

MILWAUKIE  
CITY COUNCIL MEETING  
APRIL 16, 1985

COUNCIL CHAMBERS1478TH MEETING

THE ONE THOUSAND FOUR HUNDRED SEVENTY-EIGHTH MEETING OF THE MILWAUKIE CITY COUNCIL WAS HELD ON APRIL 16, 1985, WITH THE FOLLOWING COUNCILORS PRESENT:

MAYOR RON KINSELLA  
CRAIG LOMNICKI  
MIKE RICHMOND

ROGER HALL  
CHERE SANDUSKY

## ALSO PRESENT:

HUGH BROWN, CITY MANAGER  
GREG EADES, CITY ATTORNEY  
MARGE POST, FINANCE DIR  
SANDY MILLER, ASST TO THE  
CITY MANAGER

STEVE HALL, PUBLIC WRKS DIR  
TOPAZ FAULKNER, COMM SERV DIR  
RON GOODPASTER, POLICE CHIEF  
JOY BROOKHOUSE, SECRETARY

AUDIENCE PARTICIPATIONGOOD NEWS

- 1) COUNCILMEMBER HALL DESCRIBED THE WORK THAT HAS GONE INTO CREATING A NEW PARK AT THE SOUTH END OF MAIN STREET AND STRESSED THE IMPORTANCE OF OBTAINING COMMUNITY SUPPORT FOR THE APRIL 27TH CITY-WIDE PARK CLEAN-UP DAY. MAYOR KINSELLA ANNOUNCED A DONATION TOWARD THE PARK MADE BY REDDAWAY TRUCKING.
- 2) MAYOR KINSELLA EXPRESSED GRATITUDE FOR THE GREAT COMMUNITY SUPPORT BEING EXHIBITED ON BEHALF OF 'JOE'S JAM' ON APRIL 28, WHICH IS BEING HELD AS A FUND-RAISER FOR THE ADOLESCENT DRUG ABUSE PROGRAM. POLICE CHIEF GOODPASTER, SPOKESMAN FOR 'JOE'S JAM', PROVIDED A BRIEF HISTORY OF ADAP, REQUESTED THAT DONATIONS BE DIRECTED TO THE 'REVIEW' AND OFFERED HIS AVAILABILITY TO MAKE PRESENTATIONS ON ADAP TO CIVIC AND SCHOOL GROUPS, ETC. COUNCIL OFFERED THEIR FULL ENDORSEMENT OF THE PROGRAM.
- 3) MAYOR KINSELLA DISCUSSED 'DOWN TO EARTH DAY' (APRIL 27TH) WHICH IS A CITY-WIDE MAJOR EFFORT TO IMPROVE OUR PARKS. TOPAZ FAULKNER, COMMUNITY SERVICES/PLANNING DIRECTOR, INDICATED THE GOOD RESPONSE OF CIVIC ORGANIZATIONS TO SPECIAL PROJECTS FOR THIS OCCASION AND OUTLINED THE DAY'S SCHEDULE (8:00 A.M. MEET AT NORTH CLACKAMAS PARK AND 1:30 P.M. RETURN TO NORTH CLACKAMAS PARK FOR HOT DOGS, GOOD COMPANY AND BANDAIDS.

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HIRING OF DEVELOPMENT COORDINATOR - JIM BACKENSTOS EXPRESSED CONCERN THAT THERE WAS NOT SUFFICIENT NEED FOR THIS POSITION. MAYOR KINSELLA OUTLINED THE CITY'S NEEDS IN THIS AREA AND REAFFIRMED COUNCIL'S DECISION. COUNCILMEMBER HALL EXPRESSED HIS CONFIDENCE IN THE CAPABILITIES OF THE PERSON HIRED TO THE POSITION. BILL HUPP VOICED THE HOPE THAT FUTURE ANNEXATION WOULD NOT PASS ALONG ADDITIONAL COSTS TO PRESENT PROPERTY OWNERS. MAYOR KINSELLA RESPONDED BY INDICATING THAT NEW AREAS WOULD NEED TO BE SELF-SUPPORTING.

STREET LIGHTS - BILL HUPP COMPLIMENTED THE CITY ON THE USE OF HIGH-PRESSURE SODIUM LIGHTS TO REPLACE MERCURY AND URGED THE CITY TO EXPEDITE THE REPLACING OF THE REMAINING MERCURY LIGHTS.

'DOGWOOD DAY' PROCLAMATION - MAYOR KINSELLA PROCLAIMED MAY 21ST, FROM THIS YEAR ON, TO BE 'DOGWOOD DAY', AN OFFICIAL CITY BIRTHDAY CELEBRATION.

OTHER BUSINESS

REQUEST FOR INCREASE IN GARBAGE RATES - MARGARET POST, FINANCE DIRECTOR, PROVIDED BACKGROUND AND PROPOSAL INFORMATION AND INTRODUCED ESTLE HARLAN, CONSULTANT FOR THE MILWAUKIE SOLID WASTE FRANCHISEES. MS. HARLAN REVIEWED PROPOSAL FIGURES SUBMITTED BY HER ON BEHALF OF THE GARBAGE FRANCHISEES AND ANSWERED QUESTIONS DIRECTED FROM COUNCIL. TESTIMONY WAS GIVEN BY MILWAUKIE RESIDENTS JIM BACKENSTOS, AL LIANE, BILL HUPP AND BROOKS WASHBURN EXPRESSING CONCERN ABOUT THE RISING COSTS AND THE NECESSITY OF A 3% FRANCHISE FEE. JACK DEINES, A FRANCHISEE, COMMENTED THAT THEIR INCREASED EXPENSES MEANT EITHER A RATE INCREASE OR A LOWER QUALITY OF SERVICE. HE ALSO OFFERED A DONATION TO THE ADAP PROGRAM ON BEHALF OF A MAJORITY OF THE HAULERS. DISCUSSION FOLLOWED REGARDING THE SPECIFIC USE OF THE FRANCHISE FEE. THE CITY MANAGER INDICATED THAT PRESENTLY THE FEE WAS BEING UTILIZED TO PAY FOR THE STAFF TIME NECESSARY TO HANDLE COMPLAINTS, QUESTIONS, REPORT PREPARATION, ETC. OTHER SUGGESTIONS CONSIDERED WERE 1) A RECYCLING DAY, 2) A CITY-WIDE CLEAN-UP DAY AND 3) CITY BEAUTIFICATION. COUNCILMEMBER RICHMOND COMMENTED THAT PREVIOUSLY PROPOSED TAX REFORM HAD NOT BEEN ACTED UPON. COUNCILMEMBER RICHMOND MOVED TO GRANT THE 10% RATE INCREASE AND LEAVE THE FRANCHISE FEE AS IS. COUNCILMEMBER SANDUSKY SECONDED THE MOTION. COUNCILMEMBER LOMNICKI QUESTIONED THE MOTION AND REQUESTED ITS DEFEAT. THE MOTION AND THE SECOND WERE WITHDRAWN. COUNCILMEMBER RICHMOND MOVED TO APPROVE A 10% RATE INCREASE AND COUNCILMEMBER HALL SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY. COUNCILMEMBER RICHMOND THEN MOVED TO LEAVE THE FRANCHISE FEE AT ITS CURRENT LEVEL AND COUNCILMEMBER HALL SECONDED THE MOTION. AFTER DISCUSSION, THE MOTION CARRIED 4 TO 1 WITH COUNCILMEMBER LOMNICKI VOTING

CITY COUNCIL MINUTES

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REQUEST FOR INCREASE IN GARRAGE RATES - CONTINUED  
 AGAINST. AN ISSUE RAISED BY THIS MOTION WAS THE NEED FOR AN ORGANIZED VOLUNTEER RECYCLING PROGRAM, IE. COMMUNITY CLEAN-UP DAY. MAYOR KINSELLA REQUESTED A MEETING WITH THE COUNTY RECYCLING COORDINATOR AND THE HAULERS TO ORGANIZE THIS EVENT. COUNCILMEMBERS LOMNICKI AND RICHMOND WILL CO-COORDINATE THE PROJECT.

LEGISLATION

ANNEXATION POLICY REVISION - RESOLUTION - STEVE HALL, PUBLIC WORKS DIRECTOR, OUTLINED THE BENEFITS TO BE REALIZED BY THIS POLICY REVISION. HE INDICATED THAT SOME RESIDENTS JUST OUTSIDE THE CITY LIMITS ARE PRESENTLY BEING SERVED BY CITY WATER AND SEWER AT A HIGHER RATE AND THAT THIS REVISION WOULD REQUIRE ANY COUNTY RESIDENT REQUESTING THESE CITY UTILITIES IN THE FUTURE TO SIGN A PRE-ANNEXATION AGREEMENT. THEIR PROPERTY WOULD THEN BE ANNEXED AS APPROPRIATE. COUNCILMEMBER RICHMOND MOVED TO APPROVE THE RESOLUTION AND COUNCILMEMBER LOMNICKI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

SOLAR ACCESS - RESOLUTION - TOPAZ FAULKNER REVIEWED THE CONCEPT OF THE PROGRAM AND THE BENEFITS OF THE CITY BEING INVOLVED IN THE DEVELOPMENT OF REGIONAL STANDARDS FOR SOLAR ACCESS AT NO COST TO THE CITY. COUNCILMEMBER HALL MOVED TO APPROVE THE RESOLUTION ALLOWING FOR PARTICIPATION IN THE DEVELOPING OF REGIONAL STANDARDS AND COUNCILMEMBER LOMNICKI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

PAYMENT OF BILLS - COUNCILMEMBER HALL MOVED TO APPROVE THE PAYMENT OF THE BILLS AND COUNCILMEMBER SANDUSKY SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY. COUNCILMEMBER HALL MOVED TO PLACE THE 'PAYMENT OF BILLS' UNDER 'INFORMATION' ON THE AGENDA HENCEFORTH AND COUNCILMEMBER SANDUSKY SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS - CONTINUED

SET HEARING DATE FOR CONSIDERATION OF SEWER RATE INCREASE - A PUBLIC HEARING TO CONSIDER A SEWER RATE INCREASE HAS BEEN SCHEDULED FOR THE MAY 21ST COUNCIL MEETING.

ADULT ENTERTAINMENT - THE CITY ATTORNEY, GREG EADES, DISCUSSED THE PROGRESS OF HIS RESEARCH TO DATE, WHICH HAS INCLUDED 1) CONTACTING ACLU, AND 2) REQUESTING COPIES OF ORDINANCES FROM COMMUNITIES WITH VARIED APPROACHES TO THE PROBLEM. HE INDICATED THAT HE PLANNED TO HAVE A WRITTEN REPORT FOR COUNCIL WITHIN A MONTH. AT THIS TIME, THE CITY IS CONTINUING ITS ADMINISTRATIVE ACTION ON THE RIVERFRONT RESTAURANT.

CABLE TV RATE INCREASE - A PUBLIC HEARING TO CONSIDER A CABLE TV RATE INCREASE HAS BEEN SCHEDULED FOR THE MAY 27TH COUNCIL MEETING.

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PARK DEDICATION ORDINANCE - COUNCILMEMBER LOMNICKI REQUESTED AN UPDATE OF THE STATUS OF THE ORDINANCE AND TOPAZ FAULKNER RESPONDED BY INDICATING THAT THE PARK AND RECREATION COMMISSION IS IN FAVOR OF THE ORDINANCE, WITH SOME REVISION, BUT FEELS THAT A MASTER PLAN IS NEEDED PRIOR TO ADOPTING THE ORDINANCE. COUNCIL SUGGESTED THAT THE ORDINANCE WOULD PROVIDE ONLY A MINIMUM AMOUNT OF FINANCIAL SUPPORT AND THAT THE ENTIRE PICTURE SHOULD BE CONSIDERED BY THE COMMISSION, INCLUDING ADDITIONAL FINANCING METHODS. COUNCIL REQUESTED THAT THE COMMISSION PROVIDE COUNCIL WITH A DATE (POSSIBLY IN JULY) FOR MAKING THEIR RECOMMENDATIONS.

AT 10:05 P.M., COUNCILMEMBER LOMNICKI MOVED TO EXTEND THE MEETING AND COUNCILMEMBER RICHMOND SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

MCCLOUGHLIN/TACOMA PROJECT - AT THE WORK SESSION PRIOR TO THE REGULAR MEETING, OREGON DEPARTMENT OF TRANSPORTATION REPRESENTATIVES PROVIDED DIAGRAMS OF THE PROPOSED DESIGNS OF THIS PROJECT, REVIEWED THE POSITIVE AND NEGATIVE ASPECTS OF EACH AND INDICATED THE MORE PROBABLE CHOICES. COUNCIL EXPRESSED CONCERN AFTER THE WORK SESSION THAT FURTHER STEPS WERE REQUIRED TO INSURE THAT THE NEED FOR AN EAST/WEST ROUTE IS IDENTIFIED AND DIRECTED STAFF TO SET UP A MEETING WITH THE APPROPRIATE PORTLAND STAFF AND COMMISSIONER STRACHAN TO 'DISCUSS OPTIONS AS THEY RELATE SPECIFICALLY TO THE BYPASS ROUTE AND JOHNSON CREEK CORRIDOR'.

#### CONSENT AGENDA

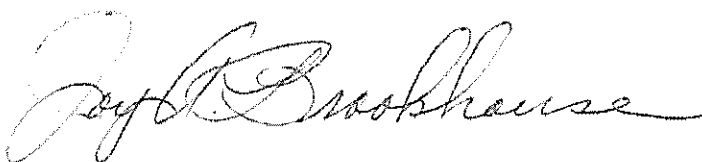
COUNCILMEMBER HALL MOVED TO APPROVE THE ENTIRE CONSENT AGENDA INCLUDING AN AMENDMENT TO THE DANA SUBDIVISION PROPOSED BY STEVE HALL AND COUNCILMEMBER SANDUSKY SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

#### INFORMATION

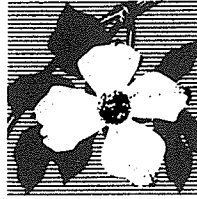
APRIL 19TH WORK SESSION - THE CITY MANAGER REMINDED COUNCIL OF THE WORK SESSION SCHEDULED FOR APRIL 19TH AT 6:30 P.M. AT JOE'S WAREHOUSE FOR THE PURPOSE OF DISCUSSING GOAL-SETTING.  
PETITION - MAYOR KINSELLA DISCUSSED A PETITION HE HAD RECEIVED REGARDING THE CHANGE IN ADMINISTRATION OF THE MILWAUKIE LOAVES AND FISHES PROGRAM AND INDICATED AN INCREASE IN PHONE CALLS FROM CONCERNED CITIZENS.

#### ADJOURNMENT

COUNCILMEMBER HALL MOVED TO ADJOURN THE MEETING AND COUNCILMEMBER RICHMOND SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY. THE COUNCIL MEETING ADJOURNED AT 10:59 P.M.



# CITY OF MILWAUKIE



CITY COUNCIL  
in the City Hall • phone 659-5171

## CITY COUNCIL AGENDA APRIL 16, 1985

### COUNCIL CHAMBERS

### 1478TH MEETING

5:00 P.M. - DINNER

### WORKSESSION

5:15 P.M. - DISCUSSION OF M'CLOUGHLIN/TACOMA PROJECT BY OREGON DEPARTMENT OF TRANSPORTATION REPRESENTATIVES.

6:00 P.M. - CITY FINANCES UPDATE - AUDITOR FOLLOW UP BY FINANCE DIRECTOR, MARGARET POST

### REGULAR MEETING

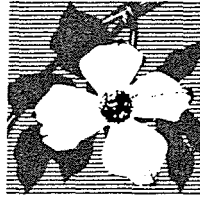
7:00 P.M.

