combined customer contacts				1463
Johnson Creek	Planning	219	104	323
	PW Admin	30	30	60
	Fleet/Facilities	49	32	81
	Operations	115	22	137
	Building	101	44	145
	Permits	211	98	309
	Engineering	89	51	140
	PSB	14	1	15
	City Hall	25	7	32
	Other	128	26	154
	Interoffice	118	134	252
	Radio	63		63
Combined customer contacts				1711
Public Safety Building				
		552	772	1324



INTEROFFICE MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

THROUGH: DAN BARTLETT, CITY MANAGER

FROM: CHARLENE RICHARDS, ASSISTANT CITY MANAGER - HR/COMMUNITY SERVICES 

SUBJECT: MONTHLY REPORT - HUMAN RESOURCES/COMMUNITY SERVICES

DATE: SEPTEMBER 24, 1999

CC: HR/COMMUNITY SERVICES TEAM

What follows is the Monthly Report (August 16, 1999 through September 15, 1999) for Human Resources and Community Services. If you have any questions, please speak with me. My telephone number is 786-7506.

HUMAN RESOURCE SERVICES

General Administration

- Continued work on recruitment and selection of key management positions.
- Analyzed employee surveys for presentation at Forecast 2000 October 5th and 7th.
Anticipated September/October 1999
- Present Forecast 2000 on October 5th starting at 8:30 AM at City Hall and October 7th starting at 2:00 PM at Johnson Creek Facility.

Training

- Began developing training program topics for Fall-Winter 1999-2000.
Anticipated September/October 1999
- Develop action team for follow-up to employee survey.

Employment Activities (August)

- Two full-time and 3 temporary employees hired.
- One temporary/seasonal employee left City employment.
- Four recruitments in process and two completed.

COMMUNITY SERVICES

LIBRARY

- Submitted the Ready to Read Grant application to implement phase two of our outreach to day care centers and providers. We plan to begin a bimonthly newsletter of suggested books and activities and to create theme kits of books, puppets and activity booklets.
- Has received a large shipment of business, personal finance, investments, and computer books, which are being prepared for circulation.
- And its patrons have enjoyed the summer concerts in Scott Park, which are now over for the year.
- Had replacement countertops installed at the circulation desk. The new ones are laminate rather than recycled wood and will be easier to care for.
- Enjoyed the busiest August in its history. Young adult books and compact discs performed exceptionally well.
- Staff librarian assigned to young adult section, Robert Lanxon is in the process of visiting area high schools to coordinate programs with them.
- Friends group will be purchasing computer workstations and furniture and will be providing funds for better programming.
- Participated in September meeting of the Library Futures Committee receiving a presentation of the results of the patron survey and setting up a consultant review and selection subcommittee.

Anticipated September/October 1999

- Receive new computer furniture.
- Have new Windows-based public access computers installed by Network and ISTM. A new CD-ROM homework station will also be set up in the children's library.
- Receives shipments of music CDs for the children's library. We hope to have them processed and available for check out by November.
- Have a long range plan proposal prepared by the Board presented to the City Council during its October 4th work session.
- Participate in consultant selection for Library Futures Committee.

NEIGHBORHOOD SERVICES

- Developed Communications Plan implementation strategies with other staff.
- Met with neighborhood association members to assist them with their grant application preparation.
- Compiled report on city/staff contribution to neighborhood visions.
- Met with planning and public works staff to develop urban forestry program.
- Analyzed Downtown/riverfront ballots from kiosks.
- Partnered with Oregon National Guard to relocate Milwaukie Together summer skate park equipment to Camp Withycombe.
- Met with MHS Tech Cadre regarding possible City web page development options.
- Compiled information for development of City Vision and Mission.
- Participated in Council Vision/Mission Retreat.
- Participated in recruitment process for associate planner.
- Processed events permit applications for September.
- Planned agenda for upcoming Code Enforcement Review Team and Neighborhood Services Team meetings.
- Met with RIM staff regarding improvements to front-counter communications.
- Prepared session presentation for upcoming ICMA media communications conference session.

Anticipated September/October 1999

- Provide technical assistance and training to NDAs.
- Respond to citizen requests as needed.
- NDA/Board Commission Review of Draft City Vision and Mission.
- Implement changes to grant program per Council direction.
- Participate in downtown riverfront development outreach effort.
- Participate in assessment center for public works director position.
- Begin budget preparation for Neighborhood Services.
- Relocate office space.
- Complete downtown parking enforcement report.
- Plan and facilitate Code Enforcement Review Team meeting.
- Attend 3CMA and ICMA conference sessions.
- Attend Regional neighborhood Coordinators meeting in Salem.

Public Information

- Researched strategies to implement the Communications Plan.
- Designed and produced flyers for neighborhood events.
- Wrote press release on hire of the new Police Chief.
- Designed and coordinated the placement of the Riverfront and Downtown Plan Open House advertisement.
- Designed and produced Riverfront and Downtown Plan Open House flyer.
- Attended and recorded minutes for the Neighborhood Officers Quarterly Leadership meeting.
- Coordinated the implementation of additional Riverfront and Downtown kiosks at Albertson's and Milwaukie High School.
- Began research for a telephone tracking system.
- Researched development of City Web Page.
- Attended Regional Emergency Response Team sessions.

