

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
SEPTEMBER 15, 1992**

The one thousand six hundred and fifty-fifth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:00 PM in the Milwaukie Center with the following Councilmembers present:

Craig Lomnicki,  
Mayor  
Roger Hall

Jean Schreiber  
Bob Knudson  
Rob Kappa

Also present:

Dan Bartlett,  
City Manager  
Michael Robinson,  
City Attorney  
Charlene Richards,  
Assistant to the  
City Manager

Maggie Collins,  
Community Development  
Director  
Angus Anderson,  
Finance Director  
Pat DuVal,  
Recorder/Secretary

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

**Annual Insurance Report**

Angus Anderson, Finance Director, presented the annual insurance report. The report included information on the existing insurance coverage, claims activity, and a response to Mayor Lomnicki regarding an action filed against the Mayor of Newport by the Oregon Ethics Commission.

**LID Status Report**

Anderson presented the staff report reviewing the status of LID collections in the City of Milwaukie. Ten local improvement districts are currently outstanding. On June 1, 1992, the City entered into a contract with US Bank to undertake the collection activities. He reviewed the monthly report submitted by the bank with payment and aging information.

Councilmember Kappa asked if it was cost effective to have the bank do the collections. Anderson said the City pays the bank \$12 per account per activity.

Mayor Lomnicki explained that Council had discussed this issue during a work session.

Councilmember Schreiber said she believed it would be equitable to implement some legislation regarding collection on delinquent accounts.

Councilmember Kappa said some of these accounts have gone well beyond 120 days.

Mayor Lomnicki said an amnesty period had also been discussed.

Anderson said the bank issues a series of collection letters.

#### **PUBLIC HEARING**

None scheduled.

#### **AUDIENCE PARTICIPATION**

None.

#### **OTHER BUSINESS**

##### **Consider Parks Property Purchase**

Dan Bartlett, City Manager, presented the staff report in which the City Council was requested to consider approving the purchase of two tax lots immediately south of the Kronberg property. He said the property is owned by Robert E. Poole. Bartlett distributed a map of the site. There has been an acceptable environmental assessment, and the City Attorney has reviewed the transaction. He requested approval pending Poole's signing in escrow. At that time the City will prepare a letter recognizing the land donation of approximately 1.1 acres.

It was moved by Councilmember Hall and seconded by Councilmember Kappa to approve the purchase of tax lots 3300 and 4500 directly south of the Kronberg property. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Kappa, and Councilmember Knudson aye; no nays; no abstentions.

Mayor Lomnicki said the City has been pursuing this acquisition for some time. It will put more land into the waterfront development plans.

## CITY COUNCIL MEETING - SEPTEMBER 15, 1992

Consider Support of Johnson Creek Resources Management Program - Resolution

Maggie Collins, Community Development Director, presented the staff report in which the City Council was requested to consider a resolution endorsing the development of a resources management program for the Johnson Creek drainage basin. The drainage basin includes that area between Orient and the confluence with the Willamette River. The jurisdictions involved are Multnomah and Clackamas Counties and the cities of Gresham, Portland, and Milwaukie. The resource management plan will address issues including water quality, sedimentation, and wildlife habitat. The program will also take into consideration other land use practices.

Collins said the proposed resolution is being considered by those jurisdictions within the Johnson Creek basin. Milwaukie would be asked to continue to coordinate with jurisdictions outside its boundaries to further the cooperative plan.

Councilmember Kappa asked if there was a difference between the proposed resolution and that adopted by the Johnson Creek Coordinating Committee (JCCC). Collins said the JCCC goals and objectives were being used throughout the process. The language was essentially the same, but was changed slightly to reflect the position of the City of Milwaukie.

It was moved by Councilmember Kappa and seconded by Councilmember Schreiber to adopt the resolution endorsing the development of a resources management program for the Johnson Creek drainage basin. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Kappa, and Councilmember Knudson aye; no nays; no abstentions.

## RESOLUTION NO. 31-1992:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE ENDORSING THE DEVELOPMENT OF A RESOURCES MANAGEMENT PROGRAM FOR THE JOHNSON CREEK DRAINAGE BASIN.

Committee Appointment

It was moved by Councilmember Hall and seconded by Councilmember Kappa to appoint Kim Wilber to the Library Board. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Kappa, and Councilmember Knudson aye; no nays; no abstentions.

## CITY COUNCIL MEETING - SEPTEMBER 15, 1992

## CONSENT AGENDA

It was moved by Councilmember Hall and seconded by Councilmember Kappa to adopt the Consent Agenda which consisted of the City Council Minutes of September 1, 1992. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Kappa, and Councilmember Knudson aye; no nays; no abstentions.

## INFORMATION

Bartlett said he believed the City had gotten a positive response from Clackamas County regarding the problems at the Kellogg Creek Treatment plant parking lot.

Mayor Lomnicki discussed the proposed Sister City relationship with Iwaki, Japan. Bartlett discussed the Rotary Student Exchange program.

Councilmember Kappa discussed the Johnson Creek tour that had been planned for the previous weekend. He expressed his appreciation to Bartlett and Collins for coordinating communication on McLoughlin Blvd. improvements.

Councilmember Schreiber discussed the Center expansion groundbreaking ceremony.

## ADJOURNMENT

Mayor Lomnicki adjourned the meeting at 7:36 PM.

Pat DuVal

Pat DuVal, Recorder/Secretary



CITY OF MILWAUKIE  
CITY COUNCIL AGENDA  
SEPTEMBER 15, 1992

MILWAUKIE CENTER

1655TH MEETING

**WORK SESSION**

5:15 - 5:30 P.M. - Commission Interview - Library Board  
5:30 - 5:50 P.M. - Annual Insurance Report  
5:50 - 6:15 P.M. - LID Status Report  
6:15 - 6:30 P.M. - Johnson Creek Resources Management Program  
6:30 - 6:45 P.M. - Council Information Sharing

**REGULAR SESSION**

7:00 p.m.

- I. **CALL TO ORDER**  
Pledge of Allegiance
- II. **PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**
  - A. **Annual Insurance Report (Angus Anderson)**
  - B. **LID Status Report (Angus Anderson)**
- III. **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.)*

**None Scheduled**
- 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 card provided on the table at the back of the meeting area. The Council may limit the time allowed for presentation.)*
- V. **OTHER BUSINESS** *(The following items will be individually presented by City 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. Consider Parks Property Purchase (Dan Bartlett)
- B. Consider Support of Johnson Creek Resources Management Program - Resolution (Maggie Collins)
- C. Committee Appointment

VI. **CONSENT AGENDA** *(Items appearing below are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. Rather, the items may be passed upon 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.)*

**City Council Minutes of September 1, 1992**

**VII. INFORMATION**

- A. Kellogg Creek Wastewater Treatment Plant "Park"
- B. Leopold v. Milwaukie, LUBA 92-140
- C. Ekerson v. Milwaukie, LUBA 92-161
- D. Commission Resignation

**VIII. ADJOURNMENT**

**EXECUTIVE SESSION**

*At the end of the regular meeting, the Council may hold an Executive Session under the authority of ORS 192.660 as needed.*



# Application for Appointment to City Advisory Bodies

City Hall - 10722 SE Main Street, Milwaukie, OR 97222  
Telephone 659-5171

Name: Kimberly Wilber Date: 8/21/92  
Home Street Address: 11010 SE 54th Pl, Milwaukie OR 97222  
Business Phone: \_\_\_\_\_ Home Phone: 659-8034  
Do you live within the Milwaukie City limits? yes If so, how long? 6 mos.  
Are any members of your household currently serving on a City of Milwaukie Board or Commission? If so, which Commission? no  
Are you a registered voter in Milwaukie? yes  
How did you learn about this position? on TV ad board

Current Position: part-time secretary Employer: Clackamas Const.  
Employer's Address: 5980 SE Sunnyside Rd #512 Phone: 698-4508

Please list any prior civic or professional activities. LaGrande Legal Secretaries Assn.; Oak Grove United Methodist Church - Education Committee

Why would you like to be appointed to this commission? used to work in a public library; read a lot & feel it's very important to have libraries assessable to general public

What special training, skills, or experience have you had which would be pertinent to this application? worked as a clerk in a library, mended books, assisted public

Boards or Commissions in which you are interested. Library board.

Please complete this form fully so City Council can evaluate your application.  
Thank you for the extra time and effort.

\*\*\*\*\*

Received at City Hall _____	Information Sent _____
Interviewed _____	Appointed _____
Commission _____	Term Expires _____

RECEIVED  
CITY OF MILWAUKIE  
AUG 25 PM 2 55 '92

## LIBRARY BOARD

**Mission:** Advise and make recommendations to the Council or the Ledding Library staff regarding library patrons' needs.

**Functions:**

1. Recommends and reviews rules and policies for the operation of the library
2. Recommends the acceptance or rejection of donations of real or personal property or funds donated to the library
3. Recommends annual operating budget for the library
4. Recommends sites for public library buildings or for location of library facilities
5. Advises Council on all matters concerning the operation of the library and the provision of library services
6. Such other activities as Council may assign

**Membership:** Five members appointed by the Mayor and City Council. Appointments are made for terms of four years. No person shall hold appointment for more than two full consecutive terms.

**Qualifications:**

1. Applicants shall have no financial interest, either directly or indirectly, in any contract to which the library is a party
2. A majority of the board members must be City residents
3. It is desirable that an applicant be familiar with and willing to support the library and its programs; understand the needs of the Milwaukie area library patrons and the general community relative to the library programs; have the ability to gather information regarding needs; and have experience in working with committees or other task groups

**Meetings:** The Library Board meets at least once a month-- the third Monday in the evening -- and may schedule additional meetings as necessary.

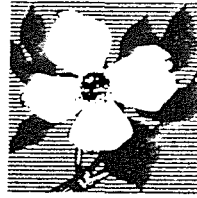
## LIBRARY BOARD

## Suggested Interview Questions

1. What is your major interest involving the Library Board?
2. What do you feel are your qualifications for this Board?  
What inspired you to apply?
3. What is your opinion of censorship of library materials?
4. How would you suggest the library handle a patron's  
complaints about the content of a library book?
5. Do you support library expansion?
6. What do you feel should be the Library Board's involvement  
in fundraising for the library? What fundraising  
activities would you suggest?



# CITY OF MILWAUKIE



MAILING ADDRESS  
P.O. BOX 22009  
MILWAUKIE, OR 97222-0009  
FAX 503 652-4433

## MEMORANDUM

TO: Mayor and City Council  
THROUGH: Dan R. Bartlett, City Manager *Dan*  
FROM: Angus M. Anderson, Finance Director *Jim*  
DATE: September 4, 1992  
RE: Annual Insurance Report

### RECOMMENDATION:

Information Only

### BACKGROUND INFORMATION:

This report is divided into three sections. The first section is a report on our existing insurance coverage. The second section presents a listing of claims activity since 1987-88 including a delineation of claims activity for 1991-92 by specific claim. The final part of the report is in response to a request from Mayor Lomnicki. At the Mayors' Conference in Eugene in early August the Mayor of Newport, who had an action filed against him by the Oregon Ethics Commission, made a presentation. The insurance carrier for that City, City County Insurance Services (the LOC insurance program) declined to provide either defense or coverage of financial loss, namely the fine involved. In response to this situation, Mayor Lomnicki requested that I research our level of coverage for similar situations. I have included in the section a letter from CCIS addressed to all Oregon Mayors as well as comments from a personal meeting that I had with both Ward Dye, our Agent of Record, and Dunny Sorensen, Area Claims Manager for Northland Insurance.