- I CALL TO ORDER
  - A) PLEDGE OF ALLEGIANCE
  
- II AUDIENCE PARTICIPATION
  - A) GOOD NEWS
  - B) 'DOGWOOD DAY' PROCLAMATION
  
- III LEGISLATION
  - A) ANNEXATION POLICY REVISION - RESOLUTION
  - B) SOLAR ACCESS - RESOLUTION
  - C) PAYMENT OF BILLS
  
- IV OTHER BUSINESS
  - A) REQUEST FOR INCREASE IN GARBAGE RATES
  - B) SET HEARING DATE FOR CONSIDERATION OF SEWER RATE INCREASE
  
- V CONSENT AGENDA
  - A) APPROVAL OF MINUTES - 4/2/85
  - B) FINAL ACCEPTANCE OF DANA SUBDIVISION IMPROVEMENTS
  
- VI INFORMATION
  - A) CORRESPONDENCE
  - B) PLANNING COMMISSION MINUTES - 3/12/85
  - C) SENIOR CENTER ADVISORY BOARD MINUTES - 1/18/85
  
- VII ADJOURNMENT

THE CITY COUNCIL WILL MEET IN EXECUTIVE SESSION ON APRIL 23, 1985 AT 7:30 A.M. IN COUNCIL CHAMBERS PURSUANT TO ORS 192.660 (1)(E) TO DELIBERATE REGARDING NEGOTIATION OF A REAL PROPERTY TRANSACTION.

CITY HALL • 10722 S.E. MAIN STREET • MILWAUKIE, OREGON 97222 • TELEPHONE (503) 659-5171

# CITY OF MILWAUKIE



FINANCE DEPARTMENT  
in the City Hall • phone 659-5171

April 11, 1985

TO: HUGH BROWN, CITY MANAGER  
FROM: MARGARET A. POST, FINANCE DIRECTOR  
RE: FINANCIAL UPDATE FOR FISCAL YEAR 1984-85

*Marge Post*

In December of 1984, we indicated to the City Council during the audit presentation that we would update them on progress being made in the letter to management and the general financial condition of the City.

The primary comment of the management letter was that improper and/or untimely postings were being made and that cash was not reconciled in a timely fashion. A portion of this has been corrected, but not in its entirety. The number of improper and untimely postings has dropped significantly, and currently monthly statements are prepared on a timely basis. We still are not reconciling cash on a timely basis. Some of the problems that still exist are some computer problems which are being resolved through program changes and additional training.

In addition, Deloitte, Haskins and Sells is preparing, as a part of the 1983-84 audit report, a cash receipting, processing report. This will be completed by May 1, 1985, and will be of assistance.

The Auditors also cited errors in interfund accounts. The majority of these have been corrected. There also was a statement on LID accounts receivables. This will be handled during the conversion of these accounts from the manual to computerized system.

The comment on job work orders relating to errors and inconsistencies has not been entirely documented and corrected. We hope to complete this by June 30th.

The remainder of the comments made by the Auditors have either been corrected or are in the process of being corrected.

The Department, since the issuance of the report, has made marked improvements in internal controls, reducing posting errors and conversion of all utility accounts from a manual system to the computer. We have also made positive steps in collecting and processing accounts receivables, timely budgetary reports to management and similar items cited in the letter.

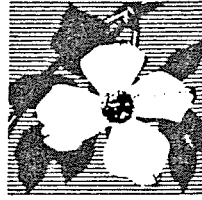
I am attaching a copy of the response the Staff issued in December so that if you have specific questions, we can deal with them in a work session.

For the current year, the Auditors will do their preliminary work commencing May 13th and will work for approximately two weeks. They will then be back after we close the books after June 30th.

MAP:cds

Attachments

# CITY OF MILWAUKIE



FINANCE DEPARTMENT  
in the City Hall • phone 659-5171

December 19, 1984

Norma Paulus  
Secretary of State  
141 State Capitol  
Salem, OR 97310

Re: 1983-84 Audit Report  
City of Milwaukie, Oregon

Dear Ms. Paulus:

Enclosed is the Audit Report from Deloitte, Haskins & Sells,  
and the Management Letter and report sent to the Milwaukie  
City Council. The City Council approved the report on  
December 18, 1984.

If you have any questions, please call me.

Sincerely yours,

Margaret A. Post  
Finance Director

Enclosures

MAP:cds

MEMORANDUM

IV  
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TO: HUGH BROWN, CITY MANAGER & CITY COUNCIL  
FROM: MARGARET A. POST, FINANCE DIRECTOR  
DATE: DECEMBER 13, 1984  
RE: AUDIT REPORT FOR FISCAL YEAR 1983-84

*Margaret Post*

Attached is the audit report and management letter for fiscal year 1983-84. The Council is to receive and file the report and forward one copy to the Secretary of State indicating how any noted weaknesses will be addressed.

The audit indicates that the City does not have adequate fixed asset records. Some records are being maintained by Public Works, but these do not meet the generally accepted accounting principles. A fixed asset system will be set up for all new asset purchases during the current year. In light of other financial areas requiring attention and correction, a fixed asset program will not be implemented until all financial computerization transitions have been made and other areas addressed. It is anticipated this will not occur until at least 1986-87.

The auditors will be present at the 5:00 pm work session to discuss the audit and management letter. The comments on the management letter are also attached.

It is recommended that Council accept the audit report and recommendations for the fixed assets and file same with the Secretary of State.

Attachments

MAP:cds

MEMORANDUM

14 DEC 1984 11:01

MILWAUKEE CO.

*Handwritten initials and scribbles*

TO: HUGH BROWN, CITY MANAGER  
FROM: MARGARET A. POST, FINANCE DIRECTOR  
DATE: DECEMBER 14, 1984  
RE: MANAGEMENT LETTER ON 1983-84 AUDIT REPORT

*Marg Post*

Attached is the Management Letter on the 1983-84 Audit Report. Listed below is a summary of the comments. As a preface it should be noted that during 1983-84 the City made a major conversion of financial data to the computer, was understaffed a good portion of the year, and in many cases had previously relied on the auditors to make a number of accounting entries at year end that should be made on a timely basis.

Listed below are a summary of the comments and staff's response. The first portion of the report deals with internal controls. In essence, the auditors did not give an opinion on the system, but noted the following specific deficiencies:

1. Cash Reconciliation: This recommendation deals with receipting, recording and reconciling cash accounts on a timely basis. This area will be addressed by using the 40 hours of consulting services provided in our audit contract.
2. General Accounting Procedures: This comment addressed irregular postings, timing of postings, and errors in posting. It also addressed balancing of major accounts with subsidiary accounts. These areas will all be addressed in the Finance Procedures Manual that is being developed this current fiscal year.
3. Interfund Accounts: In this area we made improper transfers or failed to make transfers. In addition, some accounts are being maintained that are unnecessary. The unnecessary clearing accounts are currently being closed, and other interfund transfers are being done on a timely basis, and procedures have been developed to ensure accuracy.
4. Assessments Payable: The auditors disclosed an assessment due from the sewer fund in one of our LID accounts. Currently Public Works and this department are resolving the matter, and the account will be put into balance.

5. Job Work Order Accounting: The auditor recommended that the City review and document policies and procedures for job work orders. Several inconsistencies and errors were noted. Public Works and this department will complete this prior to June 30, 1985.

The second portion of the Management Letter deals with administrative and operating matters.

1. Administrative and Procedures Manual: The auditors recommend, and we concur, that an administrative and procedures manual would correct a number of internal weaknesses and smooth out some existing procedures. Some of the documents they list are already developed but have not been put together in a useful document for training new personnel and carrying out day to day tasks. It is anticipated that these manuals will be completed prior to June 30, 1985.
2. General Fixed Asset Accounting System: This comment was addressed in the audit letter to you. The City does not maintain a fixed asset accounting system at this time. We concur with the auditors that these records be established and maintained for future acquisitions. Further, that once other financial functions are put on the computer, this function be put on the computer also.
3. Amounts Held for Future Capital Acquisitions: The recommendation indicates that records should be kept of amounts transferred by fund to the equipment repair fund for current year transfers and acquisitions. This is currently being done, but not on a formalized basis. This procedure will become more formalized this fiscal year, both through the budget and accounting systems.
4. General Accounting Procedures: It is recommended that responsibilities of Finance personnel be analyzed and re-allocated to maximize efficiency and to meet the new and different tasks required by computerization. This process is currently under way and may result in some changes in current job responsibilities and tasks.
5. Petty Cash: The auditors recommend increased use of petty cash where appropriate, and establishment of one petty cash fund. This will be done this fiscal year.
6. Vault Security: The auditors recommend we consider keeping the vault closed or restricting access. Access is currently being restricted and other measures taken to ensure security.

7. Contracts Between the City and Outside Parties: In fiscal year 1983-84 Finance did not receive all signed agreements between the City and outside parties. The process for receiving these contracts has improved, and payables and receivables are being established.
8. Wire Transfers: It is recommended that wire transfers be used in lieu of checks for some types of financial transactions. This will be done starting in January and will fit into procedures developed for handling cash transactions to ensure accuracy and internal controls.

Section three deals with other matters noted by the auditors.

1. Financial Reports to Management: A notation is made that the formatting of financial reports is being changed. This requires a program change which has been requested but not completed.
2. Special Assessments: Commencing this fiscal year liens will be filed with Clackamas County on outstanding LID accounts to help ensure collection of unpaid amounts.
3. Utility Receivables: Currently the receivables do not balance to subsidiary detail records due to method of posting. The conversion to the NCR allows for accurate posting of cash and this problem will be eliminated by March, 1985.
4. Special User Fees: The report indicates that fees have not been reviewed recently. We are currently in the process of reviewing user fees and may be making recommendations to you for Council action on these fees.

If you have questions or additional information is required, please advise me.

cc: Department Heads

MAP:cds

Attachment

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PROCLAMATION

WHEREAS, the City of Milwaukie was incorporated on May 21, 1903, and

WHEREAS, the Dogwood is the official emblem of the City of Milwaukie, and

WHEREAS, the City desires to proclaim a day of community-wide celebration.

NOW, THEREFORE, I, Ronald Kinsella, Mayor of the City of Milwaukie, Oregon, with the unanimous consent of the City Council, do hereby proclaim May 21st as Dogwood Day. I call upon all our residents to join us in making this day in 1985 and each year hereafter a day to demonstrate pride in our community.

\_\_\_\_\_  
Ronald Kinsella, Mayor

ATTEST:

\_\_\_\_\_  
Margaret Post, Finance Director

III a  
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TO: Hugh Brown  
City Manager

FROM: Steven Hall  
Public Works Director *J.M. Hall*

RE: Annexation policy  
Revision

DATE: March 11, 1985

ACTION REQUESTED

City Council adopt attached resolution revising annexation policy.

BACKGROUND

On 7 April 1981, City Council adopted Resolution #5-1981, which required annexation prior to new or extended water or sewer services.

In the recent year, several requests for annexation have been made to the City because of a need for new or additional water or sewer service. In some cases, these properties were adjacent to City facilities but not adjacent to City boundaries, thus complicating the annexation process. Without contiguous boundaries, it is very difficult to bring about annexations through the Portland Boundary Commission.

The proposed resolution allows for a pre-annexation agreement in the case where properties may need City services but are not adjacent to existing City boundaries.

This would allow the City to serve properties under those conditions and still allow for immediate annexation when the City boundaries become contiguous to the subject property.

Staff feels this allows a flexibility to encourage people to develop property, while still fulfilling the policy of the City Council requiring annexation for additional services.

enclosure: New Resolution  
Resolution 5-1981

SMH/cj1

RESOLUTION NUMBER \_\_\_\_\_

III a  
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE  
REQUIRING ANNEXATION OF PROPERTY REQUESTING UTILITY SERVICE  
OUTSIDE THE CITY AND REPEALING RESOLUTION 5-1981.

WHEREAS, the Council has instructed staff to require  
annexation of property prior to providing utility service,  
and

WHEREAS, the Council desires to formally announce this  
policy, therefore

BE IT RESOLVED by the Council of the City of Milwaukie  
that prior to approving requests for new or additional water  
and/or sewer utility service to the property, the City will  
require either:

1. Annexation of property to the City, or
2. If the property is not contiguous to existing City  
boundary, that legal owner(s) sign a pre-annexation  
agreement which will require the property to annex  
to the City when it becomes contiguous to the City  
boundary.

BE IT FURTHER RESOLVED that the Public Works Director is  
directed to inform the development community of this policy.

Introduced and adopted by the City Council on \_\_\_\_\_  
1985.

\_\_\_\_\_  
Ronald Kinsella, Mayor

ATTEST:

\_\_\_\_\_  
Margaret Post, City Recorder

Approved as to form:

\_\_\_\_\_  
Greg Eades, City Attorney



## Department of Energy

LABOR & INDUSTRIES BUILDING, ROOM 102, SALEM, OREGON 97310 PHONE 378-4040  
TOLL FREE 1-800-221-8035

III b  
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### OVERVIEW - PORTLAND METROPOLITAN-AREA

#### SOLAR ACCESS PROJECT

The Bonneville Power Administration (BPA) is developing a Local Government Innovative Energy Projects Grant Program. The program solicitation is expected to be released in early March, with bids due in mid-May.

The Oregon Department of Energy (ODOE) and Washington State Energy Office (WSEO) would like to work with local governments in the Portland-Vancouver area to develop a proposal for a metropolitan-area solar access project under BPA's program.

Solar access is the provision and protection of an unobstructed line-of-sight path of solar radiation to south walls and roofs of homes. Solar access has many benefits. Solar access can reduce a conventional home's heating bills by as much as 20 percent. More importantly, it preserves and guarantees the opportunity to install solar energy systems now or in the future to save even more energy. This includes solar water heaters, photovoltaics (which convert sunlight directly into electricity), and passive solar design of homes, ranging from more south-facing windows to sunspaces. Solar access involves slight modifications of existing tools, such as zoning and subdivision standards. It can be achieved at low cost to local governments, builders and developers. The savings can far exceed the costs.

A joint project of local governments in the Portland area offers many advantages. It offers economies of scale to BPA in funding one large project rather than several smaller ones. It offers economies of scale to ODOE and WSEO in providing technical assistance. It offers economies to the local governments by enabling them to share resources and information. It provides a funding source to jointly hire a consultant and to help offset staff costs. And, it can provide a consistent set of standards for architects, builders, developers and realtors operating in the metropolitan interstate area.

With uncertainty about getting the project funded, ODOE and WSEO would like to minimize local government time and expense in getting the project off the ground. We offer to take lead responsibility in drafting the proposal. We also offer to make any presentations to local planning commissions and elected officials on solar access and the proposed project to enlist their support.

III b  
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RESOLUTION NUMBER \_\_\_\_\_

A RESOLUTION SUPPORTING THE PORTLAND METROPOLITAN AREA SOLAR ACCESS PROJECT.

WHEREAS solar energy is a local resource that can be used by homes and businesses to help meet local energy needs;

WHEREAS solar access is a necessary condition to the use of solar energy;

WHEREAS solar access is affected by shading from trees and buildings on neighboring lots;

WHEREAS solar access is a land use issue that most effectively and equitably can be provided and protected by land development standards;

WHEREAS solar access is enabled by state statute and helps implement Statewide Planning Goal 13;

WHEREAS a joint project of local governments in the Portland-Vancouver metropolitan area offers economy of scale and other benefits to local governments and private sector developers; and

WHEREAS the Oregon Department of Energy has offered assistance in coordinating efforts of local governments toward a joint project; therefore

BE IT RESOLVED by the City Council of the City of Milwaukie that the City will participate in and support efforts by the Oregon Dept. of Energy, Washington State Energy Office and local governments in the Portland-Vancouver metropolitan area to secure funding to undertake a joint project to provide and protect solar access to the extent feasible given local conditions.

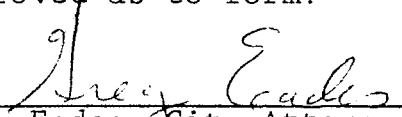
Introduced and adopted by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Ronald Kinsella, Mayor

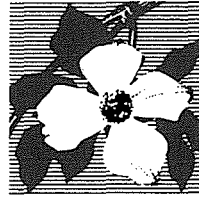
ATTEST:

\_\_\_\_\_  
Margaret Post, Finance Director

Approved as to form:

  
\_\_\_\_\_  
Greg Eades, City Attorney

# CITY OF MILWAUKIE



FINANCE DEPARTMENT  
in the City Hall • phone 659-5171

April 16, 1985

TO: HUGH BROWN, CITY MANAGER  
FROM: MARGARET A. POST, FINANCE DIRECTOR  
RE: APPROVAL OF BILLS BY COUNCIL

I have discussed with our Auditors and reviewed applicable information on the requirement for the Council to approve the payment of bills. It is the conclusion of the Auditors and myself that the bills do not have to be approved for payment by the Council, but the Council should pass a policy on said process.

The policy could be stated in the following manner:

The City Manager (or his designee) is authorized to approve the payment of all bills in a timely manner after assurance that said bills are due and owing and appropriate.

