

MILWAUKIE  
CITY COUNCIL MEETING  
February 15, 1983  
7 p.m.

COUNCIL CHAMBERS

1426th Meeting

At 6 p.m., prior to the regular Council meeting an executive session was held under ORS 192.660 (1) (d) to discuss labor negotiations. All Council members were present.

The one hundred twenty sixth meeting of the Milwaukie City Council was held on February 15, 1983 with the following councilors present:

Mayor Joy Burgess	Don Graf
Ron Kinsella	Roger Hall
Mike Richmond	

Also present:

Hugh Brown, City Manager	Ron Schanaker, Police Chief
Greg Eades, City Attorney	Dick Bailey, Fire Chief
Steve Hall, Pub. Works Director	Gordon Erickson, Finance Dir.
	Laurie Perkin, Secretary

The invocation was given by Don Graf and the pledge of allegiance was recited.

Mayor Burgess announced that there would be a continuation of the executive session after the regular meeting.

AUDIENCE PARTICIPATION

Don Paul of the European Spa and Raquet Center, addressed the Council regarding construction of a fitness trail in North Clackamas Park. The trail would accomodate handicapped persons and seniors and would be funded through a series of road runs sponsored by the spa. Steve Lebwohl of Wildwood Playgrounds, the company which would provide the equipment, explained the design of the trail and the types of equipment and exercise. Randy Westrick, Parks and Recreation Superintendent, said the the Parks and Recreation Commission had approved the project. He described the location of the trail and said it would not interfere with the senior center. He said the project fit in with the master plan for the park and would be turned over to the city when completed. Council approved the project and asked to be kept informed of the progress.

Louis Bruneau, Chairman of the Traffic Safety Commission, requested Council approval for the Traffic Safety Commission to become involved in legislation in the areas of drunk driving and child safety seats. This would involve members of the commission going to Salem to some meetings and writing letters of recommendation to the legislature. He said the Commission did not plan to get involved in anything controversial. It was the concurrence of Council that the Traffic Safety Commission be allowed to represent the city regarding the two

issues mentioned and if they planned to become involved in other issues Council would be informed.

Bill Hupp provided staff with a newspaper article on double taxation and asked that copies be made for the Council. The City Manager said this has been discussed by staff, that there was a study being done in Washington County on this matter, and that the city planned a similar investigation.

Jim Backenstos provided Council with pictures of repair work done at the Fire Department and commended the Fire Department personnel for their cost cutting efforts. He referred to Chief Schanaker's memo of February 11 regarding downtown patrol. He said he was still convinced that volunteers could mark cars and that more squad cars should be seen in the downtown area to serve as a warning to burglars, etc. He suggested giving an award to defensive drivers.

Police Chief responded to Backenstos's remarks. He said that 50% of citations issued were courtesy citations. He mentioned working with young people in drivers training and said that there has been a significant drop in accidents.

#### LEGISLATION

It was MOVED by Graf, SECONDED by Hall, that the bills listed for February 15 be approved for payment. There were questions from Council regarding the roof at the Center. City Attorney said the city was close to getting a contract for a new roof. Bill Hupp asked about the Allens Press Clipping service. The City Manager said it had been discontinued. Backenstos asked why the city shops were not doing work on the police cars. Steve Hall, Public Works Director, mentioned the equipment repair fund and said that this program is just getting off the ground, that the shops are now in a position to do work on the police cars. The Mayor asked about washing the cars at the shop. Public Works Director said this was not cost effective. Police Chief said that the Police Department had its cars washed at Rub-A-Dub for one dollar. Backenstos suggested high school students and community corrections people could do this sort of thing. On the MOTION to approve payment of the bills, MOTION CARRIED unanimously.

#### Street Vacation- Jefferson Street

Public Works Director said that the County Surveyor was not satisfied with the legal description contained in Ordinance 1534 passed by the Council on January 18. He said that staff will have the legal descriptions approved by the surveyor before they are put in ordinance form from now on. It was MOVED by Graf, SECONDED by Hall, to read Ordinance 1536 the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE VACATING A PORTION OF JEFFERSON STREET RIGHT-OF-WAY FROM MCLOUGHLIN BLVD. TO THE OLD PORTLAND TRACTION COMPANY RIGHT-OF-WAY ALONG THE SOUTH SIDE OF 10993 SE MCLOUGHLIN BLVD., AND REPEALING ORDINANCE NO. 1534.) MOTION CARRIED unanimously.

It was MOVED by Graf, SECONDED by Hall, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Kinsella, to adopt Ordinance 1536. MOTION CARRIED with the following roll call vote: AYES: Burgess, Kinsella, Richmond, Hall, Graf. NOES: none.

Progress pay estimate # 4

Public Works Director has requested Council approval of payment in the amount of \$6,014.69 to Rean Constructors, Inc. for pump house and equipment installation on Well # 7. It was MOVED by Graf, SECONDED by Richmond, to approve request as stated. MOTION CARRIED unanimously.

OTHER BUSINESS

City Manager said that the 911 consortium proposal has been taken off the agenda due to recent questions which have arisen concerning costs.

Audit Report

Finance Director said since Council had received the audit report on January 31, he wished to discuss major changes from prior reports and summarize major activities. He introduced Bill Landwehr of Coopers and Lybrand who presented the official report. Mr. Landwehr discussed the importance of fixed asset records. He said the city had made an effort to do this in the past year but needed to continue these efforts. He discussed the importance of monitoring revenues on a month by month basis and said the city should pay close attention to delinquent property taxes. There were questions from Council concerning cash flow, investments in local banks, fixed asset accountability, delinquent assessments and methods of record keeping.

Goal Statement

City Manager has asked official endorsement of the goals formulated by the Council in January. Graf said it should be pointed out that the goals were not listed in priority order and that number five regarding maintenance of services should be number one priority. Council agreed that a statement explaining that the goals were not listed in priority be added to the Goal Statement. Mayor Burgess suggested adding a number 5.6 under Service Provision to read "encourage citizen participation through volunteerism". The Parks and Recreation Commission have asked that the word "reestablish" be deleted from 5.5 under Service Provision. It was MOVED by Richmond, SECONDED by Kinsella, to adopt goals as amended. MOTION CARRIED unanimously.

Enforcement of Sewer Connections

Public Works Director has submitted memo dated January 11, 1983 regarding enforcement of sewer connections and requesting that staff be allowed to proceed with the enforcement of city ordinances 981 and 1098 which grant the authority to require sewer connection. There are at least 114 properties which are not connected he said. He has listed recommendations which included the redrafting of current ordinances and consideration of city loans to low income property owners.

Hall suggested that people be given a time frame within which to pay for this. Public Works Director said six months to a year was normally given unless there was a public health problem. It was MOVED by Graf, SECONDED by Hall, that the City Attorney prepare an ordinance which would incorporate the suggestions of the Public Works Director. MOTION CARRIED unanimously.

It was MOVED by Kinsella that the City Manager and his Administrative Assistants, Jo Durand and Bill McDonald be appointed the negotiating team for the city with City Attorney providing technical assistance. MOTION FAILED for lack of a second. It was MOVED by Richmond, that the City Manager be appointed director of labor negotiations using his staff as he sees fit with City Attorney included as an advisory person primarily to the Council. MOTION FAILED for lack of a second. It was MOVED by Graf, SECONDED by Hall, that Cascade Employers Association be hired for a period of two years to handle all labor negotiations for the city. MOTION FAILED with the following vote: AYES: Graf, Hall. NOES: Burgess, Richmond, Kinsella. It was MOVED by Kinsella, SECONDED by Burgess, that the City Manager and Bill McDonald be appointed as main spokesmen in the negotiations with Jo Durand and City Attorney providing technical assistance. MOTION FAILED with the following vote: AYE: Kinsella, NOES: Burgess, Richmond, Graf, Hall. It was MOVED by Burgess, SECONDED by Hall, that the City Manager have overall responsibility for labor negotiations with City Attorney and Jo Durand as the negotiating team. MOTION CARRIED with the following vote: AYES: Kinsella, Richmond, Burgess, Hall. NO: Graf.

Graf said that he had seen in Time Magazine an article on cities which had developed "wish books" listing articles or services which could be donated. One of the cities, he said, was Oregon City and he thought this would be a good idea for Milwaukie. The City Manager said that staff was currently working on such a project.

#### CONSENT AGENDA

Approval of minutes - February 1 and 3, 1983

Request for Leave of Absence - Cleo Kielbowicz, Library Page  
Liquor license renewals - Plaid Pantries Inc., Pal's Shanty,  
American Legion Post No. 180.

It was MOVED by Hall, SECONDED by Graf, to adopt the consent agenda. MOTION CARRIED unanimously.

#### INFORMATION

Mayor Burgess said that if any Council member saw the need for a separate work session to deal with departmental reports, it should be brought up at a later date.

City Manager said that the city is going through an investigation of employee withdrawal from the Social Security System and he would have a report to bring to Council at a later meeting.

Mayor Burgess commented on an article in the LOC report regarding Federal Revenue Sharing and suggested that a letter be sent to the legislature as well as to the two congressmen mentioned in the article who are sponsoring bills which would continue Federal Revenue Sharing. The letter should state the city's support for the continuation of Federal Revenue Sharing. The Council concurred that such a letter should be written.

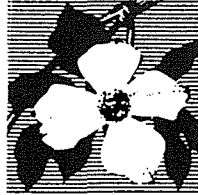
The meeting adjourned at 9:45 to go into executive session under ORS 192.660 (1) (d) to discuss labor negotiations.

The executive session adjourned at 10:55 p.m.

Mayor Joy Burgess

Laurie Perkin, Secretary

# CITY OF MILWAUKIE



OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

## CITY COUNCIL AGENDA February 15, 1983 7 p.m.

### COUNCIL CHAMBERS

### REGULAR MEETING (1426th)

6:00 p.m. - Executive Session under ORS 192.660(1)(d) re labor neg.

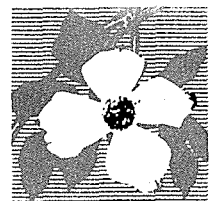
- I CALL TO ORDER
  - a) Call to order
  - b) Invocation
  - c) Pledge of allegiance
  
- II AUDIENCE PARTICIPATION
  - a) Proposal re Fitness Trail in North Clackamas Park-Don Paul, European Health Spa
  - c) Traffic Safety Commission recommendation re Traffic Safety Legislation- Louis Bruneau, Chairman
  
- III LEGISLATION
  - a) Payment of bills
  - b) Street Vacation - Jefferson Street

ORDINANCE NUMBER

  - c) Progress Pay Estimate - Well # 7
  
- IV OTHER BUSINESS
  - a) 911 Consortium Proposal
  - b) Consideration of goal statement for budget year 1983-84
  - c) Memo from Finance Director re 1981-82 Audit Report
  - d) Enforcement of Sewer Connections
  
- V CONSENT AGENDA
  - a) Approval of Minutes - February 1st and 3rd - 1983
  - b) Request for Leave of Absence
  - c) Liquor license renewal-Plaid Pantries Inc.
  - d) Liquor license renewal-Pal's Shanty
  - e) Liquor license renewal-American Legion Post No. 180
  
- VI INFORMATION
  - a) Annual Reports: Police, Fire, Public Works
  - b) Memo from CAB/SCAC re Center Evaluation
  - c) Memo from City Manager re Social Security
  - d) Federal Revenue Sharing Report
  - e) Letter to/from Representative Kerans re tax reform
  - f) Letter to/from Dale Harlan
  - g) Letter to/from Vivian Brandt re street repairs
  - h) Planning Commission Minutes - 1/11/83
  - i) Center Advisory Board Minutes- 1/21/83
  - j) Solid Waste Task Force Minutes - 1/27/83
  - k) Task Force on Poverty Minutes- 1/27/83

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MILWAUKIE



# CITY OF MILWAUKIE

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PARKS & RECREATION

January 26, 1983

TO: Hugh Brown  
City Manager

FROM: Randy Westrick *Randy*  
Parks & Recreation Sup't

SUBJECT: European Spa & Racquet Center exercise course proposal.

At its January 24, 1983 meeting, the Parks & Recreation Commission heard a proposal from Don Paul of European Spa & Racquet Center and Steve Lebwohl of Wildwood Playgrounds to construct a fitness trail in North Clackamas Park. The trail will be one mile in length and it will be paved to accommodate wheelchairs and all-weather use. Twenty two activity stations will be located along the route and these will be designed for all athletes, including the handicapped, non-handicapped, and seniors. A signing system will be included which will introduce the users to the trail and will provide instruction signs at each station to inform as to the proper use of the equipment to maximize the benefits available. An example of the signs to be used was shared with the Commission and they are very attractive and vandal resistant.

The Commission was assured that the facility would be provided at no expense to the city. It will be funded by the European Spa & Racquet Center through a series of road runs and fund raisers which they are currently planning. The value of the system is approximately \$12,000. The spa is currently organizing sponsors and other details for these events.

European Spa & Racquet Center did express motivations for their participation in project. The trail will serve promote their business. They do expect, and I feel rightfully so, to be recognized permanently on the course as having worked in partnership with the city to build the course. This would probably in the form of a sign. Once the trail is built, it would belong to the city to operate and program as it sees fit. The spa also has expressed a desire to "put something back into community" in which it does business. The project would be an expression of the spa's civic pride. Finally, the spa sees a need for outdoor recreational facilities for the handicapped. Its staff and handicapped customers have expressed and witnessed a lack of facilities in the area for these populations. For this reason the course will be designed and built for the handicapped as well as the non-handicapped athlete.

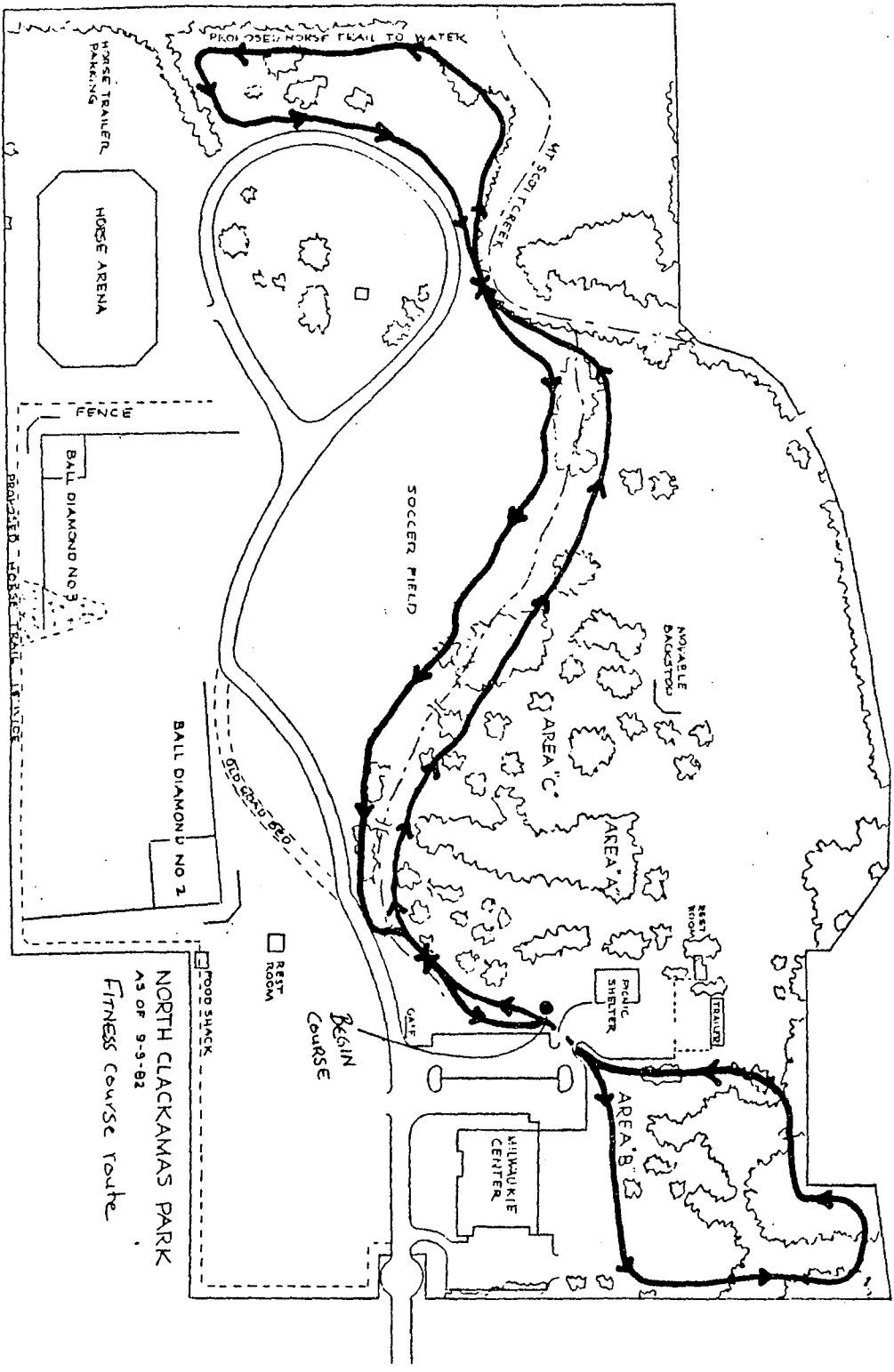
The Parks & Recreation Commission was very excited about the proposal and it voted unanimously to approve the concept. The Commission asked that Mr. Paul and Mr. Lebwohl return to its February 28, 1983 meeting with specific designs for the course and details about the fund raising events for them to review. I will be working closely with Mr. Paul and Mr. Lebwohl as well as the Commission to coordinate the development of the plans. If you like, I can arrange for you to meet with the people from the spa to

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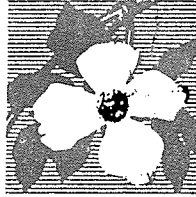
discuss the project. I am sure representatives of the spa are available to attend a council meeting if necessary. Members of the Parks & Recreation Commission and I are also available to brief the City Council on the project if you or the Council see that as necessary.

cc: Topaz Faulkner  
Community Services Director  
PARC

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# CITY OF MILWAUKIE



February 3, 1983

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C  
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## MEMORANDUM

TO: Mayor and City Council  
FROM: Traffic Safety Commission  
SUBJECT: Recommendation - Traffic Safety Legislation

As you know, the 62nd Oregon Legislative Assembly is currently meeting in regular session. There are several Senate and House Bills being considered and others will be introduced that are of vital concern to all of us sensitive to traffic safety.

The major thrust areas of this proposed legislation are:

- o Drunk Drivers
- o Child Safety Systems

There is a nationwide effort to get the drunken driver off our roads and streets. President Reagan has appointed a national task force to develop programs to solve this most serious traffic safety problem. Governor Atiyeh has likewise appointed a state task force to deal with the problem locally. Several of the findings of these groups are in the form of proposed legislation.

Also there is a national movement to save the lives of children, who would otherwise be killed in vehicle crashes, by use of appropriate child safety seats. Twenty states and the District of Columbia have mandatory child safety seat laws and Hawaii offers a tax incentive. There are 34 House sponsors and 17 Senate sponsors for a child safety system law.

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Some other traffic safety topics may come up in proposed legislation. We are concerned about such areas as:

- o Upgrading of driver performance through education and enforcement
- o Encouraging the use of safety belts in all passenger vehicles
- o An ongoing program of traffic safety education, including the driver training program in the school system
- o Further attention to pedestrian and cyclist safety
- o Improved safety designs and spot improvements on existing roads.

In order to promote the city's interests and further the cause of traffic safety, the Commission requests authorization of the City Council to correspond with State Legislators and present testimony at public hearings on behalf of the City. Such support of legislation would be in cooperation with the Oregon Traffic Safety Commission, the Oregon Department of Transportation, The Oregon Highway Users Conference and other responsible organizations involved in traffic safety; we are not proposing taking the lead on any traffic safety issues.

May we proceed on the City's behalf?

LWB:cj



Louis W. Bruneau  
Chairman

# Anatomy of a



It happens in a flash but its effects can go on forever, touching the lives of many. This is the heartrending story of a family tragedy that could happen to any of us, at any moment. By David Nimmons

8:01 P.M., Thursday, August 7, 1980.

The California dusk was deepening as the Ryan family piled into their brown Cutlass and drove down the driveway of their Vacaville home. In the front seat, Jewell Ryan smiled at her husband Dick. Just four days before, they had celebrated their third anniversary, and Jewell knew she had never loved him more.

Dick was warmhearted and solid, as Irish as his name, with a perpetual smile and the keenest blue eyes Jewell had ever seen.

In the back seat, their two-year-old daughter Bridget giggled and played with her half-sister Mary, Jewell's daughter by a previous marriage. Mary was 20 and a hairstylist in town.

This summer was special for Mary. She was in love, really in love, for the first time. "Dave thinks I'm perfect, Mom!" she'd laugh, her eyes full of the funny secret that she really had him fooled. Tonight she and Dave were going to a horror movie, and Mary didn't want to be late. It was just past 8 P.M., and her mother and Dick were about to drop her off at her father's house, moments away, on their way to the library.

At 8:05, Gerald Badial, an unemployed 22-year-old, was on his way home from Andrews Park. He'd been drinking and he felt powerful behind the wheel of his 1970 Mercury Cougar. The car had been his just three days, and he enjoyed the way it would cut through traffic. The lights of Davis Street blurred as he pushed down on the accelerator.

The Ryan car was just turning left onto Davis Street. In the front seat, Bridget giggled at the funny animal noises Mary was making. The sound of her daughter's laughter was the last thing Jewell remembered before her car exploded.

There was a hellish roar, a deaf rending of angry metal as the car bucked in a sickening

arc, hurtling sideways 40 feet. Jewell didn't know what had happened. The front seat was littered with Bridget's picture books, and she could feel blood running sticky and warm from her own forehead.

Jewell felt a knifing pain, and her heart thumped wildly. "This is what it's like to die," she thought.

Then she saw Dick. He lay slumped over the steering wheel, now tilted at a strange angle. His face was turned away, but she could see his skin was gray. Jewell reached out and touched his arm. "Dick?" She prodded him. But he didn't answer or move. . . .

Turning, Jewell saw Bridget laying face-up, unmoving, on the top of the back seat. Mary lay crumpled on the back seat, her face frozen in a grotesque cry. There was no sound.

A hand reached in and led Jewell to the curb, where a woman handed her a cloth for her forehead. Dazed and confused, she sat shaking. The ambulance men were there now, and Jewell saw them removing Mary and Bridget from the U-shaped mass of metal that was their car. But they hadn't taken Dick.

Maybe he wasn't hurt as badly as the girls. They all seemed to be standing around. "My God, why doesn't somebody take them to the hospital," Jewell heard herself asking. Finally the ambulances pulled away, sirens screaming.



Before their tragic deaths in August, 1980, little Bridget Ryan was the light of her father Dick's life (left). Now they and Bridget's half-sister Mary (shown with the little girl, facing page, above) live only in the memories of the many people deeply affected by the accident—not only Jewell Ryan, the bereaved mother and wife, but many other relatives, friends, the doctors and baby-sitters. (Above) They gather at the gravesides to mourn those family members whose lives were cut short by the driver who had too much to drink and was on probation from a previous accident. Only Jewell was spared (shown inset, right), but to a life alone.

# Road Accident

Riding in the front seat of the fire department ambulance, Jewell heard the driver of the other car moaning behind her. His leg seemed badly hurt, and she felt compassion for what he must be going through—he seemed so young and in so much pain.

She didn't know then what had happened. Nor did she know that the man was drunk, that his blood alcohol level of .16 percent was well over California's .10 percent "legally drunk" limit. That means a man his size would have to drink the equivalent of nine beers or nine shots of 100-proof whiskey in an hour's time.