The City is beginning the process of preparing a request for qualifications/request for proposals in conjunction with evaluation of Agent of Record services for the City both for Property and Casualty (currently Olson-Dye-Hunter) and Employee Benefits (currently Wm M. Mercer, Inc.). That process should result in the presentation to Council of a recommendation in January or February. If any member of Council desires input into the process, please call me.

**CITY OF MILWAUKIE  
PROPERTY AND CASUALTY INSURANCE PROGRAM  
1991-1992**

<u>COVERAGE</u>	<u>CARRIER</u>	<u>TERM</u>	<u>COVERAGE</u>	<u>DEDUCTIBLE</u>	<u>PREMIUM</u>
General Liability	Northland Insurance Companies	11/91-11/92	\$500,000/	\$500	\$37,208
Commercial Automobile	Northland Insurance Companies	11/91-11/92	\$500,000/\$500,000*	\$250/\$1,000	\$36,897
Umbrella Liability	Northland Insurance Companies	11/91-11/92	\$1,500,000	\$10,000	\$23,275
Property	Zurich-American Insurance Group	11/91-11/92	\$8,187,803	\$1,000	\$16,318
Contractors Equipment	Zurich-American Insurance Group	11/91-11/92	\$372,717**	\$250	inc
Data Processing	Zurich-American Insurance Group	11/91-11/92	\$474,696	\$2,500	inc
Boiler & Machinery	Chubb Insurance Group	2/92-2/93	\$500,000	\$1,000	\$6,343

\* Only vehicles covered are:

- 1965 Pirsch Fire Engine covered for \$ 28,893
- 1981 Pierce Fire Engine covered for \$103,000
- 1984 Pierce Arrow Fire Truck covered for \$241,000
- 1987 GMC Aquatech covered for \$147,000

\*\* Also includes coverage for

TYMCO Street Sweeper (municipal lease with Security Pacific Bank)

# CITY OF MILWAUKIE PROPERTY AND CASUALTY INSURANCE CLAIMS HISTORY

YEAR	COVERAGE	# CLAIMS	PAID/RESERVED
1987-88	Automobile	4	\$81,502.37
	Liability	9	48,455.47
1988-89	Automobile	4	31,805.18
	Liability	7	12,665.72
1989-90	Automobile	0	0
	Liability	6	9,502.59
1990-91	Automobile	1	1,784.85
	Liability	19	25,285.45**
1991-92	Automobile	Public Wks	471.00
		Admin	728.00
		Police	1,676.00
		Public Wks	Claim Pending
	Liability	Sewer Backup (3)	14,984.00
		Tree Falling	827.00
		Foundation (2)	1,560.00
		Springcreek	5,460.00 (res)
		Arrest	Claim Pending
		Arrest	5,455.00 (res)
		OHSU Claim	5,460.00 (res)
		Sexual Harassment	0
		Lead in Water	0
		A&B Bid Process	0

\* Includes 9 sewer backup claims totaling \$ 15,563.50

**CITY OF MILWAUKIE  
REPORT OF MEETING WITH INSURANCE REPRESENTATIVES  
CLAIMS COVERAGE**

In attendance: Angus Anderson, City of Milwaukie  
Ward Dye, Olson-Dye-Hunter  
Dunny Sorensen, Northland Insurance Companies

Question: Will our insurance program provide defense for any official, elected or appointed, against any claim? This question was specifically directed to claims involving violation of State of Oregon Ethics Laws, but was expanded to include defense of "any" claim. A secondary question was asked: Does our current insurance program provide payment of any fines levied in conjunction with claims against these officials?

Answer: The current insurance program does not provide coverage against claims or violation of law. No insurance program provides coverage against other than tort claims. Violations of law are not torts and, as such, are not covered. In addition, there is no coverage for payment of fines levied in conjunction with such claims.

Impact: Any official, elected or appointed, could be charged with any violation of law and there is no insurance coverage available. In most instances, the official would look to the "employer" to provide defense if the official were acting in official capacity. There is naturally a question of acting "out of capacity". In these cases, there is no basis for protection.



# City County Insurance Services

1212 Court Street NE, Suite 302 P.O. Box 3020 Salem, OR 97302  
(503) 585-1121 1-800-922-2684  
FAX 585-1140

August 20, 1992

**TO:** Oregon Mayors

**FROM:** Richard Egan, CIS Program Administrator  
Dick Townsend, LOC Executive Director

**RE:** Liability Coverage

Judging from the phone calls at City/County Insurance Services and the League, there is some concern (and perhaps a little bit of confusion) as a result of some comments at the recent Mayors' Conference in Eugene about liability and insurance coverages. The purpose of this memo is to provide some facts and background which we hope will raise everyone's comfort level.

The particular case involved a mayor who had a complaint filed against him with the Oregon Ethics Commission (OEC) by a private citizen. The mayor hired an attorney and the OEC proceeding was dismissed during the preliminary review process. The mayor then asked the city to indemnify him for his legal defense expenses under the terms of the Oregon Tort Claims Act, ORS 30.260 to .300. That statute requires that public bodies hold harmless, indemnify and defend their officers, employees and agents, acting within the scope of their duties, from tort liability. The city chose to reimburse the mayor.

The city, a member of the CIS liability self-insurance pool, then asked CIS to reimburse it for the defense costs paid to the mayor. CIS declined to do so under the terms of its liability coverage agreement (which covers liability arising under the Tort Claims Act).

The issue is whether a complaint brought by the OEC is a "tort." This is a term which is defined in the statute as the breach of a legal duty ... which results in injury to a specific person or persons for which the law provides a civil right of damages or for a protective remedy. The most common tort is negligence. But there are many others including libel, slander, trespass, assault, etc. All of these torts would be covered by CIS - as to the member entity and also its officers, employees, and agents.

CIS' position is well-founded. There was a similar case involving another city and one of its council members. In that instance, the city refused to pay the council member's legal costs in an OEC proceeding in which the council member was found to have violated state ethics laws. The city was then sued by the council member. CIS defended the city and won a summary judgment on the issue that an OEC complaint is not a tort. That ruling was recently affirmed without opinion by the Oregon Court of Appeals.



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Oregon Mayors  
August 20, 1992  
Page two

It should also be noted that commercial liability insurance would not be broader than that provided by CIS. Commercial policies typically cover bodily injury, property damage and personal injury. There is no question that an ethics complaint does not involve any of these and would be outside a general liability policy.

Does this leave public officials exposed to devastating personal liability? Not really. As to the OEC, the 1991 Legislature changed the statute (ORS 244.400). Now a public official who prevails in a contested case is proceeding is entitled to compensation by the state for legal defense costs.

There are other claims that can be made against a city, or its officials, that are outside the scope of CIS' - or any - liability coverage. Ones we have seen include: violation of public contract law (ORS chapter 279); usurpation of public office (ORS 30.510-.640); and wrongful expenditure of public funds (ORS 294.100). In all of these, it is entirely appropriate that the city take the responsibility of defending both itself and any official involved. You may wish to consult with your legal counsel to make sure you have necessary ordinances or resolutions in place to cover such situations.

CIS, as the League's own program, is dedicated to providing the most comprehensive liability coverage available. But there are some legal issues which are beyond even CIS' coverage because they just don't involve the kind of claims insurance is intended to include. But between the recent legislative change involving the OEC and a city's own obligation to defend its actions in other areas, elected officials are not at risk of personal liability from mere allegations of improper behavior.

If you have any questions, or would like more information, please don't hesitate to call me at CIS, or Dick Townsend at the League.

cc: City Managers/Recorders

# CITY OF MILWAUKIE

## MEMORANDUM



MAILING ADDRESS:  
P.O. BOX 22009  
MILWAUKIE, OR 97222-0009  
FAX (503) 652-4433

TO: Mayor and City Council  
THROUGH: Dan R. Bartlett, City Manager  
FROM: Angus M. Anderson, Finance Director  
DATE: September 4, 1992  
RE: Local Improvement Districts  
Annual Report

### RECOMMENDATION:

Information only, no action required.

### BACKGROUND INFORMATION:

The City of Milwaukie has the following Local Improvement Districts, with remaining assessments as of June 30, 1992:

<u>LID #</u>	<u>LID NAME</u>	<u>BALANCE</u>
	Johnson Creek Blvd	\$45,496.03
	Stanley Avenue	62,763.29
	OCHOCO	15,481.15
116	Fieldcrest/Mason Ln	3,226.54
117	E. Milwaukie/Island Station	88,394.35
118	Cole Addition	278.93
120	36th Ave/Roswell to J Creek Blvd	1.87
121	International Way	6,985.28
122	40th and Wister	13,621.88
124	Cole/Omark	107,015.44
	<b>TOTAL</b>	<b>\$343,264.76</b>

On June 1, 1992, the City entered into a LID Contracts Servicing Agreement with U.S. Bank. It was felt that this would be a much more effective method of securing collection of LID assessments because many accounts were nearing payoff, resulting in significant amounts of administrative work; there were some accounts that were becoming severely delinquent and the City did not have resources available to perform collection effort; and U.S. Bank is disbursing agent for the remaining underlying Bancroft Bond, the payment for which is provided by the LID assessment collections.

This agreement is proving very beneficial for the City. The Bank provides the collection service which many of the accounts require. The results have been very gratifying to date. While the collections have themselves been very gratifying, the collection effort and constant delinquency monitoring is the greatest benefit to the City. The attached print out shows total delinquent accounts of \$61,776.84 with those over ninety days totaling \$47,727.91. While this amount may seem considerable, the table below which provides a listing of delinquent accounts by individual debtor shows that two of the delinquent accounts make up \$26,957.90 of both the total and over ninety day delinquencies.

<u>DEBTOR</u>	<u>PAST DUE BALANCE</u>
Stranasky Lumber	1,997.53
Gandu Enterprises	1,374.05
Lewis E. Smith, Jr.	1,084.20
Horst Swicker	10,454.27
Walter & Elma Huber	598.28
Robert E. Poole	37.20
Robert Cockburn	53.92
Milton H. & Eunice Palm	16,503.63
Dirt Mechanics, Inc.	1,096.12
Michael P. Knowles	151.06
Betty McAuley	1,447.38
Paul Deggendorfer	1,366.69
Floyd W. & Irene Earls	56.54
George Milme	66.68
Susan Larimore	146.85
Patricia A. Kingsland	46.08
Carson/Staley	157.46
Gary & Karen Peccia	39.16
Steven Bords	2,094.67
Kathleen F. Morris	584.20
John & Yvonne Gray	38.56
Sevellia A. Salazar	115.06
Robert W. Breitenstein	314.88
Helen D. Ree	1,510.40
Jerry H. Titus	36.81
George Ermini	53.33
Donald Hughart	62.01
Malcom S. Ritzer	249.60
Lincoln Property Co.	31.53
Pennbrook Development	6,180.37
Public Storage Property IV	5,076.43
BPM Associates	4,623.41
Gramark Co	1,937.05

Airflow Systems	182.62
Arlene A. Iwai	60.18
Karen Cummins	1,054.86
Tom & Betty Lattanzi	125.08
Janet L. Dodson	105.64
Kathleen Harpster	663.05

<b>TOTAL</b>	<b>\$61,776.84</b>
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U.S. Bank states that Huber, Cockburn, and Deggendorfer have made payment arrangements. Milt Palm has submitted a letter (copy attached) acknowledging the debt and requesting forbearance. Salazar and Milne both called and stated that they sold the property. The City is currently reviewing this situation with the title insurance company to determine if a lien search was conducted since we did not receive a payoff and have not approved assumption of the remaining balances. The bank reports that all correspondence to Ritzer, Breitenstein, and Larimore has been returned. We are beginning skip trace activity on those accounts.

