

**MILWAUKIE CITY COUNCIL
REGULAR SESSION
OCTOBER 19, 1999**

The one thousand eight hundred and twenty-fifth 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:

Mary King	Jeff Marshall
Larry Lancaster	

Also present:

Dan Bartlett, City Manager	Martha Bennett, Assistant City Manager
Jim Coleman, City Attorney	Jan Gehlen, Finance Director
Charlene Richards, Assistant City Manager	Jay Saatkamp, Operations Supervisor, Water

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Police Larry Kanzler -- Swearing In Ceremony

Bartlett administered the Oath of Office to Police Chief **Larry Kanzler**.

Red Ribbon Week Proclamation

Anthony Dean, Prevention Coordinator for North Clackamas #12 School District, discussed the importance of promoting safe and drug-free schools. One element of the Red Ribbon Week Program was to recognize and encourage those developmental assets and experiences that lead to a drug-free life. This year's Program focus was on making youth aware of the dangers of under-age drinking.

Councilor King announced the Ardenwald Elementary students would present their skit at the first meeting in November. She agreed that recognition of positive assets delivered a valuable message.

Mayor Tomei read a proclamation naming the week of October 23 – 31 as *Red Ribbon* week in the City of Milwaukie and urged citizens to participate in the local activities encouraging drug-free lifestyles.

CONSENT AGENDA

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

1. City Council Minutes of September 18 & 20 and October 4 & 5, 1999; and
2. Acceptance of 1999/2000 Street Overlay Project

Motion passed unanimously among the members present.

AUDIENCE PARTICIPATION

Richard Cayo, 4203 SE Johnson Creek Blvd., requested written responses on behalf of the *Citizens for the Fiscally Responsible Management of the City of Milwaukie, Oregon* from the Mayor and Council. The group's concerns were:

1. Safeway Building -- What assurances does the taxpayer have that his/her money is being spend on more than a possibility since light rail was defeated at the ballot box? He understood there were negotiations between the City and Tri-Met, but the City continues to spend \$90,000 annually to lease the building and \$15,000 in taxes.
2. Waterfront Development -- Is digging out three to four square downtown blocks for the purpose of a boat basin the best use of City money? The City is already paying \$239,000 for a consultant, and the Kellogg Treatment Plant will not be decommissioned for at least ten years.
3. Kellogg Sewage Treatment Plant -- His previous questions about the life of the treatment plant have never been answered. Is it ten or twenty years? Why is industrial waste allowed to pass through this plant?
4. Lowry Hotel -- He understood the cost of the property was \$445,000 with an expense of about \$13,000 to bring the building up to code. Who decided this facility should be a half-way house since it is so close to several schools? When will the building be demolished?
5. Milwaukie Jr. High School Site -- Why is the City trying to buy this building? When did speculative purchasing become part of the agenda?

Gene Hatlelid, 4325 SE Johnson Creek Blvd., continued:

6. MarketPlace -- The group understood this property was developed illegally because it is a wetlands. What liabilities are there for taxpayers? What is the status of the lawsuit imposed on the MarketPlace property?
7. Cost of City Management -- Why do Milwaukie officials earn larger incomes than those in surrounding communities? How much is the City Attorney compensated annually? What kind of benefit will the taxpayers see by sending the Mayor to Portland State for \$2,485? Why is it necessary for the Council to bond at Skamania Lodge at a cost of \$4,300?

8. Island Station Neighborhood Association -- Why is the NDA in existence if all of the leadership positions are vacant? If that is the case, why is it necessary for Michelle Gregory to be the association's coordinator?

Sally Collins, 11367 SE 35th Avenue, discussed the difficulties related to locating the skatepark near the outdoor pool. There was little supervision at the skatepark resulting in a clash of two cultures. She recounted incidents of robbery and vandalism. She understood from the Police Department that the site was difficult to monitor because of limited visibility.

It was agreed that she would have further discussions with Anthony Dean and Chief Kanzler.

Aloha Carrey, 7221 SE El Dorado, Art Guild President, said she and the 160 members of the organization were looking forward to working with the City and being involved.

PUBLIC HEARING

Supplemental Budget -- Parks Land Purchase Fund

Mayor Tomei called the public hearing on the 1999 - 2000 Supplemental Budget to order at 6:30 p.m.

The purpose of the hearing was to consider a resolution amending the appropriation levels for two funds for fiscal year 1999 - 2000. **Mayor Tomei** reviewed the conduct of the hearing.

Staff Report: **Gehlen** presented the staff report in which the Council was asked to adopt a resolution amending appropriation levels. The City had the opportunity to purchase waterfront property, but, due to the timing, this was not included as budget consideration last spring. The proposed resolution increased the interfund loan from the Water Reserve Fund in order to complete the transaction.

Correspondence: None.

Audience Testimony: None.

Close Hearing: **Mayor Tomei** closed the public testimony portion of the hearing at 6:35 p.m.

Councilor Marshall noted that this has been an ongoing process with which the City Council has been involved for months.

It was moved by Councilor Marshall and seconded by Councilor King to adopt a resolution adopting a supplemental budget and amending appropriations for fiscal year 1999 - 2000. Motion passed unanimously among the members present.

RESOLUTION NO. 39-1999:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO ADOPT A SUPPLEMENTAL BUDGET AND AMEND APPROPRIATIONS FOR FISCAL YEAR 1999 - 2000.

OTHER BUSINESS

1999 Consumer Confidence Report

Saatkamp presented Milwaukie's 1999 Consumer Confidence Report (CCR). The rule that this annual report must be provided to all water customers became effective in 1998. The format was developed by the Environmental Protection Agency (EPA). It contains information on water quality and characterizes any risks from contaminants that might be detected in the drinking water. The report was mailed to all water customers, and he encouraged those with questions to contact him or Don Simonsen.

Bartlett noted that there was no detectable TCE level because the packed towers have taken care of the problems of several years ago.

Councilor King pointed out that Milwaukie's water comes from the Troutdale aquifer and noted the importance of protecting the full length of stream networks.

Consider Liquor License

Bartlett recommended Council approve The Meadows' OLCC application based on Chief Kanzler's background investigation and recommendation. The application is before the Council because of a name change from The Meadows Tavern.

It was moved by Councilor Marshall and seconded by Councilor King to suspend Council rules to consider this liquor license application. Motion passed unanimously among the members present.

It was moved by Councilor Marshall and seconded by Councilor Lancaster to approve the Liquor License Application for The Meadows, 6001 SE Johnson Creek Blvd. Motion passed unanimously among the members present.

The group discussed the background check process. **Bartlett** said the Police Department checks records to determine if there have been more than an acceptable number of officer calls at the particular business. The background check ensures that there has been no criminal history that was not reported. If there is an inordinately large number of officer calls, there may be a hearing conducted to consider suspending or revoking a license. The checks are conducted on a state and national level.

INFORMATION

Mayor Tomei said that the Island Station Neighborhood elected new officers at it last meeting.

ADJOURNMENT

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

Mayor Tomei adjourned the meeting at 7:45 p.m.

Pat DuVal

Pat DuVal, Recorder

**CITY OF MILWAUKIE
CITY COUNCIL AGENDA
OCTOBER 19, 1999 -- REVISED**

MILWAUKIE CITY HALL
10722 SE Main Street

1825th MEETING

REGULAR SESSION - 6:00 p.m.

I. CALL TO ORDER
Pledge of Allegiance

II. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

- A. Ardenwald Elementary School Skit**
- B. Police Chief Larry Kanzler -- Swearing In Ceremony**
- C. Red Ribbon Week Proclamation**

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

- A. City Council Minutes of September 18 & 20 and October 4 & 5, 1999**
- B. Acceptance of 1999/2000 Street Overlay Project**

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.)*

Supplemental Budget -- Parks Land Purchase Fund

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. 1999 Consumer Confidence Report (Saatkamp & Simenson)**
- B. Liquor License Application for The Meadows, 6001 SE Johnson Creek Blvd.**

VII. INFORMATION

- A. Board and Commission Minutes**
 - 1. Center Community Advisory Board, August 13, 1999**
 - 2. Park and Recreation Board, August 23, 1999**
- B. Neighborhood Traffic Management Program Status Report on SE Monroe Street between 21st Avenue and Hwy. 224**

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.

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None scheduled.

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**MILWAUKIE CITY COUNCIL
WORK SESSION
TEAMBUILDING, MISSION, AND VISION
SEPTEMBER 18, 1999**

The meeting came to order at 9:00 a.m. in the City Council Chambers in Milwaukie City Hall.

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

Staff Present: City Manager Bartlett, Assistant City Managers Bennett and Richards, Neighborhood Services Manager Gregory, and Planning Director Rouyer.

Facilitator: Mike Swanson.

The desired outcomes of the work session were identified as:

- having a better understanding of roles and responsibilities,
- beginning the next generation of the Mission and Vision Statements, and
- providing direction to staff on language for Council adoption of the Statements in November.

Councilmember Interests:

Mayor Tomei said it was important to her to set up a communication system and have some mutual understandings about Council and staff roles. It was important to check with each other periodically to find out if people were understanding and remembering their roles as policy setters and policy administrators.

Councilor King hoped to have a glimmer of this Council's Vision in order to move forward together.

Councilor Lancaster wanted almost complete Mission and Vision Statements at the end of the day. Although the product may not be completely finished at the end of the session, he wanted a solid framework with a defined evolutionary process.

Councilor Marshall believed the Council could have fairly complete Mission and Vision Statements based on the strategic planning material and the neighborhood visions. He also wanted to examine the structure of Councilors' roles in representing citizens and interfacing with staff. He felt Council needed to spend more time on the visionary work and let the citizen advisory groups take over some of the administrative activities that could be taken over by citizen advisory groups.

III. A. 2

Councilor King felt the City was at a crossroads, and it should not be a regional player at the expense of the local community.

Gregory hoped to see people motivated to work together at the end of the day.

Bartlett felt the group needed a common understanding of what roles are appropriate and how staff direction is given. Councilors sometimes make suggestions or criticize staff without fully understanding the situation, and, as a result, relationships suffer. Consistent messages help everyone in the organization focus on the important goals.

Richards said the Council Mission and Vision Statements will help her and her staff by providing a general sense of organizational direction.

Swanson agreed that a Mission and Vision was critical to focussing a group on success.

Rouyer was looking for a trusting Council/Staff relationship.

Councilor King felt frustrated because there did not seem to be a clearly-defined process for a Councilor to present his or her ideas.