Nor did she know then that the man was driving at least 76 mph when he hit the Ryan car and, according to witnesses, may have been traveling at up to 90

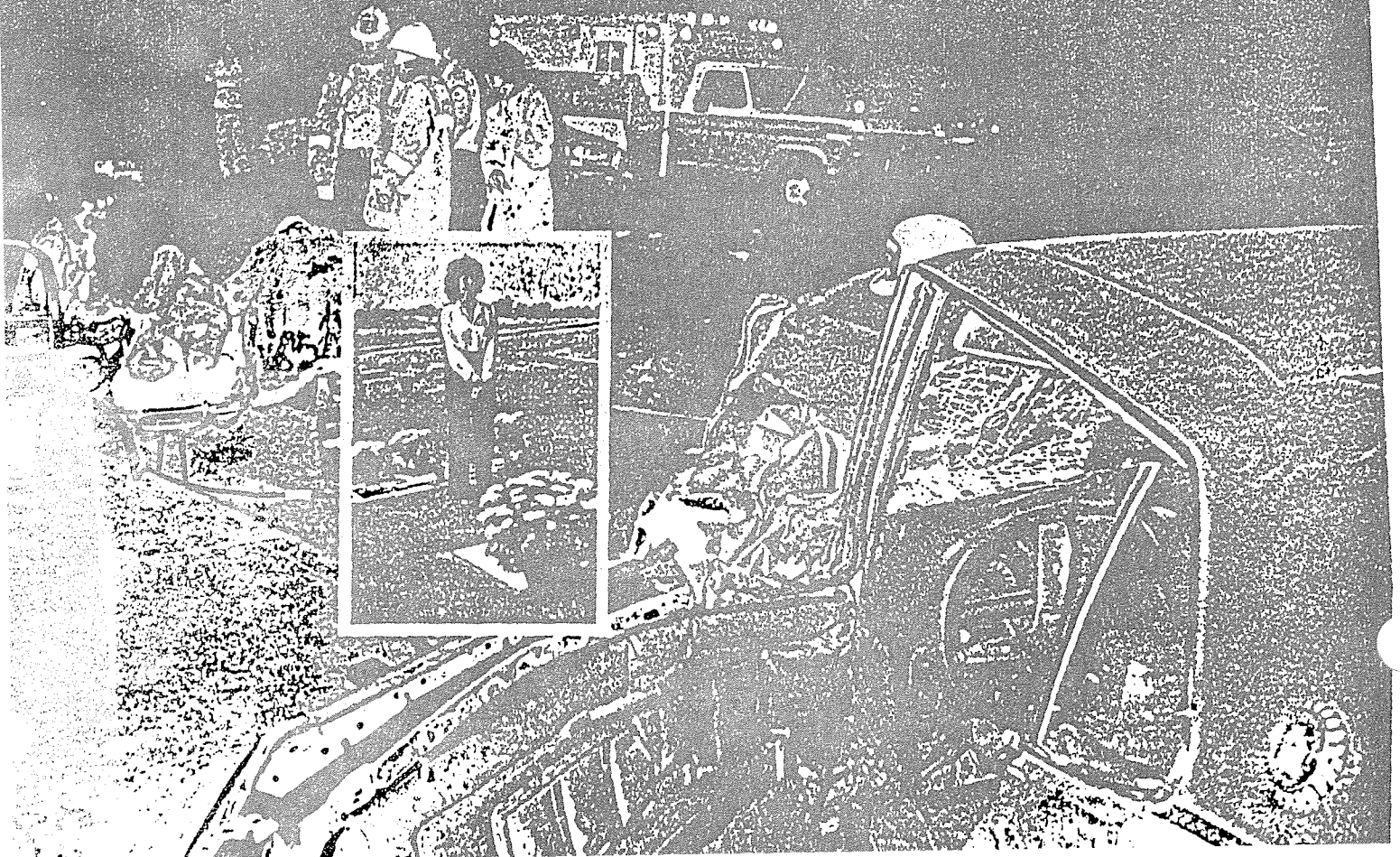
mph in a 30 mph residential zone. She was also unaware, that awful evening, that he was on probation for a previous drunk driving offense.



At 8:15 p.m., three blocks down Davis Street, Jewell's first husband and Mary's father, Tom Thompson, was in his pajamas watching television when he heard the sirens. His daughter was due home any minute. Mary had been living with him for the last two years and took care of him in an extra-special way. Each night he'd come home from his job as a guard at the state prison and she'd have his dinner on the table with a smile for her tired father. And

some nights she'd stay home just to be with him, so he wouldn't be lonely.

At the same time, Mary's (continued on page 88)



## ROAD ACCIDENT

continued

Bridget deteriorate despite all they were doing. "All of our best efforts just didn't work," he said, his right hand clenching a fistful of air.

Dr. Reich's words to Jewell were gentle but direct: "I am sorry, but your little girl is not going to make it. She can go on forever, but there will be nothing there. Just the machines keeping her heart beating. . . ." Jewell thought of her little Bridget, breathing, her skin warm. To her, Bridget was alive. To the doctor, she wasn't. "But your daughter may save two other lives," the doctor continued. Two little boys from San Francisco, six and ten, were dying from terminal kidney disease. A transplant from Bridget could save their lives. Would the family consider it? His words echoed in the air as he left the family alone to make their decision.

At 1:59 P.M. two days later, the doctors turned off the machines. Jewell had agreed to donate her daughter's kidneys to the sick boys. On Thursday, August 14, exactly a week after the accident, Bridget was laid in the same coffin as the father whose life she had filled with laughter.

### Largest public health menace

When Gerald's car rammed hers on that August evening, Jewell Ryan became a statistic in what some call "the nation's largest public health menace" and others term "a national disgrace." Auto accidents kill more people under 40 than any other cause.

This year, 51,000 people will die in explosions of metal and flame; fully half of these accidents involve alcohol.

Of 60 children born today, one will die, and three others will be gravely injured in car accidents before they reach their 40th birthday. Drunken drivers will kill 70 people today alone. They will injure 2,150 more. Yesterday was the same, and the day before that. It will happen tomorrow and every day this year.

If the numbers are hard to grasp, consider this: If you are out driving on a Friday or Saturday night, one out of every ten cars around you will be driven by a person too drunk to control it. Only one in 2,000 of these drivers will be arrested. Of those, virtually none will spend a day in prison.

Or consider: Since you picked up this magazine, somewhere a drunk driver has killed someone—someone like Dick or Mary or Bridget, someone with family and friends, parents, wives and children. Most of us think it can't happen to our loved ones or ourselves . . . that's just what Jewell thought, too.

Since that night, Jewell's life has been filled with pain and sorrow. Her left wrist was so badly mangled in the accident that her hand was useless. "I was as helpless as a child in the first few months. In restaurants, my family had to cut up my food." Her eyes drop in embarrassment. "I even needed help in the bathroom."

Jewell underwent grueling physical therapy every day for five months. "It was the worst pain I'd ever felt. I've never felt that kind of pain." But the deepest hurt came from loneliness.

Every day for months, Jewell went to the cemetery. She sat by the graves, talking with her lost family. She might start with Dick, but then she'd feel she was neglecting Mary or Bridget. "I felt so guilty, I'd jump from one to the next," she recalls. "It was unreal."

Her quietest times for Jewell were the mornings, when she awoke each day hoping she'd dreamed it all. Then the truth would rush over her again. She left the television on all night, any voice to keep the terrifying silence at bay, the silence that let her remember.

Each day held her in a web of memories: In the grocery store, she would reach, by habit, for Dick's (continued)

## ROAD ACCIDENT

continued from page 79

boyfriend, Dave Stevenson, a 24-year-old graphic designer, was wondering where Mary was. Then the phone rang; it was Mary's best friend, 19-year-old Gaye Graham. "There's been a wreck," she said. "You should get to the hospital."

*Don't worry*, Dave thought to himself. *These fender-benders happen all the time. They're never anything serious.*

But when he drove up to the dun-colored building and told the guard that his girlfriend had just been brought in by ambulance, David saw a strange look cross the man's face.

Inside, he was confronted by tidy rows of empty stretchers. Old and rickety, they were covered with worn olive sheets, each of which had been meticulously mended with green thread. Under the wan fluorescent lights, the walls seemed to glow with the same weary green. Everything was slowed down, and he felt he was in the middle of a plodding green dream. He had to keep reminding himself that this was real, very real.

Jewell's oldest daughter, 29-year-old Brenda Manzer, had received a similar phone call. "Your mother has minor injuries," she was told. Minor injuries . . . The phrase comforted her all the way to the hospital.

But there, Brenda's knees nearly gave way. Jewell's face and hair were caked with blood, her left arm hung limply in a sling. As Brenda rushed to her side, Jewell looked up: "Dick—I think he's dead. He's dead. I don't know—I just feel it. And Mary and Bridget are unconscious."

Brenda couldn't believe what she was hearing. "No . . . she's wrong," she told herself, as nurses took her mother to the emergency room.

A few moments later, a police officer and the coroner approached. Her stomach tightened as the policeman told Brenda that her stepfather had died instantly. In her shaking hand, the coroner placed Dick's wallet.

Like a sleepwalker, Brenda joined her father, Tom Thompson, and Mary's boyfriend, outside Mary's room.

Her father spoke first. "They don't think Mary's going to make it." Overcome, Brenda reached out and slammed both her fists into her father's chest. She was screaming inside: "No, he's lying to me!"

Moments later, at 12 minutes after midnight, Mary—their radiant, laughing Mary—was dead.

Upstairs, the medics were working on Jewell to close the three-inch long slash that split her forehead and to set her shattered wrist. She had not yet been informed of the deaths. And she

fought with herself to control her swelling terror.

It was not until 5:30 Friday morning, when Jewell was finally taken to her hospital room, that Brenda told her. "Now, it's Bridget, Mom. You've got to concentrate on her. There's nothing else you can do." Then, he died in the half-light, they held each other and cried, mother and daughter without Dick, without Mary.

The next few days the whole family kept vigil at Bridget's bedside. Robert, 23, Dick's youngest son, read to his little stepsister, the way his Dad used to. He played her favorite songs on his tape recorder. Jewell was there every moment possible. She longed to reach out to her baby—to hold her, to rock her, but she could only look—no touch. The nurses told her not to, lest she disturb the web of wires that held Bridget in her tenuous sleep . . .

### Memories flood back

In those long hours beside the hospital crib, Jewell's memories of the last three years flooded back to her. The still child before her had been a symbol of the new life Dick and she had built together. She knew how proud Dick had been; how his world rose and fell over the sparkling toddler.

As she sat by the crib, Jewell's memories echoed with Bridget's nightly balmy prayers, or Bridget, with her tiny wailing can at her side as she worked in the garden. Over and over she prayed to herself during those first days: "Please, if I can have Bridget, I don't care if she's a vegetable. I'll spend my life taking care of her."

On Monday, August 11, Mary's 19-year-old sister Jennifer knocked on Dave Stevenson's door. It was his 25th birthday. It was also the day of Dick and Mary's funeral. Jennifer held her arms the birthday present her dead sister had picked out three days before . . . a big stuffed dinosaur, her playful reminder that there were worse things in life than passing one's 25th birthday. Silently, Dave took the unwrapped gift and the card, still unsigned. "I've got to get down to the hospital," Jennifer told him. "The doctors want to see us."

Dr. Harald Reich sighed as he walked into the blue cubicle that served as his office and examination room. He hated what he had to do that morning. There was no easy way to tell a family that their beautiful child's life was over—that she was just being kept alive by machines.

Four doors down the hall, Dr. Robert Hylander put down the chart he was reading. An intern, it was the first time he'd had to face the death of a child. The night the Ryan family was brought in was only his second on call, and he had watched (continued)

## ROAD ACCIDENT

continued

favorite tomato soup. She returned the new bed they had bought for Bridget. Dick had just finished assembling it the day he was killed. The night of the accident would have been Bridget's first night in her own grown-up bed.

Reminders never ceased. One day, an envelope arrived with a bill for six overdue books from the library. They were the books that were flung all over the front seat that terrible night.

"They say the first year is the worst," muses Jewell. "The first birthdays, the first holidays, the first Christmas alone. August will always be such an awful month now. Our wedding anniversary the third, then the next week three deaths on three different days, then Dick's birthday was the twenty-third . . ."

Sometimes memories were part of the healing. Mary had always teased her older sister about the champagne Brenda kept. "I guess you just don't have any special occasions to drink it," Mary would kid her.

On December 20, which would have been Mary's 21st birthday, Brenda and Jennifer took the champagne out to the cemetery, shook it and popped the cork. The champagne mixed with their tears as they drank it. "If anyone had seen us, they would have carted us away!" Brenda says, smiling through misty eyes. "But we had a good cry, I'll tell you. Mary would have loved it."

### Loose ends the worst

For Mary's boyfriend, David, the loose ends were the worst. In the beginning, it was painful even to think about Mary. "Right afterwards, I'd refuse to let it enter my mind. Then later, you want to, but you can't remember the little things, the details."

He pauses, a softness creeping into his voice as he continues. "One day I found Mary's calendar. After August seventh, all the pages were empty. That really threw me. . . ."

The driver of the other car, Gerald Badial, broke his leg in the accident. At 22, he already had a pattern of repeated offenses: A year earlier he had been arrested for drunk driving and put on probation for a year, a sentence for first offenders. His next arrest, only three months later, was more serious. That time, a girl riding in his car was injured in the accident. The judge sentenced him to five days in the county jail, fined him \$425 and placed him on probation for 36 months. He was still on probation from that accident when his car crashed into the Ryans'.

"If that judge hadn't let him out, my family would still be alive," says Jew-

ell, her eyes swelling with angry tears. In this case, Judge William Jensen was tougher. At 9:15 A.M. on July 8, 1981, exactly 11 months to the day Mary died, he sentenced Gerald Badial to five years in state prison.

Tragically, Jewell could not be in court that day to hear the verdict. Three days before, her 44-year-old brother, Del, and his wife, Joyce, 40, were killed when the brakes on their truck failed. Jewell was at their funeral in Florida when Gerald was sentenced.

Forty-eight hours later, on Friday evening, Gerald Badial began serving his sentence. Ironically, it was the same prison where Mary's father, Tom Thompson, works as a correctional sergeant. "They gave me Saturday off," explains Tom. "I didn't want to be there when he came through." Tom was worried that another prisoner might injure Badial to gain favor. Tom asked the staff to place Gerald in pro-

ductive custody. The next day, Badial was sent to another prison.

With time off for good behavior, it is likely that he will be released in three years and four months. "Three years and four months for killing my family." Jewell's mouth draws tight. "Then he'll be out driving again."

There wasn't a member of the Ryan family who didn't suffer, or a friend who wasn't deeply hurt, when Badial's Cougar careened down Davis Street on that hot August night last year. "I don't think any of us will ever be the same," says Jewell. "I used to think how lucky I was never to have lost anyone. Now I see parents with their little children and I feel like telling them: 'Love those children, and show them you love them.' When I see parents letting their children stand up in the car, I want to shake the parents and tell them: 'Don't take your family for granted. They may not be there tomorrow.'" **End**

## DRUNK DRIVING: WHAT CAN BE DONE

"If my daughter had been murdered or raped, nobody would sympathize with the criminal, but she was killed by a drunk driver, so nobody takes it seriously," says Candy Lightner, founder and president of Mothers Against Drunk Drivers (MADD), and mother of Cari Lightner, killed by a hit-and-run driver on May 3, 1980.

Some call it the only socially accepted form of homicide, and with reason. Drunken drivers kill more than 25,000 people each year, yet rarely do they pay for that crime. Instead, charges are often plea bargained, and when prison sentences are given, they're usually light.

Perhaps the biggest problem is that first—and even multiple—drunk driving offenses are treated so casually. Many judges simply levy a light fine and place the offenders on probation. What's more, it's estimated that less than 20 percent of the drunk drivers convicted lose their licenses. And of those who do, 70 percent continue to drive illegally, according to the National Highway and Traffic Safety Administration.

What's wrong with the system? Partly, it's the attitude that juries and judges seem to share. They look at drunk drivers and they see themselves, their friends and their children. All too often, juries, lawmakers, even some police, take the attitude: "There but for the grace of God go I."

Unfortunately, there are also TV programs and movies that make reckless driving look like harmless fun. Says Virginia Macy, a member

of the board of directors of the national Parent Teacher Association, "On TV, kids see characters in high-speed chases and accidents, but they never see the consequences: losing their license, injury, death."

In a way, the most disheartening—and yet at the same time hopeful—part of this problem is that drunk drivers could be stopped if only people cared. Tough laws and tough judges do make a difference. And that's just what groups like MADD are trying to get legislators and voters to see. For instance, the group formed by Candy Lightner has already helped pass some of the nation's strictest drunk-driving legislation in California.

The group also is working in Washington to help toughen federal laws; it has chapters in Maryland, Virginia and Pennsylvania, as well as others starting in 20 more states.

If you are interested in helping, contact: MADD, 5330 Primrose Avenue, Suite 146, Fair Oaks, Calif. 95628. Or call: (916) 966-6233, a 24-hour phone line. Or, write to RID (Remove Intoxicated Drivers), P.O. Box 520, Schenectady, N.Y. 12301. Telephone: (518) 372-0034.

Also, set an example for people to follow. If you're drinking, don't drive. If you're hosting a party, offer snacks (food slows down the absorption of alcohol). Offer non-alcoholic drinks, and make sure that nobody who has had too much to drink gets behind the wheel. In some states, hosts who permit guests to drive home intoxicated are liable for damages if there's an accident.

FACT SHEET ON CHILD PASSENGER SAFETY

II  
C (7)

- . In last ten years, 10,000 children under age five lost their lives as passengers in automobile accidents.
- . In a 30 mph crash, a 15 pound baby will be thrown forward with a force of 450 pounds. That's like falling from a three story building.
- . Tests conducted by the Highway Safety Research Institute show that fatal injuries to children can be reduced by 90% and injuries reduced by 80% by use of approved child restraint devices.
- . In 1980, approximately 60,000 children under age five were injured in motor vehicle accidents in the United States.
- . All child passenger safety seats manufactured after 1/1/81 must meet Federal Safety Standard No. 213 which includes dynamic or simulated crash testing. Twenty seats manufactured by 10 different companies meet the current Federal standard.
- . Most approved child passenger safety seats on the market are approved for children up to 40 pounds or 40 inches. There are actually four different types of child passenger safety seats available. These seats fall into these categories:
  1. infant seats;
  2. toddler seats;
  3. convertible infant and toddler seats; and
  4. booster seats.
- . Child passenger safety seats are available for purchase at most large department stores (including: Sears, J.C. Penney, Wards and K-Mart), through mail order catalogs, at discount stores and at some auto parts stores, auto dealerships and children's specialty stores. Seats range in price from \$30 - \$60.
- . Child passenger safety seats are only effective if used according to manufacturer's specifications. A child safety seat that is placed on the vehicle's seat and not anchored to an existing lap belt will not protect the child against injury.

II  
C (8)

- . An infant should not ride in an infant seat once the baby's head can no longer be adequately protected by the seat. The child is then ready for the toddler size seat.
- . Studies show the safest place for anyone to ride or to place a car seat in a vehicle is in the middle of the back seat.
- . Although it is preferable to use an approved child safety seat, the use of a lap belt is safer than riding unrestrained. Studies indicate that a fatality is over 50 times likely to occur if an occupant is ejected from the vehicle than if he/she is not.
- . Even though children are smaller than adults, a single lap belt should never be used to restrain two persons.
- . There is no car bed manufactured in the USA which meets Federal safety standards on infant protection. Car beds, flimsy "infant carriers" and booster seats designed for household use are not adequate to protect babies in vehicles.
- . 20 states have already enacted statutes requiring protection for child passengers. Two other states have instituted public education programs. One other state (Hawaii) has granted a state income tax credit for purchase of an approved seat.
- . Since 1979, legislative bills regarding child passenger safety were considered in 44 states and the District of Columbia. 18 states approved laws in 1981 and 1982 alone.
- . Most state laws will waive fines if driver shows the court proof of acquisition of an approved child passenger safety seat. This type of legislation is not aimed at punishing drivers or generating monies, but at protecting children from injury.

## Senate Bill 35

II/c (9)

PRINTED PURSUANT TO ORS 171.130 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Department of Transportation)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Changes period of license suspension for refusal to take breathalyzer test to one year for first suspension within five years and three years for subsequent suspensions within five years. Imposes \$75 fee for filing request for hearing before Motor Vehicles Division.

62nd OREGON LEGISLATIVE ASSEMBLY--1983 Regular Session

## Senate Bill 207

PRINTED PURSUANT TO ORS 171.130 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Traffic Safety Commission)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Modifies procedures for suspension of driving privileges for refusal to take implied consent test. Makes procedures correspond to administrative procedures for contested case procedures.

62nd OREGON LEGISLATIVE ASSEMBLY--1983 Regular Session

## House Bill 2078

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Increases third and subsequent convictions for driving under the influence of intoxicants in a seven-year period from a Class A misdemeanor to a Class C felony.

62nd OREGON LEGISLATIVE ASSEMBLY--1983 Regular Session

## House Bill 2420

Sponsored by Representatives FARMER, BAUMAN, COURTNEY, FAWBUSH, FORD, GOLD, L. HILL, KATZ, McCracken, SCHOON, THROOP, Senators FADELEY, GARDNER, WYERS, Representatives BELLAMY, CEASE, JOLIN

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Punishes causing fatality while driving under influence of intoxicants by up to 10 years imprisonment or \$100,000 fine, or both. Adds to grounds for suspension of license. Further limits availability of occupational license to persons who are convicted of driving under the influence of intoxicants. Makes suspension for failure to comply with implied consent law applicable after first hearing rather than after appeal. Adds enforcement provisions to prohibitions against plea bargaining on driving under the influence. Establishes schedule of mandatory penalties, including jail time, for driving under the influence. Lowers permissible

II  
C (10)

## Senate Bill 293

Sponsored by Senators MONROE, BROWN, COHEN, FRYE, HENDRIKSEN, KITZHABER, McCOY, McFARLAND, ROBERTS, STARKOVICH, Representatives BAUMAN, BURROWS, CALOURI, CEASE, COURTNEY, FARMER, FAWBUSH, FORD, HANLON, J. HILL, L. HILL, HOOLEY, GOSTICKA, HUGO, KATZ, KERANS, LEEK, LINDQUIST, MASON, McCracken, MILLER, MYERS, PRIESTLEY, B. ROBERTS, L. ROBERTS, SCAVERA, SHIPRACK, SPRINGER, THROOP, VAN VLIET, WHALLON, YOUNG, ZAJONC, Senators DAY, GARDNER, HAMBY, RYLES, TROW, WYERS, Representative GOLD (at the request of Coalition for Child Restraint Legislation)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires operators of vehicles to provide child safety systems when child is passenger in motor vehicle. Punishes violation with fine not to exceed \$20. Provides exemptions. Prohibits imposition of fine before July 1, 1984. Provides procedure for certification of child safety system by Motor Vehicles Division. Requires rules to conform with Federal Government rules whenever possible. Requires child safety systems sold or installed to comply with standards of division.

Takes effect January 1, 1984.

## Senate Bill 32

PRINTED PURSUANT TO ORS 171.130 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Department of Transportation)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Removes authority of Department of Transportation, cities and counties to reduce speeds to protect highways or promote safety.

## Senate Bill 208

PRINTED PURSUANT TO ORS 171.130 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Traffic Safety Commission)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires persons under 18 years of age to have driver safety course before issuance of driver's license. Allows issuance of probationary license to persons under 18 years of age who do not have safety course.

Describes probationary license.

II  
B  
①

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: GREG EADES, CITY ATTORNEY *JE*

DATE: FEBRUARY 3, 1983

SUBJECT: STREET VACATION ORDINANCE

Ordinance No. 1534, passed on January 18, was returned by the County Surveyor due to perceived defects in the legal description. In order to make the corrections, it will be necessary for Council to pass the attached ordinance to replace the earlier one.

Enclosure: Ordinance  
GE/vk

ORDINANCE NUMBER \_\_\_\_\_

II  
B (2)

AN ORDINANCE OF THE CITY OF MILWAUKIE VACATING A PORTION OF JEFFERSON STREET RIGHT-OF-WAY FROM MCLOUGHLIN BLVD. TO THE OLD PORTLAND TRACTION COMPANY RIGHT-OF-WAY ALONG THE SOUTH SIDE OF 10993 SE MCLOUGHLIN BLVD, AND REPEALING ORDINANCE NO. 1534.

WHEREAS, a public hearing was held before the City Council on January 18, 1983 upon proper notice and in accordance with ORS CHAPTER 271,

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

Section 1. The City Council finds that notice has been duly given of this vacation, consent of the requisite owners has been obtained and the vacation is in the public interest.

Section 2. The following described street is vacated:

A 4.0 foot strip of SE Jefferson Street (County Road No. 208) located in the NE 1/4 of the NE 1/4 of Section 35, T. 1 S., R. 1 E., W.M. more particularly described as follows: The northerly 4.0 feet (measured at a right angle from the northerly boundary) of SE Jefferson Street from U.S. Highway 99 E West to the old Portland Traction Company right-of-way.