PAYOR NUMBER	NAME	BALANCE DUE	CURRENT	OVER 30	OVER 40	OVER 90	OVER 120	LOT #
322200	MOLZAN; BETTY L.	365.71	365.71					182E80AD 2200
322300	STRAHSKY LUMBER AND	3,576.99	1,579.46				1,997.53	182E80AD 2300
327000	GANDU ENTERPRISES	2,545.06	1,171.01				1,374.05	182E80AA 7000
327200	SMITH, JR.; LEWIS E.	1,289.65	727.47				562.18	182E30AA 7200
327300	SMITH, JR.; LEWIS E.	1,197.60	675.58				522.02	182E80AA 7300
1171172	ZWICKER; HURST	10,454.27				949.79	9,504.48	1-1E-351D-5400 & 550
1171192	HUBER; WALTER & ELMA A	317.64					317.64	1-1E-35BD-5700
1171193	HUBER; WALTER & ELMA A	107.87					107.87	1-1E-35DM-5700
1171195	HUBER; WALTER & ELMA A	173.27					173.27	1-1E-35DD-5700
1171255	POOLE; ROBERT E	37.20				37.20		1-1E-36CB-3300
1171331	COCKBURN; ROBERT M	40.49				35.09	5.40	1-1E-36CC-3500
1171382	COCKBURN; ROBERT	13.43				9.43	4.00	1-1E-36CC-3500
1171431	PALM; MILTON H & EUNICE	303.61				33.99	269.62	1-1E-36DM-200
1171446	DIRT MERCHANTS INC	1,096.12				122.70	973.42	1-1E-36DM-1500
1171484	KNOWLES; MICHAEL P	151.06				61.09	89.97	1-1E-36DC-2000
1171610	MC ANLEY; BETTY	1,447.38				75.19	1,372.19	1-2E-30DC-700
1171706	DEGGENDORFER; PAUL	54.94					54.94	1-2E-30CD-6900
1171710	DEGGENDORFER; PAUL	85.84					85.84	1-2E-30CD-7400
1171713	DEGGENDORFER; PAUL	127.99					127.99	1-2E-30CD-7701
1171737	DEGGENDORFER; PAUL	147.35					147.35	1-2E-30CD-10300
1171738	DEGGENDORFER; EVA	950.57					950.57	1-2E-30CD-10400
1171753	EARLS; FLOYD W & IRENE	48.47				48.47		1-2E-30DC-800
1171755	EARLS; FLOYD W & IRENE	8.07				8.07		1-2E-30DC-1000
1171784	MILNE; GEORGE T	66.68				66.68		1-2E-30DC-4100
1171806	LARIMORE; SUSAN	146.85				51.87	94.98	1-2E-30DC-6300
1171833	KINGSLAND; PATRICIA A.	46.08				38.40	7.68	1-2E-31AA-1400
1171995	CARSON/STALEY	157.46				49.48	107.98	1-2E-31AB-6700
1172	PECCIA; GARY J & KAREN	39.16				34.19	4.97	1-2E-31A-10900



PAY NUMBL	NAME	BALANCE DUE	CURRENT	2R 30	OVER 60	OVER 90	OVER 120	LOT #
1172285	MOROS, STEVEN	2,094.67				106.51	1,988.16	1-2E-31RA-700
1172323	MORRIS, KATHLEEN F	584.20				75.39	508.81	1-2E-31BA-4500
1172368	GRAY, JOHN LEE & YVONNE	98.56				35.45	3.11	1-2E-31RA-11000
1172574	SALAZAR, SEVELLIA A	115.06				64.26	50.80	1-2E-3100-900
1172638	BRIITENSTEIN, ROBERT W	314.88				314.88		1-2E-31D-1900
1172668	REE, HELEN D	1,510.40				76.80	1,433.60	1-2E-31MA-9000
1172682	TITUS, JERRY HOLLIS	36.81				36.81		1-2E-31DA-4600
1172712	ERNINI, GEORGE	53.33				53.33		1-2E-310B-4202
1172731	HUGHART, DONALD A	62.01				62.01		1-2E-31DB-5901
1172832	PALM, MILTON H & EUNICE	786.96				77.21	709.75	2-1E-1AA-300
1172836	PALM, MILTON H & EUNICE	2,205.28				198.48	2,066.75	2-1E-1AA-700
1172841	PALM, MILTON H	1,442.70				88.62	1,354.08	2-1E-1AA-1200
1172842	PALM, MILTON H	2,279.49				131.17	2,148.32	2-1E-1AA-1800
1173034	RITZER, MALCOLM S	249.60				54.64	194.96	2-2E-68B-1000
1174009	LINCOLN PROPERTY CO	31.53				31.53		1-2E-31C-709
1174015	PENNBROOK DEVELOPMENT	197.88				197.88		1-2E-31C-712
1174017	PENNBROOK DEVELOPMENT	171.10				171.10		1-2E-31C-712
1174019	PENNBROOK DEVELOPMENT	187.47				187.47		1-2E-31C-714
1174021	PENNBROOK DEVELOPMENT	269.86				269.86		1-2E-31C-714
1174023	PENNBROOK DEVELOPMENT	130.93				130.93		1-2E-31C-714
1174027	PENNBROOK DEVELOPMENT	138.37				138.37		1-2E-31C-718
1174029	PENNBROOK DEVELOPMENT	138.37				138.37		1-2E-31C-718
1223214	PUBLIC STORAGE PROP VI	118.65			115.89			1S-1E-36DA-100
1223215	PUBLIC STORAGE PROP VI	1,827.43			1,784.92			1S-1E-36DA-100
1223216	PALM, MILTON & EUNICE	9,485.64			987.25		8,548.39	1S-1E-36DA-200
1223221	PUBLIC STORAGE PROP VI	3,130.35			3,057.54			1S-1E-36DA-1800
1240712	PENNBROOK DEVELOPMENT	1,418.49		975.71			442.78	1-2E-31C-712
1240714	PENNBROOK DEVELOPMENT	2,465.00		1,695.55			769.45	1-2E-31C-714

## LOCAL IMPROVEMENT DISTRICTS

## AGING REPORT FOR LID ASSESSMENTS

09-03-92

5

PAYOR NUMBER	NAME	BALANCE DUE	CURRENT	OVER 90	OVER 60	OVER 90	OVER 120	LOT #
1240718	PENNBROOK DEVELOPMENT	1,042.90		731.15			391.75	1-2E-31C-718
1240720	BPM ASSOCIATES	592.74		407.72			185.02	1-2E-31C-720
1240721	BPM ASSOCIATES	1,320.89		908.23			412.16	1-2E-31C-721
1240722	BPM ASSOCIATES	1,635.16		1,124.74			510.42	1-2E-31C-722
1240723	BPM ASSOCIATES	1,075.12		739.52			335.60	1-2E-31C-723
1243261	GRAMAKK CO	1,937.05		1,327.01			610.04	1-2E-31D-802,803,804
1243263	AIRFLOW SYSTEMS	182.62		125.62			57.00	1-2E-31D-903
3211300	PETERSON, GLORIA V	218.41	213.41					182E30DB 1900
3211400	TOMAH, SHERILL	257.06	257.06					182E30DB 1400
3211900	INAI, ARIENE A.	583.27	528.09				60.18	182E30DB 1900
3214500	WESTLING, TED & LINDA	198.29	198.29					182E30DB - 4500
3215500	CUMMINS, KAREN	1,054.86					1,054.86	182E30DB 5500
3215600	CLARK, DIANE	273.88	273.88					182E30DB 5600
3216100	NISSEN, MR & MRS HERB	333.49	333.49					182E30DB 6100
3216202	LATTANZI, TOM & BETTY	125.08					125.08	182E30DB 6200
3216900	DOUBSON, JANET L.	396.87	291.23				105.64	182E30DB 6900
3219800	HARPSTER, KATHLEEN	1,014.12	358.07				663.05	182E30DB 9800
GRAND TOTALS		68,679.59*	6,902.75*	8,085.25*	5,895.60*	4,202.71*	43,525.20*	

1/2  
Catherine Poulakovich  
Trust Operations Officer  
321 SW Sixth Ave  
P.O. Box 3168  
Portland Oregon - 97208-3168  
(503) 295-6958

4182 SE Lake Rd  
Milwaukie, Oregon  
August 17, 1992

Dear Catherine

Re/your letter July 24 1992

We have lived in Milwaukie since 1949.  
We sold our interest in Portland.

It seemed prudent to resume a smaller  
business in Milwaukie. The name was sold in Portland.

We acquired some acreage. This was in  
Clatsop County and Milwaukie.

In the mean whiles we fell in with  
some of Terrence De Vos. (Reynard the Fox).  
The Highway decided that they would use the  
best part of our parcel -

The other parcel was in wet land -

Community development - had their way.  
We lost. There was very little value to us.

2

We have been retired for some time.

In no way can we fight City Hall.

To pay the accounts we will have to  
imagine a way to develop money to liquidate  
the total obligation.

By divers means we are now back in business  
to develop such money.

We hope to effect the business before the end  
of this year.

Resp  
Milton H. Palmer.

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

COMMUNITY DEVELOPMENT DEPARTMENT

August 31, 1992

To: Milwaukie City Council  
Thru: *Dan* Dan Bartlett, City Manager  
From: *Mc* Maggie Collins, Community Development Director  
Re: Proposed Resolution Supporting a Johnson Creek Resources Management Program

Action Requested

For your consideration and action.

Discussion

A little over two years ago, Milwaukie joined the collaborative effort known as Johnson Creek Corridor Committee, whose purpose was to bring together representatives of all affected jurisdictions and interest groups (including affected property owners) to identify what could be done in a collaborative way to identify and restore lost natural resource values associated with Johnson Creek. The upshot was formation of the Corridor's goals and objectives. Portland, as the lead agency for securing compliance with National Pollutant Discharge Elimination System (NPDES) requirements, took the Corridor's goals as a starting place for a basinwide program that will comply with both NPDES standards and will be consistent with the Clean Waters Act. Portland has brought on its consulting staff, and technical data is being gathered on the entire 24-mile stretch of Johnson Creek, and on the drainage basin it serves.

Most of Milwaukie's land area is included in the Clackamas River drainage basin. Milwaukie and Clackamas County are currently engaged in developing the plan for compliance with NPDES regulations for the Clackamas River drainage system.

Johnson Creek's drainage basin, however, covers the northern portion of Milwaukie and a good deal of Portland, as well as parts of Multnomah County, Gresham and Clackamas County. Ultimate coordination between the two drainage plans will be necessary. Portland's planning approach to Johnson Creek is somewhat different from that of the Clackamas drainage in that the Johnson Creek is being viewed as an urban stream with great restorative potential. Management proposals will center around the Creek itself (what can be done without dam-building for flood prevention, what can be done to increase water quality of the stream, etc.). The success of Portland's approach will center on the ability to use effectively the information and work that has been generated from the Johnson Creek Corridor Committee. In fact, the Corridor Committee will be asked to make the recommendations concerning what the Johnson Creek Resources Management Program should look like.