Councilor Marshall sensed a frustration from Councilors that they were not able to act in a hands-on manner with staff and citizens.

Swanson agreed that many elected officials have found it difficult to transition from being an active, hands-on citizen to becoming a policy maker that deals with the future and makes visionary decisions. The other issue is who gives staff direction.

Councilor King wanted to be told when she was over-stepping her bounds and be given a chance to respond.

Mayor Tomei agreed that many of these contacts are done innocently, so Councilors need to know when his or her actions were inappropriate.

Bennett pointed out that, when a Councilor talks to an employee, the employee usually goes out and does what the elected official says to do. From this perspective, it is important for the Council to act as a cohesive unit. Employees perceive Council as very powerful.

Councilor Marshall could not imagine giving anyone below the department head level direction. Bartlett should be notified of any suggestions or questions from Council to find out what is in the realm of possibility.

Swanson said the issue is identifying the line between policy and administration.

Councilor Marshall would not, on the other hand, expect staff to go to Bartlett every time professional judgement needed to be exercised.

Councilor Lancaster discussed notifying staff of code enforcement complaints.

Bennett said Council should not expect service outside the normal process or that exceeds that given to a normal citizen. That, of course, is not always the case. The issue is the actual administration of day-to-day organizational activities.

Gregory added that a Council suggestion amplifies the employee's sense of duty, and he or she gives it higher priority.

Bartlett commented that code enforcement, for instance, was a quality control issue, and it is important that the community does not get the sense that Council singles out individuals.

Swanson said both staff and Council need to exercise good judgement. When Council calls, it is to find a solution not to issue a reprimand.

Gregory added it was important for communication to move toward exploration and problem solving.

Richards said good judgement on all sides is essential to determine if an issue is one of policy or operation. Be conscious of due process and consider how others might be impacted.

Mayor Tomei felt frustrated that she, as a policy maker, had less access and less opportunity to be heard.

Councilor Marshall said, in a sense, Councilors gave up certain rights when they were sworn into office. He discussed making decisions for the good of the City and supporting decisions that the Council makes as a whole.

Councilor King pointed out that Councilors can express their positions and opinions prior to the vote, and she did not feel that was giving up individual rights.

Bartlett added that elected officials give up an advocacy role and move into the role of setting direction for the entire community.

Gregory commented that people who become City employees also give up their advocacy roles.

III. A. 4

Swanson added that it was important to try to understand each other's roles because there are few rules. He summarized the important points: check-in with each other on a regular basis and identify the lines or boundaries that are best expressed and defined as use of good judgement.

The group said these things were addressed in the recently adopted Communications Agreement; however, it was not enforced.

Councilor Lancaster added that, when a group adopts a written agreement, it is incumbent upon each member to openly point out any apparent violations.

Swanson commented that this had to do with enforcing appropriate behaviors. Although the situations may be awkward initially, discussions about behavior will likely become easier.

Councilor King suggested not televising discussions about the communications agreement and personal issues. **Mayor Tomei** agreed that these discussions would be in an open meeting but not necessarily televised. She suggested communication issues be discussed on a regular monthly basis.

Swanson heard the group agreeing to a check-in process with more substantive checks on substantive issues such as achieving goals.

The group discussed the presiding officer's role and how redundant discussions might be reduced while respecting individual communication styles. It is important for the chair to distance him/herself from debates and intellectual discussions in order to keep the process moving. Mayor Tomei is in the position of having to integrate the roles of a voting Council member while acting as the presiding officer. The group agreed to give the Mayor feedback during the real-time process by saying something like, "I'm ready to move on."

Swanson discussed Councilor Marshall's comments relating to time commitments and suggested Council look at the Mission and Vision to evaluate the demands placed on individuals. He referred to a piece Councilor Lancaster provided and noted the Council's most important role was one of leadership and doing the right thing at the right time all the time.

Swanson pointed out a successful Mission Statement succinctly states the organization's reason for existing and gets to the core of what an entity is supposed to be doing. It must also be a brief and memorable statement. The Vision Statement is more challenging to craft because of the variety of services and customer bases within a City. He asked the Council how it defined itself and the City.

Councilor Marshall said the basic premise is that the city is an entity that provides for the common good those things which cannot be done by the individual.

Councilor Lancaster added a City provides services for a body of people. Governments exist to pool funds and provide basic services that people feel entitled to but cannot procure as individuals. Services should be provided on a stable basis at a reasonable price with excellent customer service.

Councilor King said a city also provides a fundamental framework for civility among its citizens.

Councilor Marshall said the city is an identity and provides institutions, schools, public safety, and code enforcement. Citizens have certain expectations. The Mission Statement should provide for a certain identity and states how services will be provided. The city functions for the common good of all and provides things that citizens cannot achieve individually.

Councilor Lancaster added that by becoming an incorporated agency, one creates an identity.

Bennett commented that cities make identity decisions all the time -- streets, trees, and density, for example.

Gregory said the Mission and Vision provides an avenue to move a city forward in fulfilling its destiny.

Councilor Marshall felt that services provided help shape the identity. If people identify with having a safe city, the goal may be to have, for example, three police officers per thousand.

Councilor King suggested the Mission contain language about being ongoing and adaptive to make changes to protect livability. She wanted reference to environmental sustainability, citizen accountability, and good communications.

Councilor Marshall wanted to keep it short.

Councilor Lancaster felt it was important to have a good system of accountability, so citizens will trust their government. He also suggested reference to hiring and retaining qualified staff as part of the Vision.

Mayor Tomei felt safety should be acknowledged.

Swanson said the Mission needs to be to the point so that it can be clearly expressed to the person on the street by Councilors, citizens, and any employee.

III. A. 6

He suggested giving staff the list of comments and direct them to develop a memorable statement.

Bartlett pointed out the Neighborhood Visions clearly point to a small town identity.

Swanson said regional avenues can be used to support the small town concept. There is already a common thread: common good, services at a reasonable cost, and small town identity.

Councilor Marshall suggested "*Growing a 21st Century Small Town*" as the Mission Statement.

The group agreed that all of the concepts were on the table and directed staff to develop several options.

Councilor King suggested citizens develop a slogan.

Councilor Marshall believed the Mission Statement, if brief, could be the slogan. The Mission should be succinct and the Vision expands upon that.

Councilor Lancaster suggested, "*Creating a quality, small town community.*"

The group agreed it wanted to convey the concept of dynamism and denote a movement toward the future.

Gregory asked the life cycle of a mission statement, and **Swanson** recommended annual reviews.

Councilor Marshall felt the basic Mission Statement should have a 20-year life and be constructed on a basic concept that the community can buy into. The current statement does not reflect the Milwaukie community.

The group went on to a discussion of the Vision Statement.

Swanson pointed out that developing a Vision Statement for a full-service City like Milwaukie can be a very difficult process and recommended a two-page version similar to the one developed by the neighborhoods. He further suggested that Council verbalize the concepts and direct staff to prepare the draft final product.

IDEAS:

Mayor Tomei

- public safety
- roads
- water and sewer
- housing
- cultural resources
- downtown and riverfront
- neighborhood associations
- multi-modal transportation
- design review

Councilor King

- environmental sustainability and stewardship
- connectivity
- citizen involvement and communication
- clear enforceable codes
- parks and open spaces
- youth involvement
- ethics

Councilor Marshall

- land use
- business and taxes
- urban forestry
- good work environment for City employees

Councilor Lancaster

- responsiveness to citizen needs
- strive for customer satisfaction
- stable economic base

Gregory

- fiscal responsibility

Rouyer

- livable, walkable neighborhoods

Bennett

- partnering with other public and private entities

DETAILS

Public safety

- Fully-implemented community policing
- School safety officer and gang prevention for at-risk youth
- Collaboration between department and community
- Adequate police force
- Lowest crime rate in the metropolitan area

III. A. 8

Roads

- All of the city streets are up to an identified standard that is accepted by the community
- Meet all stakeholders' needs
- Traffic engineering concepts
- Funding responsibilities
- Sidewalk policy
- Roads are safe
- Safe pedestrian crossings

Environment

- Habitat preservation for existing species and encourage others to return
- Clean water and air
- Noise, water, and light pollution protection
- Runoff and water going to streams
- Density issues noise and light
- Preserve the trees
- Conservation
- Maintain telemetry system
- Support watershed councils

Sewer

- Get rid of Kellogg Treatment Plant -- soon
- Long-term contract for sewage treatment
- Consider consumption based services
- Tax sewage the comes through the City of Milwaukie.

Housing

- Maintain diverse stock of land use and housing types
- Planned quality development
- Maintain some of the large lot areas in the community including parks and open spaces as environmental and historic resource
- Design review
- Code Enforcement
- Affordable housing

Citizen Involvement and Communication

- Maintain Pilot
- Encourage and facilitate; develop neighborhood leaders
- Youth involvement on boards and commissions
- Empower citizens
- Two-way communication

Codes

- Provide enough people to enforce codes
- Logical and enforceable regulations

Taxes

- Reasonable and realistic
- Educate the public
- People need to feel taxes are being used wisely and fairly

Businesses

- Clean and non-polluting that provide a living wage
- Appropriate placement of businesses
- Attract people to spend their money in Milwaukie
- Design review – no ugly businesses
- Clear expectations when facilitating businesses moving into the City

Park and Open Space

- Yes!
- All remaining undeveloped property in the City
- How do we partner and cooperate with other districts
- Go beyond Parks District standards for Milwaukie
- Meet established standard/say what is right for Milwaukie neighborhoods
- Network of connections between parks and open spaces – multimodal access
- Ensure that areas Milwaukie will annex in the future meet standards
- Parks SDC -- set realistic fees

Cultural Resources

- Maintain and increase number of concerts
- Plan for performing arts and cultural activities at the Milwaukie Jr. High School site that have a regional draw
- Maintain and preserve historical resources
- Underscore the importance of local cultural resources; and recognize and encourage local talent

Youth

- Involve in government and boards and commissions
- Youth activities and facilities
- Partner with the School District
- Encourage and educate youth for civic responsibility
- Educate through participation

Identity

- Small town
- Maintain unique small town feel as the City evolves
- Quality, well-planned change

III. A. 10

Riverfront

- Sewage plant gone
- Unique to Milwaukee
- Public/private partnerships
- Regional draw
- Significance while maintaining identity
- Identity for all citizens
- Inspiring