Section 3. Ordinance No. 1534 is hereby repealed.

Section 4. The Recorder is directed to file a certified copy of this ordinance with the County Clerk, Assessor and Surveyor for Clackamas County, Oregon.

Read the first time on \_\_\_\_\_, 1983 and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_, 1983.

Signed by the Mayor on \_\_\_\_\_, 1983.

\_\_\_\_\_  
Joy Burgess, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Perkin, Recorder

Approved as to form:

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

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

II  
CO  
①

\*DATE: February 9, 1983

TO: Hugh Brown, City Manager ←  
Gordon Erickson, Comptroller

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

SUBJECT: Progress pay estimate #4  
Pump House/Equipment Installation  
Well #7

Attached is Progress Pay Estimate #4 for the project noted above. This pay estimate reflects work completed through January 1983 and was prepared and approved by Robert D. Kennedy of Cunningham Associates, Inc. engineers for this project. I concur with this estimate and request that City Council approve payment in the amount of \$6,014.69 to REAN Constructors, Inc.

I further request that Finance Personnel be directed to prepare and mail payment to the contractor upon City Council approval of this request.

Payment to be made to: REAN Constructors  
8 Offenbach Place  
Lake Oswego, Oregon 97034

Payment amount: \$6,014.69

Account Number: 30-00-365-00

js

CITY OF MILWAUKIE

WET No. 7

CONSTRUCTING PUMP HOUSE  
AND  
INSTALLING PUMPING EQUIPMENT  
REAN CONSTRUCTORS, INC. CONTRACTOR

III  
C (2)

ESTIMATE NO. 4

PAGE NO. 1 OF 3

CUTOFF DATE: Feb. 9, 1983

	THIS ESTIMATE	PREVIOUS ESTIMATE	TOTAL TO DATE
PROGRESS ESTIMATE	6331.25	35,145.22	41,476.47
EXTRA WORK		478.54	478.54
GROSS AMOUNT OF ESTIMATE	6331.25	35,623.76	41,955.01
LESS 5% RETAINED	316.56	1,781.19	2,097.75
OTHER DEDUCTIONS			
NET AMOUNT	6014.69	33,842.57	39,857.26

TOTAL AMOUNT DUE THIS ESTIMATE \$ 6014.69

ESTIMATE PREPARED BY R.D. Kennedy SLH

APPROVED: CUNNINGHAM ASSOCIATES, INC.

BY R.D. Kennedy

APPROVED: CITY OF MILWAUKIE, OREGON

BY A.M. [Signature]

PAID \_\_\_\_\_  
\_\_\_\_\_

CONSTRUCTING PUMP HOUSE AND  
 INSTALLING PUMPING EQUIPMENT  
 REAN CONSTRUCTORS, INC. CONTRACTOR

ESTIMATE NO. : 4  
 PAGE 2 OF 3

CUTOFF DATE: Feb. 9, 1983

ITEM	PRICE	UNIT	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE	
			Quan	Amount	Quan	Amount	Quan	Amount
1. Mobilization & clean-up	1,500.00	L.S.			65%	975.00	65%	975.00
2. Struct. excav. & disposal	1,400.00	L.S.			100%	1,400.00	100%	1,400.00
3. Concrete, 6sk. inc, reinf.	145.00	C.Y.			19.8	2,871.00	19.8	2,871.00
4. 1½"-0" Crushed rock	15.00	C.Y.			12	180.00	12	180.00
5. 5 8"-0" Crushed rock	15.00	C.Y.			48	720.00	48	720.00
6. Trench excav. & backfill	7.00	C.Y.			45	315.00	45	315.00
7. Furn. & lay 8"D.I. Pipe	18.50	L.F.			54	999.00	54	999.00
8. Furn. & lay C.I. fittings	1.90	Lb.			1887	3,585.30	1887	3,585.30
9. Connect to 18" main	1,000.00	L.S.			100%	1,000.00	100%	1,000.00
10. 8" Flg. x M.J. G.V. & box	400.00	Ea.			1	400.00	1	400.00
11. 8" Flgd. G.V. & Hdwheel	325.00	Ea.			1	325.00	1	325.00
12. Deleted-Addendum No. 1	----	---			---	-----	---	-----
13. 3" Flgd. G.V. & Hdwheel	125.00	Ea.			1	125.00	1	125.00
14. 8" Ck.v. & 3" Pump Control	3,100.00	L.S.	10%	310.00	90%	2,790.00	100%	3,100.00
15. 8" Propeller meter	900.00	L.S.			100%	900.00	100%	900.00
16. 8" Flg. x M.J. Adapter	150.00	Ea.			1	150.00	1	150.00
			XXXX	310.00	XXXX	16,735.30	XXXX	17,045.30

III  
 (5)

WELL NO. 7

CONSTRUCTING PUMP HOUSE AND  
INSTALLING PUMPING EQUIPMENT  
REAN CONSTRUCTORS, INC. CONTRACTOR

ESTIMATE NO. 4  
PAGE 3 OF 3

CUTOFF DATE: Feb. 9, 1983

ITEM	PRICE	UNIT	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE	
			Quan	Amount	Quan	Amount	Quan	Amount
SUBTOTAL BROUGHT FOWARD	XXXXXXXX	XXXX	XXXX	310.00	XXXX	16,735.30	XXXX	17,045.30
17. 4"Flq. x M.J. Adapter	65.00	Ea.			1	65.00	1	65.00
18. Furn. & lay 4" D.I. Pipe	14.50	L.F.			28	406.00	28	406.00
19. 4" Soil, pipe & drains	*1,516.00	L.S.			100%	1,516.00	100%	1,516.00
20. 8" P.V.C. Sever pipe	* 8.11	L.F.			172	1,394.92	172	1,394.92
21. Install pump	1,200.00	L.S.			100%	1,200.00	100%	1,200.00
22. Install diesel engine	600.00	L.S.	50%	300.00	50%	300.00	100%	600.00
23. Install fuel supply syst.	1,00.00	L.S.			100%	1,000.00	100%	1,000.00
24. Pump house superstruture	11,950.00	L.S.	40%	4,780.00	60%	7,170.00	100%	11,950.00
25. Electrical work	4,400.00	L.S.	5%	220.00	90%	3,960.00	95%	4,180.00
26. Small piping	500.00	L.S.	90%	450.00	10%	50.00	100%	500.00
27. Pump control relay	100.00	L.S.						
28. Painting	*1,275.00	L.S.	95%	1,211.25			95%	1,211.25
29. Asphaltic. concr. paving	85.00	Ton			4.8	408.00	4.8	408.00
30. Replacing lawn	600.00	L.S.						
Material on Hand				940.00		940.00		-----
total			XXXXX	6,331.25	XXXX	35,145.22	XXXX	41,476.47

III  
 7

Memorandum

1 JAN 83 16: 49

MILWAUKIE

IV  
a (1)

January 31, 1983

TO: Hugh Brown, City Manager  
FROM: Richard Bailey, Fire Chief  
SUBJECT: 911 Consortium Proposal

Hugh:

As you are aware, I have been working as the City's representative to the Clackamas County 911 User Board Commission and as a member of such have been selected as a member of the Board's Executive Committee.

The Commission has been meeting regularly since early November and working towards the goals of planning and implementing a County-wide enhanced 911 system. Towards these ends the Commission has appointed from among its membership a Technical Committee, a Finance Committee and an Executive Committee. The Commission has also established its own by-laws.

As the Commission has progressed with its work many problems have been encountered which may delay the original target date for total County implementation of December 1985. Such problems as dealing with areas with already established basic 911 systems, areas where telephone prefixes cross county lines and areas where the telephone tax is currently being used as a revenue for basic systems, create significant roadblocks for areas such as ours where planning and development are being delayed due to these problems elsewhere in the County.

As a result of the Commission's ongoing discussions and problems perceived therefrom, the Cities of Oregon City, Gladstone, West Linn and Milwaukie have entered into discussions regarding the potential of these cities developing an enhanced 911 system within their telephone prefix service areas, the cost of which would be met through the telephone tax.


The preliminary results of these discussions indicate two specific outcomes: 1) The Cities of Oregon City, West Linn and Gladstone intend, with or without participation by Milwaukie, to develop a E-911 system for their service areas. 2) That an E-911 system can be developed for the prefix service areas of all these cities including Milwaukie that can be offset by telephone tax revenues.

Page 2 - Memo to City Manager:

IV  
a (2)

Because the proposal by the City Consortium is both practical in terms of cost and potential for development and implementation by the original target date, I strongly recommend the City of Milwaukie join with Oregon City, Gladstone and West Linn and potentially Lake Oswego to plan and implement an enhanced 911 system and that the Council direct a letter to the City Managers of these cities stating such.

If you have any further questions, please let me know.



Richard Bailey, Fire Chief

RB/lo

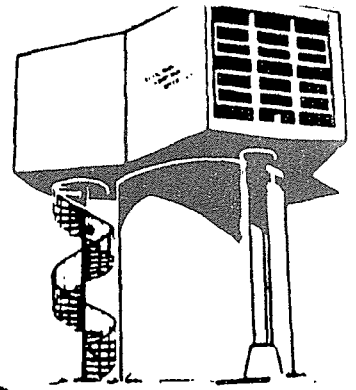


# City of Gladstone

GLADSTONE, OREGON 97027

January 28, 1983

IV  
a (3)



656-5223

Mr. Peter Harvey  
City Manager  
City of Lake Oswego  
Lake Oswego, Oregon 97034

Mr. Hugh Brown  
City Manager  
City of Milwaukie  
Milwaukie, Oregon 97222

Sirs:

The Cities of Gladstone, Oregon City, and West Linn realize the need of Enhanced 911 to solve boundary and jurisdictional problems in the metro area of Clackamas County and also recognize the need in other areas of the County.

Our cities have studied the revenues received by Gladstone, Oregon City, West Linn, Milwaukie and Lake Oswego and know that it is feasible to fund an E-911 System with the current level of 911 funds received by the cities.

The cities of Gladstone, Oregon City, and West Linn intend to give our letter of intent to the 911 User Board Commission for E-911 in the Oregon City exchange. It is our desire to have support also from the cities of Lake Oswego and Milwaukie for their respective exchanges.

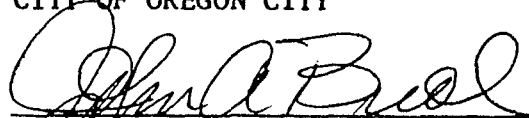
If participation by your respective jurisdictions in our immediate action is desired, please advise us in writing no later than February 25, 1983.



Leonard A. Strobel, City Administrator  
CITY OF GLADSTONE



Jerry Pecinovsky, City Manager  
CITY OF OREGON CITY



John Buol, City Administrator  
CITY OF WEST LINN

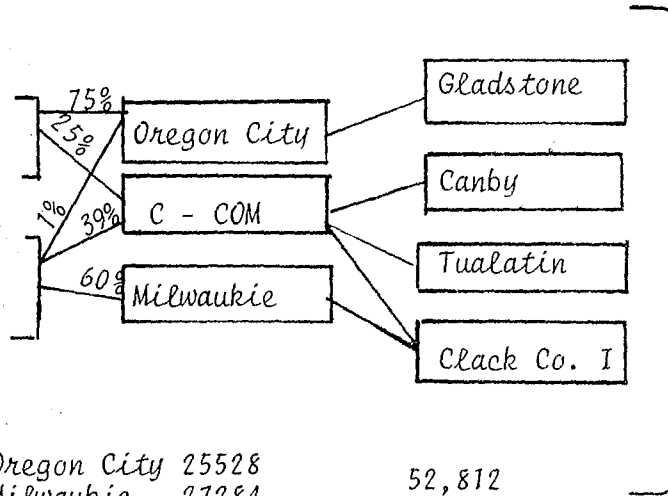
"GROW WITH GLADSTONE"

ENHANCED 911  
OREGON CITY, WEST LINN, GLADSTONE, MILWAUKIE

IV a (4)

OREGON CITY EXCHANGE  
650 655 656 657

MILWAUKIE/OAK GROVE  
653 654 659



- Sheriffs Office
- Oregon City Police/Fire
- West Linn Police/Fire
- Gladstone Police/Fire
- Canby RFD 62
- Clackamas 54
- Beavercreek 55
- Clackamas #1
- Clackamas #71
- Oak Lodge 51
- Rosemont 67
- Tualatin 64
- Milwaukie Police/Fire
- WFA Metro
- Canby Ambulance

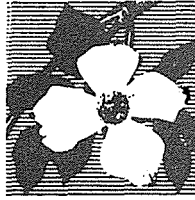
TOTAL MAIN STATIONS: Oregon City 25528  
Milwaukie 27284  
52,812

ESTIMATED NON RECURRING COSTS E 911 (52,812 X 2.375) . . . . .	\$125,429.00
DATA/TRUNKING	
PSAP EQUIPMENT -	
3 positions OC . . . . .	51,796.70
1 position C-COM . . . . .	44,458.90
Private Lines OC/Gladstone . . . . .	608.00
C-COM/CLACK CO. 1 . . . . .	608.00
	\$222,900.60

ESTIMATED ANNUAL RECURRING E 911:

DATA/TRUNKING	
\$188 mo X 12 = \$2256 yr.	
52,812 X 2256 . . . . .	\$119,143.87
PSAP EQUIPMENT OC . . . . .	9,383.00
C -COM . . . . .	7,367.00
PRIVATE LINES . . . . .	2,400.00
	\$138,293.87

ESTIMATED TOTAL YEARLY REVENUE: \$85,712.92  
 REVENUE 82, 83, 84, 85 . . . . \$342,851.68  
 INSTALLATION - ONE YR. OPERATING  
 DUE 12/85 . . . \$361,184.47



## MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: HUGH BROWN, CITY MANAGER

SUBJECT: GOAL STATEMENT

DATE: FEBRUARY 11, 1983

Attached is a revised draft of the Goal Statement that I have developed based on your discussion during your retreat in January. The material developed by Council in establishing goals for the city in Fall of 1981 provided background. The comments regarding the draft statement made by the public at the community meeting on 2/3/83 and by department heads have also been incorporated. In this draft the suggestions regarding implementation have been eliminated because they seemed too specific to be appropriate for inclusion in a goal statement.

Council may want to officially adopt this Goal on Tuesday night after discussion and any revisions necessary. The adopted Goal Statement will provide direction for Council's own work and will give guidance to the staff, Budget Committee and other city advisory bodies.

I believe the goal setting process was most productive and should be continued on an annual basis. To provide for an orderly development of goals for use in program planning and budgeting, I recommend late summer as the best time for a goal setting process each year.

## CITY OF MILWAUKIE

## GOAL STATEMENT

FEBRUARY 1983

IV  
B (2)

As adopted by the City Council, the City of Milwaukie has established the following goals to provide for the orderly and efficient development and maintenance of the community.

1. CAPITAL IMPROVEMENTS PROGRAM: To plan and develop a capital improvements program to improve the city's streets and water and sewer systems.

To achieve this goal, it is the policy of the city to

1.1 Provide for improvement and maintenance of city streets to current standards.

1.2. Provide for construction and maintenance of an adequate storm drainage system substantially in compliance with the drainage studies of 1970 and 1979.

1.3. Provide for improvement and maintenance of the city's water and sewer systems to current standards.

2. ECONOMIC DEVELOPMENT: To promote economic development in the city.

To achieve this goal, it is the policy of the city to

2.1 Provide for the revitalization of the downtown core area.

2.2. Provide for the planning, design, financing and construction of new recreational and commercial development on the Willamette Riverfront.

2.3 Provide for the continued development of the city's industrial areas.

3. BUDGETING PROCESS: To develop financial planning for city needs.

To achieve this goal it is the policy of the city to

3.1 Develop financial planning for replacement of capital outlays on a planned basis.

DRAFT  
City Goals

IV  
B (3)

3.2. Develop city-wide goals and identify related financial needs, including needs of general government, enterprise activities, and grant activities.

3.3. Develop and improve financial reporting and forecasting systems to extend budget planning to a five-year cycle including establishment of electronic data processing program.

4. ANNEXATION POLICY: To initiate steps to straighten the city's irregular eastern boundary.

To achieve this goal, it is the policy of the city to

4.1 Encourage orderly city growth through development of an annexation policy.

5. SERVICE PROVISION: To provide for maintenance and enhancement of current and future city services.

To achieve this goal it is the policy of the city to

5.1 Strengthen police services for all residents of the community.

5.2 Strengthen fire services for all residents of the community.

5.3 Provide a level of library service responsive to the needs of patrons residing in the community.

5.4 Provide for growth of senior services and create social service programs for the general community.

5.5. Provide for an adequate park system and reestablishing and expanding recreation programs to meet needs of citizens.

6. COMMUNITY RELATIONS: To build confidence and strength in the Milwaukie community by bringing citizens and government together.

To achieve this goal, it is the policy of the city to

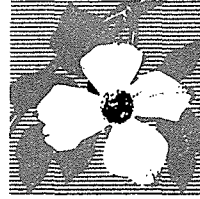
6.1 Provide a system of communications that develops a positive understanding between the city and its citizenry.

6.2 Work cohesively as a directing force in exercising positive political leadership within the community.

6.3 Create a positive image of the city within its boundaries and in the greater metropolitan area.

6.4 Create a climate in which there is a positive response to the administrative leadership of the city.

6.5 Provide for significant involvement of the citizens in the workings of their city government.



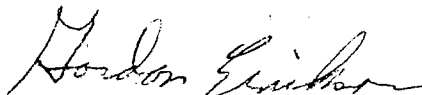
MEMORANDUM

TO: HUGH BROWN  
FROM: GORDON ERICKSON  
SUBJECT: AUDIT REPORT TRANSMITTAL  
DATE: FEBRUARY 10, 1983

The city's annual financial report was received January 31st and distributed to the Council at their meeting of February 1.

I would like the opportunity to discuss with the Council the major changes from prior reports and summarize the major activities during the next meeting. Mr. Bill Landwehr of Coopers and Lybrand has been invited to present the report officially for his firm. Bill is currently working out of town and is unsure of his schedule for February 15.

I would like to discuss the Notes to Combined Financial Statements in order to highlight the differences between our budgeting system and the generally accepted basis for this report. I will be happy to answer questions at any time.

  
Gordon Erickson  
Finance Director

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

JAN 83 8:4

MILWAUKIE-C

IV D ①

DATE: January 11, 1983

TO: Hugh Brown  
City Manager

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

SUBJECT: Enforcement of Sewer Connections

Public Works is currently in the process of bringing up to date the sewer connection records. Utilizing a system of smoke and dye testing, we have found approximately 114 properties to date throughout the City which have been varied as not connected to the sanitary sewer system.

These 114 properties do not reflect the total possible number of properties which may be in violation since the testing process has not been completed and will continue as time and work loads allow.

City ordinances #981 and 1098 grant the authority to require connection and makes it a violation if not connected to the sewer system. The ordinances also state that all improved properties shall connect to the sewer within one to two years after service is available. No new sewer lines have been constructed in the past two years and all improved properties not connected within the city are in violation of these ordinances.

Due to limited personnel and other demands on their work time it is advisable to begin requesting properties to connect to the sanitary sewer and to stagger such requests over a period of time so as not to create a total demand of work time for follow-up and inspection. As we obtain test results on the remaining properties those which are subject to connection can be notified systematically as time allows.

Prior to commencing with such a program it is believed advisable that the City Council be requested to make comments and/or give direction since there are several items of importance which must be considered.

1. Greg Eades has suggested that Ordinances #981 and 1098 be combined with the best parts of both into one new ordinance and the current ordinances repealed.
2. All "nonconnected" properties may be assumed to utilize a septic or cesspool system to handle sanitary wastes. These systems ultimately discharge effluent into the ground and are potential sources of contamination and health hazard. The current known "non-connections" are not limited to any one specific area but are city wide, therefore making the possibility for this to occur even greater.

IV  
D (2)  
January 11, 1983

3. Requests to connect may result in adverse public opinion. however, the current known "non-connections" represent only about 2% of the total city population.
4. With the current economic state of the local area, requests to connect may place a financial burden on some owners. Since each property has construction problems unique to itself, construction costs may vary as much as 100% for the same length of service.
5. If the connection program is initiated, all properties must comply to avoid charges of discrimination or "selective enforcement."

RECOMMENDATIONS

1. Consider re-draft of current ordinances which govern connection to sanitary sewer system.
2. Rental, commercial and industrial properties:
  - a. Proceed with request to connect.
  - b. Information at this time indicates rental and single family residences are affected. Of the 114 indicated, ownership records show approximately 1/3 or 38 of the 114 known violations are rental properties.
3. Hardship cases:
  - a. Investigation through Clackamas County HUD indicates there are no subsidy grants available for assistance in sewer service construction.
  - b. Consider a method of city loans at equitable rate of interest for short term to the owner-occupied residences which would qualify.
  - c. Loans should be made available only to owner-occupied single family residences.
  - d. Qualification could be based on poverty level income 1982 projections indicate those levels to be as follows:  

\$9300.00/year for a family of four  
\$7760.00/year for a family of three  
\$6220.00/year for a family of two
  - e. Proceed with request to connect.

January 11, 1983

IV D (3)

4. Construction costs:

a. Costs may be reduced if owners within same area contract for work with same sewer installer due to:

1. Reduced equipment move-in costs.
2. Reduction in material costs to contractor as they can purchase in volume.
3. Reduction in individual contractor profit as they are working in volume.

5. Informing property owners so they may take advantage of possibilities outlined in (4) above.

a. Supply list of affected owners within specified area to each owner.

b. Utilize the Key Communicators to deliver this information to affected property owners within their districts.

c. Make list of affected owners available to qualified sewer contractors.

It is unfortunate that these problems have not been dealt with over the years. Now, the City is faced with a fairly extensive list of known violations and potential of many more to be discovered. Currently there are in excess of 2500 residences and structures for which the City has no record of connection. That is approximately one half the customers who are served by the City.

Normally, this type of action would be carried out as routine business by the Public Works Department. Due to the amount of property owners affected and the economic conditions, I felt it would be prudent to seek City Council's advice and direction.

SMH:js

cc: Greg Eades  
City Attorney

MILWAUKIE  
CITY COUNCIL MEETING  
February 1, 1983  
7 p.m.

V  
2 (1)

COUNCIL CHAMBERS

1425th Meeting

6:30 - Interviews

Prior to the regular meeting the City Council conducted interviews for positions on the Budget Committee and the Senior Citizen Advisory Commission. The following persons were interviewed:

Wanda Rulifson, 12177 SE River Rd. - Budget Committee  
Georgia Brakeman, 5172 SE Logus Rd. - Budget Comm. - SCAC

The one thousand four hundred and twenty fifth meeting of the Milwaukie City Council was held on February 1, 1983 with the following councilors present:

Ron Kinsella	Don Graf
Mike Richmond	Roger Hall
Mayor Joy Burgess	

The invocation was given by Ron Kinsella and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

John Maguire and Doug McClure, co-chairmen of the Task Force to Aid the Unemployed and Needy in Clackamas County addressed the Council and provided a preliminary report listing the most urgent needs as housing, food, emergency medical/dental care, and transportation. The report outlined the problems, cited present resources, and possible solutions. The final two sections of the report will be ready for the March 1 meeting and at that time recommendations will be made as to the life-duration of the task force. It was decided by the committee, said Maguire, to limit activities of the task force to outlining problems since implementation decisions should be approved by the Council. Maguire read a letter from the committee requesting that the following citizens be appointed to the task force: Jeanie Kuzmin, Joan Staley, Barbara Redman, Father Richard Huneger. These persons have been attending the meetings regularly, whereas originally appointed members Father Saalfeld, Morgana Wilson, and Glenda Braget have not been able to attend any meetings. Maguire said that Wilson has moved out of the state and that Father Saalfeld has said that he will not be able to participate. It was MOVED by Graf, SECONDED by Hall, that Redman, Huneger, Staley and Kuzmin be appointed to the Task Force to Aid the Unemployed and Needy in Clackamas County. MOTION CARRIED unanimously. Graf suggested that a letter be sent to Glenda Braget asking if she is still interested in serving on the committee. Graf asked if any specific solutions had been found to the problems outlined. McClure said the task force would need Council approval and a change in job description before any program implementation. The Mayor suggested a work session to discuss possible solutions. McClure announced that the next meetings of the task force would take place at Milwaukie Center on February 10, 17, and 24 from 5:30 p.m. to 7:30 p.m. Staff was directed to write letters of appointment to the newly appointed members as well as a letter to Glenda Braget asking if she was still interested in participating.