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Memo to City Council  
August 31, 1992  
Page 2

Milwaukie's segments of Johnson Creek run through industrial and residential areas. While flooding is not the City's major concern, polluted waters are. Milwaukie is ultimately responsible for the water quality of this stream as it flows through this jurisdiction. Concerns are growing about this stream, as the attached two letters illustrate.

Staff's recommendation is to continue to fully participate in this interjurisdictional effort, for which the attached Resolution is prepared.

Attachments:

1. Draft Resolution
2. Johnson Creek Corridor Committee Goals
3. Letters about Johnson Creek
4. Johnson Creek Newsletter

cc: Jim Soli  
Greg Chew  
Mulvey Johnson  
Mary Ann Cassin

**DRAFT**

3

CITY OF MILWAUKIE

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ENDORSING THE DEVELOPMENT OF A RESOURCES MANAGEMENT PROGRAM FOR THE JOHNSON CREEK DRAINAGE BASIN.

WHEREAS, Johnson Creek flows through the jurisdictions of Multnomah and Clackamas Counties, Gresham, Happy Valley, Milwaukie and Portland; and

WHEREAS, Johnson Creek has been declared a water quality-limited stream by the Oregon Department of Environmental Quality (DEQ) due to continuing pollution and sedimentation that greatly reduce quality and quantity of fish and wildlife habitat and the human environment adjacent to the Creek; and

WHEREAS, Johnson Creek continues to endanger life and property by its potential for flooding; and

WHEREAS, it is in the best interest of the public to cooperatively develop a basinwide Resources Management Program to restore and maintain the environmental quality of Johnson Creek, including implementing demonstration projects and acquiring necessary permits for projects to mitigate water quality and flooding problems and to enhance habitat; and

WHEREAS, the Johnson Creek Corridor Committee (JCCC) has been established with broad representation from affected Cities, Counties, local citizenry, neighborhoods, environmental groups, businesses, and State and Federal regulatory and resource agencies; and

WHEREAS, the goals of the JCCC are to improve water quality, reduce flooding, improve the human environment and preserve and protect natural resources in the Johnson Creek basin; and

WHEREAS, the City of Milwaukie is participating with the City of Portland in joint planning efforts to address National Pollutant Discharge Elimination System (NPDES) permit requirements for Johnson Creek, and to enhance the combined recreational opportunities along the Springwater Trail Corridor; and

WHEREAS, the City of Milwaukie has jointly participated in a public-private demonstration project activity to promote natural stormwater drainage into Johnson Creek;

NOW, THEREFORE, BE IT RESOLVED by the City of Milwaukie, a municipality of the State of Oregon, that Milwaukie supports the JCCC and its stated goals for Johnson Creek, and will support the development of a coordinated basinwide Resources Management Program to solve water quality, flooding and natural resource problems on Johnson Creek as follows:

1. Coordinate with agencies outside its jurisdiction to produce the highest level of communication and to avoid duplication of effort;
2. Seek to coordinate its NPDES Stormwater permits and planning process where appropriate to achieve the best possible basinwide results;
3. Evaluate the opportunities to cooperatively plan and/or develop recreational facilities, particularly those associated with the Springwater Trail Corridor;
4. Work cooperatively to identify, evaluate and implement demonstration projects and other elements of the basinwide Resources Management Program to solve Johnson Creek problems and to take advantage of opportunities within Milwaukie's jurisdiction; and
5. Seek to implement the Resources Management Program and evaluate sole or joint permit application efforts, evaluate opportunities to secure project funding, provide staff support for projects within Milwaukie's jurisdiction, and promote best management practices.

PASSED this \_\_\_\_ day of September, 1992, by the City Council of the City of Milwaukie.

\_\_\_\_\_  
Craig J. Lomnicki, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Pat DuVal, City Recorder

\_\_\_\_\_  
City Attorney

Resolution No. \_\_\_\_\_, page 2

# JOHNSON CREEK CORRIDOR COMMITTEE

## Mission Statement of the JCCC

The mission of the Johnson Creek Corridor Committee (JCCC) is to develop and recommend implementation of a basin-wide Resources Management Plan that takes advantage of opportunities and solves problems in the Johnson Creek watershed.

It is intended that the Johnson Creek Resources Management Plan be implemented by neighborhoods, local, regional, state and federal jurisdictions, and that early action projects be undertaken during plan development to demonstrate techniques and evaluate options. The JCCC will advocate and coordinate early implementation.

## Goals, Objectives and Activities

The Plan shall achieve the following goals and objectives, making use of suggested activities as appropriate and possible:

6

# **JOHNSON CREEK CORRIDOR COMMITTEE**

## **Mission Statement of the JCCC**

The mission of the Johnson Creek Corridor Committee (JCCC) is to develop and recommend implementation of a basin-wide Resources Management Plan that takes advantage of opportunities and solves problems in the Johnson Creek watershed.

It is intended that the Johnson Creek Resources Management Plan be implemented by neighborhoods, local, regional, state and federal jurisdictions, and that early action projects be undertaken during plan development to demonstrate techniques and evaluate options. The JCCC will advocate and coordinate early implementation.

## **Goals, Objectives and Activities**

The Plan shall achieve the following goals and objectives, making use of suggested activities as appropriate and possible:

**GOAL # 1: The water in Johnson Creek and its tributaries meets water quality standards and allows safe human and wildlife contact.**

**Objectives**

**1. Meet state and federal water quality standards and deadlines.**

**2. Reduce pollutants from surface water run-off.**

**Possible Activities**

- Establish long term monitoring station(s) to measure pollutants, temperature and all other pertinent factors to water quality.
- More intense communication with and education for commercial and industrial property owners regarding specific pollutants and the need to reduce impervious surfaces.
- Educate home owners.

**3. Use a watershed-based approach.**

**Possible Activities**

- Support establishment of the regional surface water management agency for the North Clackamas Urban Area
- Work with property owners to accept property (fee simple) or easements that could be used for improving water quality.
- Work with property owners to use 308 tax deferrals.

**4. Reduce soil erosion.**

- Provide landowners within the basin with construction guidelines to prevent erosion, runoff.
- Provide plant material for natural resource buffer planting

**5. Eliminate direct direct outfalls into creek, including industrial, commercial, public and homeowners.**

- Treat water on site

**GOAL # 2: Good quality aquatic habitat for creek fauna, including resident and migratory fishes, is restored and maintained.**

**Objectives**

- 1. Manage stream as a cold water species habitat.**
- 2. Manage basin as wildlife habitat corridor.**
- 3. Maintain minimum streamflow.**

**GOAL # 3: Flood impacts are minimized.**

**Objectives**

**1. Manage the flood plain in an environmentally sensitive manner.**

**Possible Activities**

- Reinforce banks; use bioengineering; allow recycled concrete slabs to be placed thoughtfully into banks; create overflow channel and create retention wetland areas.
- Buy land and create wetlands that can act as retention areas during floods.
- Get more hydrological information and use it in development process.
- Promote utilization of flood protection methods for property.
- Re-direct floodwater into retention pond/reservoir catchments to add "balance" to low water/high temperature summer flows.
- Assist/educate landowners about how their individual activities affect flooding and what they can do to reduce flooding.
- Identify and prioritize areas to purchase. Purchase as much of flood plain as possible as quickly as possible to later be sold back if later considered non-essential to needs of the creek (the larger the inventory, the more viable the choices - and it ain't getting any cheaper!).

**2. Balance vegetation with hydraulic aspects of creek to effectively pass flood flows using Best Management Practices.**

**3. Reduce soil erosion**

**Possible Activities**

- Reinforce banks using Best Management Practices.



**GOAL # 4: Natural areas are preserved and restored.**

**Objectives**

**1. Preserve wetlands and wildlife food sources.**

**Possible Activities**

- Increase awareness of importance of and current threats to urban wetlands.
- Promote use of native vegetation.
- Promote use of plantings that will sustain habitat and attract wildlife.
- Land acquisition - identify and prioritize.

**2. Protect and restore environmental resources, with a regional view.**

**Possible Activities**

- Use E - Zone regulations as a starting point.
- Coordinate as major segment of Metro Greenspaces.
- Create corridor/connect natural areas.
- Land acquisition - identify and prioritize.

**GOAL # 5: Recreational opportunities are available in the Corridor**

**Objectives**

1. **Coordinate the Resource Management Plan with the development of the 40-Mile Loop trail on Springwater Line.**

**Possible Activities**

- Get safe street crossings, bridge decking and railings, and usable trail surface.
- Coordinate with Water Bureau, BES, electric utilities, fiber optic cables, etc to obtain routes and funding to build trails.
- Use Springwater line as the backbone linking various specific use areas.
- Connect Creek access and trails as safe corridors to parks and institutions, schools and neighborhoods.

2. **Develop coordinated trails around flood retention/natural areas.**

3. **Develop linkages - corridors - anchors - passive viewing sites.**

**Possible Activities**

- Purchase land along the creek for new parks.
- Encourage land donations, easements, scenic easements.

4. **Encourage passive use compatible with natural uses.**

5. **Consider using old mill site as recreational complex including team sport areas, swimming, picnic, etc.**

**GOAL # 6: Economic Development is supported and is sensitive to the community, the neighborhood and the resource values.**

**Objectives**

1. Use set backs, natural areas, parks, trails, wildlife, etc. to enhance values of well-designed development plans.

**Possible Activities**

- Work with business to offer sensitive options for problem solving.
- Work with developers to find mutual benefit opportunities.

2. Promote the use of best management practices for existing and new development to protect watershed resource values.

**Possible Activities**

- Develop stream manager position with accompanying staff (add new jobs)patterning this after concepts used in England.

3. Provide access to appropriate areas of the creek to promote tourism and recreational use.

**Possible Activities**

- Use youth crews to accomplish goals.

4. Preserve and encourage sustainable and non-polluting agriculture and forestry operations in the Basin.

**Possible Activities**

- Make sure zoning and development regulations work to keep commercial agriculture and forestry; while consistent with E - zone regulations.
- Have private landowners work to develop and update farm management plans; work with SCS, SWCD, ASCS.

**GOAL # 7: Heritage value of the Creek is preserved and recognized.**

**Objectives**

1. **Let local and metropolitan community know of the basin's history.**  
**Possible Activities**
  - Place signage/displays along the creek emphasizing history.
2. **Identify, protect and restore key landmarks and historical elements.**  
**Possible Activities**
  - Identify natural/business/traditional land uses.
  - Get oral histories and interviews of long-time residents.
3. **Build sense of community pride in its heritage.**
  - Write a history of Johnson Creek Cookbook.
  - Use Ethan Seltzer's doctoral thesis (a lot of history is there!).
  - Student essays.

**GOAL # 8:** The role of stewardship is taken on by landowners, special interest groups, users and the general populace for natural resource values associated with the Johnson Creek Corridor area.

**Objectives**

**1. Involve neighborhood/business associations in stream restoration projects.**

**Possible Activities**

- Establish working groups to represent designated reaches of the creek and its tributaries, with membership reflecting the diverse interests existing in each area.
- Possible general mail-outs to alert public of Committee progress.
- Community school classes for residents and property owners.
- Get schools involved as children are a good resource to get adults involved in creek advocacy. Also, the Springwater line could be used as a walking or bicycling corridor for children.
- Plan/provide annual weekend recreation/restoration clean-up festivals - Springwater hike/bike/run, stream Canoe/raft trips, natural education tours.
- Use mailed contact and response to allow people to do things without leaving home.