Downtown

- Vibrant, livable, retail with ground floor offices and residential upstairs
- Encourage local businesses
- Connected to the riverfront
- Offer both day and night time uses
- Identity – Where is Milwaukee?
- Relocate the transit center
- Downtown traffic

Response to Citizen Needs

- Exceptional customer service
- What government is and does – expectations higher than for private sector
- Educate the public so they can have manageable expectations
- Set reasonable expectations so they can be met and exceeded
- Under promise and over perform
- Address and identify unmet needs and communicate to the right agency or responsible party

Stable Economic Base

- Diverse industry
- Encourage businesses
- Satisfy citizens so they will approve bonds
- Tax savvy citizens

Urban Forestry

- Exceed Tree City USA standards
- Plant new trees and preserve what is already here
- Trees at the entrances to Milwaukee
- Educate property owners

Multimodal Transportation

- Encourage transportation other than autos – water taxi
- Encourage non-combustion engine transportation
- Create connections
- Better bus service

- Move transit center
- Encourage bike and pedestrian paths
- Connecting trails throughout the region

Ethics

- Council and staff will consistently act in an ethical manner
- Citizens perceive the City Council and staff as good stewards who act responsibly -- Boards and Commissions, too
- Operate under a code of ethics
- Do business honestly and fairly
- Support staff, so each can act according to their professional code of ethics
- Maintain highest standards of professional ethics

Library

- Maintain a library that is community focused
- Stable funding
- Adequate facilities
- Sustain progressive programs to keep up with and be ahead of technologies
- Encourage diversity

Employer

- Support staff in its professional growth
- Salaries and benefits that encourage retention
- Challenge
- Personal satisfaction
- Highly-skilled and well-trained employees
- Mutual dedication
- Balanced needs -- employer/employee/personal
- Recognition

Neighborhood Associations

- Supported and supportive
- Active
- Provide leadership training and resources to sustain quality leadership
- Accessible
- Educational resource
- Communicate with Council

Financial

- Long-term and stable
- Diversity
- Equitable
- Living within our means
- Make budget comprehensible to the public

III. A. 12

- Clear and concise accountability
- Fees instead of higher property taxes
- Tied to the Vision

Design review

- Consistent with downtown redevelopment
- Protect existing neighborhood characteristics

Partnering

- We need to work with others to achieve Council goals
- Need to be actively and continuously engaged by attending regional meetings and being aware of others' plans

Accountability

- Performance-based budget
- Action plans that are directed toward Council goals – each employee has a piece of it

Next Steps:

1. Draft prepared by the October 4, 1999, Council work session
2. Meeting with Neighborhood District Associations and Boards and Commissions on October 9, 1999
3. Adopt Mission and Vision at the regular Council session on November 2, 1999

Summary:

1. Periodically step into other people's shoes.
2. Discuss behavior in a "safe place."
3. Mission to act as a slogan and make sense of what the community is all about.
4. Involve Rob in the process.
5. Examine the Council/citizen role.
6. Walk out of the room motivated to work together and be more trusting.
7. Discuss attendance at Council meetings.
8. Examine the structure of the Council's role regarding citizen and staff interface. How does the City Council give input.
9. More time on vision -- less time on detail.
10. **Councilor Marshall:** Change all boards to commissions, so they can make more decisions and become liaisons to the larger community. He felt as if he had lost connection with the community. Empower the NDAs and the boards and commissions. Let them make the decisions after the City Council sets the parameters. The Council needs to use its time to be leaders and set policy -- work with other regional players. It is also a question of preparing citizens for upcoming leadership roles -- who will be the next Councilors?

Councilor Lancaster saw the merit in this. If people take ownership, they need to have the ability to make decisions. Set the parameters so they feed into and support the larger goals. The Council would retain the oversight responsibilities.

Bartlett added that the City Council needs to remember that it does have certain fiduciary decisions it must make.

Mayor Tomei felt the idea should be explored in more detail and was concerned about some of the decisions that might be made. She added that the current Planning Commission was very powerful and has taken on many responsibilities.

Councilor Marshall suggested that perhaps the Planning Commission applicants underwent greater Council scrutiny and that it is Council responsibility to make sure that each board and commission has quality members.

Bartlett said state statute recognizes the Planning Commission decisions, so the City Council is protected. There is also an outlet for remand. He suggested looking at the boards and commissions for redundancies and noted that perhaps the Citizens Utility Advisory Board (CUAB) tasks could be done by the Budget Committee.

Councilor Lancaster suggested looking into a contingency plan for developing leaders as Councilor replacements.

Interests

1. Continuity of leadership -- develop a cadre of people who can step into leadership roles.

Swanson suggested more use of ad hoc committees that are given a specific charge, to be completed in a specified amount of time, and sunsetted. This is a leadership cadre.

Councilor King noted that boards and commissions need specific goals and performance evaluations. If the City Council cannot articulate the board's responsibilities, then it is probably not needed.

Gregory thought the ad hoc committee approach might better fit people's current lifestyles. Four year appointments is quite a commitment for some. She also agreed this would offer a learning and leadership development opportunity.

III. A. 14

2. **Richards** discussed the employee team approach that the City of Milwaukie uses in special problem solving cases.

Swanson added that people are attracted to solving a problem with well-defined expectations of what it should look like in the end.

3. Better use of Council time and create more meaningful use of citizen involvement -- Council does not feel its time is always spent productively -- but in some instances it might be helpful if Council monitored itself more.

Richards discussed completing the Mission and Vision Statements and pushing the action plans down. Staff can only assist if the Council has given a charge and provides a main focus.

Councilor Marshall said he was talking about a paradigm shift that allowed people to have power over their own decision. Look at a total restructuring of how the town functions. Milwaukie can create its own model and have a more democratic process.

Mayor Tomei was in favor of a more democratic and involved community, but she was concerned with how decision-making power might be allocated.

Gregory reminded the group that it was important to keep the neighborhood groups and boards and commissions informed and involved with any changes such as those being discussed.

The work session ended at 4:20 p.m.

Pat DuVal, Recorder

**MILWAUKIE CITY COUNCIL
WORK SESSION
SEPTEMBER 20, 1999**

The meeting came to order at 5:30 p.m. in the Milwaukie City Hall second floor conference room.

Council present: Council President Marshall and Councilors Kappa, King, and Lancaster.

Staff Present: City Manager Dan Bartlett; Assistant City Managers Richards and Bennett; Planning Director Rouyer; Neighborhood Services Manager Gregory; City Attorney Ramis; Brenda Bernards, Metro; and Cathy Corliss, Angelo Eaton & Associates.

Information Sharing

1. **Councilor Lancaster** received information on the Transportation Management Association (TMA) Grant, and staff indicated it was not an appropriate endeavor for the City at this time.
2. **Councilor Lancaster** discussed a letter from Metro regarding use of carryover of solid waste funds, and **Councilor Kappa** suggested Milwaukie relay its recommendation through Metro Councilor Bragdon.
3. **Councilor Lancaster** referred to an August 3, 1999, letter regarding cars parked at the vacant lot at Stanley Avenue and Willow Street. He asked if all the issues had been resolved. **Bartlett** said the City responded to the letter and informed the person that the property was outside the City limits. The majority of the cars and debris have been removed.
4. **Councilor Kappa** said the Regional Water Purveyors Consortium Board met last week and endorsed the Consortium being listed as an advisory group on Endangered Species Act (ESA) issues relating to water transmission. He said he would provide minutes of that meeting to the City Council.
5. **Bartlett** said Mayor Tomei received a letter regarding Clackamas County's Complete Communities Committee, and she asked that she be named as Milwaukie's representative. The group concurred, and Bartlett said he would convey that to the County.
6. **Councilor King** submitted two Ardenwald teachers' names to the League of Oregon Cities for its Educator in Civic Excellence Award.

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7. **Councilor Lancaster** thanked Barb Kwapich in the Records and Information Management office for her exceptional customer service in helping him with a scanning project.
8. **Bartlett** provided general ESA and land use information from Donna Cameron's advisory newsletter.
9. **Bartlett** pointed out a response prepared by Rob Shelton to Ron Silverman and Debby Patten regarding 34th Avenue traffic issues. Primarily, the City has agreed to change the lens on the traffic light to shorten the visibility distance, but the other requests are not consistent with general engineering practices.
10. **Councilor King** discussed additional speed bumps on 32nd Avenue during this construction season. **Bartlett** responded that the City is studying the effects of the existing raised crosswalks, if additional improvements are appropriate, and how these might be coordinated with the Roswell Street project. If a contractor were brought in to do two additional speed bumps, the City would pay a premium price. Traffic officers indicate they believe the traffic is slowing as a result of the three raised crosswalks. Staff will observe and study the 85th percentile speed and diversion impacts.
11. **Councilor King** announced the October 6 *Walk a Child to School Day* for Ardenwald School.

Open Community Forum

None.

Neighborhood Grant Program Refinements

Gregory reported on past year's grant program. Staff prepared some recommendations based on input from the neighborhood applicants and the Grant Committee. These were: considering a different membership composition on the Grant Committee for more flexibility; approving grants administratively for requests under a certain dollar amount such as \$500; and giving grant review responsibility to the Citizen Involvement Board.

Among the seven neighborhoods, only three or four were active in the grant program, so **Gregory** looked to developing a more targeted outreach to increase citizen awareness of this program. The City receives about ten to twelve applications each quarter, but she hoped to see other neighborhoods make better use of the program.

Councilor King felt it was important to find additional people to review the grant applications because of the timelines. She had some concerns about the perceptions if staff granted funds and recommended it continue being done by a board of peers.

Councilor Lancaster supported King's comments and suggested the staff's granting the funds might defeat the purpose of the program. The concept is for neighbors and neighborhoods to generate the activity. He suggested a beautification program and a cross over private property maintenance plan to help the elderly, for example, who do not have the physical energy or the monetary resources.

Gregory said this concept has been exercised through the program to a limited extent. The Lake Road Neighborhood District Association (NDA) has a fund set aside to help citizens maintain their property. The challenge for the neighborhood is to develop criteria for use of these funds.

Councilor Lancaster said this issue arose in his neighborhood, and he felt it would be very valuable to give people a fresh start.

Councilor King noted that the City of Portland has an established "Helping Hand" program that could be used as a model.

Councilor Kappa supported the staff recommendations but wanted information on how the grant group would act as either a board or commission under the current code definitions. He asked if the current Grant Committee would stay active.

Gregory said that would be contingent upon the members' budget responsibilities. The next quarterly review has been set, so there is ninety day window in which to implement a solution to the current problems.