LEGISLATION

Payment of bills

It was MOVED by Hall, SECONDED by Richmond that the bills listed for payment on February 1, 1983 be approved for payment. There was discussion on why the Police Department washed cars at Rub-A-Dub rather than the Public Works Shop. The City Manager said the shop was not set up to wash cars. The Mayor asked that staff look into this.

Gas Franchise Ordinance

City Attorney has submitted memo dated January 28, 1983 recommending approval of the Northwest Natural Gas Franchise. The old ordinance, which expired in April, 1982 has been amended to provide for closer coordination between city and grantee regarding use of street right-of-way, to make clear that Grantee is subject to all city licenses, permits, etc., to shorten the franchise term to 10 years, and to reserve the right to adopt additional regulations. There was discussion on the 3% franchise fee. Eades said that the city could charge whatever it chooses, however anything above 3% will be shown on the bill as a separate city tax. He said that 3% was very common and in fact the only city which charged more than this was the City of Portland. It was MOVED by Graf, SECONDED by Richmond, to read Ordinance 1535 the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO NORTHWEST NATURAL GAS COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE.) MOTION CARRIED unanimously. City Attorney pointed out a change in Section 23. The last line was corrected to read "from April 9, 1982 until....." rather than "from April 9, 1982 upon...." It was MOVED by Graf, SECONDED by Richmond to read the ordinance as amended the second time by title only. MOTION CARRIED unanimously. It was MOVED by Hall, SECONDED by Kinsella to adopt Ordinance 1535. MOTION CARRIED unanimously.

Appointments to City Advisory Bodies

The following nominations were made for the Budget Committee:

Richmond nominated Kathleen Hulme

Graf nominated Georgia Brakeman

Hall nominated Shirley Brown

VOTING for Hulme: Kinsella, Richmond, Burgess.

VOTING for Brakman: Kinsella, Richmond, Burgess, Hall

Hall objected to the method used in making appointments. Mayor Burgess suggested that he bring this matter up before the next appointments were made. Kathleen Hulme and Georgia Brakeman were appointed to the Budget Committee.

It was MOVED by Kinsella, SECONDED by Richmond, that Wanda Rulifson be appointed to the Senior Citizens Advisory Commission. MOTION CARRIED unanimously.

CONSENT AGENDA

Approval of Minutes - January 18, 20, 22, 1983

Liquor license renewals: Albertson's Inc., Safeway Stores, Pietro's Corp., Southland Corp. DBA 7-11, Li'l Corner Store.

It was MOVED by Graf, SECONDED by Hall, to approve the consent agenda. MOTION CARRIED unanimously.

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page 3.

OTHER BUSINESS

Cable TV negotiations

City Manager and City Attorney have submitted memo dated January 28 recommending agreement in principle with Tribune Cable. Listed in the memo were areas of deficiency in local production facilities, capability for future improvements, construction period, rate increases, and requirements to purchase system in the event of termination. City Attorney said that although some of these deficiencies could be removed in negotiations with another company, there was no guarantee that the city could do even as well with another company. City Attorney has prepared a summary of an ordinance listing provisions to be contained in the ordinance.

There was extensive discussion on interactive services, rate increases, construction period, purchase of the system in the event of termination and community programming.

Bill Cullen, President of Tribune, addressed possible deficiencies. He spoke of ways in which Tribune had improved their offer in the areas of institutional network, amount of security deposit, and spacing amplifiers. He discussed community programming, interconnection with other companies, the hold harmless clause, and provision of access services.

There were questions from the Council concerning construction schedule, community programming, mobile units, interconnection, option to purchase, technical advances and number of satellites.

A recess was declared at 8:45 p.m.

The meeting reconvened at 8:55 p.m.

Ken Downes, Cable Consultant, addressed the Council stressing the need for specifics in the official document. He said that of the original requirements of the city in the RFP, there were 55 deficiencies, 25 of which were critical. He said the city would have a 90% chance of doing better with another source and provided Council with a list of deficiencies as he saw them.

The financial figures of Tribune were inconsistent, Downes said, the revenues were overstated and the costs were understated.

He read his letter of recommendation which was that Council table present negotiations and obtain a staff report on available alternatives. Upon receipt of the staff report the Council could determine whether to grant the franchise or pursue other alternatives.

Kinsella expressed his concern over the lengthy process of negotiations. There was discussion on whether to have an executive session.

Bill Hupp questioned the legality of an executive session. City Attorney said an executive session was permitted under ORS 40.225 Consultation with Attorney.

Phil Corson from North Clackamas School District expressed concern regarding interconnection with other schools in the district and said that he would like to see a Cable Advisory Commission appointed. It was MOVED by Hall, SECONDED by Graf to extend the meeting to the amount of time necessary to conclude discussions. MOTION CARRIED unanimously.

The meeting recessed at 9:40 p.m. to go into executive session under ORS 40.225, Consultation with City Attorney.

The executive session adjourned at 10:20 p.m.  
The meeting reconvened at 10:25 p.m.

It was MOVED by Hall, SECONDED by Richmond, to table negotiations for four weeks during which time staff is instructed to explore alternatives with other companies. Kinsella asked to go on record as opposing this motion. He said further delays were undesirable. Bill Cullen addressed the Council stating that Tribune would leave their offer on the table, that Tribune had negotiated in good faith, and that he took offense to the city negotiating with another company. City Attorney asked for his suggestions. Cullen said that a letter should be sent to Tribune listing specific items which, if agreed to by Tribune, would result in the granting of the franchise. Downes agreed that the city should not negotiate with other companies, but explore other alternatives. Hall WITHDREW his MOTION. It was MOVED by Hall, SECONDED by Graf, to postpone the decision on granting a franchise for four weeks with the understanding that the staff will be able to explore alternatives of providing cable TV to the city. MOTION CARRIED with the following vote: AYES: Burgess, Richmond, Graf, Hall. NO: Kinsella.

It was concurrence of Council that a letter be sent to Tribune listing specific items that if agreed to by Tribune would cause the city to grant the franchise to Tribune. Kinsella asked how many areas of improvements were going to be considered. City Attorney suggested that he list as many improvements as could be reasonably required. Council agreed that this was acceptable.

INFORMATION

Mayor asked that the Council take note of the article "Morality in Media" She asked for Council concurrence that Ben Schellenberg's letter re the police department be sent to the Police Dept. Council agreed to this. It was decided to advertise for positions on the Planning Commission and set up interviews for February 15.

There was discussion on the Key Communicator meeting at the Center on February 3. The Mayor said she would make a 15-20 minute presentation on city goals and then turn the meeting over to the City Manager for department presentations.

The meeting was adjourned at 11:05 to go into executive session under ORS 192.660 (1) (d) to discuss labor negotiations. The executive session was adjourned at 11:45 p.m.

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Mayor Joy Burgess

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Laurie Perkin, Secretary

MILWAUKIE  
CITY COUNCIL MEETING  
February 3, 1983  
7 p.m.

V  
a (5)

THE MILWAUKIE CENTER

COMMUNITY MEETING

The Milwaukie City Council, Budget Committee, and city staff met with the Key Communicators on February 3, 1983.

Council- Budget Committee members present:

Mayor Joy Burgess	Joe Bernard
Ron Kinsella	Georgia Brakeman
Mike Richmond	Kathleen Hulme
Don Graf	Ken Upton
Roger Hall	Jim Backenstos

City Staff present:

Hugh Brown, City Manager  
Topaz Faulkner, Comm. Services Director  
Dick Bailey, Fire Chief  
Ron Schanaker, Police Chief  
Gordon Erickson, Finance Director  
Cliff Harshman, Public Works Superintendent  
Jo Durand, Administrative Assistant  
Bill McDonald, Administrative Assistant  
Laurie Perkin, Secretary

The City Manager welcomed participants and spoke of the Key Communicators program. He introduced Mayor Burgess who presented the Goal Statement established by the City Council. The following goals were listed:

1. Plan & develop a capital improvements program
2. Promote economic development in the city
3. Develop financial planning for city needs
4. Initiate steps to straighten the city's irregular eastern boundary
5. Provide for maintenance and enhancement of current and future city services
6. Build confidence and strength in the community by bringing citizens and government together

Ron Kinsella spoke of the deteriorating sewer system and the need for street improvements and fire equipment. He stressed the need to put money aside for this purpose.

Bill Hupp asked why the computer system was not listed in the outline under Capital Improvements. Mayor Burgess agreed that this was an item that could be added to the list.

Jim Backenstos spoke of the vacant buildings down town and said all citizens should work to get these buildings occupied. He spoke of good public relations and suggested a walking police patrol in the downtown area.

Jean Baker spoke in favor of the goals as listed. She suggested that a volunteer program be implemented for planting trees, painting, mechanic work, etc.

John Phillips asked if anything could be done about the gravel washing away on his property on 42nd Street. Cliff Harshman, Public Works Superintendent, said the lack of storm drain systems was a problem all over the city and explained the process used in alleviating these conditions. He said that he would look into Mr. Phillips problem, whose house is located 4140 Washington Street.

Jim Backenstos spoke of the poor condition of Harrison and Monroe Streets. He suggested that if the city could take care of sidewalk repairs the citizens may be willing to pay for it themselves. Mayor Burgess introduced Mike Gabrion, Mayor of Canby who said he was present to observe this type of a meeting having to do with city goals.

The City Manager spoke of budget directives which were listed as:

1. Programs to implement goals
2. Addressing programs which may be deficient due to budget cuts
3. Reduce dependence on Federal Revenue Sharing Funds.

He said that the money from Federal Revenue Sharing should be put into equipment rather than programs so that when the funds are no longer available, programs would not have to be cut. He urged citizens to come to Budget Committee meetings or to contact Budget Committee members with any questions or concerns they may have.

A recess was declared at 7:50 p.m.

The meeting reconvened at 8:05 p.m.

#### Department Presentations

City Manager Hugh Brown gave a brief description of Administrative Department functions which include personnel, council related matters, planning agendas meetings and programs.

Gordon Erickson, Finance Director said the Finance Department is responsible for payroll, payment of bills, purchasing, compilation of the official financial statement and selling bonds. He spoke of the studies Finance has completed such as the computer study, the copier study, and the insurance cost reduction study.

Topaz Faulkner, Community Services Director, spoke briefly of the divisions of Community Services which include the Library, Center, Parks, and Planning. She said current projects include waterfront development and downtown revitalization. She commented on recent improvements in Scott Park, the number of volunteer hours at the Center (1000 hrs. per month), and the new computer system in the Library.

Ron Schanaker, Police Chief, gave statistics. In the last year, he said, there was a 7% reduction in serious crime and a 20% reduction in less serious crime. Traffic citations are up, he said, but accidents and theft are down. He spoke of the programs in the schools including the drug and alcohol program, the officer friendly program, drivers training program and the Explorer Scout program.

Cliff Harshman, Public Works Superintendent, spoke of the number of streets, storm sewers, water lines, wells, pumps, lift stations etc. which are maintained by public works. He said the public works shop is responsible for 49 peices of equipment. Present projects include route changes in meter reading, smoke testing and exposing manholes. The Public Works Department is involved also in landscaping, engineering, traffic safety and building.

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Dick Bailey, Fire Chief, said the Fire Department responds to emergencies as well as fires and is involved in fire training, code enforcement, plans reviews, fire planning, and maintenance of equipment. He spoke of Rescue 51 and the EMT program. He said the fire loss ratio has been reduced 2% and that fire calls were down 40%. The Fire Department is now working on regional issues, Bailey said, which will provide for joint operations with neighboring jurisdictions. Present programs include division of city into zones, working with high school students, the 911 system and a the blue dot reflector system which will identify fire hydrants.

The following citizens made comments:

Jim Backenstos spoke in support of the Fire Department and their equipment maintenance program.

Leo Beckman asked about the 911 emergency number. Schanaker said it would not reduce response time as far as Milwaukie goes, but it would be a uniform number for people in panic situations. Dick Bailey explained the system further. City Manager said the city wanted to encourage all citizens to use the 911 number even though they could get through on the present emergency number.

Mayor asked Schanaker about downtown patrol. Schanaker spoke of the number of incidents in the downtown area compared to other areas of the city. He said he felt the downtown surveillance was adequate but that it would be increased if there appeared to be a specific problem.

Jean Baker spoke in support of the Council, Administration and city staff and congratulated the Police and Fire Departments for their fine jobs.

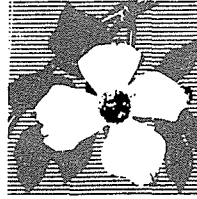
The meeting was adjourned at 9:10 p.m.

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Mayor Joy Burgess

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Laurie Perkin, Secretary

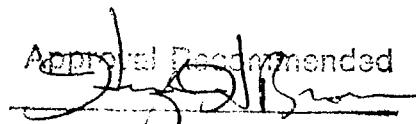


VB

MEMORANDUM

TO: HUGH BROWN  
FROM: JO DURAND  
SUBJECT: REQUEST FOR LEAVE OF ABSENCE  
DATE: FEBRUARY 10, 1983

Cleo Kielbowicz has requested a leave of absence without pay from 1/14/83 to 5/14/83 (120 days) because of the birth of her baby (prematurely). All requests for leave of absence over 90 days must be approved by City Council. The Library Director, Community Services Director and I have all reviewed this request and recommend that it be approved.

Approved & Recommended  
  
Hugh H. Brown  
City Manager

M E M O R A N D U M

V  
C

TO: Hugh Brown, City Manager  
FROM: Ron Schanaker, Police Chief  
DATE: February 2, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL

State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal.

APPLICANT: Plaid Pantries Inc. DBA  
PLAID PANTRY MARKET NO. 79  
9410 SE 32nd Avenue  
Milwaukie, Oregon 97222

RCS:jh

M E M O R A N D U M

V  
D

TO: Hugh Brown, City Manager  
FROM: ~~Ron~~ Schanaker, Police Chief  
DATE: February 10, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL

State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal.


APPLICANT: Clifford J. Hanson and  
Martha E. Hanson  
DBA PALS SHANTY  
11056 SE Main Street  
Milwaukie, Oregon 97222

RCS:jh

11056 SE Main Street  
1 FEB 13 1983

M E M O R A N D U M

TVE

TO: Hugh Brown, City Manager  
FROM:  Ron Schanaker, Police Chief  
DATE: February 2, 1983  
SUBJECT: APPLICATION FOR LIQUOR LICENSE RENEWAL

State and local law enforcement records fail to reflect any negative information on the below-listed applicant. I therefore find no reason to deny issuance of the requested license renewal.

APPLICANT: American Legion Post No. 180  
11126 SE Main Street  
Milwaukie, Oregon 97222

RCS:jh

-11126 SE Main St.

10 FEB 03 17: 17

Memorandum

11 82 13:45

MILWAUKIE  
FIRE DEPARTMENT

VI  
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TO: Hugh Brown, City Manager/City Council  
FROM: Richard D. Bailey, Fire Chief  
SUBJECT: Fiscal Year Summary Report, 1982

It is my privilege to present to you this fiscal year end report on the activities, personnel, equipment, programs, problems and plans of the Milwaukie Fire Department.

As you know, the Milwaukie Fire Department is a fully paid professional firefighting force which operates out of three stations, twenty four hours each day. This force responds to all manner of incidents from fires to man-made disasters to acts of God with only one purpose in mind; the preservation of life and property and as this report will show, successfully.

This report is divided into six sections; The Year's Activities of the Fire Department; The Department's Personnel; It's Equipment; Department Programs; Problems for which solutions need to be found; Planning for the future and a concluding statement from your Fire Chief.

I. Activities:

Fires Within the City

During the past fiscal year the Department responded to 157 fires as follows by occupancy type:

Public Assembly	2	Natural Cover	31
Educational Property	2	Manufacturing	5
Institutional Property	1	Storage	2
Residential Property	71	Special Property	6
Store, Office Property	10	Mobile Property	26
Industry, Utility	1		

In each of these cases, by our definition of a fire, something was burning at the time of arrival and presented a significant hazard to life or property loss. The size and amount of fire involvement ranged from fully involved houses with a life hazard to a dryer fire.

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Loss in dollars as a direct result of the above listed fires for the year was \$60,841. Property at risk in these fires is valued at approximately \$55,000,000. The ratio of fire loss to value is significant in that it indicates the early control and extinguishment of almost all fires, thus the extremely low loss figure. Of special note is data comparing the City of Milwaukie's fire loss amount to surrounding jurisdictions. This data (\$330. loss per \$1,000,000 value) is one of the lowest in the State of Oregon and the nation. Further, no lives were lost to fire in the City during the report period.

#### Alarms Other than Fires Within the City

During the last year our incident history for alarms other than fires has increased dramatically. The Department responded to a total of 869 of these types of alarms. Most of which were calls for emergency medical services.

As a special note, the Department has also shown a marked increase in accidental and false alarms. A few of these are malicious but most are a result of the increased sensitivity of various types of alarms and are a nuisance, but they are not excessively so. Also of importance has been the increase in standby situations for hazardous conditions. These situations range from dealing with illegal storage and consequent removal of fireworks to through traffic of radioactive materials. In most alarms within this category, Department apparatus respond in an emergency mode i.e., "Code Three".

The Department, therefore, responded to 1,026 alarms in the City last year.

#### Out of City Calls

The Fire Department responded to 203 fires outside the City in mutual aid to surrounding jurisdictions during the report period. We also responded to several rescue type calls out of the City.

It becomes apparent upon looking at these statistics that the Milwaukie Fire Department responds to more fires away from home than at home. We have not been able to determine whether we are just lucky or our fire prevention activities are paying off. We believe that our aggressive fire prevention/public education program, plus stringent code enforcement is paying off.

Our mutual aid agreement with surrounding jurisdictions may appear to be rather one way. However, the benefit received by Milwaukie exceeds any perceived inequity.

Mutual aid for Milwaukie is automatic from our dispatch center and in all cases of structure fire within the City at least one mutual aid company will be dispatched along with our apparatus on the initial assignment. Should we need additional apparatus or manpower they are available to us upon request as would be the case in a large fire.

### Causes of Fires in the City

Most fires occurring within the City occurred in single family dwelling and the greatest cause of home fires was arson. Even though arson was the leading cause of fires and fire losses it still does not present the problem it does in other more urban communities. Second to arson as leading fire causes are improperly installed wood burning devices and faulty wiring.

Many of the homes in Milwaukie are old and not very weather tight. Consequently, old wiring and the installation of heating devices, which in most cases is done without a building permit and in many of these cases, incorrectly.

Bringing up the rear as fire cause leaders are careless smoking, misuse of flammable liquids, stove malfunctions and improper disposal of hot ashes.

Many of these causes can be dealt with in an aggressive manner through public education and we will be developing programs to accomplish this in the near future.

### Fire Prevention Activities

#### Code Enforcement and Public Education

During the past year several significant happenings have occurred in relation to code enforcement activities of the Fire Department.

They are:

- 1) The adoption by the City Council of a comprehensive sprinkler ordinance. The sprinkler ordinance now in effect is fast-becoming a model ordinance not only within the State but the nation as well. We have received many requests for copies of the ordinance from many places. The study the department prepared to justify ordinance adoption has been replicated many times.

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- 2) A more stringent code enforcement policy has been instituted by the Fire Chief in order to eliminate as much of the municipal fire risk as possible. The Department believes that in order to keep budgets from increasing proportionately with the municipal fire risk a sharing of fire protection responsibility must occur between the City and property owners.
- 3) The Fire Department has accepted a majority of the responsibility for enforcing the City's nuisance abatement ordinance by defining many nuisances as fire hazards. This has created a large manpower drain on Department staff but has also proven advantageous in reducing the number of natural cover fires experienced by the Department.
- 4) The Department has taken a more aggressive role in construction plans review as related to fire/life safety issues. The Department in conjunction with the County under our partial exemption status has had far greater input into fire prevention and safety requirement in newly constructed buildings than ever before.
- 5) The budget reduction decided upon by the City Council which eliminated the position of Fire Inspector has dealt code enforcement activities a severe blow which will be felt until line personnel are fully operational in a company inspection program. Even then many of the beneficial duties of the Inspector's office will go partially or fully undone.
- 6) The Department has begun an analysis of the differences between the adopted 1976 edition of the Uniform Fire Code and the 1982 edition in preparation for an upcoming recommendation for 1982 adoption.
- 7) The Department began an analysis of potential revenue sources available in an effort to prepare recommendations which will mitigate the cost of community fire protection. These recommendations should be available in September.
- 8) The Department completed a school fire prevention guide for use by teachers which is now commonly used in area schools. In addition, firefighters and staff are conducting school presentation using the instructional guide. Many such presentations were made during the last year.

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- 9) The Department planned and budgeted for a public education newspaper which will be printed twice a year beginning in September. This printing will include timely articles on fire prevention subjects as well public relations notes to familiarize citizens with services of the Fire Department.

All-in-all it has been a very busy year for the Department in relation to its fire prevention activities. Noteworthy is that the City (Police & Fire) confiscated and destroyed the largest amount of illegal fireworks ever seized in the northwest.

#### Routine Activities

During the preceding year Fire Department personnel have been engaged in many activities of a more work environment nature.

They are:

- 1) Hydrants. The Fire Department inspects, paints and maintains over 600 hydrants each year. This task alone consumes many, many hours and is never, it seems, noted by the public. In addition to hydrants, department personnel regularly inspected fire department connections to establish in-built sprinkler systems for operability. This activity, while of benefit to individual owners familiarizes fire crews with the location of these connections in case of a fire.
- 2) The remodeling of Station 5 at City Hall was completed during the year. All labor was by department personnel, much of it during off-duty hours. The remodeling of Station 5A (40th and Harvey) was begun and is 60% complete at this writing. Again, all labor was from fire department personnel.
- 3) The Annual Christmas Party for Underprivileged Children was again a huge success as the firefighters handed out hundreds of gifts to the children.
- 4) Seven Fire Department personnel attended the United States Fire Academy in Emmitsburg, Maryland to gain advanced knowledge on a variety of subjects ranging from fireground tactics to the handling of hazardous materials incidents. These people attended on a grant loan from the United States Fire Administration. More personnel will be attending in the future.

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- 5) Department personnel actively worked to raise money for the John Burgess Memorial Fund which purchased and outfitted Rescue 51.
- 6) Department personnel conducted many first aid and cardio-pulmonary resuscitation classes for the community. We also trained and practiced with several industrial fire brigades during the year.
- 7) Department personnel attend regularly scheduled and irregularly unscheduled training activities. During the last year the department participated in an average 191 hours of training per employee.
- 8) Staff has been involved throughout the year with local and regional fire service activities. The Chief participated during the year as a member of the County Fire Defense Board, the Oregon Fire Chiefs' Association, The International Association of Fire Chiefs, and the National Fire Prevention Association. The Chief is currently Vice-Chairman of the Oregon Fire Chiefs' Assoc. Legislative Committee which lobbys at the legislature for issues which promote fire safe communities.  
Staff is also involved with the local and State Fire Marshal's Associations and the Tri-County Training Officers Association. Many EMT personnel are actively associated with various emergency medical associations.
- 9) During the past year we have outfitted and begun a complete preventative maintenance program with the goal being to save approximately \$5000. per year in maintenance and repair costs. Station 5A has been designated as our maintenance facility and specially trained personnel have been assigned there for maintenance duty along with firefighting and EMS duties.
- 10) The Department also conducted many prefire familiarization tours and tactics planning sessions to better prepare firefighting personnel for the eventuality of fire in high risk occupancies. These tours and sessions are time consuming but beneficial as evidenced by the automatic reactions of firefighters when dealing with a fire and resulting in lowered fire losses.

Many other routine activities too numerous to spell out here range from station maintenance to the hanging of Christmas lights and election banners. During the last year the Fire Department Administration has worked to increase the productive use of working hours.

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I believe we have been successful and will be more so in the future. The personnel of the Department also see this as an achievable goal.

I'm sure I have not listed or included many activities that the Fire Department was involved in during the last year. If I have done so it is by oversight because we do so much for so many with so little.

## II. Personnel

During the past year we have seen many changes in personnel within the Department, most of which have been in an effort to gain a more efficient organization and save money where possible. During the past year the Department has been plagued by injuries which have caused some disorganization in regard to shift supervision but because of quality line officers, ongoing operations have not been drastically affected. Since the addition of Rescue 51 we have maintained a minimum manning of eight line personnel per shift and hope to continue to do so in the future.