The payment of bills will be made in a manner to maximize cash management, take advantage of discounts and avoid penalties. Additionally, the Staff will provide to the City Council a list of bills for information.

MAP:cds

CITY OF MILWAUKIE  
BILLS PAYABLE APRIL 16, 1985

IIIc  
①

1.	A & A Welder's Supply	68.05	7-	68.05
2.	A & B Automotive	31.00	1-52	31.00
3.	APWA Spring Conference	60.50	1-91	60.50
4.	A.T.&T.Information Systems	1,021.74	1-21	127.21
			1-22	46.10
			1-23	139.51
			1-24	27.05
			1-26	46.10
			1-27	91.46
			1-28	23.05
			1-31	23.05
			1-34	53.33
			1-35	29.35
			1-36	23.05
			1-53	198.41
			1-61	13.10
			1-91	43.68
			1-92	46.10
			1-93	23.05
			4-	17.03
			7-	17.04
			20-	17.03
			30-	17.04
5.	AWWA - Pacific Northwest Section	90.00	1-91	90.00
6.	A Beeper Company Associates	153.00	1-52	101.00
			1-91	26.00
			4-	8.66
			20-	8.67
			30-	8.67
6.	Alexander's Chrysler/Plymouth	64.50	1-52	64.50
7.	Bailey Tool	20.61	4-	20.61
8.	Baker & Taylor	8.50	1-34	8.50
9.	Balcom, Terry	41.20	30-	41.20
10.	Blaisdell Saw & Abrasives	48.98	1-36	48.98
11.	Bob's Rentals, Inc.	63.50	20-	63.50
12.	Boise Cascade	68.08	1-21	54.95
			1-53	13.13
13.	Brake Systems Inc.	201.30	7-	201.30
14.	Brown, Hugh	62.45	1-21	62.45
15.	Bureau of Business Practice	30.12	1-28	30.12
16.	Burroughs Corporation	7,490.00	1-53	7,490.00
17.	C I M	55.00	1-92	55.00
18.	Camp Fire, Inc.	15.45	1-34	15.45
19.	Case Power & Equipment	32.66	7-	32.66
20.	City Council	550.00	1-10	550.00
21.	City Rubber Stamp	163.29	1-27	120.99
			1-91	42.30
22.	Civil Engineering Department	30.00	1-22	30.00
23.	Cobra - De-Rooter	577.50	1-37	577.50
24.	Clackamas County Review	22.46	1-36	22.46
25.	Columbia Battery	199.60	7-	199.60
26.	Cummins-Allison Corp.	123.52	1-52	123.52

CITY OF MILWAUKIE  
BILLS PAYABLE APRIL 16, 1985

III c  
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27.	Clackamas Communications	224.18	1-52	36.68
			1-62	187.50
28.	Clackamas County Finance	3,533.80	1-34	1,325.17
			1-52	108.95
			3-	2,099.68
29.	Department Environmental Quality	360.82	1-32	101.16
			1-37	101.16
			1-52	70.80
			1-62	87.70
30.	Clackamas Cty. Fire Marshals Assn.	10.00	1-63	10.00
31.	Clackamas Cty, Recorder	15.00	1-92	15.00
32.	" " Service Dist. #1	90.00	1-32	90.00
33.	" " Sheriff's Dept.	5.40	1-52	5.40
34.	Clackamas Water District	30.00	1-32	30.00
35.	Daily Journal of Commerce	132.39	1-34	96.00
			1-36	36.39
36.	Demco	263.24	1-34	263.24
37.	Department of General Services	20.00	4-	20.00
38.	Dick Wise Tree Service	192.50	1-52	192.50
39.	EBSCO	14.00	1-34	14.00
40.	Eden Systems	2,000.00	12-	2,000.00
41.	Enterprise Courier	16.25	1-36	16.25
42.	Finzer Business Systems, Inc.	104.70	1-53	104.70
43.	H.D. Fowler	130.80	4-	52.14
			20-	39.33
			30-	39.33
44.	Gale Research Company	84.35	1-34	84.35
45.	Girl Scouts of the USA	30.25	1-34	30.25
46.	Glenn's Oak Grove Auto Parts	32.43	7-	32.43
47.	Goodyear Truck Tire Centers	298.04	7-	298.04
48.	W.W. Grainger, Inc.	126.16	4-	126.16
49.	Grahams Book & Stationery	75.35	1-32	18.58
			1-53	5.05
			4-	51.72
50.	Grimwood, David C., M.D.	89.50	1-51	89.50
51.	Guthrie Machinery	211.00	7-	211.00
52.	Hamilton's Home Furnishings	250.00	1-27	250.00
53.	Harris Uniforms	94.50	1-52	94.50
54.	Hite, Sara	7.60	1-32	7.60
55.	Home Laundry	196.08	1-62	196.08
56.	Home Safety Equipment Co.	212.40	1-62	212.40
57.	Howard-Cooper Corporation	17.39	7-	17.39
58.	Inn of the Seventh Mountain	80.56	1-91	80.56
59.	Internationa Office Machines	170.00	1-63	170.00
60.	J-E-F Construction Supply	37.60	20-	37.60
61.	Jess's Bear Frame & Axle	20.00	1-52	20.00
62.	Keller Supply	51.62	4-	17.63
			30-	33.99
63.	Kellum Motors	16.71	7-	16.71

CITY OF MILWAUKIE  
BILLS PAYABLE APRIL 16, 1985

IIIc  
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64.	Kelly Services	546.96	1-23	546.96
65.	L V & L Investments	500.00	30-	500.00
66.	Leisy, Weldon	180.76	30-	180.76
67.	Lerner Publications Company	95.05	1-34	95.05
68.	Lumbermans	736.25	1-36	493.89
			1-37	51.84
			4-	84.11
			20	75.51
			30-	30.90
69.	McFarlane's Bark	56.00	4-	56.00
70.	McKesson Chemical Company	80.00	1-36	80.00
71.	M U C C	35.00	1-92	35.00
72.	Main Line Book Company	94.03	1-34	94.03
73.	Main Street Cleaners	502.15	1-52	423.70
			1-61	2.35
			1-62	70.61
			1-63	5.49
74.	Marvac Products Co.	30.00	1-37	30.00
75.	Milwaukie Automotive Service	2,643.00	3-	2,643.00
76.	Milwaukie Glass	21.42	1-52	21.42
77.	Milwaukie Police Reserve	195.00	1-26	195.00
78.	Milwaukie Lumber	160.50	1-32	48.00
			1-36	45.42
			1-37	2.16
			1-53	19.15
			1-62	42.32
			30-	3.45
79.	Mitchie Co.	45.00	1-22	45.00
80.	Mobile Radio Communications Service	102.50	1-62	102.50
81.	Moore Business Forms	45.60	1-23	45.60
82.	William Morrow Company	72.21	1-34	72.21
83.	Motor Vehicles Division	21.00	1-26	21.00
84.	NCR Credit Corporation	1,820.19	12-	1,820.19
85.	National Public Works Week	5.00	1-91	5.00
86.	Natural Structures	1,600.00	12-	1,600.00
87.	Northwest Natural Gas	739.96	4-	15.13
			7-	413.00
			20-	15.12
			30-	296.71
88.	Nudelmans	130.00	1-62	130.00
89.	Oak Grove Auto Parts	101.84	1-62	4.02
			7-	97.82
90.	Olson Bros.	62.95	1-52	62.95
91.	Oregon Assn. Chiefs of Police	77.50	1-51	77.50
92.	Oregon Bureau of Labor	3.00	1-22	3.00
93.	State of Oregon (Notary)	20.00	1-21	20.00
94.	State of Oregon (Motor Vehicles)	25.00	1-26	25.00
95.	Pacific Coast Laundry	226.30	1-34	18.00
			1-37	16.00
			1-51	4.00
			1-62	13.50
			4-	58.26
			20-	58.27
			30-	58.27

CITY OF MILWAUKIE  
BILLS PAYABLE APRIL 16, 1985

IIIc  
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96.	Pacific Northwest Bell	1,444.61	1-34	136.74
			1-37	675.85
			1-53	126.60
			1-61	55.60
			4-	79.98
			7-	40.88
			20-	177.48
			30-	151.48
97.	Pacific Rock Products	134.89	4-	134.89
98.	Pacific Western Bank	218.45	1-23	218.45
99.	Page, George L.	1,425.00	1-27	1,425.00
100.	Perry, Jack	100.00	30-	100.00
101.	Petty Cash	235.86	1-10	21.19
			1-21	3.40
			1-27	17.49
			1-34	26.15
			1-35	13.00
			1-51	20.74
			1-52	22.71
			1-53	8.46
			1-62	62.73
			4-	2.14
			7-	7.22
			20-	13.03
			30-	17.60
102.	Pierce Manufacturing, Inc.	24.87	1-62	24.87
103.	Pipers Pub	21.00	1-10	21.00
104.	City of Portland	611.70	20-	611.70
105.	Portland Frame & Alignment	270.93	7-	270.93
106.	Portland General Electric	6,038.33	1-32	794.40
			1-34	431.71
			1-36	17.94
			1-41	5.00
			1-53	306.99
			1-61	320.29
			4-	921.98
			7-	105.60
			20-	271.04
			30-	2,863.38
107.	Portland Road & Driveway	58.29	4-	58.29
108.	Portland Stamp & Seal Co.	26.25	1-21	26.25
109.	Quality Books, Inc.	524.71	1-34	524.71
110.	Radio Shack	35.29	1-27	35.29
111.	Rao, Rishinath L.	225.00	1-35	225.00
112.	Rehabco Pipe Services, Inc.	3,313.80	20-	3,313.80
113.	Robben Oil Company	299.06	1-37	299.06
114.	Robinson, Deanna	107.26	1-35	107.26
115.	Rodda Paint	102.72	1-36	102.72
116.	Roeger, Paul H.	157.00	1-92	157.00
117.	Roto-Rooter Service	38.50	1-37	38.50
118.	Rub-A-Dub	58.65	1-21	2.50
			1-52	56.15
119.	Safety-Kleen Corp.	42.25	4-	14.08
			20-	14.09
			30-	14.08

CITY OF MILWAUKIE  
BILLS PAYABLE APRIL 16, 1985

III C  
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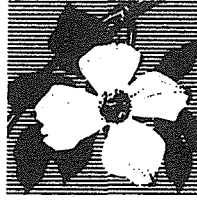
120.	Samuels Steel Products	115.00	7-	115.00
121.	Schiller, Bryan L.	5.00	1-26	5.00
122.	Silver Burdett Company	60.82	1-34	60.82
123.	Stemmer House	12.39	1-34	12.39
124.	Supplyways	128.50	1-24	118.20
			1-32	10.30
125.	1000 Friends of Oregon	20.00	1-22	20.00
126.	Traffic Safety Supply Co.	47.50	4-	47.50
127.	Tri-Co Equipment, Inc.	203.46	7-	203.46
128.	U.S. Postal Service	2,000.00	1-23	2,000.00
129.	U.S. Pipe & Foundry Co.	736.86	30-	736.86
130.	Valley Communications	115.00	4-	38.34
			20-	38.33
			30-	38.33
131.	Water, Food & Research Lab., Inc.	165.00	30-	165.00
132.	Weiler Chevrolet	324.35	1-52	313.55
			7-	10.80
133.	Western Pacific Construction Materials	676.02	4-	676.02
134.	Wichita Feed	308.52	1-36	108.51
			1-62	38.87
			4-	53.64
			20-	54.98
			30-	52.52
135.	Winks Hardware	37.90	1-36	37.90
136.	Zellerbach Paper Co.	271.90	1-32	67.00
			1-36	104.40
			1-37	100.50
		\$52,254.44		\$52,254.44

CHART OF ACCOUNTS  
FUNDS & DEPARTMENTS

III C  
⑥

- 01 General Fund
  - 10 City Council
  - 21 City Administration
  - 22 City Attorney
  - 23 Finance
  - 24 Purchasing
  - 26 Court
  - 27 Cable Franchise
  - 28 Personnel
  - 31 Community Services Administration
  - 32 Milwaukie Center
  - 34 Library
  - 35 Planning
  - 36 Parks & Recreation
  - 37 City Hall
  - 41 General Government
  - 51 Police Administration
  - 52 Field Services
  - 53 Support Services
  - 61 Fire Administration
  - 62 Fire Suppression
  - 63 Fire Prevention
  - 91 Public Works Administration
  - 92 Public Works Engineering
  - 93 Public Work Building
- 03 Equipment Reserve Fund
- 04 State Tax Street Fund
- 05 Improvement Bond Sinking Fund
- 06 Street Improvement Fund
- 07 Equipment Repair Fund
- 09 Bike Path Fund
- 10 Fixed Asset Account Group
- 12 Federal Revenue Sharing Fund
- 13 Community Development Fund
- 20 Sewer Fund
- 30 Water Fund

# CITY OF MILWAUKIE



IV<sub>a</sub>  
①  
FINANCE DEPARTMENT  
in the City Hall • phone 659-5171

TO: HUGH H. BROWN, CITY MANAGER  
FROM: MARGARET A. POST, FINANCE DIRECTOR *Marge Post*  
DATE: APRIL 9, 1985  
RE: RATE ADJUSTMENT FOR SOLID WASTE FRANCHISEES

The City of Milwaukie has received rate adjustment application forms from the six firms franchised to collect solid waste in the City of Milwaukie. The applications were received through Harlan Business Consultants, who represents the haulers. The applications have been reviewed and analyzed to determine the rate of return before taxes and after taxes. The rate of return before taxes is 4.8% and 2.8% after taxes. This is well below the 20% allowed by City Ordinance.

Last year the haulers did not request a rate increase, even though they were beginning to experience rising costs. For the fiscal year ending September 30, 1984, these costs continued to increase with resultant low rate of return.

Harlan Business Consultants, Inc., is requesting a 10% increase in rates. Additionally, the Council requested the impact if the City adopts a franchisee fee of 3%. Attachment "A" of Harlan Business Consultants, Inc., shows the current rate, the rate with the 10% requested increase, the increased cost for a percentage fee and the total cost. The City currently does not pay for hauler service. If the 3% franchisee fee is adopted the City should pay for said services.

I am also attaching for your information additional data on the recycling efforts which are currently taking place.

It is recommended that the Council approve the 10% increase and a franchisee fee of 3%.

Mrs. Harlan will be present at the Council meeting to answer any questions.

Attachments

cc: Greg Eades, City Attorney  
Harlan Business Consultants, Inc.

MAP:cds

IV<sub>a</sub>  
②

HARLAN BUSINESS CONSULTANTS, INC.  
2202 S.E. LAKE RD.  
MILWAUKIE, OREGON 97222  
(503) 654-9533

ESTLE HARLAN  
CONSULTANT

February 7, 1985

GREG EADES, City Attorney  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222

Re: RATE ADJUSTMENT REQUEST FOR SOLID WASTE FRANCHISEES

Dear Greg:

I am turning over to you Rate Applications and accompanying financial material for the six Solid Waste Franchisees who do business in the City of Milwaukie. This financial data is for the year ending September 30, 1984.

1. RATE HISTORY - The last rate increase was effective September 1, 1983. The figures used for evaluating that rate adjustment were based on financial data for the year ended September 30, 1982.

Last February, 1984, financial data was turned over to the city for the annual rate review. That data was for the year ended September 30, 1983. The collectors did not request a rate increase at that time. After reviewing the material, Administrative Assistant Bill McDonald wrote a Memorandum to the City dated April 25, 1984, which stated in part:

"The change in the franchisees' financial condition from September 1982 to September 1983 was an additional drop in gross profit of 6% to a negative position of (.9%). The 19% increase which was granted restored the rate of return which was necessary to keep the businesses healthy."

2. 1985 RATE ADJUSTMENT REQUEST - Attached you will find a summary of financial data for all six firms for the year ended September 30, 1984. You will note that even with the 19% rate increase granted in September, 1983, rising costs have dropped the rate of return for the collectors to a very low 2.8%.

We are requesting a 10% increase in rates just as soon as possible to rectify this situation. That still will put the rate of return far below the 18-20% benchmark that has been used by the City of Milwaukie and Clackamas County. It is, also, well below the most simple form of non-risk return available on an open passbook savings account where there is no work involved on the part of the investor.