Councilor Kappa felt training was very important and expanding the program to other organizations in the community.

Gregory discussed NDA access to a computer work station to prepare a more readable and better-looking application. This would be considered in the next annual budget. Neighborhood services is in the process of moving its offices and considering a location to accommodate the neighborhood leadership.

Councilor Lancaster suggested a macro program that would allow for a "fill-in-the-blank" type of application.

Councilor Kappa suggested that the NDAs could use the Council office.

Councilor Marshall advocated strongly for the creation of the Citizen Involvement Commission in order to have decision-making authority. He agreed with Councilor Kappa that the Council office could be used. He also suggested that each NDA have a file cabinet to store its materials which, in turn, would facilitate continuity as leadership changes. The computer and/or copier time could be charged back to the NDA. He suggested changing the modus operandi on the grants and carrying the unused funds over to the next fiscal year. The purpose of the grants is to leverage the funds and make significant impacts in their neighborhoods.

Councilor King added that the NDAs needed to be accountable in their reporting. The NDAs might consider having a Grant Coordinator in the structure responsible for oversight of the funds.

Gregory felt it was an issue of time and difficulty in collecting the information to submit the reports.

Councilor Marshall added that the NDAs should also take responsibility for using the system in place and planning ahead.

Councilor Kappa felt the number of applications that were submitted and approved showed the program was successful.

Councilor Lancaster suggested 30 or 60-day grant application cycles because quarterly was fairly infrequent.

Councilor Marshall asked if there was concurrence that the Citizen Involvement Commission should be moved forward. He understood that being designated as a commission allowed the group to make binding decisions, which in this case would be granting funds.

The group agreed that formation of the Citizen Involvement Commission should move forward.

Councilor Kappa suggested the Commission take on some of the same issues addressed by the Community Solutions Team.

Councilor Lancaster liked the recommendation that grant applications under \$500 could be approved administratively.

Councilor King was concerned about public perception if staff denied grants and suggested an appeal process before the Citizen Involvement Commission.

Gregory summarized the comments:

1. stay with the existing process through this current 90-day cycle; and
2. develop a work space that can be used by the NDA leadership and include the Council office as a space option.

Councilor Kappa asked the status of the two industrial NDAs.

Bartlett responded that Omark has its own association and does not have an affinity with the Lincoln and PS Business Parks. They have not seen a need to work together at this point. The north industrial area lost momentum when light rail failed, but it will probably become more interested as the North Industrial Land Study continues.

Title 3 Update

Rouyer introduced the Planning Commissioners present: Judith Borden, Tracy Cook, Donald Hammang, and Doug Ouderkirk. Cathy Corliss, Angelo Eaton & Associates, and Brenda Bernards, Metro, were also present.

Bernards presented a slide show explaining the rationale for Title 3. The state legislature passed land use regulations requiring Metro, cities, and counties in Oregon to address water quality and flooding issues in order to meet State Goal #6 -- *to maintain and improve state air, water, and land resources*, and Goal #7 -- *to protect life and property from natural disasters and hazards*.

Issues included: development in floodplains; water quality degradation; removal of plant life near streams and waterways that protects the banks from erosion; and loss of existing streams to development. Sixty percent of 11,000 respondents to a survey indicated they were in favor of protecting streams and waterways even if it meant limiting development.

Title 3 requirements are designed to limit or mitigate the impacts of development and will be administered locally by cities and counties. Title 3 involves three tools for protecting the environment: performance standards; maps identifying rivers, streams, wetlands, and floodplains; and a model ordinance. Performance standards are natural resource protection goals that local governments are being asked to meet. The performance standards apply to new development and major redevelopment. The Metro Council adopted the maps and model ordinance in June 1998, and Title 3 went into effect in September 1998.

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It is important to protect floodplains because they reduce the risk of flooding by storing water during rainy periods. Floodplain performance standards include: no new development in floodplains or development allowed with balanced cut and fill. If fill is added to one part of the floodplain, an equal amount must be removed from another area of the floodplain so storage capacity is not lost.

Title 3 also addresses water quality protection. One way to accomplish this is to preserve plants around streams, rivers, and wetlands. These plants shade the water keeping the temperatures cool, and stabilize banks and capture top soil and other pollutants before they enter the stream. The water quality standards include maintaining a vegetative buffer around streams, rivers, and wetland. The width of this corridor varies with the type of water body and the steepness of the adjacent slope. No vegetative buffers are required for intermittent streams or seasonal streams that drain less than fifty acres.

Erosion control is necessary to protect water from the nutrients and other soil pollutants. Soil can also clog fish gills and cover spawning areas. If soil is allowed to build up in streams, the storage capacity is diminished and flooding occurs. Erosion performance standards include: all new development in the region must prevent and control erosion during and after construction as well as developing a plan for effective erosion control.

Bernards summarized the performance standards that cities and counties must meet: in floodplains no development without approved cut and fill; vegetative buffers in water resource areas; and prevention and control of erosion.

The map is used to indicate which areas must meet these performance standards. Cities and counties can adopt the map and model ordinance or other code language that meets the performance standards.

Rouyer said City staff is working with Angelo Eaton & Associates the review the current codes and bring the City's regulations into conformance. The process will include an extensive public outreach program. State laws also require that notices be sent to all affected parties.

Staff requested direction on:

1. The first question was whether to adopt the model ordinance or amend the existing City ordinances. Staff believed with the tools already in place that it would be simpler to amend the existing codes. There was Council consensus to direct staff to amend the existing codes.
2. The second question had to do with mapping of flood management areas and water quality resources areas. One option is to adopt field-verified maps that delineate all the areas regulated by new Title 3 provisions. The second option is to adopt maps as a reference, highlighting those areas likely to be

regulated by Title 3. Staff recommended a hybrid approach: Option #1 for implementing the Floodplain Management Area and Option #2 to implement the Water Quality Resource Area protection measures. **Rouyer** discussed the pros and cons of each option including the expense and staff time involved with Option #1.

Councilor Lancaster asked what would drive the need for map updates in Option #1. **Rouyer** responded the need would be driven by seasonal or environmental conditions that would alter boundaries over time. **Corliss** said that the field-verified maps would have to be updated constantly to ensure the City was regulating areas within the boundaries. She suggested that a biologist could recommend the frequencies of updates. **Councilor Marshall** understood that by using the definition approach, even those areas not specifically listed on the reference maps are protected. **Corliss** said that was correct. Even if the boundary is unclear, the area is protected by virtue of the definition. **Bernards** added that the maps could be amended over time.

Councilor Lancaster understood under Option #2 it was the property owner's responsibility to incur the cost of delineating the resources. **Rouyer** said that was correct and would assure also that the City did not arbitrarily map the area.

Councilor Kappa asked if the Water Quality Resource portion led the City into establishing criteria for storm water and runoff issues. **Rouyer** said one of the goals of the project is to address erosion control and storm water runoff. Some of the performance standards outlined in Title 3 really address that issue.

Councilor Marshall asked what type of Title 3 expectations would be placed on the City since it is already developed. **Bernards** said Title 3 applies to new development and major redevelopment.

Councilor Lancaster understood under Option #1 that the City would be responsible for the continued verification of the delineations and asked if any of this had been done already. **Rouyer** responded that there has been some mapping, but it was not field-verified. There are also wetland delineations but no water quality area mapping. **Bernards** added that the FEMA Floodplain was already in place including the records and aerial photos from the 1996 flood.

Councilor Lancaster asked if staff had a sense of the fiscal impact of maintaining the verified field maps and if Metro would have a role. **Rouyer** did not have that information. **Bernards** said Metro's role was being discussed and suggested there might be grant funds available using solid waste carryover funds.

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It was consensus that staff should implement the hybrid mapping approach.

Councilor Kappa wanted to ensure this was meshed with the Subdivision Ordinance and any other regulations that would justify the protection of trees and streams.

Rouyer said staff would work toward coordinating these regulations. **Councilor King** urged making language as strong as possible and working toward the highest and best protection of the streams and environment.

Councilor Lancaster asked about compensation to property owners in the case of extreme restrictions.

Corliss responded that the City could adopt language relating to hardship variance or buildable lot variance that states in no case would someone be left with no economically viable use of the land. Title 3 speaks to this issue. There are allowances for density transfer and for working with the developer on opportunities.

Bernards understood there were not that many lots in the region that are 100% within the Water Quality Resource Area.

Rouyer added that the Natural Resource Overlay Zone already has some provisions in place for density transfers. This is included in the administrative review.

Councilor Lancaster asked if there were a clearly defined formula to determine property valuation.

Corliss had not seen a dollar valuation, but she believed there was a 5,000 square foot impervious surface allowance. The model ordinance has examples of how exceptions can be created that are only arrived at after demonstrating the only viable way to develop the site. This issue would come back to the City Council in the proposed code. The regulations must be stringent enough to protect the resource without eliminating all viable uses of the land.

Hammang was concerned about loopholes. Under this rule, if he had property that was entirely delineated as wetland, does that mean he does not have to do mitigation and can develop the parcel.

Bernards said the Division of State Lands and Corps of Engineers standards are still in place and are not superceded by Title 3.

3. The second question had to do with Administrative Review of Applications. At this time, all Natural Resource Overlay decisions go to the Commission. Staff and the Planning Commission have discussed under what circumstances and following what process could some of the more routine applications be reviewed at the administrative level. Those more discretionary requests would continue to go before the Planning Commission.

Hammang added that the community would always have the ability to bring an application forward for public review.

It was consensus that staff develop these standards for Council review.

The fourth item was staff approach to public outreach. It plans to use existing groups including the Neighborhood District Associations, Land Use Committee, Chamber of Commerce, other business organizations, direct mailings to affected property owners, and an effective Ballot Measure 56 notification. It is also staff's intent to take the personal approach over Town Hall meetings.

Councilor King approved of staff's positive approach because environmental constraints do not have to be frightening or threatening to the public.

Councilor Lancaster suggested that NDAs could approach affected property owners.

Councilor Marshall asked if the City could adopt standards greater than what Metro is requiring considering the number of streams, including Johnson Creek, that flow through Milwaukie. Would there be an advantage in doing this and is there any criteria for doing so?

Bennett said Milwaukie is talking to Clackamas County and the City of Portland about the Johnson Creek issue. There may be other areas on the map that need to be protected to reduce flooding.

Councilor Marshall asked if there were funds to help local jurisdictions purchase property and eliminate some of the buildings in the delineated areas.