During the year Al Jones, Assistant Chief/Fire Marshal passed away and was replaced by Jesse Villarreal who had worked as a Deputy State Fire Marshal. Jack Stennet was promoted from Captain to Assistant Chief/Operations. The Department lost its training officer to budget reductions, and a Battalion Chief was dismissed.

Also during the year the Chief was appointed as City Manager Pro-Tem for a period of seven and a half months. During this time he filled both capacities and as a result several Fire Department projects and programs were put on the back burner due to lack of time.

Several temporary appointments were also made during the year as the need for officers was created due to injury or illness. Two firefighters were laid-off for two months due to budget failures but were rehired.

During the course of the year the Fire Department experienced a 41% increase in the use of sick leave mostly because of two cases involving extended care. The department also experienced a 39% increase in injury leave due to working injuries to several employees.

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Because of contract provisions and related benefits, the Department experienced an approximate \$6000 increase in overtime costs.

As related to personnel the Department began a comprehensive physical examination process in an effort to define physical problems and reduce the number and cost of sick and injury days. Also as a result of this process the Department began, with our physician advisor, the development of a set of physical fitness standards related to the work of a firefighter.

In addition to the other problems found through the physical examination process it was found that several firefighters had developed significant hearing losses and that continued hearing sensitivity decline was a real probability if something was not done about noise levels. Consequently, the Department has entered into a hearing conservation program that will be fully implemented by September.

Personnel of the Department were involved throughout the year in a variety of activities which were in some way related to the operations of the Department but were conducted outside of work hours and consequently no accurate data is available.

As a special note it should be pointed out that problems which existed between the fire union and City management are no longer apparent or significant to the operations of the Department.

### III. Equipment

During the last year the Department obtained through a lease/purchase a new fire engine (Engine 55) to replace an old engine as well as our new Rescue vehicle which was paid for by donated funds. Both pieces of apparatus are now fully operational.

Engine 54 (1963 Pirsh) was repainted and had a rear-end replaced.

Repair expenditures rose to \$19,048 from the previous year of \$11,121. This is indicative of the aging quality of much of our equipment.

Other equipment was replaced during the year, most significant was the purchase of a complete command radio-communications system for the organization of communications at a disaster scene. Also, the Department began the process of updating our alarm information

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system with the planned changeover for the antiquated TALOS system to computerized printers. This is the first step towards computerized dispatch and better, safer fire services.

Of great benefit to the Department and citizens was the purchase and equipping of Engine 55 and Engine 54 with 5 inch hose. The Department is now able to supply all the water necessary to apparatus combating a fire under most circumstances. Water is also supplied faster.

As a result of equipment acquisitions during the past year the Department is now better able to provide fire services than before in a more efficient manner. With our new preventative maintenance manual the Department should be more cost-effective in its operations for years to come as well as better prepared to meet future contingencies.

IV. Planning for the Future

During the past year the Department has begun or continued planning for several programs or projects to be implemented during the current year. These programs and projects are:

1. Volunteer Home Inspection Program.

The Department will soon begin to recruit and train volunteers to conduct residential inspections for fire safety. These inspections will be voluntary on the part of the resident and will not be to enforce either the Uniform Fire Code or Building Code. We plan an extensive media campaign to inform citizens of this opportunity to insure fire safe homes without risk. Volunteers will use pre-made check lists and will make recommendations only. We hope to begin the program to coincide with National Fire Prevention Week the first week of October.

2. Company Code Inspection Program

We have begun assembling instructional materials for the curriculum involved in preparing on-duty crews to do low-risk occupancy code inspections. The engine companies will inspect occupancies designated by the Fire Marshal as would an Inspector, if we had one. Problems which cannot be handled by the engine crew will be referred to the Fire

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Marshal or Fire Chief. It is anticipated that the program will be fully operational by January.

3. Physical Fitness Standards

The Department is planning for the establishment of a valid set of job related physical fitness standards which when implemented will be the guideline by which we physically measure our capabilities. This program is complex because of the involvement of the Department, Union, physician advisor and other medical authorities and because no valid standards have been established in the past.

4. Officer Mid-Management Training

The Department has begun preparation for the initiation of a mid-management training curriculum to prepare company officers for their supervisory responsibilities. This curriculum will involve subjects from personnel relations to budgeting. It is the hope of the Chief that this program will better prepare company officers to assume command responsibilities should they need to. It is also hoped that this program will lead to a situation of readiness unlike that encountered over the last two years where command officers had to receive on-the-job training.

5. Redistribution of Training Responsibilities

The Department is planning to redistribute training, as related to State Accreditation, responsibilities to the shift Captain from staff as it has been in the past. With the loss of the Training Officer, the shift Captain will be directly responsible for the actual training, scheduling and documentation. This is not a severe departure from the past as the Department's administration will still be scheduling all non-accreditation training.

6. 1982 Edition of the Uniform Fire Code

The Department is now planning comparisons between the 1976 edition of the UFC and the 1982 edition and recommendations for revisions in our adoptive ordinance. The Department will soon be coming to the Council requesting this change.

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7. Public Information Newspaper

The Department is now preparing its first public information/education newspaper to be distributed in September. This newspaper will deal with timely subjects of fire prevention for both children and adults. Also the paper will include information items by the Fire Chief, Fire Marshal and other city officials as related to fire safety. We have been planning this program for two years and have budgeted for it in the current budget.

8. Capital Improvements

The Department is continuing its planning efforts in hopes that dollars will sometime be available to continue the replacement or refurbishment of older apparatus. Specifications are currently being developed for the refurbishing of Truck 53 which would save approximately \$150,000 over replacement.

Of course, these are not all the plans we are currently looking at. A Master Plan for Fire Protection is also in the works but because of so many economic variables we are holding off.

V. Problems

Like any organization the Fire Department has its share of problems for which solutions need to be found. The significant problems are:

1. Age and deterioration of Equipment.

It has been stated many times by myself and others, but it bears stating again; our equipment is getting old and requires dollars to keep up. The acquisition of two new pieces of apparatus has helped but we need to go further for reliability, safety and protection.

2. Training Facility

We are running out of places to train. We are currently using the Southern Pacific Property at 37th and Monroe. If this property ever becomes developed we will have no place to drill. We have moved from one site to another for years as development drives us away. The bond issue in 1963 was partially dedicated to a drill site but the dollars found another purpose and conse-

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quently no training facility.

As the City becomes more developed and risk of fire expands it will be even more essential to train for fire protection. Consider if we should need to train volunteers if a 1½% limitation passes. *Note: Regional Training Facility becomes operational in February, 1983.*

3. Master Plan for Fire Protection

The City lacks a Master Plan for Fire Protection which would guide it in the provision of this essential service.

We began the process over a year ago to formulate such a plan but because of interruptions of many kinds we do not have one.

A Master Plan is a combined effort between Council, Management and citizens and the development of such a plan is necessarily lengthy but important. I cannot conceive of guiding the City's fire and rescue services very long without some clear policy direction from Council and citizens.

4. Stress

I include stress as a problem to be faced as it is real in our Department as it is for, I suspect, the Police. We must find ways to deal with this topic as it relates to work performance.

It is most difficult to inspire a tired firefighter who has just spent many minutes in the frantic rush to save a life and failed. The anticipation of alarms takes its toll in irritability and physical condition.

Stress has been an acknowledged problem in the fire services across the nation and is no less in Milwaukie. We will continue to acknowledge stress as a problem not an excuse and deal with it as resources allow.

5. Code Enforcement

With the loss of a professional Fire Inspector, we must rely upon a less desirable level of service to fulfill a part of our code enforcement needs.

The City of Milwaukie has a very low fire loss. In order to keep it low we must enforce the regulations we have adopted aggressively. The Codes are technical and complex and inter-

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pretations are many. Therefore professionals are needed to deal with the public in areas where hundreds of thousands of dollars in expenses often hang on a decision.

6. Public Apathy

"Fires happen to others - not me!" Until one time I smell smoke!

Because the Fire Department responds to all emergency calls, as well as public assistance needs, both depending upon how the individual citizens perceives us. Most citizens are not familiar with the daily operation of a Fire Department. Consequently we are working too little, too loud, too slow, overpaid and unnecessary - until they need us! Then we are valuable, quick, nice, polite, hard-working and all things wonderful.

We will never eliminate human carelessness. Fire problems whether accidental or intentional will always be real, today and tomorrow. The intent of this Fire Department is to make the public aware and accept a part in the solution of this problem. The problems will not go away if we do nothing.

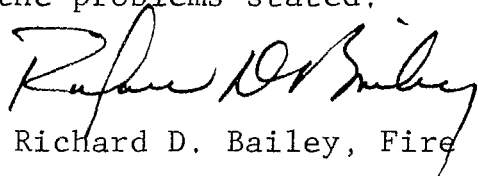
VI. Conclusions & Recommendations

Conclusion:

During the last fiscal year, I am very proud to say, the Fire Department has accomplished a lot under somewhat handicapping conditions. It can accomplish more by being creative. It needs support and guidance so as to make appropriate choices in the light of Council Policy, Management direction and its part of the City whole.

Recommendation:

That a work session with the City Council, City Manager and Fire Department Staff be held to discuss this report and set the stage for combined solutions to the problems stated.



Richard D. Bailey, Fire Chief

MILWAUKIE-CO  
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## MILWAUKIE POLICE DEPARTMENT

### Year End Report 1982

The Milwaukie Police Department had a very busy year in 1982 with calls for service increasing 12.5%. The department has absorbed a 43% increase in calls for service over the past five years while absorbing a decrease in personnel. The performance of department personnel has been outstanding.

#### 1. CRIME RATE

The department registered a 7% decrease in Part I (serious) crime and a 20% reduction in Part II crime in 1982. The clearance rate for cases assigned to detectives increased 8% for the year. It is gratifying that the department has been able to have an impact on the crime rate while experiencing considerably more service demand per office. The department has been able to contain serious crimes more effectively than other cities in the Metro area. As an example during the period 1978-81 Milwaukie experienced a 8% increase in serious or Part I crimes. The increase for Beaverton was 18%, Gresham 46%, and Lake Oswego 28%. Each of those departments operate with significantly greater resources.

#### 2. TRAFFIC ACCIDENTS

The department has enhanced its traffic enforcement capabilities with the addition of a police motorcycle and the commitment of two officers covering two shifts. The department has documented the correlation of high visibility traffic enforcement activity with the number of accidents which occur. This trend has been validated this part year as the city has experienced a 24% reduction in traffic accidents and a 15% reduction in drunk drivers. The traffic flow on McLoughlin and the Milwaukie expressway increased by approximately 2% in 1981 and would be expected to duplicate that rate in 1982. As a consequence the traffic enforcement unit is faced with the increasing traffic flow which represents more opportunities for accidents. The performance of the unit is very impressive and has proven to warrant the decision to purchase a motorcycle.

#### 3. SCHOOL PROGRAMS

The department's school liaison program almost tripled the number student contacts in 1982. One officer working part-time provided 304 hours of classroom lecture and interaction. The

department emphasizes the following activities which are designed for specific age groups:

Officer Friendly  
Alcohol & Drug Abuse Information  
Bicycle Safety  
Stranger Awareness  
Block Home  
Juvenile Law  
Safety Patrol Activities

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The interaction of Milwaukie students with the police department has resulted in a very perceptible improvement in support. With this traditional barrier weakening, the department is in a much more positive position to advocate personal responsibility, good citizenship, and crime prevention. It is our commitment that this type of program is far more valuable and effective to crime control than the more traditional reaction oriented activities. We will continue to encourage and develop opportunities for interaction and training for the youth of our community.

#### EXPLORER POST:

The department sponsors a very successful Explorer Post. The post is supervised by a sergeant. The Explorer program provides high school students with law enforcement training and experience through a highly supervised activities program. The following awards were earned by the Post in head to head competition with other Explorer posts in the past year:

1. Law Enforcement Challenge (3rd Meeting) (First Place)
2. Scoutcapades - Presidential Award (First Place)
3. Leo B. App Award - Shooting (First Place)
4. Tri-County Explorer Academy (Overall High Score)

#### ACCREDITATION:

The department has taken a leadership role in the development of standards of accreditation for law enforcement agencies. The department was selected as one of 300 agencies nationwide to work with the Commission on Accreditation for Law Enforcement Agencies (Washington, DC) to develop accreditation standards. Law enforcement agencies will be able to use the standards as a measure of performance. The process of accreditation will be utilized to both identify the superior departments and to establish possible goals for agencies striving to improve.

SUMMARY:

The department is having a positive impact on law enforcement, safety, and crime prevention.

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1982

	<u>1981</u>	<u>1982</u>
<u>1. Enforcement Indicators</u>		
Calls for Service	17,038	19,170
Part I Crimes	1,173	1,094
Part II Crimes	705	564
Part III Non-Criminal	10,836	11,687
Arrests	875	838
Traffic Citations	4,968	5,847
Traffic Accidents	440	357
Drunk Drivers	156	133
Homicide	0	0
Rape	2	5
Robbery	10	14
Assault	121	106
Burglary	356	380
Theft	634	557
Motor Vehicle Theft	65	49
<u>2. Investigations Section</u>		
a. Assigned	1,064	1,190
b. Suspended	545	637
c. Cleared	159	278
d. Rate	15%	23%
<u>3. School Program</u>		
a. Number of students contacted	2,499	6,340
b. Hours in-school lecture	101	304
<u>4. Animal Control</u>		
a. Impoundments (estimated)	156	179
b. Citations	44	34
<u>5. Reserve Program</u>		
a. Total volunteer hours	3,962	3,164
<u>SUPPORT SERVICES</u>		
6. Case files	3,763	3,344
7. Computer terminal (average mo.transac)	12,493	12,324
8. Recovered property	184,426	158,887

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FIVE YEAR COMPARISON  
OF KEY INDICATORS

	<u>1978</u>	<u>1982</u>	<u>% Δ</u>
Part I	1013	1094	+ 8.0%
Part II	878	564	- 36.0%
Part III (Non-criminal)	9946	11687	+ 17.5%
Calls for service	12225	19170	+ 43.0%
Arrests	786	832	+ 6.0%
D.U.I.I.	168	133	- 21.0%
Citations	5318	5830	+ 10.0%
Traffic accidents	520	357	- 31.0%

TRAFFIC ACCIDENTS

COMPARISON OF PERIOD  
WITH AND WITHOUT  
MOTORCYCLE  
April - December 1981  
to  
April - December 1982

	81	82	% Δ
	345	263	- 24%

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PUBLIC WORKS DEPARTMENT

ANNUAL REPORT  
1981 - 1982

This has been a year of adjustment due to less personnel, lower revenues, a new budgeting process and a overall reorganization. Many of the results have been positive, but did not come about without growing pains.

Attached are several charts indicating the year end divisional status. A majority of the departments' goals were met and will be discussed within the individual divisions.

Again the department reported no time loss accidents during the year which is due to an active safety program in the maintenance divisions.

I wish to personally thank and commend all Public Works Personnel for a good year and a job well done.

Also included is the fourth quarterly report for 1980-1981.

PUBLIC WORKS DEPARTMENT  
DIVISION REPORTS

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ADMINISTRATION

This division includes the Director, Superintendent and Secretary and is responsible for budgeting, budget control, program development, overall supervision and policy development and control of all divisions. The funding is from water and sewer revenues. Budgetary responsibility is in excess of \$2.3 million dollars. The Secretary provides backup for all divisions.

Primary projects during 1981-82 included personnel allocation for individual divisions under the new budget system, reallocation of responsibilities in Engineering and Building Divisions due to loss of personnel, purging and consolidating filing system, completion of micro-filming of all engineering drawings, cross-training of field personnel and beginning fixed asset inventory in sewer division.

A depreciation system was started for all Public Works vehicles.

ENGINEERING

Personnel cutbacks (two technicians) has hampered this division's ability to provide essential services. The Division now consists of Office Engineer, Civil Engineering Inspector and Illustrator-Drafter.

Some of the Division's major accomplishments include completion of Engineering drawings of existing water system, 60% of existing sanitary sewer system, updating all general maps, and 75% of detail maps for water valve locations in the City. With the sewer maintenance crew, 95%

of the sanitary sewer system was tested for illegal connections and major problem areas. Adjusting to reduced staffing was a major transition for the Engineering Division.

### BUILDING

With the downturn in building construction and fees, the Assistant Building Inspector was released from employment in November. Budget cutsbacks included loss of Code Enforcement Officer. The Division now consists of the Building Official.

Primary functions of the Division are plan review, inspection and code enforcement for new construction, demolition and alterations. The Uniform Building Code is the reference standard as adopted by the State of Oregon. Coordination of plan reviews with Planning, Engineering, Finance and Fire Departments is a critical function.

Building permits are down from 475 in 1980-81 to 301 in 1981-82. Similarly, total valuation is down from \$13,071,098 in 1980-81 to \$7,237,654 in 1981-82.

### STATE GAS TAX (STREET)

This Division is totally supported by Gas Tax revenues with the exception of Federal Revenue Sharing utilized for the local match on two Federally funded projects, Harrison from 28th to 32nd and Outfield at Lake Road.

The year has been a time of looking at alternative methods to more effectively maintain the City's 65 miles of streets. This process will continue into the coming fiscal year as our "experiments" continue.

One of the major decisions was the purchase of a used truck and oil distributor. The vehicle has allowed the Division to begin rehabilitation of deteriorated road surfaces with oil and rock, commonly referred to as an oil mat or chip seal surface. Although considered a low grade pavement, it allows the division to begin to protect the large investment in streets.

Optional funding of roads beyond the State Gas Tax is a necessity in the near future. This will be dealt with in the next fiscal year as a priority at staff level.

#### EQUIPMENT REPAIR

The first year of a separate, self-sustaining Equipment Repair Division has survived its birthing pains. After several months of struggling, changing, altering and continual monitoring, the Division is now operating smoothly on a firm foundation.

The acquisition of a new maintenance facility has helped immeasurably to provide quality maintenance at a reasonable cost.

The use of Community Corrections and CETA personnel has allowed us to upgrade the work at relatively low cost. Over half of the Public Works fleet and two Park vehicles received body and fender repairs and new paint this past year using CETA labor. One goal is to establish a City-wide Equipment Rental Division in 2-5 years.

Upgrading of equipment records and time accountability has been a major accomplishment. An equipment depreciation schedule has been established for all Public Works vehicles.

SEWER DIVISION

The major project for the Sewer Division has been checking the entire system for illegal connections, deterioration and areas of high leakage. The field investigation for this was about <sup>95</sup>~~90~~% complete at the end of the fiscal year.

Phase II will be notification of individuals with illegal connections, analysis of field data followed by television inspection of critical areas. After the completion of Phase II a detailed analysis will be made as to cost of repair versus cost savings from repair. The end product will be a long-term rehabilitation program with specific projects and continued monitoring of the system.

Preventative maintenance continues to prove valuable as overtime and "surprise" problems continue to diminish.

WATER DIVISION

This year the program of valve location, testing and cleaning was completed. The detailed mapping is complete in draft form and engineering completed about 25% of the final drawings.

A program of leak detection has been started and will be continued into 1982-83 to locate problem areas and high losses in the system. This year's losses totalled over 112 million gallons or 14.4% of water produced. Ideally, losses should be about 10%. Losses include water used by Fire Department, old meters that read low, actual leaks in the system and similar items.

DIVISION REPORTS

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Page 6

Several unexpected problems arose that resulted in unplanned expenditures. One of the major items was the premature failure of the #6 well pump.

Three minor extensions to the system were constructed providing reliable domestic and fire flows to the areas.

At the end of this year, the Island Station Intertie easement was near to being obtained subject to ratification by the Boundary Commission to serve the property to be crossed. This will allow better volume and pressure to the Island Station area plus the reliability of two sources of water.

Next year major improvements will be added to the Island Station area financed by Community Development Block Grant Funds.

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TABLE "A"  
HOURLY SUMMARY

OPERATION	1980-1981		1981-1982	
	HOURS	%	HOURS	%
Street Maintenance	14,327.25	41.9	10,035.00	30.2
Sanitary Sewer Maint.	3,629.50	10.6	4,409.75*	13.3
Water Construction	523.50	1.5	421.75	1.3
Water Operations	2,179.75	6.4	2,385.50	8.7
Water Meter Installation	332.50	1.0	159.50	0.5
Water Maintenance	9,085.25	26.5	10,710.00	32.2
Parks Maintenance	125.50	0.4	73.00**	0.2**
Vehicle Maintenance	3,569.75	10.4	3,765.75	11.3
Storm Sewer Const.	454.50	1.3	295.25	0.6
<b>TOTAL</b>	<b>34,227.50</b>	<b>100%</b>	<b>32,566.75</b>	<b>---</b>
Move to new shop, paint, cleanup utilities			572.25	1.7
<b>GRAND TOTAL</b>			<b>33,239.00</b>	<b>100%</b>

\*Includes 188 hours of Sewer Construction.

\*\*As of 1 April 1981, Parks in Community Services.

TABLE "R"

## EXPENDITURE SUMMARY

11/2

DIVISION	1981-82 BUDGET	FINAL BUDGET REPORT - 30 JUNE 1982			
		AUDITED CASH-JUNE 81	REVENUES	EXPENSES	CASH-JUNE 82
Administration	\$ 111,958	0	\$111,958	\$107,719	\$ 4,239
Engineering	84,837	0	84,837	82,540	2,297
Building	69,079	0	32,839	48,993	(16,154) <sup>1</sup>
Street	330,481	145,475	309,681	317,024	138,132
Equip Repair	64,756	0	69,504	75,684	( 6,180) <sup>2</sup>
Sewer	1,243,000	345,356	941,773	956,898	320,231 <sup>3</sup>
Water	916,000	185,402	756,991	649,893	292,500 <sup>4</sup>

<sup>1</sup>Budget General Fund = \$9,079  
 Net Shortfall = 16,154 - 9,079  
 = \$7,075

<sup>2</sup>1982-83 Budget = \$72,289 or \$6,024/month  
 Project \$7500/month income for 1982-83  
 Deficit cleared =  $\frac{\$7,075}{\$7,500 - \$6,024}$   
 \* 5 months

<sup>3</sup>Cash Equity 30 June 82 = \$320,231  
 Replacement construction = 273,000  
 Carry-over Equity = \$ 47,231

<sup>4</sup>Cash Equity 30 June 82 = \$292,500  
 Replacement construction = 137,775  
 Carry-over, Reservoir #1 = 56,000  
 Carry-over Equity = \$ 98,725 (Primarily carry-over to complete Well #7)

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TABLE "C"  
WATER DEPARTMENT  
ANNUAL SUMMARY

	ANNUAL PRODUCTION (million gallons)	SALES VOLUME (million gallons)	% LOSS	ANNUAL SALES	PERCENT INCREASE	NUMBER USERS
67-68	546.4666	479.1429	12.32%	204,633.10		3226
68-69	553.1493	474.4464	14.23%	205,652.73	+ 0.50%	3417
69-70	576.4336	513.6450	10.89%	197,319.96	- 4.05%	3444
70-71	629.8092	560.2377	11.01%	239,096.19	+21.17%	4007
71-72	703.5306	595.1164	15.41%	246,632.42	+ 3.15%	4062
72-73	762.2059	637.7424	16.33%	267,724.43	+ 9.55%	4080
73-74	732.0237	618.1244	15.56%	263,629.03	- 1.53%	4203
74-75	775.5188	648.8047	16.34%	273,601.33	+ 3.78%	4312
75-76	795.1217	661.4751	16.81%	282,939.68	+ 3.43%	4561
76-77	795.7440	666.9497	16.18%	286,872.02	+ 1.37%	4756
77-78	775.1066	664.3990	14.28%	383,609.50	+33.72%	4924
78-79	820.4170	674.0930	17.84%	422,664.06	+10.13%	5041
79-80	815.0810	713.6440	12.45%	533,384.55	+26.20%	5063
80-81	784.9950	673.5450	14.20%	562,349.72	+ 5.43%	5112
81-82	843.3310	730.8600	14.13%	593,593.13	+21.56%	5270

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: CENTER ADVISORY BOARD AND  
SENIOR CITIZEN ADVISORY COMMISSION

DATE: DECEMBER 28, 1982

SUBJECT: CENTER EVALUATION.