IV a

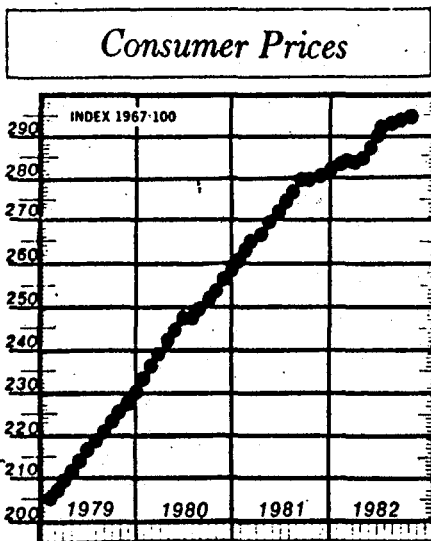
③

3. RATE CRITERIA - There is a Rate Criteria that has been established by the City for evaluating rates, as set forth in Ordinance No. 1301. I will comment on each point of the criteria as follows:

(a) Prevailing Rates in the Region - Attached is a summary of Comparative Rates for other jurisdictions. You will note that even if Milwaukie collectors are granted a 10% rate increase, they will still be the lowest of all these jurisdictions.

(b) Operating Costs/Particularly Increased Costs to the Hauler - A further example of the effect costs have had on the collectors' rate of return, would be a look at the Consumer Price Index.

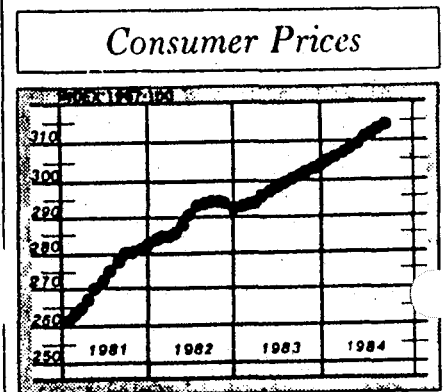
NOVEMBER 24, 1982



CONSUMER PRICES rose in October to 294.1% of the 1967 average from 293.3% in September, the Labor Department reports. (See story on page 3.)

In September, 1982, the C.P.I. stood at 293.8%. As of September, 1984, the C.P.I. had risen to 314.5%. That is an increase of 21.2 points, which amounts to a 7.2% increase in general costs. The future course of the C.P.I. is unknown, but those who watch such indicators in their profession predict a 4.5% increase this year and a 6% increase next year. Even if it takes two years for that to occur, that would more than wipe out the benefit of the rate increase now being sought. And since your franchisees have costs that increase faster than the rise in the C.P.I., the benefits will diminish even faster.

OCTOBER 25, 1984



CONSUMER PRICES rose in September to 314.5 of the 1967 average from 313 in August before seasonal adjustments, the Labor Department reports. (See story on page 3)

(c) Rate of Return or Net Profit - By all prevailing benchmarks, your franchisees' 2.8% rate of return is unhealthy. They did not seek a rate increase last year in an effort to hold down costs for the citizens of Milwaukie. But if the collectors are to provide the level of service required under the Franchise, they must be restored to a position where they can demonstrate profitability. With increases in costs that have occurred just since the financial data was compiled on September 30, 1984, the effective rate of return for the collectors after a 10% rate increase would only be about 7.6%. And as explained above, predicted increases within the next year would bring that down to a very low rate of return, and far below any passive investment that the collectors could expect a return on -with no risk and no work.

IV a  
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HARLAN BUSINESS CONSULTANTS, INC.  
2202 S.E. LAKE RD.  
MILWAUKIE, OREGON 97222  
(503) 654-9533

ESTLE HARLAN  
CONSULTANT

February 7, 1985

GREG EADES, City Attorney  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222

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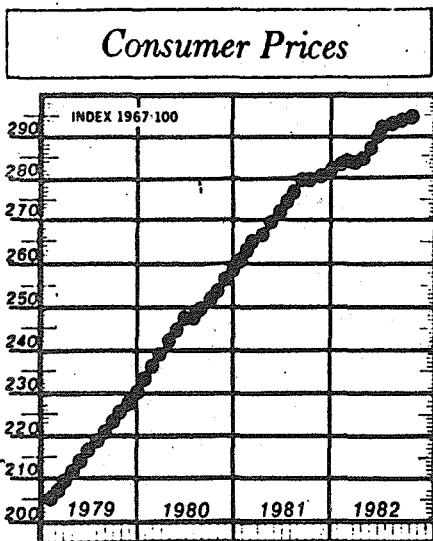
We are requesting a 10% increase in rates just as soon as possible to rectify this situation. That still will put the rate of return far below the 18-20% benchmark that has been used by the City of Milwaukie and Clackamas County. It is, also, well below the most simple form of non-risk return available on an open passbook savings account where there is no work involved on the part of the investor.

3. RATE CRITERIA - There is a Rate Criteria that has been established by the City for evaluating rates, as set forth in Ordinance No. 1301. I will comment on each point of the criteria as follows:

(a) Prevailing Rates in the Region - Attached is a summary of Comparative Rates for other jurisdictions. You will note that even if Milwaukie collectors are granted a 10% rate increase, they will still be the lowest of all these jurisdictions.

(b) Operating Costs/Particularly Increased Costs to the Hauler - A further example of the effect costs have had on the collectors' rate of return, would be a look at the Consumer Price Index.

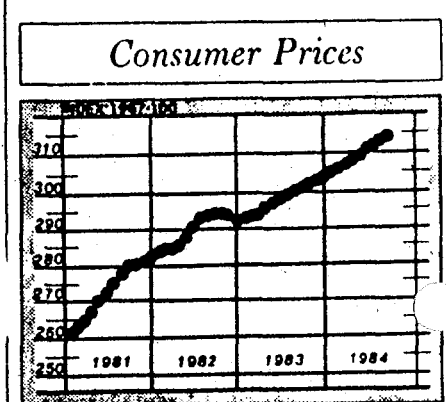
NOVEMBER 24, 1982



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OCTOBER 25, 1984



CONSUMER PRICES rose in September to 314.5 of the 1967 average from 313 in August before seasonal adjustments, the Labor Department reports. (See story on page 3)

(c) Rate of Return or Net Profit - By all prevailing benchmarks, your franchisees' 2.8% rate of return is unhealthy. They did not seek a rate increase last year in an effort to hold down costs for the citizens of Milwaukie. But if the collectors are to provide the level of service required under the Franchise, they must be restored to a position where they can demonstrate profitability. With increases in costs that have occurred just since the financial data was compiled on September 30, 1984, the effective rate of return for the collectors after a 10% rate increase would only be about 7.6%. And as explained above, predicted increases within the next year would bring that down to a very low rate of return, and far below any passive investment that the collectors could expect a return on -with no risk and no work.

(d) Required Investment - In the 1983 rate review, the staff memorandum of July 21, 1983 made the comment:

"Review of the vehicle depreciation numbers and the age of the equipment currently utilized indicates that their vehicles are 'older.' Not investing in capital equipment causes taxes and vehicle operation costs to increase."

That situation remains unchanged.

(e) New Programs - Your Franchisees have been providing the opportunity to recycle well ahead of the mandate in Senate Bill 405. Under that bill passed by the 1983 Oregon Legislature, collectors must begin giving the opportunity to recycle on at least a one time per month basis no later than July 1, 1986. All of your franchisees are recycling at least on a monthly basis, and some are recycling more often on an "on call" basis. The response to the opportunity to recycle by the citizens of Milwaukie has not been overwhelming. This is probably due in part to the fact that there has been little public promotion of the opportunity. However, such promotion takes dollars, and recycling is already a real expense factor to your collectors. Their costs far exceed their revenue in their recycling efforts. But under SB 405, there is also a mandate to begin promotion by July, 1986. To address this mandate, the county association of collectors are about to enter into a contract with a person who will coordinate all the promotion efforts throughout the county. This person will, also, be available to those franchisees in cities, and by tapping into the county resource, the cost factor can be greatly reduced. But there still will be a cost factor, and that is an additional reason why this rate increase we are now requesting is necessary.

4. RATE STRUCTURE WITH PROPOSED 3% FRANCHISE FEE - Attached is a Rate Schedule that shows the current rates, the rates with the requested 10% increase, the effect of the proposed 3% franchise fee that has been under consideration since 1983, and the total rate for each service with all these factors in place.

I am, also, attaching a memorandum from SCA Services of Oregon, Inc. that sets forth the free service of \$5,507 that they are giving to the city each year. That free service was in addition to a \$3,000 cash franchise fee paid by the franchisees annually.

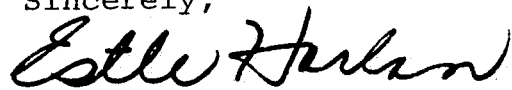
Based on figures for the year ended September 30, 1984, a 3% franchise fee on gross would amount to an increase of 796% over the present cash franchise fee. If free service is figured in, it amounts to a 216% increase in franchise fees.

We appreciate the consideration of the City of Milwaukie in evaluating all the many factors that create the necessity for the rate increase we are requesting.

EH:e

Enclosures

Sincerely,



ESTLE HARLAN, Consultant for  
MILWAUKIE SOLID WASTE FRANCHISEES

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SUMMARY OF COMPARATIVE RATES

(Monthly Rates for Residential One-Can Service/One Stop Per Week)

<u>JURISDICTION</u>	<u>EFFECTIVE DATE</u>	<u>PRESENT RATE</u>	<u>REQUESTED* RATE</u>	<u>Footnote Explanation</u>
Clackamas County (urban)	3/1/85	7.28	8.00	(1)
Gladstone	1/3/84	7.00		
Marion County (rural)	9/1/82	6.25	8.15	(2)
Molalla	5/1/84	7.10		
Salem	9/1/82	5.20	6.75	(3)
Sandy	5/1/84	6.40	6.90	(4)
Tigard	1/1/83	6.95		
Washington Co. (urban)	1983	7.15		
Milwaukie	9/1/83	6.00	6.60	

\*Denotes Rate Increase in Progress

Footnote Explanations:

(1) The Solid Waste Commission for Clackamas County approved the rate request on February 7, 1985. It is anticipated that it will be passed by the Board of County Commissioners on February 14, to become effective March 1, 1985.

(2) The Collectors in Marion County have requested a 30% increase.

(3) The Collectors in Salem are requesting a 30% increase.

(4) The Collector in Sandy is in the process of requesting an approximate 8% increase.

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## SOLID WASTE AND WASTE COLLECTION RATES

## CITY OF MILWAUKIE

I. <u>32 Gallon Can</u>	Rate Eff. 9/1/83	With Requested 10% Increase	Plus 3% Franchise Fee	Total
<b>RESIDENTIAL RATES</b>				
The rate per 32 gallon can per mo.:				
One Collection Per Week - One Can	\$ 6.00	\$ 6.60	.20	\$ 6.80
One Collection Per Week - Two Cans	11.15	12.25	.35	12.60
One Collection Per Week - Ea. Add.	4.30	4.75	.15	4.90

**COURT APARTMENTS RATE**

The Rate per 32 gallon can per mo.:				
One Collection Per Week - Per Can	5.05	5.55	.15	5.70

This rate applies where the owner of the court accepts and pays the bill for the entire court and the cans are set on the curb.

**COMMERCIAL CAN RATES**

The rate per 32 gallon can per mo.:				
One Collection Per Week - One Can	6.60	7.25	.20	7.45
One Collection Per Week - Two Cans	12.10	13.30	.40	13.70
One Collection Per Week - Ea. Add.	4.30	4.75	.15	4.90

Additional stops per week for 32 gallon cans shall be served at 100% of the first stop per week rate.

NOTE: Additional Residential Service - Occasional service on the regular route day in the area is available upon notification to your collector at least 24 hours prior, or personal contact with the driver ("Yoo-Hoo" Service) on the route as in the past.

If Cash Paid to the Driver:	2.50	2.75	.10	2.85
If Billed, Per Can Rate :	3.50	3.85	.10	3.95

**II. Container Service**

(a) LOOSE MATERIAL - One Stop per week, first container:				
One Yard	34.45	37.90	1.15	39.05
One-One/Half Yards	44.45	48.90	1.45	50.35
Two Yards	58.65	64.50	1.95	66.45
Three Yards	74.10	81.50	2.45	83.95

Additional Containers shall be served at 90% of the first container rate. Additional stops per week shall be served at 90% of the first stop per week rates. The collector shall furnish the containers.

(b) COMPACTED MATERIAL - One stop per week, first container:				
One Yard	57.35	63.10	1.90	65.00
Two Yards	97.95	107.75	3.25	111.00
Three Yards	123.60	135.95	4.10	144.05

IV<sub>a</sub>  
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Additional containers shall be served at 90% of the first container rate. Additional stops per week shall be served at 90% of the first stop per week rates. Compactors furnished by the customers shall be compatible with the equipment of the collector. If the collector agrees to furnish the compactor, the collector may charge a reasonable rental fee based on the value of the compactor and the cost of repair and maintenance.

III. Drop Box Service

(a) LOOSE MATERIAL - Rate Per Yard/Repeat Customers (Plus Disposal Costs)	Rate Eff. 9/1/83	With Requested 10% Increase	Plus 3% Franchise Fee	Total
	\$2.65	\$2.90	.10	\$3.00
Additional Charge for One-Stop Service (Plus Disposal Costs)	15.00	16.50	.50	17.00
(b) COMPACTED MATERIAL - Rate Per Yard (Plus Disposal Costs)	4.20	4.60	.15	4.75
Rental Fee after 48 hours on location, per 10 yards of drop box capacity, chargeable per day.	2.30	2.55	.10	2.65

IV. Any Other Type Service

If, due to changes in technology or needs of residents and business people of Milwaukie, additional or other types of services are needed, the charge for the service shall not be discriminatory, shall be reasonable by being commensurate with the rates above, and shall not exceed the rates most generally applicable in the Portland Metropolitan Area.

HARLAN BUSINESS CONSULTANTS, INC.  
2202 S.E. LAKE RD.  
MILWAUKIE, OREGON 97222  
(503) 654-9533

IVa  
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ESTLE HARLAN  
CONSULTANT

March 22, 1985

MARGE POST, Finance Director  
City of Milwaukie  
10722 SE Main Street  
Milwaukie, OR 97222

Re: 1985 RATE ADJUSTMENT for SOLID WASTE FRANCHISEES

Dear Marge:

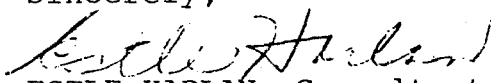
This letter will confirm our latest conversation of March 15, wherein we agreed that the rate adjustment would be on the council agenda of April 16. I understand you will be out of town for the first council meeting in April, and we both agree that it would be to our mutual advantage to have you be the city staff person to make the rate adjustment presentation.

Throughout the various discussions with you, the city manager and the city attorney on this rate adjustment, there has been concern expressed by the city that the recycling effort be more visible to the community. I am pleased to be able to report that a Recycling Coordinator has been approved by the solid waste franchisees in Clackamas County, and it is anticipated that the Coordinator's contract will become effective April 1, 1985. All of your city franchisees are included in the services that will be performed by the Coordinator. Her duties are to implement the education and promotion duties mandated by the Opportunity to Recycle Act (Senate Bill 405). These education and promotion activities will be coordinated throughout the county and in the cities of Clackamas County, which will make a much stronger effect than fragmented efforts would produce. There will be a cost factor to your franchisees, but it will be mitigated as compared to what they would have to expend if each collector had to meet the education and promotion mandate of SB 405 individually.

I understand you are going to write your staff report and recommendation, and that you will provide me with a copy prior to the April 16 council meeting. If you need any further information from me, please advise me.

EH:e  
Copy: Milwaukie Franchisees

Sincerely,

  
ESTLE HARLAN, Consultant for  
MILWAUKIE SOLID WASTE FRANCHISEES

TO: Hugh Brown  
City Manager

FROM: Steven Hall  
Public Works Director *J. Hall*

RE: Hearing date  
Sewer rate increase

DATE: April 4, 1985

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ACTION REQUESTED

City Council set hearing date for proposed sewer rate increase for the regular meeting of 21 May 1985.

BACKGROUND

In the 1984-85 budget, staff presented two options for rate increases. The recommendation of staff was for consideration of a 10% or a 19.6% rate increase. The difference between the two budgets was in the area for provision for future repair and rehabilitation of sanitary sewers through the replacement/reserve funding.

Over the past several years, rate increases have not been granted and the City's sewer division was required to utilize a part of those replacement/reconstruction funds for operations.

To return the replacement/reconstruction fund to its anticipated balance of \$290,000, an approximate 19.6% rate increase is required.