Bernards said she did not believe Metro had money for this type of program, but she understood FEMA was looking at a program to purchase property that has flooded more than one time.

Councilor Kappa thought the City might be able to apply for some funds in the future relating to the ESA and storm water runoff.

Bennett said Congressman Blumenauer offered to take a funding package for property acquisition through. There are, for example, four residential properties near Precision Castparts on septic. There may be some FEMA funding.

Richards explained the City abandoned the acquisition of those four properties with Metro Greenspaces funds in lieu of the Minthorn project.

Parks Open Spaces and Trails Project

Richards reviewed the acquisition process and the Park and Recreation Board's neighborhood outreach program to identify under-served areas and potential acquisitions. She discussed the flowchart and the activities that would be taken in order to acquire properties and noted that the City has made progress on several pieces of property over the past several months. Staff requested direction on preparing for an October 19, 1999, public hearing in which the City Council would be asked to adopt a target and a confidential tax lot map.

The map showed the buffer zones in which there were park and open space needs. Specific tax lot maps would come before the Council in executive session.

Councilor Kappa noted that the City Council had talked to the Clackamas County Board of Commissions about identifying and helping acquire properties just outside the City limits.

Richards explained that all of this work had been coordinated with the North Clackamas Parks and Recreation District. There is an awareness of the under-served areas of the City and potential properties in the unincorporated area that might serve the City.

Councilor Kappa believed that the County should help purchase these properties.

Councilor Marshall agreed it was time for a paradigm shift. He believed the District was focussing too much on regional park property when it should be looking more to the neighborhoods.

Councilor King referred to Commissioner Jordan's comments related to parks master planning and funding methodology. Milwaukie needs to give input into that process.

The work session recessed at 7:25 p.m. The Council met in executive session pursuant to ORS 192.660 to discuss property acquisition.

The work session reconvened 7:55.

It was Council consensus to move forward with the proposed map.

Councilor Kappa discussed funding issues relating to roads projects and acquisition of the Jr. High School site. He suggested an ad hoc committee be formed to analyze street improvement needs and identify possible funding mechanisms.

Bartlett added that a revised Capital Improvement Plan (CIP) would be ready for Council review in the fall.

Bennett suggested this might be a good time to use the Kezziah Watkins interest model.

Councilor King suggested using the term "action teams" instead of ad hoc committees.

Meeting ended at 8:05 p.m.

Pat DuVal, Recorder

MILWAUKIE CITY COUNCIL
WORK SESSION
OCTOBER 4, 1999

The meeting came to order at 5:30 p.m. in the Milwaukie City Hall second floor conference room.

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

Staff Present: City Manager Dan Bartlett; Assistant City Managers Richards and Bennett; Neighborhood Services Manager Gregory; Information Specialist Wheeler; and City Attorney Ramis.

Information Sharing

1. The group discussed Chief Brent Collier's upcoming retirement.
2. **Mayor Tomei** said she would provide the Council with a brief description of the Portland State Legacy Program sessions she recently attended including working with the media.
3. **Councilor Marshall** suggested the Downtown/Riverfront parkway design include a putting course.
4. **Councilor Kappa** discussed the feasibility of a shadow Council to encourage leadership and youth participation in local government. Current leaders need to find out what it takes to make the processes and voting relevant to youth. He recommended discussing the idea at the October 9 Mission/Vision work shop. Several Councilors who attended the National League of Cities Leadership Conference met the City of Tualatin's young Councilor who became involved by serving on that city's parks and recreation commission.

Mayor Tomei said she was beginning to work with middle and high school government classes and would work on involvement.

Councilor King had some concerns about getting involved in a new program while there were still other incomplete projects.

Councilor Marshall supported opening the boards and commissions to interested youth.

Bartlett recommended shorter terms if the City Council decided to make youth appointments.

Councilor Lancaster supported moving forward with the plan while being conscious of demands on staff time.

5. **Councilor Marshall** said while it seemed this Council struggled with communication, he believed this group was much more open.

The group discussed the location of a work station and filing cabinets for the Neighborhood District Associations (NDA), and **Mayor Tomei** indicated she would like to have the Council office available for meetings.

Ledding Library Work Plan

Library Board members present: Sue Trotter, Chair, Pat Healy, Anna O'Guinn, Ed Zumwalt; and Senior Librarian Cynthia Sturgis.

Trotter reported that the Ledding Library developed a long-range plan that was adopted by the City Council in 1992. Many issues raised at that time have been resolved, and the current concern is the ability to link the Library with the downtown/riverfront plan and the work of the Futures Committee. Technology has changed the ways in which services are delivered including computer use, videos, and talking books.

The Board requested Council authorization to proceed with a ten-year plan based on community needs. Key long-range issues included:

1. Service priorities with consideration for and responsiveness to community needs, development plans for Milwaukie's downtown and riverfront, and technological changes pertaining to the dissemination of information;
2. Staff needs and training consistent with service priorities, increased community use, and technological changes;
3. Facility needs consistent with service priorities, increased community use, technological changes, and downtown/riverfront development;
4. Partner with private and other public services; and
5. Adequate, stable funding with consideration of taxes and grants; foundations, public and private partnerships, and private donations.

The Board proposed a one-year timeline that included access to Futures Committee information to maximize efforts. Based on the proposed schedule, the planning document would be written in September and brought forward for Council approval in October 2000.

Trotter recommended that Long-Range Planning Executive Committee members include the Library management team, Board members, Friends organization, Neighborhood District Associations (NDA), North Clackamas 12 School District, and the Milwaukie Downtown Development Association (MDDA). The Board

also recommended including home schooling parents, students, and seniors. The 1992 Plan addressed internal issues, while current undertaking would look at the Library's relationship to the larger community and its delivery service role as technology advances.

Trotter reviewed the proposed \$9,941.50 budget. It included staff time, \$3,500; meeting arrangements and travel, \$315; consultant, \$5,000; copying, \$6; printing, \$1,050; phone, \$4.50; and postage, \$66. She discussed possible funding options.

Councilor Kappa believed board members would benefit from attending annual conference and asked who normally attended.

Sturgis responded that staff normally goes to the three-day state conference, and there are also one-day county network sessions. Some Board members have attended in the past using citywide training funds.

Councilor Kappa believed the Library was one of the key downtown anchors and critical to the City's long-range planning process. He recommended funding the planning process from contingency.

Mayor Tomei supported the planning process but was concerned about funding it from contingency.

Councilor Lancaster felt the bigger issue was for the City to identify adequate, stable, long-term funding. He suggested the group look into a foundation.

Zumwalt had discussed the foundation concept with Bartlett. He also expressed concern with giving too much control to the Futures Committee.

Richards said all the Futures Committee participants want a stable funding source and are looking at options that work well for all community libraries. The Committee has a common goal of continuing to reflect their communities. Locating stable funding for community needs and maintaining each member's unique identities is the main concern.

Trotter commented there were several viable funding sources in addition to public dollars. The Board wants to move toward diversification and identify those patrons who wish to support the Library to a greater extent than through their taxes. There are also possible partnerships with the private sector. The tax issue will require a lot of dialogue.

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Richards indicated there would be taxing information forthcoming from the Futures Committee and suggested an expanded timeline to incorporate that data into Milwaukie's long-range plan. Based on that, the Board's consultant expenses could be significantly less.

Bartlett suggested a \$5,000 appropriation in this fiscal year with a budget request in 2000 - 2001.

Trotter agreed the Board would want to maximize the Futures Committee consultant's information prior to working specifically on the Ledding Library.

Councilor Marshall said it was clear from last year's budget that some long-range planning related to the building itself needed to take place. He recommended developing a "wish list" of needs for the next few years to build a 2000 - 2001 budget request and include the consultant costs. The City Council needs to deal with the issue of bond measures on the November 2000 ballot. He also supported the foundation concept.

Councilor Lancaster was concerned about lengthening the planning process. The current positive economic period may not last into the future. He recommended looking to independent funding to support the Library rather than depending on tax dollars.

Richards stressed the importance of going out to the community and gathering information rather than assuming what the patrons want.

Trotter felt the outreach process would give the community a sense of ownership in its facility. Initial costs would include mailings, refreshments, and senior librarian time to help facilitate the work groups.

Councilor Kappa felt it was important to provide training.

Trotter was open to training sessions, but she would like to see the content first.

Bartlett suggested the LNIB training sessions, and, if Board members were interested in participating in out-of-town session, these could be funded from the citywide training budget. He suggested a strategic plan covering the five elements identified by the Board. The first elements could be done this fiscal year and the balance budgeted next year.

Councilor Kappa was very interested in seeing how the downtown/riverfront plan and the Library long-range plan might fit together. The Library is an existing downtown attractor.

Trotter agreed that libraries can make important connections with retail.

The group was in consensus that the Board move forward with the foundation concept.

Richards summarized the direction: prepare a supplement budget to transfer \$5,000 from contingency; begin to work on the plan; and coordinate with Futures Committee to maximize efforts.

Strategic Direction Review

Bartlett reviewed the simplified document format and told Council he would provide this update at least quarterly. He reviewed the goals and the current status of the objectives.

Councilor King asked if there were an increase in code abatement income.

Bartlett replied that the account is mostly being drawn down.

Councilor Marshall was hearing positive feedback from the community on code enforcement. The recurring issue, however, is downtown parking. He did not feel the citizens should subsidize the downtown businesses by providing parking. Businesses should either pay, or parking meters should be installed.

The group discussed downtown parking and possible solutions that would be amenable to all parties.

Bartlett suggested it was time for another downtown parking study and commented that business owners feel that meters would kill retail activity.

Mayor Tomei believed it was necessary to make businesses understand that employees need to find an alternative to on street parking and not use space that should be provided for retail.

Bartlett suggested a chart showing the cost of parking enforcement and recovery from parking fines.

Councilor Lancaster questioned the City having the enforcement role and suggested that the downtown businesses should be responsible. Enforcement should be targeted, and the City should get a return on its investment. It is important for the City to spend its money wisely, and businesses need to step forward and match the City's efforts.

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Councilor Kappa agreed that the downtown businesses should take care of their own parking issues by monitoring and making sure rules are enforced. He suggested that the Milwaukie Downtown Development Association (MDDA) as the responsible party.

Bartlett suggested an allocation and movement study be prepared and then discuss transferring authority to the MDDA.

Councilor Lancaster asked if there was sufficient documentation from the previous studies, and **Mayor Tomei** suggested that the demographics have changed from retail to office.