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At the October meeting, the Milwaukie Center Advisory Board made a decision to invite other Center participants and advisory groups to join us in discussing and evaluating all Center programs. The offer resulted in a series of two November meetings in which the Senior Citizen Advisory Commission, the Center Program Committee, Friends of The Milwaukie Center, Inc., the Center Advisory Board, and Milwaukie Loaves and Fishes Steering Committee met jointly with Center staff and exchanged experiences and views covering all aspects of the Center's program. Facilitator was John Mullen, Director of the Area Agency on Aging.

The discussion closely followed an outline covering existing programs under the major headings of (1) Nutrition, (2) Education, (3) Recreation/Social, and (4) Services. The purposes of the exchange of ideas were to aim for unity and cooperation among Center participants, and to offer suggestions for improvements or additions to the programs, as well as to compare programs for possible unnecessary duplication and to assist staff in the evaluation of the Center's use and in planning for the future.

We felt that the meetings were very profitable as feed-back and suggestion-gathering for the programs, and also well worthwhile for the personal experience as the various committees met each other and exchanged ideas relevant to bettering services offered by the Center. A survey of the full scope of Center programs is impressive.

Enclosed is a summary of the topics discussed and brief reference to comments made by participants.

Janet Witter, Center Advisory Board  
Gail Roach, Senior Citizen Advisory Commission

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## 1. NUTRITION:

Midday meal at the Center and Meals-on-Wheels satisfy nutritional and social needs with good, nutritious food, friendly people, and entertaining, instructional programs after the lunches. There is an important social value from the call itself by those who deliver Meals-on-Wheels. Some have asked for a later meal than noon and/or on weekends; but at present this would be a heavy additional burden for the providers. Contributions could be made by recipients of Meals-on-Wheels (or by relatives) if an envelope is provided. Many seem reluctant to "accept a free meal" and don't realize the program is "pay as you can". This is a sensitive area: weighing cost, donation, and ability to pay, in both programs.

## 2. EDUCATION:

Arts and Crafts have good class enrollment, but need to advertise in newspapers or TV to get turn-out for the Friday afternoon dance group, for example. We could promote a group to study humanities, great books. In considering Leadership Training we need to involve social service committees for area churches or civic/fraternal associations, and encourage attendance at the C.C.C. workshop in leadership. More training is needed for Outreach volunteers. The night dances or programs at the Center could use a bus to transport seniors. Under Performing Arts the programs following noon meals were complimented for quality and variety. However, there are talented seniors who have no opportunity to use talents. Question of a need to set up a band or choral group whenever there would be participants. The varying levels of competence might be a problem. At this time, performing arts are limited to passive entertainment with little participation.

## 3. RECREATION/SOCIAL:

All programs are going well. New "Out to Dinner Once a Month" requires two vans. Could use more publicity for trips, in both Center newsletters and local papers.

## 4. SERVICES:

Physical Activities include all the building can handle right now, but future plans should include a walking or jogging track or trail, pool, gym. Daily exercises are popular, and gardening fills the available space.

Under Information and Referral, note was made of the Rolodex listing resources available. It would be helpful to publish an up-dated list for distribution of services in the Metro area. Perhaps ministers can help by giving out availability of such information at the Center to their congregations.

Outreach is highly satisfactory, but the program is understaffed. Volunteers are needed for "Search and Find" and to answer any questions and refer requests for the broad range of services.

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Transportation is working well. The list of volunteers could be expanded. Parking is a problem at the Center, hope for amelioration by spring. As long as they are safe drivers, seniors are urged to continue driving as a factor in keeping young. There is possible use of the C.C.C. Automotive Dept. to help maintain vehicles, though the time gap is a problem.

Employment Services and Center Job Bank may be duplicating services. Other resources are R.S.V.P. at C.C.C. and Loaves and Fishes. There are many calls for live-in help and for handymen. The Gift Nook can provide income with its high quality items.

Health Services could include a class on sight reading for the hard of hearing as well as a sign class. Could a Vision Clinic be worked out? The Foot Clinic is not operating as well as in the past when Public Health provided the service. Other programs should be aired, such as the organ-doner and the Hospice program.

JOINT EVALUATION MEETING NOVEMBER 19, 1982

Under Personal Counseling and Support: Widowhood Support Group, Sign Language class, alzheimer's Support Group and Stroke Club are well attended. There is a need to advertise the present groups and expand to other areas, possibly sleep therapy, stress reduction. SHIBA provides assistance in supplemental health insurance. Other programs provide other personal counseling.

Under In-home Assistance: Grocery delivery is active now. The Vial-of-Life information needs to be kept up-to-date. Those called by telephone reassurance seem to be satisfied, and Senior Companion program (2 persons) serves twelve people.

Income Assistance provided by the Utility Payment Box and the Fuel Assistance are used. Programs need publicity, need to tie into PGE (who offers aid, asks that needs be identified early), and need to reach out before any situation may become extreme. The health program for assisting Alzheimer victims and families could be tied into budgeting and income assistance. There is a need for more income-management help, volunteers for which could be found among retired business men or bankers. There is a need for more gardening space, for more gleaning, and for consumer protection programs.

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Good service is provided by Legal Assistance. All problems cannot be solved, but help is provided. Need to thank attorneys for giving time, also need to have them explain what further fees may be incurred as a result of action (typing, negotiating instruments, etc.). Financial needs should be added to the program.

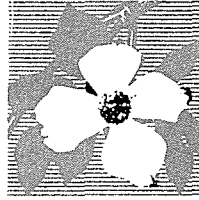
#### GENERAL SUMMARY

The key need, if all area seniors are to be reached, is publicity for existing programs. All committee members, program coordinators, and other volunteers should take more responsibility for public relations. We need a sign on the Expressway and on the building, and perhaps, the help of a retired ad agency or PR person. We need to raise funds to expand money-making activities. Suggestions: Baby-sitting pool, paper recycling, video games at the Center (intergenerational!), bazaars, participant fees. Our philosophy should extend programs to handicapped non-seniors needing same services, e.g. sign language classes.

We have an income problem regarding the taxing areas within and without the city. The city people feel they carry the load though the Center serves the entire area.

The question arose about the use of the Center when it is not being used by seniors. It is doing better than expected with close to full use at the present time.

We need to be sure ideas coming from these discussions get back to all groups represented, and need to consider meeting again in the future. If we do so, we need to plan meeting format, agenda, and time interval appropriate or necessary.



## MEMORANDUM

TO: MAYOR AND MEMBERS OF CITY COUNCIL  
FROM: HUGH BROWN, CITY MANAGER *Hugh Brown*  
SUBJECT: WITHDRAWAL FROM SOCIAL SECURITY SYSTEM  
DATE: JANUARY 10, 1983

A significant number of employees of the city have indicated interest in at least investigating the possibility of the city's withdrawing from the Social Security system. As you have no doubt read this idea has been growing in popularity among both public and private sector employees throughout the nation. Interest is based on perceived ability to "do better" financially with a private retirement program and doubts about the future of the Social Security system.

Well over half of the city's employees signed a letter to me requesting that we begin the process of making a decision on this issue. Interest in withdrawal was expressed during collective bargaining last year. I understand that there was discussion of this issue several years ago but that it was dropped.

This is a very complex issue with financial and societal implications, made more complicated by the various proposals before Congress and by the apparent position of the PERS Retirement Board in opposition to public sector employers withdrawing.

I have enclosed for your information the material we have provided employees to help them determine if there is sufficient interest to begin this process. As you read through the information about the process you will see that the Council, as the governing body of the city, must participate in the various steps of the process and ultimately must approve the request to withdraw from the Social Security system.

I will be glad to discuss this issue further with you at the Council meeting on Tuesday evening. I will keep you informed about the results of our survey.

DATE: February 7, 1983  
TO: All Employees  
FROM: Hugh Brown  
SUBJECT: Withdrawal from the Social Security System

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Approximately 62 % of all employees at the City who are covered by Social Security indicated in a letter to me that they are interested in withdrawing from the Social Security System. In response to this letter I met with representatives of the various Departments/Divisions on January 21, 1983 to gain more information about the employees' concerns about the present system. While the feeling at the meeting was generally that the city should begin the withdrawal process, there were some reservations. I have also heard from employees who do not want to withdraw or who indicated that they signed the original letter to me in order to gain more discussion of the issue, not because they were convinced it is the best course of action.

Because it is not clear that there is sufficient employee interest in beginning the process I would like all eligible employees to complete the attached survey form. To assist you in answering the survey questions I have attached two pieces of information:

1) A set of questions developed by the Social Security Administration that must be considered in making the decision to withdraw from the Social Security System and 2) A description of the withdrawal process prepared by PERS who administers this procedure.

This is an extremely complicated issue having both individual and public interest aspects. It is further complicated by federal legislation under consideration. I encourage you to read the attached information carefully.

Please return the attached survey form to Jo Durand by Monday, February 15, 1983. Contact her if you have any questions about this letter.

Hugh Brown

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CITY OF MILWAUKIE

WITHDRAWAL FROM THE SOCIAL SECURITY SYSTEM

SURVEY FORM

I have read the information developed by the Social Security Administration containing questions to consider regarding withdrawal from Social Security and the information developed by the PERS regarding the withdrawal process.

I would attend a general information meeting held by representatives of PERS which is the first step in the process of withdrawing from Social Security.

I would not attend such a meeting.

Based on the information I have now I favor the City of Milwaukie withdrawing from the system.

Based on the information I have now I do not favor the City of Milwaukie withdrawing from the system.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

RECEIVED BY JO DURAND BY FEBRUARY 15, 1983

SOCIAL SECURITY ADMINISTRATION

WITHDRAWAL FROM SOCIAL SECURITY

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The privilege to withdraw public employee units from Social Security involves evaluation of a number of complex questions. As an aid to the persons participating in such a decision, the Social Security Administration had the following set of questions compiled. It should be recognized that the decision will probably require technical advice. For that reason, the following material should be viewed as a starting point for an intensive study or of any particular situation.

I. BENEFITS

\*\*\*Withdrawal from Social Security means forfeiture of certain benefits.\*\*\*

A. Retirement

1. What general form of retirement benefits will be provided in place of Social Security?
2. What guarantees will be attached to these benefits?
3. Will additional retirement benefits accrue for an employee's spouse or children?
4. What level of benefits will continue after the death of a retired employee? Will such a continuation require a reduction of the basic retirement benefit?

B. Disability

1. Will the disability benefits provided by Social Security be replaced?
2. If so, what will be the eligibility requirements for benefits (minimum age, period of service, period of disability, degree of disablement, etc.)?
3. How long will disability benefits continue?
4. If disability benefits do not continue for life, what benefits are available after disability benefits cease?
5. Will additional benefits accrue for an employee's spouse or children without a reduction in the basic disability benefit?

C. Death

1. Will there be provision for benefits similar to the family benefits available under Social Security?

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2. To whom will these family benefits be paid? Will benefits be paid to dependent children or parents?
3. If a surviving spouse of an active employee becomes eligible for benefits, how long will payment be made?
4. Will benefits be paid to an aged or disabled surviving spouse?
5. How will remarriage affect the payments to a surviving spouse?
6. If benefits will be payable to dependent children, at what age will they stop?
7. Will there be a lump-sum payment in the event of death of an active employee?

D. Medical Benefits

1. Will the new benefit program include the payment of medical benefits to retired employees?
2. If so, will this require additional employee or employer contribution? In what amount?
3. What provisions are made for increases in medical costs?
4. Are medical benefits available during disablement?
5. What limitations and restrictions are placed on medical coverage? Are some forms of hospitalization not covered?
6. Is coverage for physicians' fees available? Does this require additional payment by the employee? By the employer?
7. Is medical coverage provided for life after age 65? If not, when does it cease?
8. Are the expenses of nursing homes covered? For how long?

II. RIGHTS OF EMPLOYEES

\*\*\*Certain individuals rights which exist under Social Security might be lost.\*\*\*

A. Constitutional or Legal Guarantees

1. Are accrued pension benefit rights for each employee protected by constitutional or statutory guarantees?
2. Do these guarantees extend to benefits paid by Social Security?
3. If so, how will these guarantees be met?

VI D (6)

B. Vested Benefits

1. Will any benefits currently accrued under Social Security be lost? If so, what steps will be taken to replace them?
2. If benefits to be lost will be replaced, does this include benefits earned in other employment?
3. Will all replaced benefits be protected if the employee terminates before retirement?
4. Will all benefits earned in the future under any program replacing Social Security be fully vested in case of termination of employment?
5. If not, will the benefits that are vested be comparable in value to the Social Security benefits that would have been earned?

C. Portability

1. Will employees who change jobs be able to take with them all of the retirement benefits they have earned?
2. If not, what will replace this feature of Social Security, which is a major element in its public and legislative acceptance?

D. Employer Payments

1. Will employees receive benefits comparable to those presently being bought by the employer's Social Security taxes?
2. At some time in the future, can the employer reduce or terminate any contributions now planned in replacement of Social Security taxes?
3. Are the rights to benefits accruing from employer payments protected for future employees as well as for present employees?

III. EQUITY BETWEEN EMPLOYEES

\*\*\*A benefit program replacing Social Security may treat some segments of the employee group inequitably.\*\*\*

A. By Age

1. Will the employees who are presently older receive retirement benefits comparable to the Social Security benefits they are forfeiting?

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2. Will an employee who is hired in the future at an advanced age be able to accrue adequate retirement benefits?
3. Will the time required for younger employees to become eligible for death and disability benefits be greater than it is under Social Security?

B. By Sex

1. Will benefits under the replacement program be different for men and women whose services and salaries are the same?
2. If so, will this pose personnel problems; perhaps, under equal employment opportunity legislation?

C. By Family Status

1. Will adequate benefits be provided for married employees to replace those they have under Social Security?
2. Will the replacement program protect the children of employees who die or become disabled? Will the benefits be comparable to those under Social Security?

D. By Employment Characteristics

1. Will an employee with seasonal or intermittent service earn benefits proportionate to those of a full-time employee?
2. What protection does the replacement plan offer to employees who are laid off temporarily or become disabled -- are their accrued benefits saved?
3. Will a part-time employee receive benefits comparable to what he would have obtained under Social Security?

IV. PROTECTION AGAINST INFLATION

\*\*\*Many benefit programs do not have the automatic escalation features of Social Security\*\*\*

A. Before Retirement

1. If a benefit program will be set up to replace Social Security, how will the benefit levels reflect changes in the cost of living?
2. If living costs continue to increase, will all benefits be increased under the substitute program, or only those benefits to be earned in the future?

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3. If comparisons of Social Security benefits and benefits under a substitute program have been made, do they show comparative benefits with no cost of living increases? Do they also show the effect that salary and living cost changes will have on both Social Security and the substitute program?
4. If the alternate program does allow for inflationary increases, will those increases affect just retirement benefits, or will all benefits, including disability, be increased?

B. After Retirement

1. If a benefit program is planned as a substitute for Social Security, will its benefits increase after retirement in a manner similar to the way Social Security benefits will increase? If so, does this require taking a smaller benefit at retirement than would otherwise be available?
2. If comparisons have been made between Social Security and the alternate program, have these comparisons recognized the difference in benefits which might develop after retirement because of adjustments in the benefit with changes in the cost of living?

V. OTHER CONSIDERATIONS

\*\*\*Tax and personnel implications should be considered; all of the questions require competent technical advice.\*\*\*

A. Tax Questions

1. If Social Security has been compared with an alternate program, how is the comparison affected by federal income tax? Has it been recognized that employer contributions under Social Security in effect, are not subject to federal income tax when received by the employee?
2. Are there any special effects of state and local income taxes upon Social Security or its alternate program? Have these been taken into account in any comparisons between the benefit programs?

B. Personnel Matters

1. If Social Security is no longer available, will this adversely affect the hiring of new employees?
2. Has consideration been given to the special incentives which Social Security offers to professional employees such as teachers, administrators, lawyers, etc., many of whom expect to advance in position by changing employers? Will such prospective employees expect higher salaries to make up for the loss of Social Security benefits?

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C. Professional Advice

1. Has the proposal to withdraw from Social Security been analyzed by a qualified actuary? If not, what are the qualifications of the consultants reviewing the actions?
2. If a qualified actuary has studied the proposal, did he analyze the assumptions made in comparing Social Security with any alternate program?
3. Has competent legal counsel looked over the proposal to withdraw and considered its constitutional and statutory implications?



# Oregon Public Employes Retirement System

1099 S.W. COLUMBIA — MAILING ADDRESS: BOX 73, PORTLAND, OR 97207 PH. (503) 229-5824

## VOLUNTARY TERMINATION OF SOCIAL SECURITY COVERAGE

This is an administrative guideline for initiating procedures to voluntarily withdraw from social security coverage. Pursuant to Section 218(g), Title II, of the Social Security Act, the state may terminate coverage, in its entirety or for any absolute coverage group, by giving at least two years advance notice to the Secretary of Health and Human Services if there has been at least five years of coverage prior to the notification. Thus, no political subdivision may take an independent action to terminate coverage or fragment coverage without following procedures established by PERS.

As prescribed in Oregon statutes, only the Public Employes Retirement Board, acting for the state, can modify social security coverage for state and local employes in Oregon.

Further, in ORS 237.410 to 237.520, Oregon law treats all school districts collectively for social security coverage and there is a legislative edict to extend coverage ". . . on as broad a basis as is permitted . . ." (ORS 237.412).

To be assured that the employes and governing body of a political subdivision have considered all ramifications in terminating coverage, the following procedure is to be used:

- (1) A written request from the administrative head or governing body of a political subdivision to the State Administrator for Social Security coverage (PERS) to hold a general meeting(s) of all personnel and the governing body to discuss:
  - (a) Effects of termination and loss of coverage;
  - (b) Problems of alternate coverage; and
  - (c) The procedures required to request of the Retirement Board a termination of coverage.

It will be necessary that 75% of all personnel and governing body be present at this meeting(s). Following the presentation, 75% of those present must indicate a desire to pursue termination; otherwise the request stops here.

- (2) If 75% want to continue with the procedure, the governing body requests, in writing, that a referendum be held to determine whether termination is desired. To be successful, 75% of those eligible to vote must cast ballot in favor of terminating coverage.
- (3) This referendum will be conducted by PERS not earlier than ninety (90) days following official written notice to all employes and will be jointly monitored by PERS and the political subdivision.

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- (4) If the referendum is successful, and the governing body, by a majority vote, agrees to continue the procedure for termination, and acknowledges that coverage could not again be provided, the governing body must indicate, in writing, their desired intent to terminate coverage.
- (5) The Retirement Board will review the preceding steps and if found satisfactory and consistent with law, will forward to the Secretary of Health and Human Services, notification of intent to terminate coverage.
- (6) Prior to the effective date of the termination of coverage, the Retirement Board will again review the procedure completed and make additional inquiries of the political subdivision as may be appropriate.
- (7) Pursuant to federal law, the Retirement Board may allow the termination to become effective or withdraw notification if in the public interest.

MEMORANDUM

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January 13, 1983

TO: Hugh Brown, City Manager  
FROM: Gordon Erickson, Finance Director  
SUBJECT: Revenue Sharing Report

The Finance Department prepares a report on the actual uses of Federal Revenue Sharing funds each year. I felt you would be interested this year in the report as it has a new format that highlights the Cities activity without regard to the normal fund structure.

Our total revenue for the year (from the bottom of page 2) was 7.8 million dollars. On a per capita basis this amounts to thirty-six and a half dollars per month to operate all City functions. Each person receives fire and police protection, streets, water, sewer, parks, libraries and community center services for this sum. The most expensive function is fire protection and costs the average citizen only 17.7 cents a day.

On page 4, Part VIII, the Statement of Bonded Indebtedness includes all of our current forms of debt. I mention it because of the concerns voiced at the recent budget committee meeting on revenues. We are currently using a number of financing techniques for various purposes. I believe all of the current uses are appropriate and properly used at this current point in time.

The largest use is bonding for local improvement districts which enabled citizens to get streets and sewer improvements in their neighborhoods. The next largest use has been to finance extensions of the water system in 1962 and 1968. The \$237,723 issued during the year is for the Public Works Shops and this method of financing will allow the cost of purchase and use to be paid by those who receive the benefit. In the same manner we purchased a fire engine and a copy machine during the year. I know this summary is brief, but I wanted to concentrate on what has been done and not on specific dollar amounts. If any further information is desired I will be happy to respond, please call me.

*Gordon Erickson*  
Gordon Erickson  
Finance Director

UNIVERSITY OF OREGON  
BUREAU OF GOVERNMENTAL RESEARCH AND SERVICE  
ANNUAL CITY FINANCIAL REPORT  
FISCAL YEAR ENDED JUNE 30, 1982

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Return to:  
BUREAU OF GOVERNMENTAL  
RESEARCH AND SERVICE  
UNIVERSITY OF OREGON  
P.O. BOX 3177  
EUGENE, OR 97403-0177

COPY FOR YOUR FILES

Note: If you have any  
questions, please call  
503-686-5232.

(Please correct errors in name, address or Zip Code)

**PLEASE NOTE:** The information requested in this survey is required for compliance with the Federal general revenue sharing program. It is important that you fill out the form as soon as possible to avoid an interruption in the flow of revenue sharing funds to your city. FIGURES USED DO NOT HAVE TO BE FROM A FINAL AUDIT. Please read the accompanying reporting instructions carefully. Return form by November 15, 1982.

**PART I. REVENUE FROM TAXES, LICENSES & PERMITS**

AMOUNT  
(OMIT CENTS)

**1. PROPERTY TAXES RECEIVED DURING 1981-82:**

(a) Current.....	\$ 1,867,027
(b) Delinquent taxes, penalties & interest.....	\$ 98,098
TOTAL PROPERTY TAXES (add lines a and b ).....	\$ 1,965,125

**2. NONPROPERTY TAXES, LICENSES AND PERMITS:**

(a) Franchise taxes (public utilities tax).....	\$ 386,350
(b) Transient room tax.....	\$ _____
(c) Business & occupation taxes, licenses, fees.....	\$ 41,689
(d) General system development charges.....	\$ 146,066
(e) Other construction & land development taxes, licenses, and permits.....	\$ 36,573
(f) All other taxes, licenses & permits (specify):	
(1) Dog Licenses	\$ 13,466
(2) _____	\$ _____
(3) _____	\$ _____
(4) _____	\$ _____
(5) _____	\$ _____
(6) _____	\$ _____
(7) _____	\$ _____

TOTAL NONPROPERTY TAXES, LICENSES & PERMITS  
(lines 2(a) through 2(f))..... \$ 624,144

TOTAL REVENUE FROM TAXES, LICENSES & PERMITS (PART I TOTAL). \$ 2,589,269

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PART II. INTERGOVERNMENTAL REVENUE		FROM STATE	FROM LOCAL	FROM FEDERAL
1. Federal revenue sharing.....	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	\$ 315,684
2. State revenue sharing (ORS 221.770).....	\$ 102,248	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	
3. Other intergovernmental revenue:				
a. State liquor and cigarette taxes.....	\$ 198,726	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	
b. Other general support.....	\$	\$	\$	
c. Streets and highways.....	\$ 237,289	\$	\$	
d. Housing and urban renewal.....	\$ 12,701	\$	\$	
e. Sewers.....	\$	\$	\$	
f. Water.....	\$	\$	\$	
g. Other (specify):				
(1) County Library Share	\$	\$ 219,008	\$	
(2) Park Grants	\$ 24,143	\$	\$	
(3) LCDC	\$ 8,550	\$	\$	
<b>TOTAL INTERGOVERNMENTAL REVENUE (PART II TOTAL)</b>	<b>\$ 583,657</b>	<b>\$ 219,008</b>	<b>\$ 315,684</b>	
<b>PART III. SALES AND SERVICE REVENUE</b>				
(OMIT CENTS)				
1. UTILITY SALES REVENUE				
a. Water supply.....	\$ 704,580			
b. Electric power.....	\$			
c. Transit system.....	\$			
TOTAL UTILITY SALES REVENUE (a+b+c).....	\$ 704,580			
2. OTHER SALES AND SERVICE REVENUE				
a. Sewerage charges.....	\$ 844,351			
b. Refuse collection charges.....	\$			
c. Hospital charges.....	\$			
d. Recreation charges.....	\$ 11,527			
e. Airports.....	\$			
f. Parking facilities.....	\$ 14,004			
g. Municipal housing project rentals (gross).....	\$			
h. Highway charges.....	\$			
i. Cemetery charges.....	\$			
j. Other.....	\$ 7,410			
TOTAL OTHER SALES AND SERVICE REVENUE (2a thru 2j)...	\$ 877,292			
<b>TOTAL SALES &amp; SERVICE REVENUE (PART III TOTAL).....</b>	<b>\$ 1,581,872</b>			
<b>PART IV. MISCELLANEOUS OTHER REVENUE</b>				
(OMIT CENTS)				
1. Special assessments.....	\$ 626,102			
2. Receipts from sale of property.....	\$			
3. Interest earnings.....	\$ 248,780			
4. Fines and forfeitures.....	\$ 103,518			
5. Rents and royalties.....	\$ 3,038			
6. Miscellaneous other revenue (specify):				
a. Bond Sale	\$ 1,483,615			
b. Donations	\$ 13,589			
c. Miscellaneous	\$ 79,561			
d. _____	\$			
e. _____	\$			
f. _____	\$			
g. _____	\$			
TOTAL MISCELLANEOUS REVENUE (6(a) thru (g)).....	\$ 1,576,765			
<b>TOTAL MISCELLANEOUS REVENUE (PART IV TOTAL).....</b>	<b>\$ 2,558,203</b>			
<b>TOTAL REVENUE (Add PARTS I, II, III, &amp; IV)</b>	<b>\$ 7,847,693</b>			

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**PART V. DIRECT EXPENDITURES BY PURPOSE AND TYPE** - Report expenditures made from all funds of your municipality, including expenditures made from Federal general revenue sharing funds. Include fringe benefits together with salaries and wages at the appropriate line under Current Operations. Omit cents. (Report payments made to other governments in PART VII only).