At the regular budget committee meeting, the budget recommended and voted on the 19.6% rate increase.

City staff will be preparing detailed documentation for a presentation to the City Council on 21 May 1985, to assist the Council in making its decision on the proposed rate increase.

The last rate increase granted by the City Council was in June of 1983.

SUMMARY

1. Budget Committee has approved the 1985-86 budget including the proposed rate increase of 19.6%.
2. In order to have the rate increase adopted prior to 1 July 1985, a public hearing must be held prior to that date.

cc: Marge Post  
Finance Director

SMH/cjl

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MILWAUKIE  
CITY COUNCIL MEETING  
April 2, 1985  
7 p.m.

COUNCIL CHAMBERS

1477th MEETING

The one thousand four hundred seventy-seventh meeting of the Milwaukie City Council was held on April 2, 1985, with the following Councilors present:

- |                    |                |
|--------------------|----------------|
| Mayor Ron Kinsella | Roger Hall     |
| Craig Lomnicki     | Cheré Sandusky |
| Mike Richmond      |                |

Also present:

- |                                  |                            |
|----------------------------------|----------------------------|
| Hugh Brown, City Manager         | Dick Bailey, Fire Chief    |
| Sandy Miller, Asst. to City Mgr. | Ron Goodpaster, Police Ch. |
| Greg Eades, City Attorney        | Joy Brookhouse, Secretary  |
| Steve Hall, Public Works Dir.    |                            |

GOOD NEWS

Mayor Kinsella introduced this agenda item with the intent of beginning each Council meeting on a positive note and urged Councilmembers, staff and citizens of the community to bring their "GOOD NEWS" to each Council meeting. The Mayor's good news was: 1) congratulations to Councilmember Lomnicki on the arrival of his new baby girl; and 2) a dance is scheduled for April 28th at the Sunnyside Inn in an attempt to raise money for the community's adolescent drug abuse program. The occasion has been dubbed "Joe's Jam", named after Joe Krumm at the 'Clackamas Review' who is coordinating the publicity for the function.

AUDIENCE PARTICIPATION

- 1) Milwaukie High School Senior Class All-night Party. Marlene Brandt asked for community support for putting together this event in the form of donations of gifts, food, etc.
- 2) Tri-Met. Mrs. Brandt informed Council of the scheduling of the last in a series of meetings being held by Tri-Met on relocation issues, requesting City support at one of the meetings on April 3rd (noon or 7pm) on the issue of routing away from Logus Rd. The City Manager emphasized the City's continued attention to this matter and proposed that Steve Hall, Public Works Director, represent the City at the noon meeting. After citizen comments by Bill Hupp, Jim Backenstos, Bea Hall and Irv Kriegel, Mayor Kinsella requested that Steve Hall research the rerouting options available, taking citizen's concerns into consideration, before attending the meeting.

The Mayor quoted Tri-Met as counting 5,000 people a day going through Milwaukie on the bus and, taking this figure into account, emphasized the City's need for keeping track of the problem and obtaining community support.

LEGISLATION

1) Fireworks Ordinance - 2nd Reading. Councilmember Hall MOVED to read the Ordinance the second time by title only and Councilmember Lomnicki SECONDED the motion. The motion CARRIED 4 to 1, with Councilmember Richmond voting against. The Ordinance was read a second time. Councilmember Hall MOVED to adopt the Ordinance as read and Councilmember Sandusky SECONDED the motion. The motion CARRIED 4 to 1, with Councilmember Richmond voting against. Council was polled and Ordinance 1573 was adopted.

2) Payment of Bills. Councilmember Lomnicki MOVED to approve payment of the bills and Councilmember Hall SECONDED the motion. The motion carried UNANIMOUSLY. Councilmember Hall requested that the 'Payment of Bills' be considered under 'Information' on the agenda. The City Manager stated he was checking State procedures and would make a formal recommendation at the next meeting.

3) Resolution Authorizing Participation in the Clackamas County/Cities Transportation Committee. Steve Hall explained that the objective of the committee is to review and comment on major transportation issues, plans and projects and provide a forum for discussion on these resulting in recommendations when appropriate, not to set policy. Councilmember Richmond MOVED to approve the Resolution and Councilmember Hall SECONDED the motion. The motion carried UNANIMOUSLY and Resolution No. 4-1985 was adopted.

OTHER BUSINESS

1) Update on Street/Storm Drain Project. Steve Hall presented a tentative schedule of events, including a May schedule of Town Hall meetings. Referring to a geological study discussed at the March 5th Council meeting, he emphasized that the project would have "no geological impact on our wells" and that every precaution was being taken to avoid any effect to the water table of residents' property. Council requested that more Town Hall meetings be scheduled concurrently or over a period of time and that at least one be scheduled at a time to allow Councilmember Sandusky to attend.

2) Easter Seal Telethon. Mayor Kinsella recounted the experiences that he and Councilmember Lomnicki had had at the Easter Seal Telethon on March 30 and asked that information on City matters be sent to the group home for the handicapped on SE Stanley.

3) Riverfront Restaurant. Councilmember Richmond recommended that our Ordinance dealing with adult entertainment should either be enforced or repealed. Council reinforced its administrative position on the Riverfront in particular and directed the City Attorney to initiate research into the possibility of revising the Ordinance or adopting a new one. Jim Backenstos urged persistence in seeking a legal avenue to facilitate the closing of the Riverfront.

4) Senior Activities. Mayor Kinsella announced some of the many activities that have been scheduled in coordination with 'Older American's Month' (May).

OTHER BUSINESS - continued

- 5) Miscellaneous - Mayor Kinsella...
  - a)..announced the sale of the City's last surplus fire-truck for \$45,000.
  - b)..received a letter from the Girl Scouts thanking the City for promoting their organization.
- 6) Create-a-Park. Councilmember Hall reminded those in attendance of the 2nd "Create-a-Park" day on April 13th. He then MOVED to call the new park at the south end of Main Street "Dogwood Park" and Councilmember Richmond SECONDED the motion. The motion carried UNANIMOUSLY.
- 7) Stop signs on Johnson Creek Blvd. Councilmember Lomnicki emphasized the need to make a decision on the placement of stop signs on Johnson Creek Blvd. to discourage through traffic, especially at 42nd. He indicated that the Ardenwald Neighborhood Association was interested in a decision on this issue. Steve Hall responded with the previous Traffic Safety Commission recommendation and reviewed the procedures used to determine the need and ramifications of such a step, indicating that the signs would pose a potential safety hazard. Council discussed the fact that this temporary measure might only shift the traffic problem to another over-travelled east/west arterial. Councilmember Lomnicki MOVED that stop signs be placed at strategic points on Johnson Creek Blvd. The motion failed for lack of a second, with Council indicating the need to evaluate the whole problem for a resolution rather than to use temporary measures in particular areas.

Council also weighed the possibility of the negative/positive effect of the McLoughlin/Tacoma project on the traffic problem. After consideration, Council determined that the only acceptable design for this project would be a "T" intersection and directed Steve Hall to make this decision known to ODOT.

- 8) Miscellaneous - City Manager...
  - a)..reminded Council of the breakfast with Randy Miller at Red's Coachhouse on April 4th at 7am.
  - b)..informed Council that Anne Nichol has been hired as the new Development Coordinator.
  - c)..requested a recommendation from Council to nominate Ray Bartel to replace Anne Nichol on the Boundary Commission. Council's recommendation was given.
  - d)..informed Council that May 21st is the City's 82nd birthday which coincides with a City Council meeting and suggested some special celebration at the Council meeting. Councilmember Hall suggested that it be a city-wide celebration in conjunction with the naming and dedication of "Dogwood Park" and Milwaukie Floral's 50th Anniversary celebration and that the 21st be designated "Dogwood Day" with a proclamation to be presented at a later date.
  - e)..updated Council on the disposition of the tax turn-over legislation.

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CONSENT AGENDA

Councilmember Hall MOVED to approve the entire consent agenda and Councilmember Sandusky SECONDED the motion. The motion carried UNANIMOUSLY.

INFORMATION

Mayor Kinsella commended Police Chief Goodpaster for his participation in the ADAP "Joe's Jam" program.

ADJOURNMENT

Councilmember Hall MOVED to adjourn the meeting and Councilmember Sandusky SECONDED the motion. The motion carried UNANIMOUSLY.

The Council meeting adjourned at 10:24 pm.

Respectfully submitted,

Joy Brookhouse, Secretary

CITY OF MILWAUKIE  
M E M O R A N D U M  
PUBLIC WORKS DEPARTMENT

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DATE: April 10th, 1985

TO Hugh H. Brown  
City Manager

FROM: Steven Hall  
Public Works Director *A.M.H.*

SUBJECT: Subdivision - Dana Addition  
Street and Utility Improvements  
City Acceptance

Street and utility improvements in the above referenced subdivision have been constructed in accordance with plans and specifications for the project. Total value of said improvements is \$ 34,082.62.

It is the recommendation of this office that these improvements be accepted by the City.

Breakdown of cost and length of project is as follows:

	LENGTH	COST
Street	75'	\$15,515.38
Waterline	330'	9,951.50
Sanitary sewer	150'	7,030.90
Engineering	* * *	1,584.84
TOTAL		<u>\$34,082.62</u>

PLANNING COMMISSION MINUTES

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REGULAR MEETING

MARCH 12, 1985

MEMBERS PRESENT

JOHN LITTLEHALES  
JOHN FOSTER  
DON TROTTER  
BETTY ROHOLT  
BOB KNUDSON  
AL LIANE

STAFF PRESENT

TOPAZ FAULKNER,  
PLANNING DIRECTOR  
LORI MASTRANTONIO-MEUSER,  
ASSOCIATE PLANNER  
DEANNA ROBINSON,  
STENOGRAPHER

EXCUSED ABSENCE

BOB BROWN

1.0 Mr. Littlehales called the meeting to order at 6:35 PM, and gave his congratulations to Don Trotter and Bob Brown, who have been reappointed to the Planning Commission.

- 3.1 APPLICANT - NORTH CLACKAMAS SCHOOL DIST. 12  
PROPERTY OWNER - N. CLACKAMAS SCHOOL DIST. 12  
LOCATION - MILWAUKIE HIGH SCHOOL ATHLETIC FIELD OFF OF LAKE ROAD IN APPROXIMATELY THE 3100 BLOCK.  
PROPOSAL - THE APPLICANT IS REQUESTING APPROVAL OF AN EXPANSION OF A PREVIOUSLY APPROVED CONDITIONAL USE TO ALLOW THE CONSTRUCTION OF TWO 11' x 35' DUGOUTS (TAX LOT 1100 OF TAX MAP 11E 36CA) (FILE C-85-01).

Ms. Roholt announced that she lives within the area but did not believe this would cause her to have a conflict of interest.

Mr. Littlehales stated he had engaged in a discussion with the baseball coach and had explained to him that members of the Commission are not allowed to discuss the proposal before the hearing. He added that this would not compromise his objectivity at this hearing.

Mr. Trotter noted that his wife is a member of the School Board, but they had not discussed the matter. He did not believe this fact would influence his decision on the matter at hand.

Lori presented the Staff Report.

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PLANNING COMMISSION MEETING MINUTES  
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APPLICANT'S RESPONSE

SPEAKING: DAVE CHURCH, Director of the Physical Plant at North Clackamas High School, Representing the District as the Property Owner of Record

Mr. Church stated that he concurs with the Staff Report. He pointed out that in his opinion, this use under current zoning is considered an outright use, and the applicant believed this fact should weigh heavily in their favor, although it was a conditional use in 1971.

Mr. Church explained that the proposed dugouts are very small in relation to the property and will provide an opportunity for the community to participate in the construction because the School Board had indicated no public funds were to be used. Mr. Church pointed out that the community, the school, the School Board, the Booster Club, and the Parents' Club are all very supportive of the project.

Mr. Church pointed out that the school field is also used for public recreation, and the applicant believes the dugouts would provide a safer and more secure area for the teams using the field.

Mr. Foster asked the applicant to describe the dugouts. Mr. Church provided a preliminary plan that the applicant had drawn up.

Mr. Littlehales asked if the dugouts would be above or below ground. Mr. Church indicated they are to be at grade.

TESTIMONY IN FAVOR

SPEAKING: JOE DOMENICO, 11909 SE 35th, Milwaukie, President of the Milwaukie Booster Club

Mr. Domenico was representing 150 members of the Booster Club, having had a unanimous vote in favor of the application. All felt the dugouts were imperative because of the safety factor.

SPEAKING: CRAIG WEBSTER, Baseball Coach at Milwaukie High School, 10531 SE Home

CITY OF MILWAUKIE PLANNING DIVISION  
PLANNING COMMISSION MEETING MINUTES  
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Mr. Webster added that the earlier submitted drawing came from a book because, at the time it was originally submitted, the applicant was waiting for a plan from Salem. He indicated that the dugouts would be at grade because of the drainage problems that would occur if the dugouts were below ground. He also indicated the dugouts would be a six feet wide, thirty-five feet long structure.

SPEAKING: PEGGY BRISBEE, 9992 SE 48th

Ms. Brisbee felt the dugout was a matter of community pride and would upgrade the level of Milwaukie High School.

SPEAKING: ED WILKINS, 5644 SE Woodhaven, Milwaukie, Athletic Director of Milwaukie High School

Mr. Wilkins felt the dugouts will help upgrade the high school to a facility appropriate to represent the City of Milwaukie.

SPEAKING: ROBERTA MILLS, 9651 SE 37th, Milwaukie

Ms. Mills wanted to point out that there are two baseball fields and one football field at the school, and the applicant is only requesting improvements for the varsity field.

TESTIMONY IN OPPOSITION

SPEAKING: CATHLEEN HULME

Ms. Hulme pointed out that she lives just above the field; that she has been involved with and supported the development of the school field in the past; and that City Council had approved the field after a fight but had added conditions that no buildings, dugouts, lighting, or expanded seating capacity would be added to the property.

Mr. Trotter asked Staff if any conditions had been added to the past Conditional Use. Topaz explained that they could not locate the file because it was stored in another building. Lori added that she believed the condition read that if any buildings or dugouts were to be added, they must come before the Planning Commission.

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Mr. Littlehales asked Mr. Church if he had a copy of the past Conditional Use. Mr. Church said he did, but it was in his office. He remembered it stating that no permanent structures other than what was shown on the site plan would be allowed without prior Planning Commission approval.

Lori clarified that according to Mr. Webster, there is no scheduled increase in the number of games as a result of adding the dugouts.

APPLICANT'S CLOSING REMARKS

SPEAKING: DAVE CHURCH

Mr. Church stressed that the school tries to be good neighbors by maintaining the facility in a quality manner.

Mr. Trotter asked when the applicant intended to begin the structure. Mr. Church indicated they would like to begin as soon as possible.

The public portion of the hearing was closed at 7:15 PM.

Mr. Foster asked Staff if they had requested any landscaping. Staff said they did not feel it necessary on an athletic field.

Ms. Roholt indicated she would be better satisfied if the Commission were able to see the previous Conditional Use. Mr. Trotter suggested and Mr. Church agreed that the applicant might take time to obtain their copy.

Mr. Trotter made a Motion to continue this public hearing until 3 PM in order to allow the applicant time to obtain a copy of the previous Conditional Use. Mr. Liane seconded the Motion. The Motion Carried Unanimously.

- 3.2 APPLICANT - JOHN AND YVONNE GRAY  
PROPERTY OWNER - JOHN AND YVONNE GRAY  
LOCATION - 4923 SE ADA LANE  
PROPOSAL - THE APPLICANT IS REQUESTING APPROVAL OF A 13-FOOT VARIANCE TO ALLOW A 7-FOOT REAR YARD SETBACK INSTEAD OF THE REQUIRED 20 FEET. (TAX LOT 11000 OF TAX MAP 1 2E 31 BA) (FILE C-85-01)

CITY OF MILWAUKIE PLANNING DIVISION  
PLANNING COMMISSION MEETING MINUTES  
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Lori presented the Staff Report.

APPLICANT'S RESPONSE

SPEAKING: JOHN GRAY, 4923 SE Ada Lane

Mr. Gray stated he supports the Staff Report with the exception of the sidewalks. He said he had tried to design the addition with the aesthetic value of the neighborhood in mind and decided to put the addition out through the back yard.

TESTIMONY IN FAVOR

SPEAKING: PETER SANSONE, Home Builder in Clackamas County  
The Gray's General Contractor

Mr. Sansone affirmed that the best place to put the addition is out the back, and that he does not see the necessity of a sidewalk.