The group discussed available parking for Reliable Credit employees, and **Bartlett** said the business plans to purchase parking permits.

He continued with the goal status report and noted that the downtown/riverfront plan was 90 days beyond the original schedule. The group discussed attendance at the September Town Hall and were relatively pleased with the number and variety of attendees. The McLoughlin Boulevard seam problem is proving difficult. There seems to be more acceptance of the pedestrian underpass design if it is very wide, lighted, and open.

The group discussed Crandall's attending each of the Neighborhood District Association (NDA) meetings, and **Bartlett** said he would get a cost for 30 minute presentations.

There was a lot of public interest in the Jr. High School Site, and **Bartlett** said work would begin on that property after the overarching planning concepts were established.

The group discussed the objective of developing a plan to relocate the Kellogg Treatment Plant and getting the support of the Clackamas County Commissioners. The Council agreed to the goal of having the facility completely gone in ten years.

The group discussed the neighborhood grant program. **Bartlett** noted the Grant Committee did not have a quorum at its last meeting, so staff approved those applications with timelines. Gregory distributed the funds based on his approval. He discussed moving unused dollars to dedicated funds.

The Council was anxious to have its laptops, and **Bartlett** said he would work with IST to move it up on the priority list.

City Vision and Mission

The group discussed the rough draft of the notes from the Council September 18 work session on building Mission and Vision Statements.

Bartlett discussed the upcoming work session with Neighborhood District Association (NDA) leadership and board and commission members. He suggested giving these groups a full month to review the draft document and with Council adoption at the second meeting in November.

Councilor Lancaster recommended concise, general statements.

The group agreed to provide a copy of the draft statements to each participant along with a copy of the September 18 work session notes at each table.

Councilor Marshall thought the term "happy residents" was ambiguous and that there needed to be care taken with using "affordability." In general, when listing a group in a document, "citizens" should be first.

City Manager Performance Criteria

Bartlett gave a brief overview of the material included in the staff report.

Councilor Lancaster had prepared a three-page document that included seven key performance criteria, and he itemized the associated activities that could be used as performance measures. The standards are high, and he believed the document would be a good basis for performance reviews of not only the City Manager but also other department managers. He recommended a modified 360-degree evaluation that included a cross section of citizens to provide a good snapshot of everyone's perception of the City Manager's performance. He was very pleased with Bartlett's goal update and the amount of information it covered. Those being evaluated need to be given feedback. **Councilor Lancaster's** material also included a code of ethics consisting of nine items he felt were appropriate.

He reviewed the scoring system and the potential for tying pay to performance. There are many problems in making this type of compensation work especially within a public entity. **Councilor Lancaster** had also prepared a 110-item questionnaire.

Bartlett felt a 360-degree evaluation was a very good tool. The document used in his last evaluation is nationally used and offers good criteria that identify both strengths and weaknesses in the chief executive officer's day-to-day ability to

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operate a city. A skilled 360 consultant can solicit a lot of comments. A third party interview of each Councilor can help individuals concentrate. He supported using Neighborhood District Association (NDA) chairs, businesses, and peers. He suggested beginning to look for a consultant in March 2000.

Bartlett reviewed the code of ethics he signed when becoming a City Manager and the role of the Oregon City/County Management Association in upholding the Code.

Councilor Marshall liked the idea of an evaluation and developing criteria based on how the City Council wishes to see the City Manager lead the citizenry. He did not agree, however, that performance should be tied to compensation. He proposed that the City Manager's compensation be set out by this Council for the rest of the members' terms.

Bartlett said it was essential for him to know on what he should focus. The best evaluations are those in which a third party brings all others through the process, meets with the City Council, prioritizes the most important plans, and sets the critical goals. This creates a strong statement and directs the City Manager on what is to be accomplished. He suggested that public comment be taken on the performance criteria; through City Council concurrence, use this document as the vehicle; and prepare to hire a consultant in March.

Councilor King asked the probable annual cost of hiring such a consultant.

Bartlett said it would probably cost between \$2,500 and \$5,000, and the group discussed the policy question of whether the in depth evaluation should be done on an annual basis or less frequently.

Mayor Tomei had some philosophical issues about what she wished to accomplish. She was concerned it might be a needless exercise and did not believe it needed to be done annually. It is up to the City Council to deal with any issues that may arise about the City Manager, and she did not need a consultant to tell her every year that Bartlett was doing a good job. She felt this might be a situation of Council's reacting to some public comments.

Councilor Lancaster agreed that the consultant might need to be hired every two to three years. He was firm in his belief that the City Council needed to evaluate its City Manager to ensure that everything was being done to be responsive the citizen expectations.

Mayor Tomei felt the quarterly report, audit, and budget meetings helped ensure this and was concerned about turning the City Manager evaluation into a huge exercise with no real purpose.

Councilor Kappa appreciated Councilor Lancaster's work which, in his opinion, was the best evaluation process he has seen. He recommended trying the process to determine its effectiveness. He did have concerns about citizens evaluating the City Council's employees because that was one of the obligations of the governing body.

The group agreed to go through the process in Spring 2000.

Councilor Lancaster felt the City Council might be missing a valuable perspective if it did not include the NDA leadership in the evaluation process.

Councilor Marshall suggested the 360-degree evaluation every other year instead of annually. He agreed with Councilor Lancaster that comments from businesses and the NDA leadership would be valuable. In his opinion, an evaluation is a check on how the city manager is doing in relationship to Council's direction. He also appreciated Councilor Lancaster's work which set high standards. He liked the City of Tigard process that asked three or four succinct questions.

Bartlett discussed the City's subordinate appraisal and suggested a form similar to this year's in order to make a comparison.

The group discussed the feasibility of an elected official evaluation, and **Councilor Lancaster** was in favor of doing that process twice annually.

Bartlett summarized that the City Council agreed to a modified 360-degree evaluation this spring with the process just outlined and at that time using this year's form for continuity.

Councilor Lancaster said the questionnaire was the measurement instrument based on the seven performance criteria. He agreed to follow the modified form the following year. He believed incorporating pay for performance into the public sector might be problematic and was willing to walk away from it because of performance-based budgeting. He discussed salaries tied to the consumer price index.

Mayor Tomei asked if there were any citizen comments, and there were none.

Councilor Kappa felt it was important to provide future Councils with documentation of the process.

Bartlett said Councilor Lancaster's work generally defined the criteria, and the evaluation would be the same as this year's. After the RFP process, Council could select the consultant in March and complete the process by the second regular session in June.

III. A. 35

Councilor Marshall suggested evaluating the Council at the same time with input from each other, staff, and the NDAs.

Bartlett said he would provide copies of the elected officials evaluation form.

Councilor Lancaster commented that the City Manager's contract includes unique language that protects the City Manager from inappropriate behavior by the City Council, a sunset provision on severance pay, and final decision-making authority. The group agreed to review contract language prior to renewal.

Ramis referred to contract language and the issue of resignation. He suggested Council rules controlling that situation to reinforce that the City Council employs the City Manager as a group not as individuals. This language protects the Manager.

Councilor Marshall suggested the option of letting the citizens adopt Council rules as a Charter amendment.

Councilor Kappa had no problem with the code of ethics, but he cautioned against restricting personal rights. Elected officials do not give up the right to use the political process when serving constituents. He did not want any gags that would restrict personal rights.

Ramis advised that any rules would have to be constitutional.

Councilor Marshall suggested the City Council consider an audit of the police department when the new chief starts to give an overall picture of police personnel duties. He also wanted a discussion of future bond measures and scheduling a general citywide town hall.

Councilor Kappa recommended a town hall to discuss any bond measures that might come out of the Crandall study.

Councilor Marshall referred to the proposed fee resolution for consideration at the next night's Council meeting and asked why the City set fees to recoup only 60% of the cost.

Bennett said the amount was based on existing Council policy.

The work session ended at 8:45 p.m.

Pat DuVal, Recorder

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.

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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 do 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 business 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 of 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

III. A. 4/1

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.

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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

III. A. 45

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.

III. A. 47

3. **Mayor Tomei** said Metro 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, Recorder



TO: Mayor and City Council

FROM: Robert Shelton *RCS 10/8/99*
Associate Engineer

THROUGH: Martha Bennett *[Signature]*
Assistant City Manager - Community Development

Dan Bartlett
City Manager

RE: 1999/2000 Streets Overlay (RD-00-01)
City Acceptance

DATE: October 8, 1999

ACTION REQUESTED

None, for information only.

BACKGROUND

The 1999/2000 Streets Overlay Project was awarded to Benge Construction Company on June 2, 1999 for the bid price of \$163,143.00. The work was designed to repair the pavement on 12 streets and upgrade them to excellent condition. The streets included were 26th Avenue, Gino Lane, 27th Avenue, Guilford Court, Guilford Lane, Boss Lane, Angela Way, 39th Court, Penzance Place, Lycintra Court, 30th Avenue and 31st Avenue.

Once the work was completed it was discovered that there was a need for additional shoulder rock along the new pavement, which was higher and now had a lip. The additional rock was added with a change order in the amount of \$750.00. Shell Lane had originally been scheduled for an overlay, but staff discovered that half of the street belonged to the North Clackamas School District. At this time, staff has decided to wait until the school district completes improvements to their frontage before finishing the rest of the street. Differences between the estimated quantities and the actual quantities resulted in a surplus of \$25,029.52.

The final punch list items for the project were completed in early September 1999, and retainage was released on September 15, 1999. Upon acceptance of the project by City Council, the contractor will be informed that the one-year warranty period has begun.



MEMORANDUM

To: Mayor and City Council
Through: Dan R. Bartlett, City Manager *[Signature]*
From: Jan V. Gehlen, Finance Director *[Signature]*
Subject: FY 1999-2000 Supplemental Budget Resolution
Date: October 12, 1999

Action Requested:

Consider adopting a resolution adopting a supplemental budget amending the appropriations for two funds for the Fiscal Year 1999-2000.

Background:

There is an opportunity for the City of Milwaukie to purchase a piece of property. The timing of the opportunity was not known during the budget process. Increasing the interfund loan from the Water Reserve Fund would provide the resource needed to complete the property purchase transaction.

There is currently a loan of \$656,000 budgeted for Park Land Acquisition. By passing this resolution, the loan would be increase to \$1,356,000 and budget will be in compliance with Oregon Budget Law.

Fiscal Impact:

There would be an increase to the overall Budget. The total would be \$29,281,175.