**2. Build a basin wide sense of community.**

**Possible Activities**

- Build an organization to conduct basin-wide annual clean ups, celebrations, education.

**GOAL # 9: People would be aware of and educated about the resource values of the Johnson Creek Basin**

**Objectives:**

**1. Promote awareness of the resource.**

**Possible Activities**

- Signage - historical features, natural resources and wildlife areas, hydrology of creek, demonstration projects.
- School programs re: historical features, natural resources and wildlife areas, hydrology of creek, demonstration projects.
- Conduct stream walks with local schools/citizens to collect data, increase "ownership" and become aware of land use impacts.
- Contact area grocery stores whose carts are being dumped into creek --fines for return of them?
- Promote recognition, symbolically, on public roads, creek crossings, parks and other facilities in the watershed.
- Support long-range educational and awareness programs dealing with Johnson Creek watershed values.
- Develop a corridor pageant (annual) including music, theatre, history, science projects, community celebration, etc.
- Notify tire dealers and public of numbers of tires disposed of in creek and what effect they have on creek.
- Create awareness of the stream as an asset/feature placing new development, public access, signage, educational programs, etc. to utilize the stream (develops civic/local pride).

**2. Educate people about the resource value.**

**Possible Activities**

- Monitoring stations - flood height, stream flow, sedimentation, temperature, etc.
- School/community participation - restoration or monitoring projects, clean-up.
- Create Curriculum packets both for school groups and outside groups - Scouts, etc. that reference interpretive signage along the corridor.
- Encourage the integration of watershed values and resources into school curricula.

**GOAL #10: The Johnson Creek Basin is a safe, clean and aesthetically pleasing area that is appreciated and enjoyed by residents and visitors.**

**Objectives**

1. **Incorporate public art into corridor projects.**
2. **Use Logo/Icon signage to enhance visual access.**
3. **Provide aesthetically pleasing views of the stream.**

**Possible Activities**

- Clean up/volunteer campaigns.
- Community tree planting at every opportunity.
- Get schools and media involved to advocate for the continued maintenance and clean up of the creek.
- Promote consideration of viewsheds and view corridors for private and public properties.
- Promote deposit on tires (to reduce dumping).
- Encourage tree planting - stream banks, public and private lands.

4. **Reduce noise/enhance the natural acoustic environment.**

**Possible Activities**

- Create areas where the sounds of the stream, wildlife, blowing leaves, etc can combine with the visual images to create a complete aesthetic experience.

5. **Promote architecture and landscaping that works with the natural environment.**

**Possible Activities**

- Explore design guidelines to promote development/ renovation in such a manner.
- Promote and encourage a landscape ecology view in relation to site planning and development for private and public properties.

**GOAL #11: Both private and public values are considered and respected.**

**Objectives**

1. **Establish an appropriate balance between humans and nature in the Corridor.**

**Possible Activities**

- Each project and each objective should consider whether the individual property owner will be prohibited from enjoying or functioning on their property in a way that they previously were allowed to, and whether the activity is environmentally sound.

2. **Recognize the rights of property owners and users in all watershed programs and activities.**

**Possible Activities**

- Promote the understanding of public and private needs and values along Johnson Creek.

3. **Consider the livability values of creekside residents and workers.**

**Possible Activities**

- Improve the human environment along the stream.

4. **Re-evaluate transportation goals, plans and standards.**



**GOAL #12: Urban Forestry objectives are met in the Corridor.**

**Objectives**

**Possible Activities**

- Get citizens and governments to plant and manage trees - public/private.
- Use new Forest Service resources.
- Use Friends of Trees.
- Use new Oregon Urban and Community Forest Council.
- Use American Forestry Association/Global Retreat program.
- Involve schools, neighborhoods, business organizations, garden clubs, non-profit groups in forestry.

JUL 27 1992

WCC/PORTLAND

( July 21, 1992

Clifton Lee Powell

The Johnson Creek Corridor Committee

Dear Mr Powell,

My name is Ellen Goldhammer, I live on Hillgard Road in Corvallis which is close to Johnson Creek. It is also very close to the Columbia Brick Works.

I have often walked thru the woods at the Brick factory and also poked around the piles of debris that have accumulated over the years. I guess what concerns me is the amount and also that I've seen car Batteries, 55 gallon drums etc added to these huge piles.

My question to you is what if any is the pollution threat that the Brick Works poses to Johnson Creek and also has there been any other concerns or complaints about this Factory.

I would appreciate any information  
or suggestions you might have.

Sincerely

Lilum Yalal Kammur  
3020 SE HILLIARD RD.  
GRESHAM, OR 97080  
503-269-0302

July 20, 1992

Clifton Lee Powell  
Johnson Creek Corridor

Dear Mr. Powell;

You have certainly opened a 'can of worms' in attempting to solve the problems of Johnson Creek. I have lived in the area for over forty years and still walk every day in the area. I am very familiar with area 3 and 4 (58th past Linwood diagonally to S.E. 82nd.)

This area is constantly being polluted :dead cats, garbage, this week a barbecue unit and a shopping cart.

I have also written many letters relative to dumping: waste from the Meadows Tavern on Johnson Creek Blvd. (since hopefully cleaned up: debris from and industrial plant (which D.E.Q. said was okay "in the winter" with more water runoff. I countered as to what would happen in the ~~winter~~ summer when the stream was a mere trickle. The snippy letter in response implied the D.E.Q. "knew best".

This last year the new Fred Meyer Store (82 & J. Creek Blvd) dug from 80th and Luther Road down to 76th and ran a sewer line (runoff) down to 76 and emptied into Johnson Creek. I was alarmed because farther down on J.Ck. Blvd. is a low area which floods over the road when there is heavy rain. We were fortunate there was no flood this year.

At times Johnson Creek is said to be safe. I seriously doubt it. (Perhaps at its inception- certainly not along Johnson Creek Blvd. The large Crosswhite Complex; Precision Castparts, and other businesses will have to be constantly watched.

And who will enforce these regulations? Noone out here. I know.

It seems a shame (or a crime) to donate much time and no doubt a lot of money for something only large companies (or vested interests) may benefit.

Sincerely,

Dorothy Flink

Please advise next meeting-



# JOHNSON CREEK

A publication of the Johnson Creek Corridor Committee

VOLUME 1, NUMBER 3

SEPTEMBER-OCTOBER 1992

## Public Input Meetings: Your Chance to Help Decide the Future of Johnson Creek

Optimistic about the opportunities and distressed about the problems of Johnson Creek, residents, business owners, and governmental agencies have joined forces and formed the Johnson Creek Corridor Committee (JCCC) to develop and help implement a basin-wide Resources Management Program. The JCCC's hope for the program is that it will be a successful model of cooperative effort by government, citizens, and commercial interests to improve water quality, minimize flood impacts, enhance fish and wildlife habitat, and promote economic and recreational opportunities in the Johnson Creek watershed.

The committee has spelled out the program planning process along with its hopes for the future of the watershed in a special booklet, the *Johnson Creek Vision*. The booklet defines problems and identifies potential solutions and enhancement opportunities that will be explored for the Resources Management Program.

The Portland Bureau of Environmental Services has hired a group of consultants to work in partnership with the JCCC to develop the draft Resources Management Program. The *Johnson Creek Vision* and upcoming public input meetings will solicit a broad range of public opinion and help focus their technical studies. Additional meetings are being scheduled to gather specific information on industrial and agricultural perspectives.

Those who attend the public input meetings can help set priorities for the Resources Management Program by writing or voicing their comments on the *Johnson Creek Vision*, by talking with JCCC members and technical consultants, or by submitting prepared statements. By attending the input meetings, citizens will give direct guidance on how resources should be allocated to the planning effort by the cities of Portland, Milwaukie, Happy Valley, and Gresham, and Multnomah and Clackamas Counties.

Testimony, comments and suggestions gathered at the input meetings will be measured against the funds available from local governments. This will directly determine the type and scope of studies and work that the technical teams will conduct during the planning process.

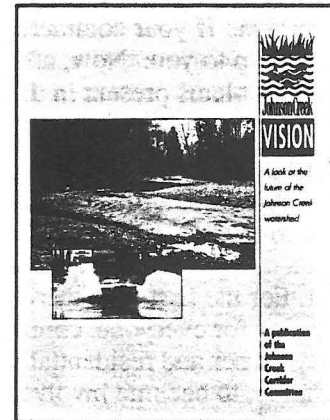
If you would like to participate, start by calling the Urban Streams Resource Line at 692-1448 to get a copy of the *Johnson Creek Vision*. Then mark your calendar and attend one or more of the three public input meetings:

**Wednesday, September 23<sup>rd</sup> at Mt. Hood Community College**  
(Academic Center, Rooms 2606-2607) 26000 S.E. Stark, Gresham

**Monday, September 28<sup>th</sup> at Milwaukie Center**  
(N. Clack. Park, Recreation Room) 5440 S.E. Kellogg Creek Dr., Milwaukie

**Tuesday, September 29<sup>th</sup> at Mt. Scott Community Center**  
(Auditorium) 5530 S.E. 72nd, Portland

The meetings will be held "open house style" so you can stop in any time from 3:30 to 9 p.m. There will be displays and informational materials, including extra copies of the *Johnson Creek Vision*. JCCC members, project engineers and scientists, and government agency representatives will be on hand to listen, and they will be glad to answer your questions. Remember, they need your input — and Johnson Creek needs your help — in planning for the future.



*Johnson Creek Vision* was developed by the JCCC to identify problems, solutions and enhancement opportunities in the Johnson Creek watershed.

# The Business of Business and Johnson Creek

by Michael Grant

*Michael and Carol Grant own the Charles Grant Company, an architectural mill work firm located at 5300 S.E. Johnson Creek Boulevard in the Bell Station stream segment. The Grants participated in recent industry group meetings to discuss Johnson Creek, and they have volunteered to represent industry and businesses on the JCCC.*

Owning property along the course of, or property that creates runoff to, Johnson Creek is becoming a defined responsibility. While there have always been some special obligations to meet, floodplain lines, landscaping requirements and such, neither commercial nor residential property owners have had to address the quality of the creek's life in a comprehensive way.

In the past, small sections of the creek received attention when a particular group decided to act on a specific problem area. If your commercial or residential property happened to be in that section, then you could help or not; it was up to you. Now, after many years of wrangling, we will be given the opportunity to address the multiple problems present in the entire length of Johnson Creek.

There has never been an organization that united all city, county and state jurisdictions, in conjunction with property owners, to begin working on the problems in a comprehensive systematic manner. For the first time there is an opportunity for everyone, commercial property owner and residential property owner alike, to become involved in achieving a renewed life for a natural resource that serves us all. By involving ourselves in a large resource pool, working together with all governmental jurisdictions, we can contribute to a comprehensive problem-solving effort that actually gets results.