SPEAKING: ELIZABETH MOORE, 4940 SE Ada Lane

Ms. Moore explained she lives right across the street from the applicant and added she is in favor of the addition.

TESTIMONY IN OPPOSITION

There was no testimony offered in opposition.

APPLICANT'S FINAL REMARKS

SPEAKING: JOHN GRAY

Mr. Gray affirmed that he will abide by the City's decision and conform with the neighborhood.

The public portion of the hearing was closed at 7:40 PM.

Mr. Trotter asked Staff if there was a setback of nine feet rather than seven, because the applicant's drawing was from the eave instead of the face of the house, which would make a variance of eleven feet rather than thirteen feet. Lori responded that this was true because a two-foot overhang within the setback is allowed.

CITY OF MILWAUKIE PLANNING DIVISION  
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Mr. Trotter pointed out that one of the criteria is about unique conditions, and that the applicant had indicated that the dampness of the area creates a unique condition. He also pointed out that the configuration of the lot in relation to the lot directly to the north presents a unique condition.

Mr. Trotter then suggested having the applicant sign a developer's agreement that if the neighborhood should decide to put in sidewalks, they will not remonstrate against the City. Mr. Trotter asked the applicant if he had any objections to this. Mr. Gray indicated he had no objection.

Mr. Trotter made a Motion to approve Variance Request 85-03 with the approval of an eleven-foot variance to construct a 16' x 30' addition with the following findings:

1. The request is in compliance with all of the R-7 Zone requirements except the 20-foot rear yard setback.
2. The request complies with the variance criteria, as there are other homes in the area that do not meet the setback requirements and other homes with family rooms which have been added on. Also, the benefit of the addition appears to outweigh possible negative impacts to the surrounding neighbors. The site is unique in relation to its large side yard and the large rear yard of the property to the north.

And the condition that the applicant sign a developer's agreement for sidewalks at such time as they are installed by the neighborhood.

Mr. Littlehales seconded the Motion. THE MOTION CARRIED UNANIMOUSLY.

A recess was taken at 7:45 PM.

### 3.1 NORTH CLACKAMAS SCHOOL DISTRICT 12, Continued

Mr. Littlehales having obtained the copy of the document indicating approval in 1971 (Exhibit No. 4), read aloud the condition stating that no permanent structures or lighting shall be provided without prior approval of the Planning Commission.

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Mr. Trotter said he felt confident that all the conditions established in 1971 were being abided by.

Mr. Littlehales made a Motion to approve the expansion of the Conditional Use, C-85-01, with the following findings:

1. The request complies with the Conditional Use Zone, as all of the standards are met or exceeded.
2. The request will result in an improved recreation facility and the effective utilization of a school facility for recreation purposes.

Ms. Roholt seconded the Motion.

Mr. Trotter made a Motion to amend the Motion to add a condition that the requirements of the original Conditional Use as to additional permanent structures or lighting not be provided without a public hearing before the Planning Commission. Mr. Foster seconded the amendment to the main Motion. THE AMENDMENT TO THE MAIN MOTION CARRIED UNANIMOUSLY.

THE AMENDED MOTION CARRIED UNANIMOUSLY.

- 3.3 APPLICANT - ROBERT KAISER  
PROPERTY OWNER - MARVIN AND RUTH SMITH  
LOCATION - THE NORTHEAST CORNER OF 32nd AND HARRISON  
PROPOSAL - THE APPLICANT IS REQUESTING APPROVAL OF THE FOLLOWING VARIANCES. (1) 15' VARIANCE TO ALLOW A 0' YARD SETBACK INSTEAD OF THE REQUIRED 15'. (2) A 2.6% VARIANCE TO ALLOW 12.4% LANDSCAPING INSTEAD OF THE REQUIRED 15%. (3) A 5-FOOT 2-INCH VARIANCE TO ALLOW A 34-FOOT 10-INCH SETBACK FROM THE CENTERLINE OF HARRISON STREET INSTEAD OF THE REQUIRED 40'. (4) A 1½' VARIANCE TO ALLOW A 3' SETBACK, BETWEEN A PARKING SPACE AND PROPERTY LINE INSTEAD OF THE REQUIRED 4½ FEET. TAX LOT 1400/1600/1700 OF TAX MAP 1 1E 36AB) (FILE VR-85-04).

Mr. Foster indicated he noticed a name on the plans of a gentleman who worked with him in the past but felt it would have no bearing on his decision.

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Lori presented the Staff Report, adding that Staff is concerned with the location of a potential garbage receptacle and recommended that the location and screening of an outdoor garbage receptacle be reviewed and approved by Staff. She also added that the primary use may be for St. Vincent De Paul. If they do lease part of the structure, Staff would like to review the location of the drop-off point for donations to ensure there are signs to direct people and that there is adequate room. Lori also pointed out that there is a very large tree adjacent to the east wall which provides some screening. Staff recommends that the applicant provide screening for the remaining section of the wall and repaint it in order to minimize the impact of that wall.

Staff recommended adding a sixth condition that the location of a garbage receptacle location and screening be reviewed and approved by Staff.

Staff acknowledged a letter from Mr. Henry Niedermeyer expressing his concerns about the request (Exhibit 6).

#### APPLICANT'S RESPONSE

SPEAKING: BOB KAISER, 20415 Interlocking Lane, Troutdale

Mr. Kaiser gave a brief history of the building and described the applicant's plan for the structure, adding that he believes St. Vincent De Paul will become a tenant. He explained that the applicant needs to utilize the remaining wall or they will have construction problems, including removal of the concrete subfloor.

Mr. Kaiser indicated he had spoken to Mr. Neidermeyer earlier in the evening about the landscaping problem because of the zero-foot setback. The applicant offered that he would be happy to paint the wall a contrasting color. The applicant does plan to landscape the four-foot area between the south wall as it joins Harrison, and they plan to remove the sidewalk and replace it with one curb cut. They also plan to landscape the remaining area between the sidewalk and the south wall of the existing structure with trees and shrubbery.

Mr. Kaiser thought perhaps the architect had made a mistake showing more landscaping than what actually is proposed because

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the islands were squared off. They said they could remove one parking space, if necessary, to provide more landscaping, because they have more spaces than required. The applicant expressed a willingness to comply with the condition regarding the garbage receptacle and would require that the St. Vincent De Paul trailer be parked adjacent to the overhead door.

Mr. Knudson asked if the existing walls had been tested to establish if they are in sound condition. The applicant indicated they believe they are but are hiring a constructional engineer to determine that.

SPEAKING: DON SEEP, 14 SE 74th Avenue, Portland, St. Vincent De Paul Representative

Mr. Seep gave a brief history of St. Vincent DePaul and commended Mr. Kaiser and the Smiths for their good work and good spirit.

TESTIMONY IN FAVOR

SPEAKING: HENRY NIEDERMEYER, 3235 Harrison

Mr. Niedermeyer explained that he had been opposed to the application but had changed his mind.

Mr. Trotter asked if Mr. Niedermeyer wanted the applicant to give some help with the landscaping along that wall, and if he would have any objection to giving them an easement to do that. Mr. Niedermeyer gave consideration to the idea.

TESTIMONY IN OPPOSITION

There was no testimony offered in opposition.

APPLICANT'S FINAL REMARKS

SPEAKING: BOB KAISER

Mr. Kaiser further explained the applicant's plans with the use of the map and addressed the signs.

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The public portion of the hearing was closed.

Mr. Littlehales pointed out that the landscaping would need to be shared.

Mr. Trotter expressed concern over the parking, depending on the tenants of the building, and suggested addressing that in the conditions. He then pointed out that the structure is unique in that it has two existing walls that can be utilized.

Mr. Littlehales made a Motion to approve VR-85-04 with the following findings:

1. The request complies with the C-G Zone as the access, height, off-street parking and lot coverage requirements are met.
2. The request complies with the Variance Criteria as the restrictive setbacks for this site could limit the type and size of development and visual buffer along the east side would reduce potential adverse impacts from the existing east wall. Because of fire damage the remaining walls pose a unique condition.
3. The request is in compliance with the Comprehensive Plan as adequate public facilities can or will be provided and additional economic development providing jobs in the community will result from this project.

And the following conditions:

1. That the property owner sign a Developer's Agreement for future improvements along Llewellyn Street prior to the issuance of any building permits.
2. That the property owner submit a Landscape and Irrigation Plan and Parking Lot Lighting Plan and parking arrangements for 9100 square feet of retail space for Staff review and approval prior to the issuance of any building permits.

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3. That a "Right Turn Only" sign be provided for the access point off of Harrison Street.
4. That the property owner provide adequate curb, gutter, sidewalk, storm, water, and sewer facilities, according to the specifications of the Public Works Department.
5. That plantings be provided along the east wall to provide adequate screening to adjacent residential lot. The type and size to be reviewed and approved by Staff.
6. That the location and screening of a garbage receptacle be approved by Staff.
7. That the location and screening of a drop-off point, if necessary, be reviewed by Staff.

Mr. Liane seconded the Motion. THE MOTION CARRIED UNANIMOUSLY.

Mr. Foster made a Motion to extend the Commission's appreciation to Mr. Henry Niedermeyer for his participation in the discussion which helped arrive at a decision. Mr. Littlehales seconded the Motion. The Motion Carried Unanimously.

6.1 PLANNING COMMISSION MINUTES - FEBRUARY 26, 1985

Mr. Knudson made a Motion to approve the Minutes of February 26, 1985. Mr. Trotter seconded the Motion. The Motion carried unanimously.

A general discussion was held on ex parte contact, video tapes, the proposed Zoning Ordinance, and adult entertainment. Mr. Foster made a Motion that the Planning Commission petition City Council to enforce the provisions of the Zoning Ordinance in accordance with Section 3.10, Limited Commercial Zones, CL, Section II, Paragraph M, and the use of definition in Section I, Adult Entertainment Business. Mr. Liane seconded the Motion.

Staff responded by saying that the business referred to has its restaurant as its primary business instead of the adult entertainment, and the City Council has shown a concern and have looked into the matter.

Mr. Liane suggested that the Planning Commission take some sort of action supporting City Council in its efforts to deal with this issue.

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Mr. Trotter suggested asking City Council to keep the Planning Commission informed of their actions concerning this particular issue and perhaps the Commission could find some ways to assist Council.

The Motion failed 3-2, Mr. Foster and Mr. Liane voting in favor; Mr. Trotter, Ms. Roholt, and Mr. Littlehailes voting against; and Mr. Knudson abstaining.

Topaz distributed copies of the draft Industrial Zone, which included revisions to the current M-L (Limited Manufacturing-Industrial) and M-G (General Manufacturing-Industrial) Zones to be discussed at the March 26, Commission meeting.

Ms. Roholt moved to adjourn; Mr. Liane seconded the Motion. The meeting was adjourned at 10:15 PM.

JOHN LITTLEHAILES, CHAIRMAN

DEANNA ROBINSON, STENOGRAPHER

MILWAUKIE SENIOR CENTER  
ADVISORY BOARD  
MINUTES

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January 18, 1985

Members Present:

Alan Brunk  
Doris Burton  
Helen Kappler  
Paul Schafer  
Janet Witter  
Walt Hegg, L&F

Members Excused:

Cathryn Boyles  
Sharon McCartney  
Maxine Hansen  
Staff:  
Sara Hite  
Guest:  
Craig Lomnicki, City Council

Meeting was called to order by Paul Schafer, Vice-Chairman, at 10:00 am.

Minutes of the December meeting were read and approved as read.

Helen Kappler reported for the Building Review Committee that she had met with Pat Coursey about screens for some activity areas and wall displays, but unless we have funds we cannot go ahead. Sara suggested that detailed reports should now be made to the Board in order to get Board approval for purchases or for non-cost changes in placement of items. Perhaps adding the wanted items to the Center "Gift List" would be a way of solving the funding problem. Walt brought up the matter of the framed Senior photo displays and asked for final disposition of the problem of where to hang them. Two are now hung, but there are three in storage. The matter was referred to the Building Review Committee and put on the Agenda for the next meeting of the Board.

Paul and Sara had attended the Program Committee meeting and reported on AAA changes in grant money for the Milwaukie Center. Project Alert has a growing list, and the Swim Therapy project at the Easter Seal Pool is also thriving. About 100 people attended the Christmas party, and brought food and money for the distribution of 18 senior family food baskets, chosen from the Salvation Army need-list.

Sara reported that the Milwaukie City Budget is now being formulated, and she will keep us updated.

Two tentative dates in August have been chosen for the Fall Fest, if there is enough community interest to warrant the effort. Last fall's plans were canceled for lack of that interest.

Doris Burton reported that the year's sales in the Center "Gift Nook" totaled \$14,637.95, well worth the efforts of the volunteers involved.

Craig Lomnicki, newly elected Councilman, brought us all "Think Milwaukie" pins, and announced that open office hours have been established at City Hall for those citizens who want to talk to Council members about their concerns. Hours are 9-5:00 on the first and third Tuesdays of each month.

Nomination was made by Janet and seconded by Helen Kappler that Paul Schafer be elected Chairman of the Advisory Board. Motion passed unanimously.

Respectfully submitted,

*Janet Witter*

Janet Witter, Secretary

APRIL 01, 1985

As concerned volunteers and participants of Milwaukie Loaves and Fishes,  
we respectfully submit this petition to:

Mayor Ron Kinsella, and  
City Council

Chere' Sandusky  
Craig Lomnicki  
Roger Hall  
Michael Richmond

City Hall  
10722 S E Main  
Milwaukie, Oregon 97222

Petition submitted also to:

Milwaukie Loaves and Fishes  
Chairperson: Don Graf  
Steering Committee

Loaves and Fishes Centers, Inc.  
President Betty Hansen  
Executive Director Dick Mastbrook

FOR CONCERNED CITIZENS AWARENESS:

A letter and petition has been sent to; The Review and  
The Oregonian

PETITION

AS VOLUNTEERS AND PARTICIPANTS OF MILWAUKIE LOAVES AND FISHES WE THE UNDERSIGNED, PETITION THE LOAVES AND FISHES CENTERS, INC. AND THE CITY OF MILWAUKIE TO ABIDE BY THE RULES AND REGULATIONS TO WHICH THE CITY OF MILWAUKIE AGREED IN THE AGREEMENT OF JULY 1, 1983.

WE FURTHER ADDRESS THE RECENT DISMISSAL OF THE PAST CHAIRMAN OF THE MILWAUKIE LOAVES AND FISHES STEERING COMMITTEE FROM HIS POSITION UNFAIRLY AND WITHOUT DUE PROCESS. WE ALSO REQUEST THAT FACTS BE PRESENTED TO SHOW HOW THE PAST CHAIRMAN OF THE STEERING COMMITTEE VIOLATED HIS DUTIES AND THE BEST INTERESTS OF THE SENIORS OF THIS COMMUNITY.