PURPOSE OF EXPENDITURE	CURRENT OPERATIONS		CAPITAL OUTLAY	
	SALARIES AND WAGES SUPPLIES & EXPENSES		CONSTRUCTION	LAND & EQUIPMENT
1. Financial administration.....	\$ 245,471	\$	\$	\$ 2,886
2. Judicial and legal.....	\$ 180,572	\$	\$	\$ 992
3. General public buildings.....	\$ 15,382	\$	\$	\$
4. Central administration.....	\$ 344,699	\$	\$	\$ 7,304
5. Public welfare.....	\$	\$	\$	\$
6. Libraries.....	\$ 306,977	\$	\$	\$ 1,177
7. Own hospitals.....	\$	\$	\$	\$
8. Other hospitals.....	\$	\$	\$	\$
9. Health, other than hospitals.....	\$	\$	\$	\$
10. Streets and Highways.....	\$ 444,583	\$ 296,127	\$	\$
11. Municipal airports.....	\$	\$	\$	\$
12. Parking facilities.....	\$	\$	\$	\$
13. Police.....	\$ 1,042,706	\$	\$	\$ 41,281
14. Fire.....	\$ 1,111,236	\$	\$	\$ 48,128
15. Correction.....	\$	\$	\$	\$
16. Protective inspection & regulation..	\$ 67,979	\$	\$	\$ 1,100
17. Sewers.....	\$ 165,540	\$	\$	\$ 22,540
18. Other sanitation.....	\$ 9,693	\$	\$	\$
19. Parks and recreation.....	\$ 109,362	\$	\$	\$ 26,049
20. Housing and community development...	\$	\$	\$	\$
21. Water utility.....	\$ 265,678	\$ 111,108	\$	\$ 3,168
22. Electric power utility.....	\$	\$	\$	\$
23. Transit system.....	\$	\$	\$	\$
24. Transit subsidies.....	\$	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX
25. Interest on water debt.....	\$ 31,430	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX
26. Interest on electric debt.....	\$	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX
27. Interest on transit debt.....	\$	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX
28. Interest on other debt.....	\$ 130,443	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX
29. All other expenditures (specify):				
a. Community Center	\$ 106,701	\$	\$	\$ 264
b. _____	\$	\$	\$	\$
c. _____	\$	\$	\$	\$
d. _____	\$	\$	\$	\$
e. _____	\$	\$	\$	\$
Total all other expenditures (29a - 29e).	\$ 106,701	\$	\$	\$ 264
TOTAL DIRECT EXPENDITURES (PART V TOTAL).	\$ 4,578,452	\$ 407,235	\$ 154,889	\$

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**PART VI. SALARIES AND WAGES.** Total gross salaries paid to all employees of your government, full and part time. Include salaries and wages paid on force account construction projects. Exclude employer-paid fringe benefits. See instructions. \$ 2,575,701

**PART VII. INTERGOVERNMENTAL EXPENDITURES** Please detail all payments made to other governments for services or programs performed on a reimbursement or cost sharing basis.

Government	Purpose (as reported in Part V)	Amount (Omit cents)
STATE: _____	_____	\$ _____
LOCAL: County _____	Materials & Services	\$ 12,510
Regional Agencies _____	Materials & Services	\$ 568,803
_____	Land & Equipment	\$ 106,695

TOTAL INTERGOVERNMENTAL EXPENDITURES (PART VII TOTAL) \$ 688,008

TOTAL EXPENDITURES (Add PARTS V and VII; do not include PART VI) \$ 5,828,584

**PART VIII. STATEMENT OF BONDED INDEBTEDNESS (OMIT CENTS).**

1. LONG-TERM DEBT	WATER UTILITY	ELECTRIC UTILITY	TRANSIT SYSTEM	ALL OTHER PURPOSES
a. OUTSTANDING, BEGINNING OF FISCAL YEAR	\$ 642,000	\$ _____	\$ _____	\$ 2,356,683
b. ISSUED DURING THE FISCAL YEAR	\$ 297,723	\$ _____	\$ _____	\$ 1,575,591
c. RETIRED DURING THE FISCAL YEAR	\$ [ 42,000 ]	\$ [ _____ ]	\$ [ _____ ]	\$ [ 221,617 ]
d. OUTSTANDING, END OF FISCAL YEAR (a plus b minus c)	\$ 837,723	\$ _____	\$ _____	\$ 3,710,657

Detail of long-term debt outstanding at the end of fiscal year (item d, above):

(1) Revenue debt outstanding, payable solely from pledged earnings or special assessments	\$ _____	\$ _____	\$ _____	\$ _____
(2) All other long-term debt, outstanding general obligations and debt guaranteed by your city	\$ _____	\$ _____	\$ _____	\$ _____

(The total of these two items should be the same as "d" above.)

2. Short-term debt-tax anticipation notes; bond anticipation notes, interest bearing warrants:				
a. Amount outstanding at beginning of the fiscal year.....	\$	1,365,000		
b. Amount outstanding at end of the fiscal year.....	\$	-0-		

**PART IX. ASSETS AT THE END OF THE FISCAL YEAR (Omit Cents)**

	SINKING FUNDS	BOND FUNDS [refer to instructions]	OTHER FUNDS
1. Cash and deposits: cash on hand and demand and time saving deposits.....	\$ 852,191	\$ 7,350	\$ 919,918
2. Federal securities: obligations of the U.S. Treasury.			
3. Federal agency securities: obligations of Federal agencies.....	\$ _____	\$ _____	\$ _____
4. State and local government securities...	\$ _____	\$ _____	\$ _____
5. Other securities: bonds, notes, mortgages, Bank for Cooperatives, Oregon Investment Pool, etc.; and the following former federal agencies: FHLB, FLB, & FNMA.....	\$ 171	\$ _____	\$ 140,074

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**PART X. EXPENDITURES OF FEDERAL GENERAL REVENUE SHARING FUNDS**  
 (These expenditures should also be included in Part V)

Federal Revenue Sharing Expenditures

Function or Purpose	Proposed (budgeted)		Actual Amounts Expended	
	Current Operations	Capital Outlay	Current Operations	Capital Outlay
1. Financial and general administration.....	\$ _____	\$ _____	\$ _____	\$ _____
2. Libraries.....	\$ _____	\$ _____	\$ _____	\$ _____
3. Welfare.....	\$ _____	\$ _____	\$ _____	\$ _____
4. Hospitals.....	\$ _____	\$ _____	\$ _____	\$ _____
5. Health.....	\$ _____	\$ _____	\$ _____	\$ _____
6. Streets and roads.....	\$ 44,521	\$ _____	\$ 44,521	\$ _____
7. Police.....	\$ 363,479	\$ _____	\$ 341,479	\$ _____
8. Fire.....	\$ _____	\$ _____	\$ 5,655	\$ _____
9. Correction.....	\$ _____	\$ _____	\$ _____	\$ _____
10. Sewerage.....	\$ _____	\$ _____	\$ _____	\$ _____
11. Other sanitation.....	\$ _____	\$ _____	\$ _____	\$ _____
12. Parks and recreation.....	\$ _____	\$ _____	\$ _____	\$ _____
13. Utility system (specify): _____.....	\$ _____	\$ _____	\$ _____	\$ _____
14. Interest on general debt.....	\$ _____	\$ _____	\$ _____	\$ _____
15. Payment of principal on debt.....	\$ _____	\$ _____	\$ _____	\$ _____
16. All other: (please specify major items)				
(a) _____	\$ _____	\$ _____	\$ _____	\$ _____
(b) _____	\$ _____	\$ _____	\$ _____	\$ _____
(c) _____	\$ _____	\$ _____	\$ _____	\$ _____
(d) _____	\$ _____	\$ _____	\$ _____	\$ _____
Total, all other (a+b+c+d)	\$ _____	\$ _____	\$ _____	\$ _____
<b>TOTAL FEDERAL REVENUE SHARING</b> <b>(PART X TOTAL).....</b>	<b>\$ 408,000</b>	<b>\$ _____</b>	<b>\$ 391,655</b>	<b>\$ _____</b>

REMARKS: (Use back for extra space)

**PART XI. CERTIFICATION** This is to certify that the data in this report are correct to the best of my knowledge and belief.

\_\_\_\_\_  
 Signature of Official  
 FINANCE DIRECTOR  
 \_\_\_\_\_  
 Title

(503) 659-5171  
 \_\_\_\_\_  
 Telephone Number  
 12-29-82  
 \_\_\_\_\_  
 Date



OREGON HOUSE OF REPRESENTATIVES

STATE CAPITOL

SALEM, OREGON 97310

503/378-8977

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GRATTAN KERANS

SPEAKER

Feb. 4, 1983

Mayor Joy Burgess  
Office of the Mayor  
City Hall  
10722 S.E. Main St.  
Milwaukie, Oregon 97222

Dear Mayor Burgess:

Thank you for your letter regarding tax reform and property tax relief. As you probably know this 1983 legislative session is going to be an extremely difficult one.

Oregon's tax system is at the very heart of this session and will be a dominant theme. Changes in the tax system must be made if we are going to adequately fund property tax relief, education and other essential state programs. Exactly what those changes will be is far from determined and is the challenge we face in the coming months.

We are in agreement that the message of Measure 3 must not be ignored and that both tax reform legislation and property tax relief measures are being given the highest priority during this legislative session.

I want you to know that I am committed to the concept of property tax relief and tax reform and the adoption of significant reforms by this assembly during this session.

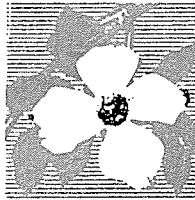
Once again thank you for your letter and please do not hesitate to call on me if I can ever be of assistance to you or the city council.

Sincerely,

Grattan Kerans  
Speaker

GK:dd

# CITY OF MILWAUKIE



VI E (2)

OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

February 7, 1983

Grattan Kerans  
Oregon House of Representatives  
State Capitol  
Salem, OR 97310

Dear Mr. Kerans:

I appreciate your response to my request to help alleviate the tax burden on property owners within our city and state wide. The ideas you suggest for renovating the state tax structure are good. Please keep up the good work on behalf of your constituents.

If I or other city officials can be of assistance to you in your endeavors please feel free to call upon us. My phone no. is 654-4951.

Sincerely,

Joy Burgess  
Mayor

JB/ss

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DALE M. HARLAN  
ATTORNEY, P.C.  
2202 S.E. LAKE RD.  
MILWAUKIE, OREGON 97222

DALE M. HARLAN  
ATTORNEY

February 2, 1983

TELEPHONE  
(503) 654-9533

ESTLE M. HARLAN  
CERTIFIED LEGAL ASSISTANT  
BY OREGON STATE BAR

MRS. JOY BURGESS, Mayor  
City of Milwaukie and Council  
10722 S.E. Main Street  
Milwaukie, OR 97222

Dear Mrs. Burgess and Members of Council:

I think the Key Communicators' letters that you get out periodically and which were started by Dick Bailey when he was interim city manager, are outstanding.

This letter is to respond to your letter to key communicators under date of January 25, 1983. It does not look like I'll be able to be present at your Thursday evening meeting at Milwaukie Center so I thought I would at least have some input by sending this letter.

First, I want to commend the Council and staff for getting together for a long Saturday session to come up with some long-range goals. Incidentally, it's not the first time that these goals have been discussed but I'm hoping that this time there will be enough resources, unity and public interest so that the Council will have the backing it needs to realize all five goals which are very important to the livability of the City of Milwaukie.

After that general introductory comment I would like to specifically comment as follows:

1. I agree with you in having a goal and promoting economic development downtown, along with riverfront and for industrial areas. Because of budget constraints at the county level, I don't know how long the county will be able to offer this help, but for now I would urge the city to consider at least talking to the County Department of Environmental Services and see if there is any consulting service that a member of that department could offer that would be of interest to the city. You have undoubtedly read that Tom Vanderzanden of DES has been working on a county facility program which would be tied in with the city of Oregon City and private property owner rehabilitation of downtown Oregon City. As a member of the Board of County Commissioners, I have not committed myself one way or another on what may come out of that proposal, but if the city and private business men are

Mrs. Burgess and Members of Council  
February 2, 1983  
Page Two

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willing to support something that also results in the county being able to either purchase or lease purchase needed space in downtown Oregon City, so that the county will not be spending so much for rent but will be acquiring needed floor space, it may turn out to be something I can vote for as a benefit to the entire county. The interesting aspect of it is of course tax increment financing and that principal of course will be one of the things I am sure you would consider for downtown and riverfront areas of Milwaukie and perhaps for any new industrial area.

2. In these depression times, it takes courage to commit yourself to a goal of maintaining and enhancing current level of city services. However, I'm a firm believer that public improvements and good public services are just as much investment when made by government as many investments are by private enterprise. I know you will be criticized for this goal and I hope you hold your ground.

Time does not permit me to comment on the other three goals you set forth but I support them as general principles.

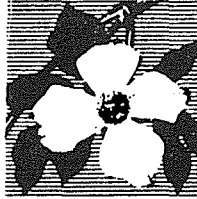
Please excuse me writing you on my legal stationery. However, due to shortage of help at the county level, I do quite a bit of dictation in my own office and have it typed by my own staff, even though it relates to my new position as a member of the Board of County Commissioners.

Sincerely yours,

  
DALE M. HARLAN

DMH:dh

# CITY OF MILWAUKIE



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OFFICE OF THE CITY MANAGER  
in the City Hall • phone 659-5171

February 7, 1983

Commissioner Dale M. Harlan  
Clackamas County Board of Commissioners  
906 Main Street  
Oregon City, OR 97045

Dear Dale:

Thank you for your comments regarding the goals which our City Council has developed and considered for future official adoption. Words of encouragement are always appreciated.

I especially appreciated your comments and suggestions relative to our promoting economic development in our downtown business district and I will introduce to the Council at the next regular meeting your suggestion to discuss this development with a member of the Clackamas County Department of Environmental Services.

Thank you again for your input. The city appreciates your help and assistance as a new Clackamas County Commissioner.

Sincerely,

Joy Burgess  
Mayor

JB/ss

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

0 FEB 65 14: 15

-MILWAUKIE-05

DATE: February 10, 1983

TO: Hugh Brown  
City Manager

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

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SUBJECT: Complaint  
Vivian Brandt

This letter is in response to the inquiries of Vivian Brandt to the Mayor and City Council dated 2 February 1983.

I have instructed the City street crew to make an effort to respond to Ms. Brandt's complaint about chuck holes in King Road and those in the road adjacent to the Ledding Library. If the weather is reasonably clear within the next few days, this will be accomplished.

Ms. Brandt refers to tax money and the promise of better roads. As some people are NOT aware, none of the tax money paid for the City actually goes toward road construction or rehabilitation. This fund is solely supported by monies received from the state based on the gas tax we each pay at the pump every time we fill up our car or truck.

The reference to a sink hole in front of a neighbor's home could possibly be due to a sewer or storm line which has an open joint and is causing water to pull the soil materials into the line thus causing a sink hole. I request that Ms. Brandt contact Cliff Harshman at the City shop (659-3222) so that source of the problem could be determined by our maintenance personnel.

It must be noted that due to cutbacks in funds and inflation that we are facing in the City as well as individual citizens, our ability to provide service is continually declining.

cc: Cliff Harshman  
Public Works Superintendent

SMH:js

TO: MAYOR AND MEMBERS OF CITY COUNCIL  
FROM: HUGH BROWN, CITY MANAGER *AS*

I have written to Ms. Brandt thanking her for her concern and giving her information from Steve Hall's response above.

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2002 S.E. 49  
Milwaukie, OR 97222  
February 2, 1983

Milwaukie City Hall  
10722 S.E. Main St.  
Milwaukie, OR 97222

Mayor Burgess and Counselmen:

I have been listening to how our taxes keep going up, and we keep getting the same promise of how the money will go for better roads. Well I don't know if you have noticed, but there are a few holes right next to the Ledding Library and all over King Road. When driving at night, this is very dangerous. If not fixed, they could cause some accidents.

One more problem I would like to tell you about is this house down the street from ours that keeps getting a sink hole in front of the driveway. I was just wondering if there is some proper way of fixing it?

I do hope these problems can be resolved.

Thank you,

*Vivian Brandt*  
Vivian Brandt

PLANNING COMMISSION MINUTES

REGULAR MEETING

JANUARY 11, 1983

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MEMBERS PRESENT:

DON TROTTER  
BETTY ROHOLT  
JOHN LITTLEHALES  
AL LAINE  
BOB BROWN  
REBECCA SWEETLAND  
GEORGE CATHEY

STAFF PRESENT:

TOPAZ FAULKNER, PLANNING DIRECTOR  
JON STEIN, ASSOCIATE PLANNER  
CAROL LEE, SECRETARY  
GREG EADES, CITY ATTORNEY  
STEVE HALL, PUBLIC WORKS DIRECTOR  
RON SHANAKER, POLICE CHIEF

Mr. Trotter called the meeting to order at 6:30 p.m., explaining the procedures for public hearings and that the public hearing for the proposed adult entertainment ordinance would begin at 7:30 p.m. Mr. Trotter mentioned that the Council Chambers has the capacity of 60 persons and in order to hold the public hearing in an orderly fashion persons not seated were asked to move into the hallway and downstairs where they could listen to the proceedings by an extra speaker. Persons who intended to testify regarding the proposed ordinance were asked to sign the register at the podium.

3.1 ROBERT FLOWERREE, Applicant and Property Owner  
C-82-21

LOCATION: 13322 S.E. Lava Dr., Milwaukie  
Request to construct a 33' long floating boat dock and 17' long gangway within the Floodway of Flood Hazard Zone, Ecologically Significant Natural Area and within the Willamette Greenway of Willamette River to house a pleasure craft.

Jon presented the Staff Report. Neither the applicant nor his representative were present, he had contacted Staff and notified them he would be out of town. Mr. Trotter asked if there was anyone present wishing to testify in favor or opposition to the request, there was no response.

Ms. Sweetland asked Staff what type of boat the applicant intends to house at the site. Jon said the applicant had not indicated what type of boat he owns.

Ms. Sweetland asked if there are any privately owned boat docks along the Willamette River within the City Limits. Steve Hall said the closest one is located near Elk Rock Island, but there are none within the City Limits.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - JANUARY 11, 1983

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There was discussion among the Commissioners regarding the strength of the floating dock and pilings to withstand flooding.

Ms. Sweetland Made a Motion to postpone the public hearing until such time that the applicant could be in attendance. Mr. Trotter Seconded the Motion. The Motion Failed, 4-2, Ms. Sweetland and Mr. Laine voting to continue the public hearing.

Finding #7, was added to the Staff Report, stating:  
No adverse testimony received at public hearing.  
Conditions #2 & #3, were added:

2. Applicant must submit appropriate plans for flood proofing to Staff.
3. All machinery and materials must reach site from river. Any variance from this Condition must be reviewed by Staff.

There was a Motion to delete Finding #5, by Ms. Sweetland, the Motion failed for lack of Second.

There was no further discussion. Mr. Trotter made a Motion to approve the request to construct a 33' long floating boat dock and 17' long gangway within the Floodway of the Flood Hazard Zone, Ecologically Significant Natural Area and within the Willamette Greenway of Willamette River to house a pleasure craft, with 7 Findings and 3 Conditions. The Motion was Seconded and Passed, 5-1, Ms. Sweetland voting in opposition.

FINDINGS:

1. The proposal complies with the following elements of the Comprehensive Plan:
  - A. OBJECTIVE #1 - Flood Hazard Zone, Policies #1, #2, #4, Page 11 & 12.
  - B. OBJECTIVE #1 - Ecologically Significant Areas, Policies #1, #2, #3, #7, #8, #9, Page 14 & 15.
  - C. OBJECTIVE #3 - Willamette Greenway, Land Use, Policies #2, #3, #4, Page 51.
2. The proposal complies with the following Sections of the Zoning Ordinance:

Section 3.17.4 - Flood Hazard Zone, Policies A & B, Page 54.  
Section 3.17.5 - Flood Hazard Zone, Policy B, Page 55.  
Section 3.19.5 - Willamette Greenway, Criteria, Policy B, C, D, And F, Page 64.
3. The proposal has been submitted to the Corps of Engineers for review and comment. The floating dock, steel pilings, gangway and excavation will not restrict the water flow, increase flood elevations nor impact the navigation channel.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - JANUARY 11, 1983

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FINDINGS: C-82-21 Continued

4. The Corps of Engineers is satisfied that the dock location and proposed building material will withstand floodwaters without significant damage or obstruction of water flow.
5. The dock and gangway will not disturb existing views, riparian vegetation, and open space. The scenic nature of the river bank will be preserved.
6. Excavation and construction equipment will approach the site from the river preserving the hillside and reducing potential for erosion.
7. No adverse testimony received at public hearing.

CONDITIONS: C-82-21

1. All utilities, drainage and procedures for fire protection to be approved by Public Works and Fire Departments.
2. Applicant must submit appropriate plans for flood proofing to Staff.
3. All machinery and materials must reach site from river. Any variance from this Condition must be reviewed by Staff.

Mr. Cathey joined the Commission at this time.

3.2 VFW, Applicant  
JOHN CARGNI, Property Owner  
C-82-22  
LOCATION: 2103 Adams, Milwaukie  
Request to use office building as a VFW Fraternal Hall  
and drinking establishment.

Jon presented the Staff Report. Mr. Brown asked if there could be more parking in front of the structure. Jon said there could only be one or two more parking spaces allowed, but vehicle maneuverability would be lessened considerably, and would not meet minimum parking standards.

Ms. Roholt asked if Staff had contacted the adjacent school to hear their comments about a drinking establishment being next to the school. Staff had not received any comments from the school district, even though they were notified of the request.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - JANUARY 11, 1983

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APPLICANT'S RESPONSE:

SPEAKING: Nancy Wellman, MEL LARSON REALTY, Applicant's Representative  
10492 S.E. 42nd Ave. Milwaukie

Ms. Wellman said the applicant agrees with the recommendation made by the Staff.

Mr. Trotter asked if the garage would be converted for other use. Ms. Wellman said the garage would remain as it is.

Mr. Trotter asked what the parking arrangements would be. Ms. Wellman said there would be one parking space in the garage, and four in the parking area.

Mr. Trotter asked if there was anyone present who wished to testify in favor or opposition to the request. There was no response.

Ms. Wellman said the applicant would continue to acquire additional parking from surrounding businesses.

Mr. Trotter said he was concerned about the probability of conflicts with adjacent property owners because there is no curbing to deferenciate who owns the access easement. Pedestrian access to the parking lot at the dental office is very hazardous, especially in the evening hours. Mr. Trotter said he is also concerned about pedestrian access from the dental office parking lot, and perhaps a sidewalk with steps would be appropriate to provide safety.

Mr. Trotter asked Steve Hall if limiting the parking along one side of the street would be advisable. Mr. Hall said since the parking along there is already limited he would not advise restricting the parking to one side of the street or parking during certian hours.