Anticipated September/October 1999

- Begin the development of City Web Page.
- Begin working with Community Development in preparing Tree Ordinance and Title III public information.
- Develop a logo for the Downtown and Riverfront Plan.
- Attend the ICMA conference and give presentation.
- Continue working on strategies to implement the Communications Plan.
- Continue outreach for the Riverfront and Downtown Development process.
- Continue training on video equipment.
- Continue attending Emergency Response Team meeting.
- Write and edit copy, take photos, design and produce the November newsletter.
- Regularly update the Interactive Video Bulletin Board.
- Develop and coordinate the publishing of advertisements for City departments.

Code Compliance

- Responded to livability complaints.
- Conducted property inspections and met with neighbors for voluntary compliance.
- Issued violation notices and citations to violators.
- Attended court trials for Code Compliance Cases.
- Followed up with citizens reporting complaints.
- Worked with CERT team for combined efforts on properties with multiple department code violations.
- Completed Code case nuisance distribution map for NDA quarterly meeting.
- Prepared Neighborhood Code Compliance report for June, July, and August.
- Worked with City attorneys on dept collection for court fines, and abatement.

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- Preparing lien documents for uncollected abatements.
- Assisted with interagency effort by Multnomah Sheriff's office for illegal dumpsites.
- Assisted planning department with a warrant inspection.
- Coordinated volunteer helpers for elderly who need help with yard maintenance.
- Researched code enforcement procedures in other municipalities for bettering our Codes.
- Attended Swine Metro meeting, agenda covered abandon vehicles, and solid waste issues and agreed to host upcoming meeting.
- Worked with Clackamas County Code Enforcement on overlapping boundary properties.
- Worked with investigators from DMV to ensure car dealers are in compliance.

Anticipated September/October 1999

- Develop more ideas for the neighborhood tool shed.
- Review our city nuisance codes for revision/updating.
- Review code procedures for all code cases, to ensure no loopholes.
- Case follow-up on compliance.
- Continue to process Citizen requests regarding livability complaints.
- Further develop the individual neighborhood case tracking system.
- Gather information and ideas on codes for other cities.
- Host the September Metro Swine meeting.
- Develop an agenda for topics with Metro concerning solid waste.
- Attend code revision session to review up coming change to clarify our ordinances.
- Organize an effective way to track cases for future reference information sharing for CERT team.
- Attend upcoming court trials.
- Improve ways to help the elderly and low income with property maintenance.

PROGRAM SERVICES

Solid waste and Recycling

- Attended CERT meeting to discuss Noise ordinance conflict with Solid Waste Ordinance.
- Met with haulers to discuss commingling administrative rules.
- Completed commingling memo and resolution for Council.
- Met with Metro Councilor to discuss local government briefing on solid waste and recycling for Council members.

Anticipated September/October 1999

- Meet with Council regarding commingling.
- Prepare educational materials for implementation of commingling.
- Set up meetings with Neighborhood Associations regarding the new "sort".
- Develop monitoring program for new system.

Cable Renewal & other Telecommunications Issues

- Provided customer service to residents impacted by TCI upgrade.

Anticipated September/October 1999

- Meet with city staff to discuss use of the I-net.
- Meet with city staff and school district to coordinate "lighting up" I-Net fiber.
- Draft plan for determining alternative to Public Access studio on International Way.
- Provide customer service assistance to customers with upgrade complications.

PARKS AND RECREATION

- Continued work on parks acquisition program for Hector Campbell neighborhood, acquiring two additional parcels, and Lewelling neighborhood.
- Met with planning and public works staff to develop urban forestry program.

Metro Local Share Projects

- Met with contractors to discuss soil movement at Willow Place.
- Met with City staff regarding erosion control permit for Willow Place soil project.
- Met with representatives of Wetland Conservancy regarding management for Minthorn Spring addition.
- Received contract amendment from Metro revising Local Share projects to provide additional funding for acquisition of the North Minthorn property and development of a joint management plan with the Wetlands Conservancy.
- Meet with City staff to determine cost of other landscaping and installation ideas at Springwater Trail entrance.
- Select contractor and complete soil movement project at Willow Place.
- Organize plantings at Roswell and Willow Place.
- Complete Water Rights application for Willow Place.
- Begin organizing meetings with abutters of Home Ave properties.
- Write up justification for grant period extension.
- Identify potential sign designers and determine size and cost of sign for Springwater.
- Meet with Ardenwald NA to discuss options and sign design.
- Acquire North Minthorn property.
- Receive approval from Division of State Lands/Oregon Department of Fish & Wildlife staff for Furnberg Park wetland restoration and boardwalk project. Begin development of bid packet for development and construction of wetland restoration project.

Anticipated September/October 1999

- Organize potluck at Springwater Trail entrance
- Get bids on signs for Springwater Trail

Parks and Recreation Board (PARB)

- Conducted neighborhood outreach workshops for gathering information about possible neighborhood park acquisitions for POST program and target area recommendations for Council.

North Clackamas Parks and Recreation District (NCPRD)

- Continued work to proceed with wetland restoration project at Furnberg Park and inclusion of boardwalk.

Metro Greenspaces Technical Advisory Committee and Local Share Projects

- Continued work with consultants on Local Share acquisition project.
- Continued work with Level of Service subcommittee to develop standards for the Metro area.
- Met with PARB and NCPRD staff to develop PARB recommendations for acquisition opportunities for POST acquisition program refinement map.
-

Anticipated September/October 1999

- Continue work on Local Share acquisition projects.
- Continue work with Level of Service subcommittee to develop guidelines for the Metro area.
- Present PARB and staff recommendations for refinement map to Council for adoption of target area map and confidential tax lot specific map.