<i>Thomas Walker</i>	<i>7436 SE Oak St. Milwaukee</i>
<i>Leola E. Colburn</i>	<i>10044 S. E. Sherman</i>
<i>Ralph D. O'Hara</i>	<i>14326 SE Train Dr Milwaukee</i>
<i>Pauline M. Dering</i>	<i>11376 SE Linnwood Ave. Milw.</i>
<i>George Dering</i>	<i>11376 SE Linnwood Ave. Milw.</i>
<i>Maria J. Larimore</i>	<i>11326 SE Linnwood Ave. Milw.</i>
<i>What did he do wrong? Virginia Swinson</i>	<i>10515 S.E. 34</i>
<i>Karna E. England</i>	<i>2889 S.E. Hillside St. #500</i>
<i>Shirley J. Hood</i>	<i>2889 S.E. Hillside St. #605</i>
<i>Loren Bingham</i>	<i>2889 Hillside St. #500</i>
<i>James Bishop</i>	<i>2925 S.E. Wash.</i>
<i>Alice M. Bishop</i>	<i>2925 S.E. Wash.</i>

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<i>[Faint handwritten name]</i>	<i>[Faint handwritten name]</i>
<i>[Faint handwritten name]</i>	Virgie V. Donley
Ethel C. Johnson	Paul Stratten
Pauline Reiser	Gayfield Johnson
Gloria Funk	Helen Stein
<i>[Faint handwritten name]</i>	Jane G. Coombie
Margaret A. Larson	Mary Cosch
Ada Martin	Kathy Meyers
Frederick V. Martin	Dary Meyers
Ruby Wheeler	Glorance (Wiesner)
Helle Sheek	John E. Londa
Doty Shearn	May A King
Larry Vogel	J.P. Woods
Fay Stratten	L. Wall

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Kathryn M. Reibick	Arnold Chiesa
Larry Harding	Lenora Blanchard
Fannie L. Kelly	<del>C. E. Steinert</del>
Clarence Foster	Frank & Therese Johnson
Martha Ahlstrom	Charles Hartwell
Opal Senquite	
Margaret Enns	
Lorah Allen	
Elizabeth Baker	
Alice Dixon	
Lola Heins	
Lorraine Glass	
Tom Randall	

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William Blaufus	9922 SE 37 ave Milwauk
Bertie Wilson	12765 SE 221 <sup>st</sup> Ave Milwauk
Carlina Holke	745 Riverside Drive - Milwauk
Helen M. Bender	17348 S. Grandland Ave City
R. A. Bender	- Above ✓ -
Yea Sweetland	9115 SE REGENTS DR.
Jerraine Blaufus	4425 SE FIELDCREST
Harold C. Drossler	8334 SE 29 <sup>th</sup>
Patricia Koleson	11393 S.E. 47 <sup>th</sup> Milwauk Cir 9722
Alfreda C. Simon	11708 S.E. Wood Ave. Milwauk Dr. 97222
Ray or Sandra	2615 SE Courtney Rd
Ray S. Sandberg	✓ ✓ ✓
Clark O. Thomas	4906 SE 67 <sup>th</sup> Portland

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Wm. Gilbert	Hillside apt 802.
Carl Engstrom	140-3 SE Matilda Dr. Milw.
James J. ...	14033 SE Matilda Dr. Milw.
John D. Hunt	9630 SE Wessex Wy Port OR
Theresa K. Allen	1917 SW Park Ave. Portland 209
Wayne Allen	1917 SW Park Ave #209 Portland, OR
Robert B. Calhoun	10044 S E Glenlyon Ave
Shirley Lundquist	9630 SE Wessex Wy Portland OR 972
Julia E. Ganger	16376 SE Van Zyl Clack
Ronald J. ...	16376 SE Van Zyl Clack.
Rhea R. Parkhurst	13927 S.E. Matilda Dr.
Zell L. Parkhurst	13927-S.E. Matilda Dr.
Gerty D. Rittenbach	12909 SE Vernie Milwaukie
Ernie Rittenbach	" " " "
Mary L. ...	14326 SE Triana Dr.



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Edwin L. Trimble	Mildred R. Reed
Mar Wagenknecht	Mildred Reed
Dorothy Wagenknecht	Dolores Martin
J. A. Terzili	Dorothy Holt
Wm. J. Jell	Lena Enslin
Peggie Terzili	Elizabeth Skatte
Irene M. Kutcher	Grace Macfarlane
John A. Kutcher	
Annie Cross	
? Marie Meyer	
Shirley Davis	
Carrie Robinson	
Louise Morgan	
Helen Halle	

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Allen M. Morrison 15893 SE Webster Rd Milwaukie Oregon	
Katherine L. Shuman Milw 1441 SE Eastwood Ct	E. C. Johnson
Juan B. Prieto Sr 12211 SE 70th Milw 97224	Edwin Gullerath
Angela C. Prieto 97222 12211 SE 70th Milwaukie	Bette Bennett
Sarah Favelis	John Ray
Dorothy M. Stacham	Ben Bennett
Louise [unclear]	
Scott [unclear]	
Beryl Smithson	
Jan [unclear]	
Maryann Norton	
[unclear]	
Tracy Wall	
Hugh H. Pennington	

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Alice Aylett	
Blanchie Knosalla	Lillian Nagel - Pres. A.A.R.P.
Florence Wiesner	Alice Nagel AARP
Maybelle Allen	Margaret K. Allen AARP
Jay Beberner	Hans Pedersen
2 Patricia & Bill Clumpner	Claire Moore AARP
Alice Haux	Fran Ray AARP
Cleana Demsky	Florence Wilkin AARP
Catherine Tschudy	Marquerite Barber AARP
Howard H. Dehilling	Inez Nichols AARP
Lois Dehilling	Florence Nordstrom AA
Chuck Darby	Marie Phams AARP
Marie Darby	Pauline Winter AARP
<del>Ed. ...</del>	Leona Ricketts A.A.R.P.

PETITION

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James [unclear]	12015 E Courtney Rd City 972
N. Eison	12031 SE 104 <sup>th</sup> CT PORTLAND 97
Walter Pottor	7921 S.E. Clackamas
Josephine N. Hodge	2859 SE Heald SA <sup>Milwaukie</sup> 97222
Richard O. Olson	2328 SE Harrison Tr.
Flossie Giff (EO)	7740 384 Bellevue
Mabel Carlson	16719 SE Hudson Milwaukie
Louise Ferris	10120 SE Waverly, Ct Milwaukie
Opal Judd	9529 SE 32 <sup>nd</sup> Milwaukie
Laban W. Smith	9529 SE 32 <sup>nd</sup> Milwaukie
Margaret Cox	8732 SE 41 <sup>st</sup> Milwaukie, Ore
Maudie Turvey	
Simone Foreman	16551 SE 8 <sup>th</sup> nd Clatsop

PETITION

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Gillian Inman	12023 S.E. 39 <sup>th</sup> Milw. 654-2963
Rhoda Lewis	3723 S.E. Loethe Rd. Milw.
Florence B. Walker	13199 P.E. 31st #41 Milw. 97222
Chris F. Bossen	905 Harwood Drive Oregon City 97045
Virginia Kuhny	15550 Lou Ann Ct. Milwaukie, 97222
Hermit Rytel	5401 SE 26th Rd
Gene Larsen	9543 SE 77th Milwaukie
Evelyn Taylor	8525 SE Orchard 18 Porton
Helen Halle	1663 SE Haverd
Louise Henkes	
Ethel H. "Meyer"	
Edward J. Brin	8525 SE Orchard Lane 21
Blanche H. Manly	8111 S.E. Cypress Rd

**PETITION**

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Norma McKeon	3275 S.E. Rockwood, Milw. Ore 971
Cartha Linchak	
Joyce Larkin	14650 S. E. Oak St
Wayne + Elsie Overton	659-9408 phone.
Hugh H. Tompkins	10799 St. 28 <sup>th</sup> St. Milwaukie Ore 9722. 7 41
Burtine - 5th	2829 S.E. Hillside St
Bella Bridges	10460 S.W. 37th St. Milw.
Wanda Kuhn	15550 Boylston St
Joe Keller	4847 S.E. Allen Rd

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Fayette Harrell	Elmer S. Edwards
Merna Peterson	Lucas Scott
Fayeth Schwedler	Joe & Paula
Riva Schwedler	Linn Gain
Lola Retroy	John Vannice
Label Cronner	Lea Newgard
Lrene Haugen	Merna Kinella
Evelyn Masterson	
Myrtle Freeman	
Hazel Lindell	
Elnora P. Cassland	
Helen Mathison	
Barby Jensen	
Lea Newgard	

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<p>John M. ...                  2600 SE Fremont Way, #68, Milwaukie, OR 97222</p>	<p>Thomas A. ...                  6108 SE KELLOGG CT MILWAU 97222</p>
<p>...                  2323 - SE Harrison Apt - 9</p>	<p>...                  275-80 Lakeland Milwaukie OR</p>
<p>...                  3022 SE Courtney Milwaukie 97222</p>	<p>Elizabeth Barber</p>
<p>Carl Brady                  13409 SE McLOUGHLIN 97222</p>	<p>...                  9655 SE 34 CT Milw.</p>
<p>...                  1570 ...</p>	<p>...                  9655 S.E. 34 CT Milwau</p>
<p>Douglas Person                  12716 SE 27</p>	<p>...                  12716 SE 27th Ave Milw</p>
<p>...                  10 5058 ...</p>	<p>...                  13000 SE ...</p>
<p>...                  220 ...</p>	<p>Ray ...                  14467 S.E. ...</p>
<p>Clark Moore</p>	<p>Harley ...                  15200 S Helmont ...</p>
<p>Charles Wilson</p>	<p>John ...                  1441 N.E. ...</p>
<p>Bessie Clinton</p>	<p>...</p>
<p>...</p>	<p>J. V. Griffin</p>
<p>...                  15633 SE ...                  MILWAUKIE OR</p>	<p>...</p>

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*Alora Webb*

*Mildred Becken*

*George Stubbins*

*Margie Englund*

*Earl Kirkpatrick*

*Flounee Alderson*

*Ara R. Peterson*

*Invention Moon*

*Lillian Saunders*

*Martin Roe*

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Caroline Trapela

Ed Trapela

Fay Olson

Maddie J. Smith

Wendy J. Smith

M. Johnson

Nellie Fisher

Gene White

Nellie F. Hergert

Worothy Russ

Frank Lee

Jane Beylund

Ed E. Jacob

Mrs. M. Kroo

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Ann McNamara

Mary Jacob

Rose Hester

Edna La Cour

Harold Pedersen

Ann Isaacson

Ed. La Cour

Don Isaacson

Bernice Mack

Jess Balin

Horn Corvell

Wayne V. Corvell

Anna L. Mortensen

Priscilla K. Adams

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Mary Phillips	Milw. Christian Church
Marion Ashton	" " " "
Opabel Ernst	" " " "
Brenda Larson	" " " "
Bob Morrison	" " " "
Annabe Ladd	Mil. Christian Church
Vernell Ladd	Mil. Christian Church
Kate Walker	" "
John Walker	" "
Melba Nagler	" "

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Barbara Pedman

Sue Sandberg

Walter G. Ellis

Janie May King

Jean Hohrath

Maria Cukin

~~\_\_\_\_\_~~

Mary K. Pearson

Jana Colkham

Donna Kephner

Edith M. Neubauer

John R. Edwards

~~\_\_\_\_\_~~

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Charlotte R Cunningham	14028 S.E. Estella, Milwaukie
Shirley Eckert	17125 S.E. 82 <sup>nd</sup> Ave Clackamas
Charles Eckert	" " " " "
Oliver Ford	Birch 4, 10701 S.E. Hwy 212 Clackamas
Margaret Withred	4433 S.E. Riskey Ave Milwaukie
Mrs. A. Pritchard	6634 S.E. Moit + Milwaukie
Frank Franklin	13640 SE HWY 212 S.E.
Gordon A. Pritchard	6634 SE MOIT ST. MILWAUKIE, OR 97222
Kerwin Lommen	15670 SE Kaslin Way Milwaukie 97222
Jane Franklin	13640 S.E. Highway 212 Sp 3
James Withred	4433 SE Riskey Ave Milwaukie OR 97222
Linda Friedman	2606 NE 10 <sup>th</sup> Portland, OR 97212
Bobby Cunningham	14028 S.E. Estella Milwaukie



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<i>Irene M Engamer</i>	13924-S.E. Estella, Milwaukie, Or <sup>97222</sup>
<i>Ruth C. Hipperson</i>	13939-S.E. Matilda Dr. Milwaukie, Or: 97222
<i>Carol L. Hipperson</i>	13939-S.E. Matilda Dr. Milwaukie, Or. 97222
<i>Billy Lambourn</i>	7125 SE Palmetto way Milwaukie Or 97222
<i>Bob Lambourn</i>	7125-SE PALMETTO WAY MILWAUKIE OR 97222
<i>Steve E. Monson</i>	9406 SE, WILSON Mil. Ore. 97222
<i>Bruce Lebrake</i>	9262 S.E. WITH MILWAUKIE ORE 97222
<i>Michael R. Brown</i>	4044 Llewellyn Milwaukie 97222
<i>Gertrude Gleason</i>	5089-Logan R. Milwaukie
<i>Jack A. Sakonen</i>	7808 SE Southgate, Milwaukie
<i>Eileen Sakonen</i>	" "
<i>Gloria J. Ives</i>	6410 Alder Pl Milwaukie
<i>Louisa Schuknesht</i>	6404 Alder Pl

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4644 S E Jackson St. Milw. Ore.

A. L. HAWKINS ~~77221~~

9911 SE 52ND AVE SE PORTLAND OR 97266

Ethel M. Ziegler

7801 SE OIAKAMAS MILWAUKIE

Carol McCullough Matilda 13995 SE

Donald J. McCullough Matilda 13995 SE

~~Joseph W. Berger~~  
15718 Kristina Dr

Whitlock & Marra  
15766 Marra Ct. Milwaukie

Ann McCullough Matilda Milw 13946 SE

Paul F. Kristensen Milwaukie 14009 S.E. Matilda

E. Ann ...

Josephine a case 9716 S. E. 29th

C. F. McManis Milwaukie OR 2837 SE WISLA

LaVerne Christian Milw. 97222 4976 S.E. Willow

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Mrs. A. H. Krause Milwaukee Cr. 3912 S. E. Olsen	
Bruce P. Patten 9515 SE Stanley Ave	Viola Traffis 2823 Olsen Milwaukee 472
Martha J. Burge 10136 S. E. 37 <sup>th</sup> Ave.	Elcie Griching & Pauline Wel
W. R. Burge 10136 SE 37 <sup>th</sup> Ave Milwaukee	Arnold Chiesa 3023 Balfo
Bruce Patten 9515 SE Stanley Av. Milwaukee	Virginia Burgess Harvey i
Darlene Wecker 7476 Carla Ct. 97222 Milwa	Ellen Tubert 1572 SE Bond St 12520 Pine Edward Ct King City 972
Nick J. Martini 14107 S.E. Wickets Milwaukee Wis.	Bill Jollett
E. L. Loh 11316 SE Linwood Milwa 97222	Marie Rensborough 19380 New West Lane 970
Robert J. Burge 2509 SE King Rd Milwa 97222	Ken Brown 1870 10 <sup>th</sup> St #10 Oregon City OR 970
Margie J. Milton 10119 SE Stanley Milwaukee Wis. 97222	Altha Prueking 125 W Gloucester Ellerton
Franklin E. Milton 10119 SE Stanley 97222	Al Johnson 5225 SE 18 Ave. Portland OR Milwa
Ruth L. Flint 6500 S.E. Queen Milwaukee	Mario Mancini 15086 S.E. Robinette Milwa
Richard C. Crans 13820 WATSON DR. MILWAUKIE	Mario Mancini 15086 S.E. Robinette Milwa Or. 97222
Dora A. Case 9716 SE 29 <sup>th</sup>	Dolores Alley 13838 SE Matilda Milwa Or. 97222