MILWAUKIE, CLACKAMAS COUNTY, OREGON
RESOLUTION NO. -1999

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON TO ADOPT
A SUPPLEMENTAL BUDGET AND AMEND APPROPRIATIONS FOR FISCAL YEAR 1999-2000,**

WHEREAS, in accordance with ORS 294.305 to 294.565 by Resolution 24-1999, the budget of the City of Milwaukie for fiscal year 1999-2000 was adopted, and budgeted funds appropriated; and

WHEREAS, unforeseen events and new revenue and expenditure projections require adjustments to the adopted budget, and

WHEREAS, The City of Milwaukie finds that requirements are greater than some existing appropriation amounts and less than others.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Milwaukie, Clackamas County, Oregon that for the 1999-2000 fiscal year, the amounts shown below are hereby appropriated for the purposes indicated within the funds listed:

<u>FUND</u>	<u>APPROPRIATION CATEGORY</u>	<u>CURRENT</u> <u>APPROPRIATION</u>	<u>ADJUSTMENT</u>	<u>REVISED</u> <u>APPROPRIATION</u>
PARK ACQUISITION FUND				
	Community Service	1,681,605	700,000	2,381,605
	TOTAL PARK ACQUISITION FUND	1,681,605	\$700,000	\$2,381,605
WATER CAPITAL RESERVE FUND				
	Community Development	2,702,257	700,000	3,402,257
	TOTAL WATER CAPITAL RESERVE FUND	\$2,702,257	\$700,000	\$3,402,257

Introduced and adopted by the City Council of the City of Milwaukie, Oregon on October 19, 1999.

Carolyn Tomei, Mayor

ATTEST:

APPROVED AS TO FORM

Pat DuVal, City Recorder

RAMIS, CREW, CORRIGAN & BACHRACH
City Attorney

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September 10, 1999

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851 SW 6th Ave., Suite 1500
Portland, OR 97204-1357

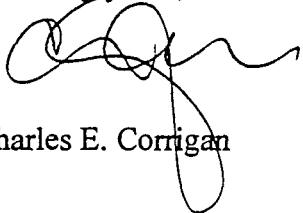
**Re: City of Milwaukie v. Cobb
Clackamas County Circuit Court Case No. CCV97-09-461**

Dear Tom:

In accordance with ORS 35.346(7)(a), the City offers to purchase Mr. Cobb's property, including the railroad right-of-way that was the subject of Judge Brockley's recent arbitration decision, for the sum of \$1,200,000. This sum includes the \$660,000 that the City has already posted with the court, and interest on the amount that was not posted.

This offer will remain open until 5:00 p.m., September 20, 1999.

Sincerely yours,



Charles E. Corrigan

CEC/fwc

cc by Fax and Mail: Dan Bartlett
Jeffrey Tashman
George W. Mead, Jr.

CYNTHIA CROFT ADAMS*
ROBERT L. ALLEN
KENNETH S. ANTELL*
BRADLEY O. BAKER
MITCHELL C. BAKER
JONATHAN A. BENNETT*
JONATHAN P. BENSON
ROBERT F. BLACKMORE
ERNEST G. BOOTSMA*
RICHARD T. BORST
WILLIAM H. CAFFEE
DANETTE M. CAPELLO*
ROBERT R. CARNEY
W. TODD CLEEK*
GEORGE J. COOPER
SCOTT W. DAVIDSON
I. KENNETH DAVIS
JOHN C. DEVOE
GORDON J. EVANS
JAY M. FOUNTAIN
MICHAEL J. FRANCIS*
THOMAS A. GERBER
WALLACE A. GLAUSI
SUSAN C. GLEN*
HELEN M. HIERSCHBIEL
JAMES M. HILLAS
FRANK H. HILTON, JR.
JACK D. HOFFMAN
C. SCOTT HOWARD*

DUNN, CARNEY, ALLEN, HIGGINS & TONGUE

ATTORNEYS AT LAW

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PORTLAND, OREGON 97204-1357

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September 22, 1999

SUSAN D. ISSELHARD*
KENT D. JOHNSON
BENJAMIN S. JOHNSTON
ERIC A. KEKEL*
MARSHA MURRAY-LUSBY
JEFFREY F. NUDELMAN*
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JO N. WALKER*
GEORGE T. WILLIAMS
ROBERT K. WINGER
LAURA J. WOLBER

CLIENT COPY
For Your Information

* Admitted in Oregon and Washington
* Admitted in Oregon and California

SENT VIA FACSIMILE AND FIRST CLASS MAIL
(243-2944)

Charles E. Corrigan
Ramis Crew Corrigan & Bachrach
1727 N.W. Hoyt Street
Portland, OR 97209

Re: City of Milwaukie v. Cobb
Clackamas County Case No. CCV97-09-461
Our File No. COB4-1

RECEIVED
SEP 23 1999
RAMIS CREW
CORRIGAN & BACHRACH, LLP
ATTORNEYS AT LAW

Dear Chuck:

The defendant accepts the City's 30 day offer in the sum of \$1,200,000 in full settlement of the above entitled matter. Please prepare a stipulated final judgment and forward it to us. We appreciate your professional courtesies in this matter.

Very truly yours,



John C. DeVoe

JCD: kno

cc: Jim Cobb
George W. Mead, Jr.

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MEMORANDUM

Date: October 8, 1999

To: Mayor and City Council

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

From: Jay Saatkamp, Water Operations Supervisor *JAS*
Don Simenson, Water Quality Specialist *DS*

RE: 1999 Consumer Confidence Report

Action Requested

None

Background

The Water Division would like to take this opportunity to present the 1999 Consumer Confidence Report (CCR). The CCR rule became effective on September 18, 1998 and applies to all community water systems (CWS's).

The CCR rule requires all CWS's to provide their customers with an annual drinking water quality report. EPA developed the report format and content in consultation with water suppliers, states, and environmental groups.

The Consumer Confidence Report is basically an annual report card that informs the customers whether or not our drinking water meets federal standards. It must contain information on the quality of water delivered and characterize the risks (if any) from exposure to contaminants detected in the drinking water. Customers provided with this information, especially those with special health needs, can make informed decisions regarding their personal use of the drinking water.

Specific requirements for the CCR are contained in a 30-page EPA pamphlet 816-R-99-002 titled 'Preparing Your Drinking Water Consumer Confidence Report'.

VI. 2

We would like to thank Laura Atanes, Jan Gehlen, and Grady Wheeler along with all other staff that took part in making this year's report possible.

Fiscal Impact

Printing	\$8,900.00
Prep for mailing	\$ 450.00
Postage	<u>\$ 500.00</u>
CCR Estimated Total Cost	\$9,850.00

**Milwaukie Center
Center/Community Advisory Board Minutes
August 13, 1999
10:00 am**

Members present: Molly Jo Hanthorn, Chair; Doris Burton, Eleanor Johnson, Audrey Parsons, Joan Staley, Janet Witter, Mike Bolander, Jim Young & Carl Knee.

Members excused: Dolly Macken-Hambright, Joan Newman, Carol Storment, Kim Buchholz & Karen Kasseraman.

Members absent: Doug Marx, Jim McCready, Alice Neely

Staff present: Cheryl Nally, Human Services Coordinator

I. **Call to Order:** by Molly Jo Hanthorn at 10:04 a.m.

II. **Minutes:** of July 9, 1999 approved.

III. **Guests:** None

IV. **Correspondence:** None.

V. Board/Committee Reports:

NC District Parks Board: Eleanor reported on the meeting with Milwaukie City Council, August 2, 1999. The C/CAB presented program information and budget issues. The City Parks Commission also presented their goals and budget information at this meeting. The Parks Board has solicited members for the Mt. Talbert Master Planning Committee and Jim Young has joined. It is a time-limited commitment with the first meeting next week.

Budget Committee: No report

Program/Services Committee: Audrey reported the Programs office will be adding an additional staff person in the next month or two. The first year's grant funds from Brookdale Foundation have not all been spent and the Services office will delay requesting the second year funds until later this fiscal year.

Nutrition/Transportation Committee: Jim reported that the recent raffle for a night at the Channel House in Depot Bay netted \$1,000 for the Nutrition and Transportation Program; the winner is Jane Hanno, a volunteer.

Building Review Committee: Doris Burton reported the exterior building painting is finished. Chuck, custodian, did pre-maintenance including taking care of any dry rot before the painting. We received an offer of a better organ, it was

VII. A 1-2

checked over and will replace the one we have. The front side walk and entry concrete work will be completed during maintenance/closure week. When we receive the adirondack chairs from Clackamas High School CAVCO group, Chuck will stencil "Milwaukie Center" on them. There will be no September meeting, and in October they will review all of the completed work.

VI. Other Reports:

History Committee: Janet reported that each member has taken responsibility for several of the 20 years worth of events chronicled by the group. They will be meeting again in September. It has been exciting to recount the memories of past events with the people who have been interviewed.

Friends of the Milwaukie Center, Inc.: Eleanor reported new officers have been installed on the Board and volunteers have been busy with their current fundraiser, serving refreshments at Ardenwald Park performances each Thursday night in August. The sausages & popcorn are popular. Sweet Tomatoes Restaurant, opening this month in Clackamas, is giving \$500 and a portion of beverage sales in October to the Friends.

The bricks will be laid Monday, August 16 in the Rose Garden. The corner beds, replacement of the sun dial (which was stolen) and gazebo plans are in process.

VII. Director's Report: Cheryl reported on behalf of Joan that next month's meeting will be at the Aquatic Park. The Center will be closed for maintenance and repair. Greta Nightengale, from OMPRO, will talk about Medicare and HMOs. The Center will be closed for maintenance from Sept 6th to 10th. Meals on Wheels, Grocery Delivery to homebound folks and Grocery Shopping will continue as usual. The Program Aide I position closed Wednesday, Aug 11th, with interviewing, etc. done by mid September.

VIII. Information/Announcements: Molly thanked the C/CAB members who attended the Milwaukie City Council meeting 8/2/99. She reviewed the presentation. When asked what the City could do for older adults, Molly had several suggestions: Affordable housing, senior input in City plans and programs, better communication between the City and the Center regarding events planned, coordination of publications (the Centerpoint and the Pilot), intergenerational projects, and Center use of City space for satellite programs.

Eleanor reported on the activities of the 20th Anniversary committee, with the event planned from 11 am to 2 pm May 6th 2000. The Parks District Administration will join the celebration. The Parks District will be 10 years old next year and as of yet, we don't know of celebration plans focused on this event.