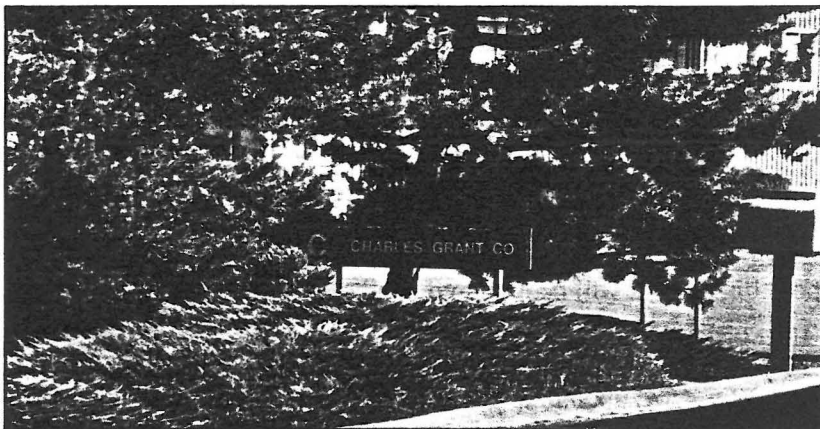


Photo by Bill Berg

As a business owner in and lifetime resident of the area, I have seen first-hand the need to improve the quality of Johnson Creek. But I can also see that, as an individual, I am virtually powerless to make more than the slightest difference to the state of the creek. By becoming involved with the Johnson Creek Corridor Committee (JCCC), I have the opportunity to participate with all of my neighbors, both near and far, to make a substantive difference.

## Upcoming JCCC Meetings to Focus on Project Options

*Now that the Johnson Creek Corridor Committee has completed its task of defining the general problems and potential solutions for the Johnson Creek watershed as a whole, members will continue to work together to define specific problems and options relating to each of the stream reaches. Technical consultants will help identify appropriate enhancement projects which can be implemented as the Resources Management Program is completed.*

*If you'd like to get involved, call the Urban Streams Resource Line (692-1448) for information and plan to attend the next two JCCC meetings:*

- Wed., Sept. 23, 2 - 3:30 pm  
at Mt. Hood Community College, Gresham
- Wed., Oct. 28, 7 - 9:30 pm (call 692-1448 for location)

Because my business is small, I am much like the residential property owner. If I don't personally express my opinion, no one will know how I feel about the problems, or their solutions. And like the individual property owner, I cannot personally afford to pick up the tab for the changes that will undoubtedly affect my business and property. Nor can I, as an individual businessperson participating in the JCCC, speak for other business owners. But by participating, I can learn about the problems, help educate others, serve as a link between the JCCC and other businesses, and help achieve the group's final recommendations.

By working with the community to help solve the problems of the entire basin, the future will be a lot more promising for the business of business and Johnson Creek.



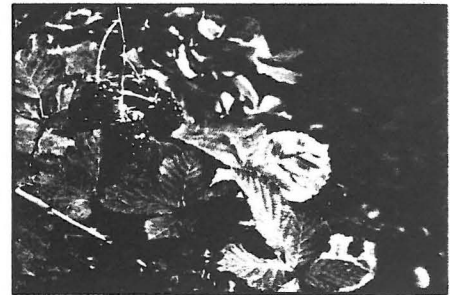
## Himalayan Blackberries: Valuable Wildlife Habitat?

by Lynn Sharp, Wildlife Biologist, Woodward-Clyde Consultants

So, you have a big patch of nasty, thorny Himalayan blackberries growing out on the back 40 next to the creek, and you've been struggling to get rid of them for years. But lately, you've noticed birds and mammals hanging around in them and eating the berries. So now you're wondering if you shouldn't just give up the fight...

Well, this incredibly invasive introduced plant does provide habitat (food, breeding sites, and shelter from the weather and predators) for some wildlife species. Bewick's wrens and song sparrows readily inhabit blackberries as long as some other type of vegetation is present, such as meadows, shrubby areas, woodlands, or your landscaped yard (although song sparrows seem to do well in just blackberries). Lots of other birds eat blackberries and go off merrily spreading the seeds far and wide. Opossums and raccoons use the thickets for shelter and the berries for food. Cottontails use these "briar patches" for cover from the elements and escape from predators, such as your dog or the local great horned owl or red-tailed hawk. Garter snakes have been known to sun themselves two feet above the ground in a blackberry thicket, and Pacific treefrogs like to catch insects there. So yes, these blackberries benefit some wildlife.

Photo by Bill Berg



On the other hand, none of the critters mentioned above is in any danger of disappearing from the Portland area anytime soon. There are lots of other kinds of wildlife which used to live in the streamside vegetation along Johnson Creek and other streams in the Portland area, but which have disappeared or are in the process of disappearing because their habitat is disappearing. If we had more areas with mature cottonwood, willows, Oregon ash, red alder trees and red osier dogwood, willows, Douglas spiraea, Pacific ninebark shrubs and cattails, rushes, and horsetail ground cover, you would be amazed at the different wildlife species that might turn up.

Continued on page 6



## Greenspaces Campaign Needs Support, Votes

The Metropolitan Greenspaces Program is looking for support for its new Master Plan.

In addition to recommending a strategy of greenspace acquisition and protection, the plan calls for coordination of environmental education, technical assistance, citizen involvement, and land use and environmental planning initiatives. All four counties and 22 of 24 cities within METRO's boundaries have passed resolutions supporting the Greenspaces Program.

This program can be implemented now for less than the future costs of reclamation projects. To establish revenues, METRO has referred a General Obligation Bond (Ballot Measure #26-1) to voters in November. A Citizens' Campaign to support this bond has already begun at the grassroots level. To get involved, call the Urban Streams Resource Line (692-1448) for details.

## Volunteers to Monitor Water Quality

by Paul Fishman, Fishman Environmental Services

Volunteers will soon begin sampling water quality at stations all along Johnson Creek. The Johnson Creek Volunteer Water Quality Monitoring Program, endorsed by the JCCC as meeting its goals and objectives, will use 12 to 15 people who have agreed to collect water quality samples and data monthly at selected stations.

The program is a community service spearheaded by Fishman Environmental Services, a Portland consulting firm. Program sponsors include METRO, Portland's Bureau of Environmental Services (BES), City of Gresham Engineering, Clackamas County Utilities, Multnomah County Park Services, the City of Milwaukie Engineering, and Oregon Worsted Company. BES will also contribute laboratory services.

Participants will attend a training session in early September to receive their equipment and learn the methods for sample collection, analysis and data recording. They will use the test kits to measure water temperature, pH, dissolved oxygen, alkalinity and hardness. An analytical lab will measure total suspended solids and phosphorus.

Continued on page 5

## Watershed Tours:

# Taking a First-Hand Look at All of Johnson Creek

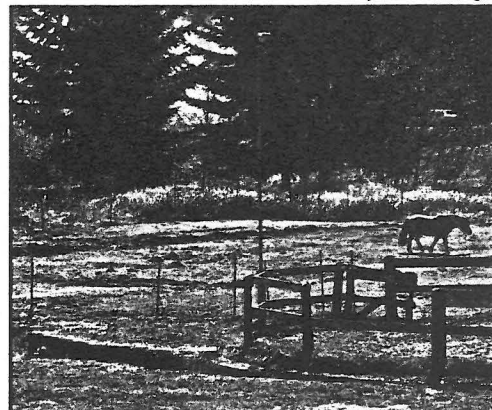
by Mike Houck, Director, Urban Streams Council

Seventeen people attended the July 11th Johnson Creek watershed tour which started in the headwaters near Stone Road, east of Highway 26. Gresham resident Mike Honke guided the group to nursery lands which have been newly converted from forest. It was easy to see why Johnson Creek runs brown after a hard rainfall! One of the major concerns in the upper watershed is the loss of vegetation along tributaries to Johnson Creek — a situation which is clearly in evidence in the headwaters area.

The Portland Bureau of Environmental Services (BES) provided a mini-bus for the tour which made stops at Ambelside, Gresham Main Park, Powell Butte, Beggars Tick Marsh, the WPA waterfalls, Tide-man Johnson and Johnson Creek parks, and the Johnson Creek-Willamette River confluence. The Eastern Kingbirds were still on Powell Butte, along with numerous Lazuli Buntings, Savannah Sparrows and Vaux's Swifts. The trip highlight, however, was an incredible floral display on the gravels at the Willamette River. Veronica, mint, evening primrose, moth mullein, sunflowers and purple loosestrife have established a beautiful rock garden splashed with blues, yellows, whites, and reds.

If you missed the tour and want another chance to see the entire Johnson Creek watershed, come along on the next tour, Saturday, November 14th. Pre-registration is required. To register, call Mike Houck at 245-1880 and leave your name, address and telephone number. Participation will be a first come, first served basis to ensure we are in one vehicle.

Photo by Kristin Finnegan



In some areas, especially in the east end of the watershed near the headwaters, Johnson Creek has little or no vegetative cover to help prevent heavy rains from making the water run brown.

## Celebrate Clean Water at the Clean River Confluence

Photo contests, Sternwheeler tours and many other activities for all ages are planned for the 1992 Clean River Confluence. The month-long celebration of clean water will be held during October to celebrate the 20th anniversary of the passage of the Clean Water Act.

Highlights of the month's activities include a Salmon Festival slated for October 10th and 11th, the Adopt-A-Stream Conference and Clean River Connection Conference (see page 6) on Saturday, October 17th, and the Johnson Creek Watershed Action Day on Sunday, October 18th.

For information or to get a registration packet, call the Urban Streams Resource Line, 692-1448.

Sponsors of the Clean River Confluence include the Portland Bureau of Environmental Services, the Urban Streams Council, FAUNA, Madison High School, the Unified Sewerage Agency, the Association of Clean Water Agencies, the Clackamas County Department of Utilities, METRO and the PSU Center for Urban Studies.

## Ride on the Wild Side

Several watersheds, including Johnson Creek, will be the focus of the 10th annual Ride on the Wild Side bicycle and natural history series co-sponsored by Portland Audubon Society and the Portland Bureau of Environmental Services. This year's series will include rides along: Johnson Creek, the Columbia Slough, Forest Park, the Willamette River, and Sauvie Island's Multnomah Channel. All rides are open to the public, require a small fee and require participants to bring their own helmets and bicycles.

- Sunday, Sept. 20th —  
Willamette River
- Saturday, Sept. 26th —  
Sauvie Island
- Saturday, Oct. 3rd —  
Johnson Creek & Springwater Line
- Saturday, Oct. 24th —  
Columbia Slough to Sandy River
- Saturday, Oct. 31st —  
Forest Park & Balch Creek

For information and to register,  
call the Park Bureau at 796-5132.

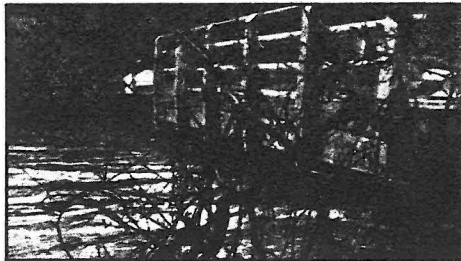


# Barbecues Focus on Neighborhood Concerns

by Esther Lev, Urban Streams Council

The Urban Streams Council is celebrating summer by holding barbecues with the stream reach and neighborhood groups along Johnson Creek. The purpose is to create interest in the creek, collect information from citizens and property owners, convey the natural resource value of the creek, and identify opportunities and issues for each area. Potential community partnership projects between the reach groups and the Urban Streams Council are also identified. Hopefully many of these projects will be completed over the next 18 months.

Photo courtesy of the Urban Streams Council



Over the years, high water and low bridges have often combined to cause flooding in the Sycamore neighborhood.

The first barbecue was hosted by Ray and Diann Garner of the Sycamore neighborhood near Southeast 158th Street. Flood damage and increased erosion, sedimentation and runoff problems from new upstream construction sites were the major issues of concern. Most properties along this reach have a history of flooding. Residents conscientiously maintain the WPA riprap along their properties, removing sediment and vegetation to maximize channel capacity for peak floods.