4 THE MAYOR COUNCIL & AGENDA:

ARE U CONCERNED ABOUT THE TRAFFIC PROBLEM AT TACOMA & MCLOUFLIN B, LVD.  
WELL I'M & SO HERE IS MY SOLUTION TO THE PROBLEM REMEMBER WHEN THERE WAAAN INTERURBAN LINE  
C. FROM PTLD & THE SWELL JOB ITNEY DID WELL THEY SHOULD BE PUT IN AGAIN MY HISPEED LINE " C"  
FROM S. COMM & BALDOCK FRY IN SALEM VIACOMM. TO UNION TO THE S. P. R. R. TO JUST N OF ORE CIT  
THEN CROSS THE BRIDGE INTO GLADSTONE PTLD AVE ABERNETHY, MCLOUFLIN TO UNION TO N HAWTHORN HAWTHOR  
BRIDGE, MADISON, S&N 5TH GLISAN MCCALLS BRIDGE (STEEL) THE WILLIAMS ON RAMP MINN FRY TO THE P  
R. R. TO JUST SOUTH OF THE TUNNEL AT N. KELSO STOPS COMM AT BOONE, MADRONA RURAL, MISSION  
STATE, UNION MARKET, FAIRGROUNDS RD. WOODBURN, CANBY O. C 6TH ST. DARTMOUTH ST (GLADSTONE)  
ROTHE, OLYGROVE RD MILWAUKIE, TACOMA, BYBEE, 17TH, UNION AT HAWTHORN 5TH AT MADISON, MORRIS  
BURNSIDE, GLISAN COLLEUM FRENCH, KILLINGSWORTH, PTLD BLVD, LOMBARD, SCHMEER RD, J. B. 5TH  
10TH, 14TH, 18TH, 24TH, 30TH, 36TH, 42TH, 48TH, 54TH, 60TH, 66TH, 72TH, 78TH, 84TH, 90TH, 96TH, 102TH, 108TH, 114TH, 120TH, 126TH, 132TH, 138TH, 144TH, 150TH, 156TH, 162TH, 168TH, 174TH, 180TH, 186TH, 192TH, 198TH, 204TH, 210TH, 216TH, 222TH, 228TH, 234TH, 240TH, 246TH, 252TH, 258TH, 264TH, 270TH, 276TH, 282TH, 288TH, 294TH, 300TH, 306TH, 312TH, 318TH, 324TH, 330TH, 336TH, 342TH, 348TH, 354TH, 360TH, 366TH, 372TH, 378TH, 384TH, 390TH, 396TH, 402TH, 408TH, 414TH, 420TH, 426TH, 432TH, 438TH, 444TH, 450TH, 456TH, 462TH, 468TH, 474TH, 480TH, 486TH, 492TH, 498TH, 504TH, 510TH, 516TH, 522TH, 528TH, 534TH, 540TH, 546TH, 552TH, 558TH, 564TH, 570TH, 576TH, 582TH, 588TH, 594TH, 600TH, 606TH, 612TH, 618TH, 624TH, 630TH, 636TH, 642TH, 648TH, 654TH, 660TH, 666TH, 672TH, 678TH, 684TH, 690TH, 696TH, 702TH, 708TH, 714TH, 720TH, 726TH, 732TH, 738TH, 744TH, 750TH, 756TH, 762TH, 768TH, 774TH, 780TH, 786TH, 792TH, 798TH, 804TH, 810TH, 816TH, 822TH, 828TH, 834TH, 840TH, 846TH, 852TH, 858TH, 864TH, 870TH, 876TH, 882TH, 888TH, 894TH, 900TH, 906TH, 912TH, 918TH, 924TH, 930TH, 936TH, 942TH, 948TH, 954TH, 960TH, 966TH, 972TH, 978TH, 984TH, 990TH, 996TH, 1000TH  
LINE T VIA OATFIELD RD. LINE U FROM ESTACADA TO THE CLATSOP TOWN CENTER THE N VIA HARRISON ST  
TO MILWAUKIE LV IN VANC VIA MAIN ST & HAZELDELL AVE TO KELSO. LINE B STARTS AT C. C. C. RUNS V  
TH ST (THE WAY OF THE PRESENT MCCOULIN BUS) LV THE FRY AT LOMBARD & W. ON LOMBARD TO RIVERGAM  
(RVGT) OR USE THE U. P. BELOW THE U. P. BLUFF TO RVGT. LINE V STARTS AT CANBY & USES THE  
R. R. R. TO 82ND TO THE AIRPORT STOPS DARTMOUTH STRAWBERRY LANE CLATSOP TOWN CENTER, FLAVEN  
FOSTER, HOLGATE, POWELL, DIVISION, YAMHILL, STARK, BURNSIDE, GLISAN, HALSEY, MADISON HI, FREN  
CH, SANDYBLVD, KILLINGSWORTH THE AIRPORT LINE W. FROM ASHLAND VIA THE SP. R. R. TO FRY 205  
to the b. n. r. r. to dawson creek, b. c. stops SUNNY SIDE RD, FOSTER, MKT. BURNSIDE -STARK  
HALSEY, SANDY BLVD LEWIS & CLARK HWY AYMILL PLAIL RD, 4TH PLAIN RD KELSO, CHEHALIS-CENTRALIA  
LOWNTOWN OLYMPIA TACOMA SEATTLE EVERETT BELLINGHAM, NEW WESTMINSTER, VANCOUVER N. VANC. SQUA  
ISH QUESNEL PRINCE GEORGE & DAWSON CREEK. MY HI SPEED TRAINS WILL GO FASTER THAN 120 M. P. H  
& G-TRAN  
I'VE TURNED MY HISPEED RAIL PLAN INTO TRIMET CONSTRUCTION SHOULD START TODAY

FILIP NYE 3078 N. E. ALAMEDA TR. PTLD, ORE.

MEMORANDUM

TO: MILWAUKIE CITY COUNCIL

FROM: DAN LIATY, CHAIRPERSON, CABLE COMMUNICATIONS COMMISSION

SUBJECT: CABLE RATE INCREASE REQUEST

DATE: APRIL 10, 1985

On April 9 the Commission held a public hearing on Milwaukie Cablevision's request for an increase in the monthly basic cable service rate. The company proposed two alternatives for the increase:

- 1) A \$2.00 increase, from \$7.50/mo. to \$9.50/mo.
- 2) A \$1.50 increase combined with a reduction in the City franchise fee from 5% to 3%.

During the hearing, we considered information submitted by Steve Hubbard in support of his request, a report from cable consultant Les Page and the testimony of the four citizens who attended the meeting. Based on the evidence presented, the Commission found that an increase was justified under Section 10.4 of the franchise and voted 5 to 1 to recommend alternative #2 above, with some modifications.

The franchise provides that the company is entitled to earn a reasonable return on its investment. The company's projected rate of return is lower than predicted when Tribune was awarded the franchise and lower than the industry standard. This is due primarily to increased construction and operation costs and a lower than anticipated penetration rate. In addition, the current rate of \$7.50/mo. is substantially lower than the industry average of \$9.75/mo. Some increase in the basic rate appears to be necessary to provide a reasonable rate of return.

We believe the other criteria for approval of a rate increase have also been satisfied. The company has substantially complied with all material terms of the franchise, subscribers are receiving satisfactory service, the system appears to be managed efficiently and economically and charges for premium services are reasonable. Members of the Commission and the audience expressed some concern about how much marketing of cable services is being done and Cablevision's communication with its subscribers and others. The problems mentioned, however, did not override the need for a rate adjustment.

Cable Rate Increase Request  
April 10, 1985  
Page 2

The Commission is concerned that franchise fees are no longer dedicated for cable-related uses. For this reason, and because we will lose a part of the regulatory control in 1986, a reduction in the franchise fee to offset an additional increase in rates is warranted. Reducing the fee from 5% to 3% would mean a loss in general fund revenues next year of \$12,000-14,000 but would do more to improve Cablevision's rate of return than the \$9.00/mo. basic rate. If the company's rate of return should improve to the point that it is consistent with the projections, then the 5% fee should be restored. The City Attorney has been asked to work with Steve Hubbard and Les Page to come up with this formula.

Finally, we determined that the company should be held to the rate freeze established by the franchise. Section 9.6 provides that no increase in basic rates can take effect until two years from the date the franchise was awarded. The recommended increase should not be implemented until June 1, 1985, when this period expires.

In conclusion, the Commission recommends the following:

- 1) An increase in the basic service rate from \$7.50/mo. to \$9.00/mo., effective June 1, 1985.
- 2) A reduction in the franchise fee from 3% to 5% of gross revenues.
- 3) A requirement that if the company's rate of return improves, the franchise fee would be increased to 5%.

Please advise us when this matter will be considered by the Council and we will be happy to send a representative to explain our recommendations.

JOYCE COHEN  
CLACKAMAS AND WASHINGTON COUNTIES  
DISTRICT 13

REPLY TO ADDRESS INDICATED:

- Senate Chamber  
Salem, Oregon 97310-1347  
 P.O. Box 385  
Lake Oswego, Oregon 97034



OREGON STATE SENATE  
SALEM, OREGON  
97310-1347

COMMITTEES  
Chairperson:  
Business, Housing and Finance  
Co-Chairperson:  
Trade and Economic Development  
Member:  
Senate Judiciary  
Rules  
Environment and  
Natural Resources

Dear Fellow Oregonian:

Thank you for sharing your views about sales tax legislation. The House tax reform package consists of three bills: HJR 4, HB 2010 and HB 2192. HJR 4 amends the Oregon Constitution to limit and dedicate a general retail sales tax, to limit school property taxes and to put into effect HB 2010, which enacts the sales tax and limits state expenditures. HB 2192 provides for a September election on the sales tax this year.

The possibility of a state sales tax has been nagging at us for a long, long time. In today's climate it appears to have taken on the glow of inevitability.

There is a clear economic and moral imperative to resolve our revenue crisis in an equitable manner. I intend to do everything in my power to assure that Oregon's tax structure is analyzed critically during the 1985 session, opened up for public scrutiny and tested for realistic and feasible goals. My concern is that a sales tax not be an added burden to our economy and our people, and that the measure referred to the voters not contain inequitable shifts of funds or hidden agenda of any kind. We have reached a point where there is no revenue to be had for some of Oregon's most pressing and painful problems. Funding for schools is an absolute necessity, as is property tax relief. We must present the voters with clear, concise language about real solutions to real problems. And the people of Oregon must be willing to move beyond the status quo as Oregonians.

Enclosed is a portion of the Legislative Revenue research report (#2-85) which pertains to the House sales tax package. Please contact the Legislative Revenue Office directly if you would like to review the entire report.

Thanks again for your involvement in this important legislative problem. I am open to your comments and appreciate your interest and advice, and will keep your remarks at hand for reference as these measures develop in the Senate.

Sincerely,

  
JOYCE COHEN

## HOUSE TAX PLAN

- 5% sales tax on goods only (\$859 million gross, 1986-87)
- Exempts home food, medicines, utilities, rent, home sales
- Services, intangibles not taxable by definition
- Vote of people required to change exemptions after 1987
- 85% to property tax relief (33% reduction)
- 15% to income tax relief (9% reduction - top rate 9.3%)
- Equivalent rent relief (\$47 million)
- Low income refund - up to \$40 per person (\$19 million)
- Retailer discount 2% of collections (\$17 million)
- New Constitutional limit on schools and community colleges
  - Establishes new tax bases
  - Bases reduced by the 85% property share of relief
  - Prohibits levies outside base
  - Base increased at primary or general election or by  
petition for May election
  - Base can increase by 6% per year
- 2 tax election limit for other districts - May & September
- State spending limit
  - Based on growth of personal income in Oregon
  - Aid to schools and community colleges outside base
  - Excess revenues into rainy day fund  
(up to 3% per year, 10% total)
  - Further excess to income tax relief
- Timber severance tax rate reduced
  - Western Oregon - from 6.5% to 5%
  - Eastern Oregon - from 5% to 3.8%
- Sales tax starts May 1, 1986
- Vote on September 17, 1985

## RETAIL SALES TAX

The House plan imposes a 5% narrow-based retail sales tax. It is a narrow-based tax because sales of tangible personal property (goods) are taxed and sales of services are not. It is called a retail sales tax because it applies only on sales to final consumers.

Taxable goods purchased by households are taxable because the household is the consumer. Goods purchased by business are taxable if consumed by the business. Examples of goods consumed by businesses are machinery and equipment (they wear out, or are consumed, slowly) and supplies that are used up in the production process, but do not become part of a final product (often called "consumables").

Sales by manufacturers to wholesalers or by wholesalers to retailers are not taxable. These sales are not to final consumers. They are called "sales for resale".

One type of "sale for resale" is the so-called "ingredient rule". The ingredient rule exempts the purchase of goods which will become a physical part of a product to be sold at retail. An example is the glue and the peeler logs purchased by a plywood manufacturer. These goods are purchased for resale as a part of the final product and are not taxable.

### Exemptions

HJR 4 and HB 2010 contain four types of exemptions from the sales tax.

- Exemptions by definition
- Sales of specific goods
- Purchases by certain consumers
- Sales by certain sellers

### Exemptions by definition

Services are not tangible personal property. Real estate is real property, not personal property. And stocks and bonds are intangible personal property. So sales of these items are not taxable, even though there may be no specific exemption for them.

### Specific goods exempted

Most exemptions are for specific goods. Here is a partial li

#### Food

Food for home consumption is exempt from the sales tax. This exemption does not include beer, wine or alcohol, soda pop, or restaurant meals. However, some meals are exempt, such as meals served by schools to students, charitable fund raisers, and meals served to handicapped, elderly, or needy people.

#### Medicines

The sale of prescription medicines is exempt. This includes medicines prescribed by a doctor, dentist, osteopath, physician assistant, nurse practitioner or podiatrist. The medicine exemption is quite broad ranging from prescription drugs purchased from a pharmacist to oxygen equipment purchased at the direction of a physician. Items exempted include: preparations used to treat patients, auditory, prosthetic, ophthalmic, dental and ocular devices, splints, bandages, wheelchairs, canes, dentures, hearing aids, glasses and contact lenses, and many other items.

#### Trade-ins

Although automobiles, machinery, and other durable goods are taxable, the taxable purchase price may be reduced by the value of any trade-in directly involved in the sale.

#### New homes

The sale of a new home is exempt to the purchaser. However, the builder must pay sales tax on all materials used in the home. In effect, the builder is treated as the consumer of the materials. For manufactured housing, 70% of the wholesale price is taxable. This fraction is based on data about the share that materials represent in the cost of a manufactured home.

### Other Items

Below is a partial list of other exemptions.

- Animal life, feed, seed, plants, pesticides, and fertilizer
- Cigarettes
- Containers
- Newspapers and magazines
- Gasoline and diesel for highway use
- Fuel oil, natural gas, electricity, firewood, geothermal and nuclear fuel
- Aircraft and watercraft sold in interstate commerce
- Deep sea fishing boats
- Autos sold to nonresidents
- Used mobile homes
- Rail freight cars
- Goods shipped out of state before use

### Purchases by certain consumers

#### Federal Government

Purchases by the Federal government cannot be taxed and so are exempt. However, federal contractors are taxable as the consumer of materials used in construction projects.

#### State and Local Government

Purchases by the State and local governments are also exempt. However, these governments are subject to tax on purchases for enterprise activities. Enterprise activities are those run like a private business that are financed primarily through user fees.

### Sales by certain sellers

#### Sales by Charitable Organizations

Goods made or prepared by charitable organizations and sold to needy individuals as a matter of assistance are exempt. Also nonretail store sales by charitable organizations are exempt.

### Occasional Sales

Occasional sales are sales by persons who are not retailers. Garage sales or the sale of an item through the newspaper would be considered an occasional sale. The sales tax is not imposed on these transactions. However, regular participants in swap meets and flea markets are retailers and would be required to collect sales tax. Sales of motor vehicles, boats and airplanes are not occasional sales. The tax is collected by the Motor Vehicles Division when the title is transferred to the new owner.

### Use Tax

The use tax is a complement to the sales tax. The use tax has the same rate as the sales tax and is only collected when the sales tax has not been paid.

The most common application of the use tax is on goods purchased from out of state retailers. Most states do not impose the sales tax on items shipped out of state. Without the use tax these goods could be purchased tax free while goods purchased inside the state would be taxed.

### Administration

#### Tax Collected by Retailers

Although the retail sales tax is a tax on consumers, the tax is actually imposed on retailers. The tax is 5% of the retailer's gross receipts from the sale of goods subject to tax. The retailer gets his or her money back by adding the amount of the tax to the purchase price and collecting from the consumer.

Businesses selling at retail must get a seller's permit (no fee) from the Department of Revenue. Retailers keep 2% of the tax due as compensation for their costs of collecting the sales tax. Below is an example.

Taxable sales	\$2,000,000
Tax collected	\$100,000
2% to retailer	\$2,000
98% to State	\$98,000

REVENUE IMPACT

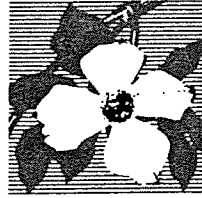
Revenue Summary

The sales tax begins May 1, 1986. Because of collection lags, this date means that 1986-87 will barely be a full year of collections. The estimated collections are summarized below.

SALES TAX COLLECTIONS  
First year  
1986-87

Gross revenue	\$854 million
Retailer discount	-17
Administration	-12
Low income refund	<u>-19</u>
Net revenue to tax relief	\$806 million
Renter tax relief	\$47 million
Remaining balance	\$759 million
85% to property tax relief	\$645 million
15% to income tax relief	\$114 million
State-wide average	33% (first year)
property tax reduction	35% (second year)
Average income tax relief	9%

# CITY OF MILWAUKIE



PLANNING DEPARTMENT  
*in the City Hall • phone 659-5171*

16 April 1985

TO: Mayor and Council

FROM: Planning Commission

RE: Draft Ordinance for Mandatory Park Dedication

The draft ordinance was discussed during the 9 April 1985 meeting, and the following points were raised by the Commissioners.

The City's Comprehensive Plan calls for the development of a "Park Master Plan" which should indicate, among other things, the types and potential future locations of parks. Without such a Plan, the Mandatory Dedication Ordinance appears to be both out of sequence and inappropriate. What is the time-frame for adopting the Ordinance?