IX. Agenda for Next Meeting: Rescheduled Jean Cochran's presentation for a meeting in which more of the new members are present. Greta Nightengale, with OMPRO, will present information about Medicare and HMOs in September.

X. Adjourned: the meeting at 10:50 am.

North Clackamas Parks and Recreation District
MILWAUKIE CENTER DIVISION
Monthly Report for July and August, 1999

Programs/Services:

The Milwaukie Center newsletter promotion suffered a blow due to a US Postal Service decision to no longer grant permission to use the Friends of the Milwaukie Center, Inc. nonprofit status for mailing. The Center is now mailing at first class postal rates which increase mailing costs by one-third. Newsletter distribution options are being studied.

On Friday Aug. 13th, the Nutrition Program served 90 delicious banana splits to Center participants at the annual Ice Cream Social while staff recognized Harold Stohler as the Center's representative to the Clackamas County Fair "Our Fair Royalty" competition. Harold has volunteered in numerous aspects for numerous years at the Center - from Board member to fund-raiser to rose garden and beyond. On August 18, a contingency from the Center participated in the Senior Day at the Fair and cheered for Harold.

Social Services staff was introduced to the Oregon Pathways program in July. It is Clackamas County's computerized directory of community resources and information. which will be invaluable in assisting clients with needs.

Grandparents Raising Grandkids Support Group met during July and August with games, crafts or activities in the park for the grandkids while the grandparents benefitted from the group.

The Nutrition Program participated in the Clackamas County Employment, Training and Business (ETBS) Summer Youth Program, with two young adults working in the program. One of the students, Natalya Shevchuk, received employee of the month from ETBS.

Fund-raising:

The Nutrition and Transportation Programs joined forces to raffle a get-away package at a four star bed and breakfast, The Channel House, in Depoe Bay. The raffle, which netted the programs \$1,000 was won by Jane Hanno.

The Nutrition Program held its quarterly Famous Sunday Dinner on August 8, featuring London Broil, cut on-site by our chef! One hundred thirty five people attended this festive fund-raiser which was supported by our food vendors and corporate sponsor, Secure Horizons.

The Friends of the Milwaukie Center, Inc. provided a Snack Bar at the Family Concerts in the Park, every Thursday evening in August at Ardenwald Park.

During the months of July and August, the Milwaukie Center facility was rented after hours and weekends 140 hours beyond normal senior center use, bringing close to \$7,000 in rental revenue to the Center.

Park and Recreation Board

Minutes

PARB

8/23/99

City of Milwaukie,
City Hall

Second Floor Conference Room
10722 SE Main Street

Type of meeting: Regular

Attendees: Mart Hughes, Don McCarty, Sharon Van Horn, Darlene Walsh

Members Absent: Edie Kerbaugh, Rebecca Langdon, Sandra McCune (out of town),

Agenda topics

7:00 PM Meeting Call to Order Chair

Minutes

Conclusions: Don McCarty moved for adoption of minutes as presented. Darlene Walsh second. Unanimous approval.

Action items:	Person responsible:	Deadline:
Submit approved minutes to Council	Charlene Richards	8/27/99

Open Period

Discussion: Concerts in the Park – Darlene Walsh discussed the disorganization of the concerts. There was no announcement before or during the concert of the need for children not to run around. There were no comments from the NCPRD staff when the loudspeakers didn't work. The people in the park were left to just sit around and wait an hour. Staff didn't take that time to explain the situation or to try and keep the crowd entertained with raffles, etc.

Action items:	Person responsible:	Deadline:
Will speak w/ NCPRD staff about announcing prior to concerts the need to keep the children from running about the stage and the performers	Thom Kaffun	Before the next concert 8/26/99

VII. A 2-2

Updates -- NCPRD & City

Discussion:

NCPRD: Scott Park – concerts in the park every Wednesday at noon. Staff is repairing the sidewalks and planting wisteria along the arbor posts. Bringing the fountain back to the park is a major undertaking. Need to decide what to do; bring it back to full function as a fountain or as a piece of art only. Need to discuss funding. Need to look at the Scott Park master plan to determine if it is still valid. City has a document outlining the history of the park and the monuments in the park. This could be useful. The report was completed as a part of the Light Rail mitigation program. There was discussion about the plaques and what to do with them. Water Tower Park – Almost completed concrete work, staff has weekly meetings with contractor. Staff distributed a work plan. There will be a volunteer work party to construct play equipment on September 25th. If the work remains incomplete, there will be another work party on October 1st.

City: Metro Local Share – received approved contract reallocating the funds from the Johnson Creek/Springwater acquisition project and the remaining funds from the Kellogg Lake acquisition project to the Minthorn North acquisition and capital improvement (management plan) project. Furnberg Park – have redesigned the wetland restoration project with installation of a boardwalk on the far east side of the wetland with a viewing platform. The revised plans are being submitted to Division of State Lands and Oregon Department of Fish & Wildlife. Home and Monroe Site – The City has acquired two addition pieces of property for development of a neighborhood park in the Hector Campbell neighborhood.

Sharon Van Horn stated that she had heard from Council members that they liked the PARB presentation and how what the PARB would like to do fits Council goals.

Action items:	Person responsible:	Deadline:
Look at Scott Park Master Plan for FY 2000-2001 budget	PARB, Thom Kaffun	FY 2000-2001 Budget process

Report from Citizen Workshops -- PARB & Charlene Richards

Discussion: PARB reviewed the maps from each neighborhood noting where the participants at the meetings placed dots to indicate the general location where they would like to see a neighborhood park. The results of the survey were reviewed. Only a small number of surveys were returned. The major emphasis for park elements in a neighborhood park were: natural areas, walking paths, play equipment for children over 8 years old, then benches, play equipment for ages 3 to 8 and picnic areas. The PARB compared the underserved areas and the areas identified as desirable for the participants. Most were consistent with where the PARB had identified the most need.

Recommendation to Council re: POST Target Areas		
Discussion: PARB reviewed the current target areas that reflected where property had been identified for future neighborhood park development. The PARB went into Executive Session under ORS192.660 (1) (e) real property transactions to review the confidential tax lot map for acquisition. The PARB came out of executive session to discuss the target areas to be recommended to the Council. The target areas were mapped to include those areas considered to have potential to be developed as a neighborhood park not for areas that would be developed as open spaces and trails.		
Conclusions: Don McCarty moved that the areas highlighted in pink on the map and noted with a NP for Neighborhood Parks be the target areas recommended to the Council by the PARB chair at the October 5, 1999 Council Public Hearing. Second by Mart Hughes. Unanimous approval.		
Action items:	Person responsible:	Deadline:
Develop a map that shows ½ and ¼ mile buffers for the target areas and existing parks	Charlene Richards	9/25/99
Present PARB recommendation to Council	Sharon Van Horn	10/5/99
Next meeting -- agenda topics, date, time & location		
Discussion: Look for future dates for presentations on the following topics: Regional Trails – Mel Huie, Metro and Riverfront – speaker to be determined.		
Conclusions: Develop schedule for Y2K work plan and timeline, review draft vision & mission if available.		
Action items:	Person responsible:	Deadline:
Send out agenda & minutes	Charlene Richards	9/15/99
Adjourned at 8:30 PM		
Resource persons:	Thom Kaffun, NCPRD, & Charlene Richards, City of Milwaukee	



October 8, 1999

To: Mayor and
City Council

Through: Dan R. Bartlett
City Manager

From: Martha Bennett *MBS*
Assistant City Manager - Community Development

Robert Shelton *RCS 10/8/99*
Associate Engineer

Purpose: Report on the Status of SE Monroe Street in the Neighborhood Traffic Management Program.

Recommendation: None. Information only.

Background:

Staff has been directed to report on the status of the section of SE Monroe Street between SE 21st Avenue and Oregon State Highway 224. There have been no petitions filed with the Public Works office to place this street section in the Neighborhood Traffic Management Program (NTMP). However, a traffic study was conducted as part of the 1997 Collector and Arterial Study, which was used to maintain the database on traffic conditions throughout the City. The information obtained from the 1997 traffic study could be used to determine what the status of the street section would be if it was included in the NTMP. The results of the study are given below.

Discussion:

- 1) **Traffic volumes (ADT):** To calculate volume points divide ADT by 250.
Volume pts. = $1827 / 250 = 7.31$
- 2) **Schools:** The proximity of a street to a school will give that street higher priority. 10 points for a school within 1000 feet, or with a designated school crossing. The nearest school is within 1000 feet from SE Monroe St and there is a designated school crossing. **School pts. = 10**
- 3) **Speed:** The 85% speed measured on the street is compared with the base speed for the street. The base speed is 7 MPH greater than posted. The base speed on SE Monroe St is 32 MPH. The base speed is subtracted from the 85% speed and then multiplied by ten with a minimum of zero points. The 85% speed from the latest count is 29.7 MPH. **Speed pts. = 0**
- 4) **Accident History:** The average number of reported and correctable accidents per year over the past three years multiplied by 15. There were no reported and correctable accidents on SE Monroe St in the last three years. **Accident pts. = 0**

VII. B. 2

- 5) **Existing street conditions:** 5 points if there are vertical or horizontal alignment restrictions.
Existing street conditions pts. = 5
- 6) **Pedestrian usage:** 5 points for multi-family housing, elderly housing or facility whose primary function is to serve the disabled is within 300 feet of the street. **Pedestrian usage pts. = 5**
- 7) **Pedestrian and Bicycle Usage:** 5 points if the street is an Approved Walking Route as determined by the NDA or the City. 5 points if the street is a designated bicycle route. Currently there is no accepted method for creating Approved Walking Routes by the NDA's. The street is not a designated bicycle route, but is proposed for bikeway improvements in the Transportation System Plan (TSP). **Pedestrian and Bicycle Usage pts. = 0**
- 8) A tally of the points listed above yields **27.31 points**. **30 points** is the threshold for acceptance into the NTMP. SE Monroe St does not qualify for treatment through the NTMP, therefore it will not be included in the 1999 NTMP.
- 9) The street section does not currently qualify for the NTMP. However, if the NDA or the City designates it as an Approved Walking Route, or if it is designated as a bicycle route it would receive an additional 5 points and would then qualify.

Fiscal Impact: None at this time.

COMPARISON OF TRAFFIC
 CONDITIONS ON
 SE HARRISON STREET
 SE MONROE STREET
 AND
 SE WASHINGTON STREET

WILLAMETTE

ELK ROCK
 ISLAND

RIM