The residents of this reach would like to see enforcement of local erosion control regulations and land use controls that will regulate development in the creek corridor. One suggestion was to plan a low-density development environmental buffer zone between the cities of Gresham and Portland.

Lack of access to the creek was the major issue of concern at the Eastmoreland/Ardenwald neighborhood barbecue held by Steve Johnson. Everyone felt that the level of citizen awareness, concern and stewardship for the creek is a function of knowing about, visiting and enjoying it. Several improved access points were suggested.

This section of creek may be the only one between the mouth and 158th that has not been riprapped. It was once channelized, but the stream appears to have largely recovered. It has recreated meanders and point bars and is not excessively eroding. It also has a nice cobble, gravel streambed. Jeff Uebel, USFS fisheries biologist and Johnson Creek resident (Gresham), thought fish habitat restoration projects might be possible and desirable in this stretch of Johnson Creek. Residents expressed interest in a potential fish habitat enhancement project.

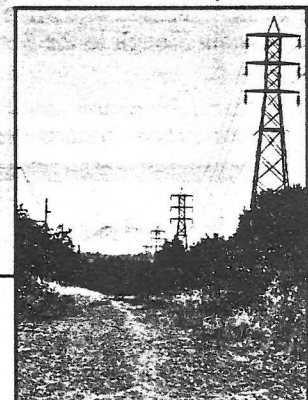
Pollution discharges, toxic waste dumping and fish kills have occurred in this reach over the years. A suggestion was made to have a citizen responsible for monitoring each discharge pipe to ensure better enforcement.

More barbecues are coming up. If you are interested in attending, first get out your favorite casserole recipe... and then call the Urban Streams Resource Line at 692-1448 for dates and times. We hope to see you there!

## City of Gresham to Dedicate Springwater Improvements

Phase I improvements in the Springwater Corridor, Oregon's first Rails-to-Trails conversion project, will be dedicated on Saturday, October 3rd at Gresham's Main City Park. Activities are planned for the whole family, including naturalist-guided walks (with one designed just for kids), picnic lunches, talks and information booths. The JCCC will sponsor a booth at the event, so please stop in and say hello! The dedication, planned to coincide with National Rails-to-Trails Day, is sponsored by the City of Gresham in cooperation with the City of Portland and the 40-Mile Loop Land Trust. For more information, call 669-2531.

Photo by Ed Keudell



The Springwater Corridor

## Water Quality

Continued from page 3

Volunteers will also record observational data on water surface elevation, water color, evidence of pollution, fish and wildlife, and information used in the EPA Streamwalk program.

The information collected by the volunteers will be tabulated and summarized by Fishman Environmental Services and made available to program sponsors and the JCCC in quarterly reports.

## COMING UP ON THE CREEK

9/10 and 10/8 — Tuesday, 8 to 10 am

Meeting of the Citizens' Advisory Committee for N. Clackamas Surface Water Management at Milwaukie Center, 5440 S.E. Kellogg Creek Drive, Milwaukie. Call 653-8100 for directions.

9/20 — Sunday

Ride on the Wild Side with Mike Houck on a bicycle tour of the Willamette River. Call 796-5132 to register.

9/23 — Wednesday, 2 to 3:30 pm

JCCC meeting at Mt. Hood Community College Academic Center (room 2606), 26000 S.E. Stark, Gresham.

9/23 — Wednesday, 3:30 to 9 pm

Public Input Meeting on the Johnson Creek Resources Management Program at Mt. Hood Community College Academic Center (rooms 2606-2607), 26000 S.E. Stark, Gresham.

9/26 — Saturday

Ride on the Wild Side with Mike Houck on a bicycle tour of Sauvie Island's Multnomah Channel. Call 796-5132 for details or to register.

9/28 — Monday, 3:30 to 9 pm

Public Input Meeting on the Johnson Creek Resources Management Program at Milwaukie Center, 5440 S.E. Kellogg Creek Drive, Milwaukie.

9/29 — Tuesday, 3:30 to 9 pm

Public Input Meeting on the Johnson Creek Resources Management Program at Mt. Scott Community Center Auditorium, 5530 S.E. 72nd, Portland.

9/30 — Wednesday, 6 to 8 pm

Public Workshop on N. Clackamas Surface Water Management at Milwaukie Center, 5440 S.E. Kellogg Creek Drive, Milwaukie. Call 653-8100 for directions.

10/3 — Saturday

Ride on the Wild Side with Mike Houck on a bicycle tour of Johnson Creek and the Springwater Corridor. Call 796-5132 to register.

10/3 — Saturday

Dedication of Phase I Improvements to the Springwater Corridor in Gresham. Tours, booths, picnic lunches will be offered at Gresham Main City Park. Call 669-2531 for details.

10/10 and 10/11 — Saturday and Sunday

Salmon Festival for the Clean River Confluence. Call the Urban Streams Resource Line (692-1448) for details.

10/24 — Saturday

Ride on the Wild Side with Mike Houck on a bicycle tour from the Columbia Slough to the Sandy River. Call 796-5132 to register.

*For further information about any of the scheduled events, call the Urban Streams Resource Line at 692-1448*

10/28 — Wednesday, 7 to 9:30 pm

JCCC meeting. Call Urban Streams Resource Line (692-1448) for location.

10/31 — Saturday

Ride on the Wild Side with Mike Houck on a bicycle tour of Forest Park and Balch Creek. Call 796-5132 to register.

Coming up Saturday, November 14th...

Mike Houck will lead another bus tour of the entire Johnson Creek watershed. To register, call Mike at 245-1880 and leave your name, address and telephone number.

### — ADOPT-A-STREAM WORKSHOP —

**Saturday and Sunday, October 17 - 18**

Working with the Portland Bureau of Environmental Services (BES), Clackamas County and numerous other cooperators, the Urban Streams Council will host the Adopt-A-Stream Foundation of Snohomish County, Washington for a two-day celebration in recognition of October being National Clean Water Month. The goal of the workshop is to bring existing "Friends" groups together with people who wish to begin new groups in our area.

Saturday morning's session will focus on how urban watersheds work, why they are so valuable, and different strategies for how to maintain and restore them. The afternoon session will offer practical, hands-on information on how to get a stream group going, how to monitor stream conditions and how to make your group more effective. This will be an excellent workshop for Johnson Creek's stream reach leaders!

Also on Saturday, BES will provide programs for kids from age 3 through elementary school at the Kids' Confluence. So while you're enjoying the day's activities, your children can have a good time learning about stream stewardship, too.

On Sunday, BES, Clackamas County Dept. of Utilities and other water managers will conduct special in-the-field streamwalk activities. Information will be included in the workshop brochure which will be available in early September. For more information, call 692-1448. There will be a modest registration and lunch fee.

#### Sunday Special Streamkeeper Workshop

Representatives from watersheds throughout the region will be introduced to Adopt-A-Stream monitoring and mapping activities by the Adopt-A-Stream Foundation staff. If you are interested in representing a particular watershed, call Mike Houck for details at 245-1880.

## Blackberries

*Continued from page 3*

Green-backed herons might nest over water in shrubs, northern orioles might weave their hanging bag nests from a cottonwood branch, yellow warblers might sing to you in the spring, and a red-tailed hawk or kestrel might nest in a tall cottonwood. This native riparian habitat starts to be invaded by blackberries once the tree cover is opened, because the blackberries immediately invade these sunnier openings — and nothing can compete with them once they're established.

The blackberry thickets growing on steep stream banks don't provide dense ground cover and roots that hold the soil. Multi-layered native vegetation is much better, as long as there is dense ground cover for erosion control.

In our next issue — when control measures are more effective and when your thicket isn't bribing you with bowls full of luscious fruit — a team of experts will give you a battle plan to help you win the war with your blackberries.

# Straight Answers to Questions about Johnson Creek

by Clifton Lee Powell

A founding member of the JCCC, Lee is the committee's representative from a special interest group called Friends of Johnson Creek. He and his wife, Mary, live in the Gardens area of the creek.

• "With all the current pressure to conserve water from Bull Run, is it OK to use water from Johnson Creek for watering my shrubs and lawn?"

According to the Oregon Water Resources Board, there are no more water use permits being issued for any water use in Johnson Creek. There are currently some individuals who already have such permits, but they can only use water for the specific reason or reasons stated in their permits. Even the amount of water they are allowed to use is governed by the terms and conditions of the permit.

Photo by Bill Berg



Taking water from the creek without a water use permit is illegal. Violators can be fined up to \$1,000 a day. The Water Master can also lock illegal pumps.

Thus, unless our reader has a water use permit to irrigate her lawn and shrubs, the answer to her question is, "No". But even if legality wasn't an issue, the creek suffers from low flow, low dissolved oxygen levels and high water temperatures during the summer months. Anything we can do to leave the water in Johnson Creek will help solve its problems.

• "I want to plant some trees in my back yard to shade the creek. What is the best kind to plant?"

The answer depends on a number of factors, especially how close to the water the trees will be. But in general, if you plant the species you see flourishing in other creek-front areas, you'll probably do all right. For example, alders, cedars, willows and cottonwoods all grow fairly close to the water's edge, while Douglas firs like it a little drier.

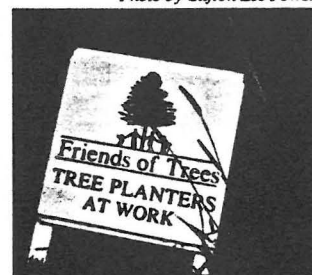
Before you plant, do a little research on the trees' particular needs, and remember to "Go Native"!

If you want a straight answer to a question about Johnson Creek, write down your question and send it to: Clifton Lee Powell, c/o The Johnson Creek Corridor Committee, P.O. Box 8607, Portland, Oregon 97207. Or, if your question can't wait for the next newsletter, call the Urban Streams Resource Line at 692-1448.

## "Friends of Trees" Will Assist with Tree Projects

Applications for technical assistance and partial funding are now being accepted by the Friends of Trees 1992-93 Community Tree Program. Neighborhood Associations and community groups will need to provide a tree project committee, a planting and maintenance plan, volunteers and funds. All the requirements are explained in the application forms, which are available from: Friends of Trees, P.O. Box 40851, Portland, Oregon 97240. Applications will be considered on a first come, first served basis throughout the winter planting season.

Photo by Clifton Lee Powell



## 692-1448 — Urban Streams Resource Line

Someone is available to help you Monday, Tuesday, Thursday and Friday from 8:30 a.m. to 3:30 p.m., but you can call any time. Just leave your name and number, and someone will call you back as soon as possible to answer any questions you may have about:

- Filling in the floodway • Demonstration projects • Springwater Trail events • Storm drain stenciling programs
- Nuisance control (rodents, insects, migratory birds, etc.) • Location of parks, trails and recreation opportunities
- Wildlife and fish issues and sightings • Working Groups and Streamwalk programs in your area • Flooding problems
- Regulations governing streams, ponds and wetlands • Regulations governing drainage and runoff
- Johnson Creek Corridor Committee meetings and events • Safe use of pesticides/fertilizers • Water quality problems





# JOHNSON CREEK

A publication of the Johnson Creek Corridor Committee

VOLUME 1, NUMBER 3

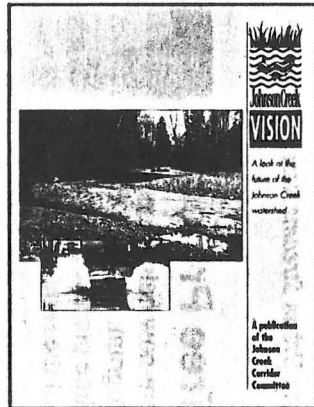
SEPTEMBER-OCTOBER 1992

## IN THIS ISSUE...

*"That may be a problem in your neighborhood, but in ours, the real issue is..."*

Three public input meetings will be held in September. Find out where and when you can have your say on the *Johnson Creek Vision*.

Page 1



*"But I've seen lots of animals eating the berries..."*

Can you be helpful to wildlife and still wage war against the blackberries in your yard?

Page 3

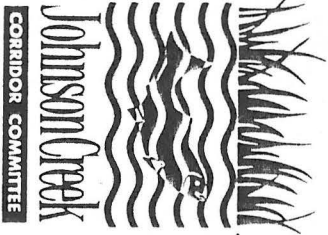


*"...is it OK to use water from Johnson Creek for watering my shrubs and lawn?"*

For all the reasons why you shouldn't — even if you DO have water rights — see "Straight Answers to Questions about Johnson Creek".

Page 7

...PLUS NEWS ON A VARIETY OF UPCOMING EVENTS,  
FEEDBACK FROM TOURS AND BARBECUES IN THE WATERSHED,  
AN UPDATE THE GREENSPACES FUNDING CAMPAIGN — AND MORE!



P.O. Box 8607  
Portland, Oregon 97207

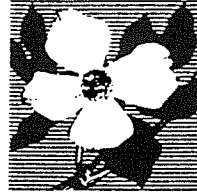
CORRIDOR COMMITTEE

"A partnership of citizens,  
businesses and public agencies  
taking action to improve  
the Johnson Creek watershed"

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# CITY OF MILWAUKIE



## \*\*\* MEMORANDUM \*\*\*

August 24, 1992

MAILING ADDRESS:

P.O. BOX 22009  
MILWAUKIE, OR 97222-0009

FAX (503) 652-4433

To: Mayor and City Council  
From: Dan Bartlett, City Manager *Dan*  
Re: Parks Property Purchase

### Action Requested

Approve purchasing two tax lots South of the Kronberg property.

### Background

Since December 1991, I have been discussing the purchase of tax lots 3300 and 4500 directly South of the Kronberg property with the Council and property owners. At the August 18, 1992, Council meeting, I was authorized to make a counter offer to the owner. That counter offer was accepted by one of the parties. The counter offer did include a condition requiring approval by the City Council.

I talked with the owner on August 24, 1992, he indicated that the counter offer was acceptable and would like City Council approval of the transaction. I will provide the details of our discussion at an executive session preceding the September 1, 1992 City Council meeting.

cc: File  
cm627/hd

CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
SEPTEMBER 1, 1992

The one thousand six hundred and fifty-fourth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:00 PM in the Milwaukie Center with the following Councilmembers present:

Craig Lomnicki,  
Mayor  
Roger Hall

Jean Schreiber  
Bob Knudson  
Rob Kappa

Also present:

Dan Bartlett,  
City Manager  
Tim Ramis,  
City Attorney  
Charlene Richards,  
Assistant to the  
City Manager

Angus Anderson,  
Finance Director  
Pat DuVal,  
Recorder/Secretary

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Annual Ardenwald Kids' Parade

Mayor Lomnicki announced the annual Ardenwald Kids' Parade scheduled for September 19 at 1:00 PM.

PUBLIC HEARING

None scheduled.

AUDIENCE PARTICIPATION

None.

OTHER BUSINESS

Consider Delinquent Account Collection Fees - Resolution

Angus Anderson, Finance Director, presented the staff report in which the City Council was requested to consider a resolution establishing a fee for delinquent accounts that are referred to outside sources for collection, and declaring such a fee as not subject to the property tax limitation provisions of Article XI of the Oregon Constitution. This action is solely for cost recovery. Examples of letters sent to those with delinquent accounts were attached to the staff report.

CITY COUNCIL MEETING - SEPTEMBER 1, 1992

Anderson said if a delinquent account fails to respond to the City's collection efforts, a collection agency will then take over the responsibility by issuing a series of letters. The collection agency charges a one-time fee of \$7.45, and the balance of the funds collected is remitted to the City. He reviewed those situations in which this action would be taken. If the delinquent account still does not respond, it will be turned over to a percentage collection service for a 50% fee.

Councilmember Kappa asked if the \$25 Municipal Court fee was a one time only charge. Bartlett said there is a charge of \$25 for each incident.

It was moved by Councilmember Hall and seconded by Councilmember Knudson to adopt the resolution establishing a fee for delinquent accounts that are referred to outside sources for collection, and declaring such a fee as not subject to the property tax limitation provisions of Article XI of the Oregon Constitution. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Kappa, and Councilmember Knudson aye; no nays; no abstentions.

RESOLUTION NO. 31-1992:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ESTABLISHING A FEE FOR DELINQUENT ACCOUNTS THAT ARE REFERRED TO OUTSIDE SOURCES FOR COLLECTION, AND DECLARING SUCH A FEE AS NOT SUBJECT TO THE PROPERTY TAX LIMITATION PROVISIONS OF ARTICLE XI OF THE OREGON CONSTITUTION.

Consider Parks Property Purchase

Bartlett reported that the seller had not responded in writing prior to the meeting and requested that the item be held over until the September 15, 1992 meeting.

It was the consensus of Council to consider the parks property purchase at the September 15, 1992 meeting.

CONSENT AGENDA

It was moved by Councilmember Hall and seconded by Councilmember Kappa to adopt the Consent Agenda which consisted of the City Council Minutes of August 18, 1992. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Kappa, and Councilmember Knudson aye; no nays; no abstentions.

CITY COUNCIL MEETING - SEPTEMBER 1, 1992

INFORMATION

Councilmember Kappa announced the elected officials tour of the Johnson Creek Corridor on September 11 and the need for volunteer work parties to continue the clean up of the area.

Councilmember Hall asked if ODOT were on schedule with the jughandle project. Bartlett discussed several items and said he would have a more complete report for Council as soon as possible.

Council discussed the Pendleton parking lot and the plans for planting along the creek. Johnson Creek erosion control methods were reviewed.

Councilmember Schreiber said she had spoken with residents who were pleased that the City was looking out for the best interests of residents.

Councilmember Schreiber announced the September 5 street dance and candidate fair.

Mayor Lomnicki announced the Fall Into the Night event on September 19, 1992 at the Clackamas County Fairgrounds.

Mayor Lomnicki announced an executive session immediately following adjournment of the regular session pursuant to ORS 192.660 to discuss labor negotiations.

ADJOURNMENT

Mayor Lomnicki adjourned the meeting at 7:23 PM.

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Pat DuVal, Recorder/Secretary

EXECUTIVE SESSION

Mayor Lomnicki called the executive session to order at 7:30 PM. Charlene Richards, Assistant to the City Manager, reported on a mediator's proposal for the police association bargaining unit. Councilors discussed the proposal. They directed Richards to respond to the mediator and see if an agreement could be brought back to the Council for approval. Mayor Lomnicki adjourned the executive session at 8:15 PM.

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Dan R. Bartlett, City Manager





# CLACKAMAS COUNTY

Department of Utilities

HELENE K. LICHTMAN  
DIRECTOR

August 24, 1992

Charles A. Mansfield  
Chief of Police  
City of Milwaukie  
PO Box 22009  
Milwaukie OR 97222-0009

Dear Chief Mansfield:

I wanted to update you on our efforts to resolve the problem of disturbances at the "park" area of the Kellogg Creek Wastewater Treatment Plant.

We have increased light levels by turning on more of the existing lighting during the evening hours. We have also begun a project to install additional lighting on the east side of the path inside the plant fence. We plan to complete the work by the Labor Day weekend in hopes of discouraging the traditional holiday revelry at the site. In addition, the District's legal counsel has been working with your City Attorney to determine proper wording for signage specifying use and access restrictions.

I hope these measures will eliminate the problem. Please feel free to call me if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Helene K. Lichtman".

HELENE K. LICHTMAN  
Director

/jk

c: Dave Benfield

JEFF H. BACHRACH  
MARK L. BUSCH  
CHARLES E. CORRIGAN\*  
STEPHEN F. CREW  
CHARLES M. GREEFF  
WILLIAM A. MONAHAN  
NANCY B. MURRAY  
MARK P. O'DONNELL  
TIMOTHY V. RAMIS  
SHEILA C. RIDGWAY\*  
MICHAEL C. ROBINSON\*\*  
WILLIAM J. STALNAKER

ATTORNEYS AT LAW  
BALLOW & WRIGHT BUILDING  
1727 N.W. Hoyt Street  
Portland, Oregon 97209

TELEPHONE: (503) 222-4402  
FAX: (503) 243-2944

PLEASE REPLY TO PORTLAND OFFICE

CLACKAMAS COUNTY OFFICE  
181 N. Grant, Suite 202  
Canby, Oregon 97013  
(503) 266-1149

JAMES M. COLEMAN  
KENNETH M. ELLIOTT  
Special Counsel

September 2, 1992

\*ALSO ADMITTED TO PRACTICE IN STATE OF WASHINGTON  
\*\*ALSO ADMITTED TO PRACTICE IN WISCONSIN

Ms. Maggie Collins  
Community Development Director  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222-0009

Re: Leopold v. Milwaukie, LUBA No. 92-140

Dear Maggie:

LUBA received the record on August 28th. The petitioner's brief is due on September 18 and our brief is due on October 9. This schedule may be altered if there is an objection to the record or a request for an evidentiary hearing.

Once we receive Max Miller's brief, I would suggest that we schedule a meeting for early in the week of September 21 to discuss our response.

Very truly yours,

O'DONNELL, RAMIS, CREW & CORRIGAN

*Michael C. Robinson*

Michael C. Robinson

MCR/dd

cc: Mr. Dan Bartlett, City Administrator  
Timothy V. Ramis, Esq.

mcr\milwauki\leopold\65029-1\collins.13

O'DONNELL, RAMIS, CREW & CORRIGAN

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Ms. Maggie Collins  
Community Development Director  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222-0009

Re: Ekerson v. Milwaukie, LUBA No. 92-161

Dear Maggie:

The petitioner served the City Attorney with a Notice of Intent to appeal on August 31. A copy of the notice is enclosed. Therefore, the City's record is due at the Land Use Board of Appeals on September 21, 1992. If possible, I would like to see the record by September 14, so that I may review it before we send it on to LUBA.

Very truly yours,

O'DONNELL, RAMIS, CREW & CORRIGAN

*Michael C. Robinson*

Michael C. Robinson

MCR/dd

Enclosure

cc: Dan Bartlett, City Administrator (w/o enc) ✓  
Timothy V. Ramis, Esq. (w/o enc)

mcr\milwauki\65021-1\collins.j16

Aug. 19, 1992

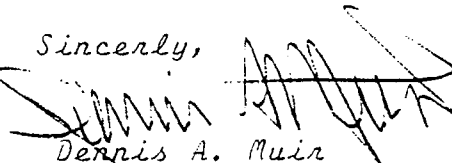
From: Dennis A. Muir  
To: Dan R. Bartlett, City Manager  
Re: Budget Comm. Position

First I would like to thank the City Council for the opportunity to serve as a member of the Budget Comm.

As my medical problem has reached the point where I am busy three evenings a week I will no longer be able to attend meetings.

Because of time and health reasons I submit my resignation.

Sincerely,

  
Dennis A. Muir