Mr. Trotter Made a Motion to continue the Public Hearing (C-82-22) until applicant could provide a site plan in detail showing parking, pedestrian and vehicular circulation from Adams Street to adjacent parking. Mr. Laine Seconded the Motion and it carried unanimously. Mr. Cathey said several different alternatives for additional parking should be presented. Mr. Littlehales said he would like clarification of Condition #4. The applicant's representative agreed that the information could be presented at the January 25, 1983 Planning Commission Meeting.

Findings or Conditions were not amended.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
PLANNING COMMISSION MINUTES  
REGULAR MEETING - JANUARY 11, 1983

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3.3 ZEAN MOORE, Applicant and Property Owner  
VR-82-25

LOCATION: 5071 Mason Lane

Request to construct carport 1½' from west property line rather than the minimum 5'.

Mr. Liane said that in the past he had claimed a conflict of interest in issues involving carports. However he did not feel he should continue to step down from the Commission. The Commission agreed by consensus that Mr. Liane should remain on the panel throughout the Public Hearing.

Jon presented the Staff Report. Mr. Littlehales asked Staff why the carport had been partially constructed. Jon said the applicant understood that he did not need a building permit for construction of the carport.

APPLICANT'S RESPONSE:

SPEAKING: ZEAN MOORE, Applicant and Property Owner

LOCATION: 5071 Mason Lane

Mr. Moore said he did not intend to place a concrete floor in the carport, it would be gravel, but the sidewalk would be replaced.

Mr. Trotter asked Mr. Moore if he had read the Staff Report. Mr. Moore said he had read the report, but did not agree with the recommendation regarding removing the bushes. He said the bushes allow for privacy and keep stray dogs out of his back yard. He continues to trim the bushes every year and it would not make that much difference if the bushes were removed.

Mr. Hall explained the Zoning Ordinance requires that any parking space or access be of a hard surface, asphalt or concrete. This can only be changed by variance procedure from the Planning Commission.

Mr. Trotter explained that if the Commission grants the variance to locate the carport 1½' from the west property line, compliance with the Conditions listed in the Staff Report would be absolutely necessary.

Mr. Moore said that if these Conditions are required he would be agreeable to them.

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Jon explained the concerns of the Fire Department regarding access to the rear portion of the property.

Ms. Sweetland Made a Motion to approve VR-82-25 with Finding #7: No adverse testimony; 3 Conditions. The Motion was Seconded by Mr. Laine, and carried unanimously.

FINDINGS: VR-82-25

1. The proposal is supported by Objective #4, Neighborhood Conservation Policy #5, Page 31 of the Comprehensive Plan.
2. There are no feasible alternative that would provide adequate space for a carport without the need for a side yard variance.
3. Negative impacts on the house to the west would be minimal.
4. The carport configuration and dimensions (10½' x 20') are typical.
5. Existing views will be maintained.
6. The Fire Department supports the proposal as long as structure is not enclosed.
7. There was no adverse testimony at public hearing.

CONDITONS: VR-82-25

1. Utilities, drainage and driveway improvements and procedures for fire protection to be approved by Public Works and Fire Departments.
2. Trim hedge north of carport to specifications of the Fire Department.
3. Carport shall not be enclosed.

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3.3 PROPOSED AMENDMENT TO THE MILWAUKIE ZONING ORDINANCE  
CONCERNING ADULT ENTERTAINMENT BUSINESSES.

Mr. Trotter explained the procedures that will be followed during all of the public hearings. He briefly explained the history of this proposed Ordinance, and the options the Commission could act upon at this meeting. The Commission may continue the public hearing until the next regular scheduled meeting or until Staff and Commission have reviewed testimony and are prepared to present any new evidence. The Commission may decide upon a draft ordinance and recommend it to the Council, at that time another public hearing will be scheduled.

Mr. Trotter explained that on November 16, 1982 the City Council considered a Relaxation Treatment Business and a Adult Entertainment Business Ordinance. He defined the term "Relaxation Treatment Business" as follows: nude modeling business, a sexy reading room business, a sex counseling business, a sexy dance studio, a sexual encounter center business, a sex sauna, or bath house business. He also defined the term "Adult Entertainment Business", as follows: Such activities as, adult book stores and theaters which are activities involving some sort of expression which may be entitled to First Amendment protection. The Council has passed Ordinance #1533, providing for regulation of Relaxation Treatment Businesses. The Council discussed regulating adult entertainment businesses and forwarded the issue to the Commission for consideration of an amendment to the Zoning Ordinance, not to prohibit these businesses but to regulate the time, manner, and location, and to develop criteria for Conditional or Outright Use within various zones of the city. This Ordinance is a sample which could be considered for adoption. Before the Commission can make a recommendation to the Council it is necessary to know what the needs of the citizens are, examine legal First Amendment Rights, and land use requirements involved in this issue, such as potential adverse affects on surrounding property or the neighborhood.

GUEST SPEAKERS:

SPEAKING: RON SCHANAKER, Milwaukie Police Chief

Mr. Schanaker said it is necessary to have an Ordinance, such as the one proposed, before these types of businesses are permitted to operated in the City of Milwaukie. Legal opposition, inconvenience to potential owners and other problems will be reduced if specific regulation has been established prior to application of an adult entertainment business. Currently, the City is not faced with this type of activity within the community.

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SPEAKING: RON SCHANAKER - Continued

Mr. Schanaker said it has been his experience that when an issue is addressed in an Ordinance prior to application of a controversial issue it is much easier to avoid problems. He is very concerned about the safety of the community, and the likelihood that these businesses would locate within the close proximity of places that young people generally congregate.

Adult bookstores are more than just stores with an array of Playboy magazines, films, and printed literature. Most of their income is from other activities, such as: presentation of peep shows, films and slides; homosexual activity within enclosed areas; sales of sexual apparatuses.

The City of Milwaukie is a small community and does not have the same problems as other metropolitan areas. It should be the primary concern of the citizens to maintain this point of view. Our community has several churches, schools which border a long narrow commercial area, and cannot afford to allow these types of businesses to be scattered throughout the finely knit community. Typically adult entertainment businesses are attracted to heavy traffic, low-rent spaces, good exposure, and young clientele. Distance is a prime concern because of Milwaukie's relatively small downtown area. Mr. Schanaker mentioned that in Perth Amboy, New Jersey, a community twice the size of Milwaukie, the people decided the best location for this type of business was out near the City Dump. He stated it is the City Staff and Council's responsibility to make sure that the liveability of the community stays the way the citizens want it to stay, even if special consideration must be given to First Amendment Rights.

SPEAKING: DON PAHLKE, PORTLAND POLICE BUREAU

Mr. Pahlke said that these types of business would not only deteriorate the community but drain the police resources who patrol them. In the past no matter what kind of Ordinance is established to regulate adult entertainment businesses the operators find a way to circumvent the restrictions, and once they are in it is hard to get them out. The elderly as well as the younger set of people will be affected in terms of safety and welfare of the entire community.

Mr. Pahlke has noticed that the businesses that were not allowed to operate in Portland any longer are now relocating to the outter communities, such as Milwaukie. Through the Civil Abatement Process the Portland Police Bureau has closed several adult bookstores and massage parlors based on prostitution activity within the establishments. The only massage parlors that have not caused problems are those licensed by the State and have

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SPEAKING: DON PAHLKE, PORTLAND POLICE BUREAU - Continued

Business Licenses to operate as masseuses. Investigations have proven that all the other massage parlors promote heavy prostitution activity. It has been Mr. Pahlke's experience that merchandize and literature sold at these establishments is directed toward homosexuality. Social diseases and increase in crime activity are other reasons to regulate adult entertainment businesses. Mr. Pahlke suggests that Milwaukie adopt an Ordinance that prohibits any type of adult entertainment business. Regulating these establishments to certain distances from residences, schools, churches or other public facilities only moves the problems down the street and around the corner. Most of the adult bookstores, and massage parlors in the City of Portland operate on a 24-hours basis, and anyone who lives close to these facilities will notice an increase in traffic, noise, and caliber of people who patronize them. Vandalism is likely to occur because clientele may be dissatisfied with services or merchandise. Crimes within these facilities range from prostitution, theft of wallets and credit cards, assault, and vandalism.

SPEAKING: ROGER MORRIS, PORTLAND POLICE BUREAU

Mr. Morris said he has been assigned to the Vice Division for two years. During this time his primary assignment has been to enforce the City Ordinance and State Statutes within massage parlors inside the City Limits. Because of Portland's Ordinance and Zoning, the businesses will soon begin to move toward the surrounding county and incorporated cities near Portland. In the beginning Portland attempted to regulate massage parlors through business type ordinances, but these businesses simply changed their name to remain in operation. Through the Civil Abatement Process, Portland has been successful in closing approximately 24 relaxation treatment businesses. The process is extremely costly and time consuming as paid civilian agents are used for investigation and documentation. The property owner is sued and the business is then closed. Portland's Ordinance regulates the amount of adult business, the space between them and the types of neighborhoods they allowed in. Mr. Morris wishes Milwaukie could have an Ordinance prohibiting these businesses within the city. If they are allowed city resources will be expended to investigate and prosecute owners and operators of these types of businesses. It has been his experience that every massage parlor not licensed by the State of Oregon for professional masseuse has been involved with prostitution.

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Topaz introduce Jean Gordon, Southeast Area Office, of Multnomah County.

SPEAKING: JEAN GORDON, 1022 S.E. 35th, Portland, Ore 97214

Ms. Gordon said she is currently the Director of the Multnomah County Public Involvement Program. She has worked with Southeast Uplift, Neighborhoods Against Crime, which involved citizen participation within neighborhood based organizations, such as: PTA, Citizen Advisor Committees to schools, civic organizations, churches, and neighborhood associations. Public safety and compatibility of adult entertainment businesses with the neighborhood were concerns voiced by citizens. Reports of children viewing activities through open doors from the street, in residential neighborhoods, has been a primary concern. Data was requested from the Police Department which showed that crime rate increased dramatically in vicinities where adult book stores were located. An informal survey was taken to determine if potential businesses or families would locate near adult book stores. The response was negative, and because of the undesirable effects on commercial space near adult book stores, rental rates were discounted.

SPEAKING: BILL HUPP, 2626 S.E. Washington, Milwaukie

Mr. Hupp mentioned that several police officers had commented about the probability of adult entertainment businesses moving into Milwaukie. He said the number of citizens attending the public hearing proves the concern and support the community has for the efforts to establish and maintain regulation of adult entertainment businesses.

SPEAKING: JACK BRENNERMAN, 12521 S.E. Gilford, Milwaukie

Mr. Brennerman presented the Commission with a petition signed by citizens stating support for action by the Council to regulate adult entertainment business by limiting their distance to the greatest possible distance from churches, schools, day care centers, residences, parks, and bus stops within the city. He mentioned that insurance companies generally do not insure these types of businesses, and one must obtain insurance through a substandard insurance company at an increase rate. Tenants adjacent to adult entertainment businesses are also affected by higher rates and cancellation.

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SPEAKING: JIM BACKENSTOS, 3626 S.E. Harrison, Milwaukie

Mr. Backenstos said he agrees with the reports from Portland Police Bureau and supports efforts of the Commission and Council to establish an ordinance to regulate these facilities.

SPEAKING: JOE LUTZ, 5631 S.E. 83rd Ave.

Mr. Lutz said he had presented material to Mr. Eades concerning statutes for the State of North Carolina. He and his staff have been researching case records of various states. He explained that the North Carolina statute calls for the burden of proof, for the right to operate an adult book store, is on the owner or operator of such business. That Ordinance also states that books and movies cannot be sold within the same place. The North Carolina Statute has been upheld five times. Mr. Lutz said his staff has researched the possibility of using the same statute for the City of Milwaukie and have found that it would also be upheld in the State of Oregon. He mentioned reports from various Police Bureaux show a direct connection of sexual crimes and poronography. He read a section from the North Carolina Circuit Court Record: "Our concern is not with the questions of the practical ineptitude of legislation or even the possibility its sure sillyness and asininity in a social or philosophic scense, but whether it violates specific rights secured by the Constitution." It is Mr. Lutz' opinion that an Ordinance such as this could be enacted to steer away the prospect of facing litigation.

SPEAKING: RUSS ISOM, 11201 S.E. 27th, Milwaukie

Mr. Isom stated that if it is necessary to allow adult entertainment at any location within the City, then it would be best to locate them in an out-of-the-way place.

SPEAKING: DON BADLEY, 11647 S.E. 35th, Milwaukie

Mr. Badley mentioned that adult entertainment facilities do reduce property values within any community. He said the crime element in many cities is frightening, especially at night.

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SPEAKING: PHIL LISAC, 4027 S.E. Filbert St., Milwaukie  
Representing FATHER O'HARA

Mr. Lisac said if a map were devised showing overlapping radius of all the schools, churches, parks, businesses, day care centers, and bus stops it would be most difficult to find a spot to allow adult entertainment facilities. He said if a business of this type were located downtown he would not shop in Milwaukie.

SPEAKING: LEROY HUMMEL, 4791 S.E. King Rd., Milwaukie

Mr. Hummel said that in the last few years he has been teaching hunting safety to the youth of this community. People have become more alert of good practices, but the effects of these businesses upon the community would be most definitely detrimental and degrading. He does not wish to pay extra taxes for police protection because of increase in crime, or higher insurance rates due to these businesses within the community.

SPEAKING: BILL POOLE, 10550 S.E. 29th, Milwaukie

Mr. Pool stated briefly his support for the proposed Ordinance.

SPEAKING: PAUL ISAAC, 13700 S.E. Kuehn, Milwaukie

Paul mentioned his experience while in an adult book store one evening when his car was out of commission. As he had gone into the store for assistance with his vehicle he was approached by persons of homosexual persuasion. Paul expressed his concerns about the growth of these businesses in the future if they are allowed to locate now.

SPEAKING: CONNIE SMITH, 615 S.E. Nixon, Milwaukie

Ms. Smith said she enjoys the community as it is, and supports the efforts of the City Staff to adopt an Ordinance such as this.

SPEAKING: TOM SCOTT, 2615 S.E. Park, Milwaukie

Mr. Scott said he was raised in Milwaukie, near the location of the former "Chase", on McLoughlin Blvd. He remembers a lot of unfavorable activity within the area of that facility. He said he would not come to Milwaukie to shop if these businesses were allowed.

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SPEAKING: HECTOR FRUTOS, 4706 S.E. King Rd., Milwaukie

Mr. Frutos said he is opposed to the infiltration of these adult businesses within the community. He stated that some cities in California, New York, Oklahoma and other states have sectioned off part of the city to accommodate such "Smut Businesses", and feels if we allow this to happen to Oregon it will not continue to be the beautiful state we now know.

Mr. Trotter mentioned letters from: Loretta Chase, 11233 S.E. 27th,; Donald McLoughlin, 13775 S.E. Rusk Rd.; William & Wanda Beachell, no address; James Lynch, 15289 S.E. El Rancho; John & Wilma Patrick, 5225 1/2 S.E. Hill Rd.; Marvin Capman, Milwaukie Jr. High School; and statement from Joe Bernard, Bernard's Garage, all in support of the proposed amendment for adult entertainment business regulation. The Commissioners took a few minutes to read all the correspondence presented.

Mr. Trotter explained that Staff has presented several alternatives in terms of distances of 200', 500' and 1,000' from various facilities within the city limits. Jon presented a map showing these areas in relationship to zones and various facilities throughout the community. Ms. Sweetland said that the various locations of bus stops throughout the community should also be considered when determining the allowed locations for these businesses. Mr. Brown said that if bus stops were considered to be a public facility then there probably would not be any location for an allowed adult business because the routes crisscross in Milwaukie.

COMMISSIONERS RESPONSE:

SPEAKING: GREG EADES, CITY ATTORNEY

Mr. Eades said there are a number of concerns and adverse impacts which need to be worked into this Ordinance. He suggested that Staff invite persons from the real estate field, and business community to testify of their concerns regarding property values and insurance rates. Schools will also be of primary concern because of the number of persons at one location.

Mr. Trotter mentioned that churches are not mentioned in the Portland Ordinance dealing with adult entertainment. In the City of Milwaukie, churches are allowed in every zone, but no testimony has been received upholding the restriction of these businesses near churches, or what negative impacts there would be.

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Mr. Eades said Staff had developed the map showing distances from all public facilities, but perhaps it is not necessary to include every public facility, such as the sewage treatment plant. The map does not show specific available locations, and to withstand an anti-trust suit it may be necessary to provide such locations.

Mr. Littlehales asked the City Attorney to explain the Civil Abatement Process. Mr. Eades said the Civil Abatement Process is available to the City now, under the Public Nuisance Statute. In order to find a nuisance, there must first be an existing business, and second, criminal activity in the business. Whether a civil law suit or criminal prosecution it will be very time consuming and expensive.

Ms. Roholt noted the comment by Ms. Jean Gordon referring to goals of the community, and suggested that Milwaukie implement an ordinance that focuses on the goals of Milwaukie as well. Mr. Trotter mentioned these goals are already set in Policies from the Comprehensive Plan.

Mr. Trotter requested Staff to present the Commission with further information regarding the negative impacts in residential area, insurance rates for commercial districts, and what distance, location, and hours of operation limitations should be addressed in this type of Ordinance. He mentioned that theaters are only allowed in certain zones in the city, and it would be interesting to relate what impacts there would be to other areas if a luxury movie theater were to be located elsewhere.

Ms. Sweetland asked Mr. Eades if just one adult entertainment business were allowed within the City, would the City still be liable in an anti-trust suit. Mr. Eades said if that were the case the City would then be regulating competition. He read from an article in Land Use Law, Regulating Pornography - Recent Legal Trends, by Allen Weinstein: Guidelines for Ordinance Drafting. "The courts appear to be guided by the following general rules, first, an ordinance whose effect is to severely restrict the locations available to accommodate adult businesses, whether present or anticipated will be struck down. Locational restrictions on adult businesses are permissible only if "the market for this commodity is essentially unrestrained." Thus, at a minimum, ordinances should not operate to reduce the total number of existing adult businesses in a community or preclude the normal operations of the market in providing new businesses, as demand warrants. Further, the presence of adult businesses in neighboring communities to which residents have reasonable access (for instance the City of Portland) will not leave a community free to eliminate such businesses within its

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own borders." Mr. Eades explained this does not tell one what must be done to provide for the demand, or if there is no demand, whether the City must provide any. Mr. Eades continued to read: "Ordinances whose wording is vague, especially where the definitions in the Ordinance make it unclear what is and what is not regulated, will be struck down. Ordinances that do not develop a factual basis for their restrictions on adult businesses or which do not relate their restrictions directly to the recognized zoning purposes will be struck down. Pornography Zoning is permitted to have limited impact on free expression, only because it serves other legitimate governmental interests, such as preservation of neighborhoods. To guard against regulations that are motivated by distaste for protected speech itself, communities must demonstrate the adverse effects associated with the places where the expression occurs and narrowly tailor their restrictions to further this specific governmental interest. Fourth, Ordinances that grant government officials broad unbridled discretionary powers (which may be the situation in certain kinds of Conditional Use Procedures) to determine whether or not an adult business will be permitted, such as: special use permits and licensing provisions will be struck down. The courts will permit officials discretionary power to close or prohibit an adult business only where their authority stems from an Ordinance not directed solely to adult uses, and where there are both strict limits on administrative discretion and procedures that safeguard First Amendment Rights." Mr. Eades concluded, that it will be difficult to implement an Ordinance that is foolproof.

Mr. Cathey stated that the main issues before the Commission are the health, safety, and welfare of the community; that all research done should focus on the impacts and effects upon these issues.

Topaz stated that the next Planning Commission Meeting will be on January 25, 1983, beginning at 6:30 p.m. The Public Hearing for that meeting will address the proposed draft amendment for Mobile Home (Modular Home), Manufactured Housing to the current Zoning Ordinance. The next public hearing on adult entertainment businesses could be held on February 8, 1983. A larger facility was requested to accommodate those interested in attending the public hearings.

Mr. Trotter Made a Motion to Continue to Public Hearing on proposed adult entertainment ordinance until February 8, 1983, location to be announced. Mr. Liane Seconded the Motion, the Motion carried unanimously.

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QUESTIONS FROM AUDIENCE:

SPEAKING: LEROY HUMMEL, 4681 S.E. King Rd., Milwaukie

Mr. Hummel asked if there would be any conditions placed on operation of these business to provide safety for persons who happen to be walking down the street unescorted. Mr. Trotter said at this time his question could not be answered. It will be necessary to know what the negative impacts are before an ordinance can be adopted, and even then some impacts to the community may have to be dealt with through other legal means.

Mr. Hummel asked if the State Corrections Institution had been considered as a public facility when devising the map showing areas where an adult business could be located. Jon said it had been considered as a public facility as all other City, State or County facilities would be in determining buffer areas.

SPEAKING: RUSS ISOM, 11201 S.E. 27th, Milwaukie

Mr. Isom asked if the citizens could do anything to assist the City in developing a good ordinance. Mr. Trotter said the City does not intend to prohibit adult entertainment businesses but to regulate them according to negative impacts and if these same impacts apply to other businesses then regulation should be imposed on those businesses also.

SPEAKING: JACK BRENNERMAN, 12521 S.E. Gilford, Milwaukie

Mr. Brennerman stated another point to consider is that churches are utilized for many functions other than services, such as: day schools, youth activities, and various other functions during the week.

Mr. Eades said he had presented information to the Commission referring to risks in relation to monetary damages where cities have been held liable for anti-trust suits by restricting competition, and violation of Constitutional Rights. He said it would be extremely expensive and time consuming for Staff to undergo any kind of litigation, and the City cannot afford such a lawsuit.

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Mr. Trotter stated that the City Council had directed the Planning Commission to approach adult business entertainment from a Zoning Ordinance standpoint. The Zoning Ordinance has specific requirements as to what one may or may not do. There are a lot of other ways that this problem might be attacked, but the City Council has directed the Commission to view it from a land use decision, by finding facts and making a decision thereon. One of the decisions could be that this is not a land use issue, and it may not be appropriate for the Planning Commission to adopt an ordinance regulating these businesses, but to deal with the problem another way. Mr. Trotter reminded the audience that at the present time any adult business can come into the city and operate that business without regulation, simply by applying for a business license to operate any place within the City.

SPEAKING: BILL POOLE, 10550 S.E. 29th Milwaukie

Mr. Poole mention the community of Park Rose recently dealt with a similar problem regulating adult businesses, and suggested that Staff research the incident and provide he Commission with that information.

The meeting adjorned at 11:15 p.m.

MILWAUKIE CENTER ADVISORY BOARD

Minutes Jan. 21, 1983

PRESENT: Paul Schafer  
Janet Witter  
Father John O'Hara  
Helen Kappler  
Irene Suchland

STAFF: Sara Hite  
GUEST: Pat Kennedy

ABSENT EXCUSED: Sharon Mc Cartney  
Cathryn Boyles

The meeting of the Milwaukie Center Advisory Board was called to order at 10:12 am on Jan. 21, 1983, by Janet Witter. Sara Hite distributed copies of a Y.M.C.A. survey for completion at the request of Mary Ann McGee.

In so far as no December meeting was scheduled, and November's meeting was a joint evaluation session with other center groups, minutes of the October 15 meeting were reviewed and accepted as written. Discussion of the minutes revealed the following:  
(1) on-site poker for money would require an ordinance permitting same in a public building; according to the city Attorney, initiative for which rests with the individuals seeking the privilege.  
(2) fee schedules established for building use appear to be reasonable relative to similar area facilities prohibiting use of alcohol.  
(3) Loaves and Fishes Inc. has submitted a Milwaukie L&F financial statement to the city. No action has been taken.

The Center program evaluation process was discussed and generally characterized as useful and worthwhile. Concurrence with the evaluation report's summary conclusions was clear, and the need for increasing public awareness of the Center's location, its services and activities, was especially noted. Despite high estimated cost for installation of expressway signs (\$4,000), the State Highway Dept. has been apprised of existing situation, and installation may be possible in the future. The Highway Dept. may be able to put a smaller sign (one each way) with The Milwaukie Center on it and an arrow. They will let us know.

The utility of meeting together with other groups for evaluation and/or planning, was considered, and Board members agreed that joint meetings may be held under appropriate circumstances. Janet will respond positively to the request of Nick Knapp of the Senior Citizen Advisory Commission for a joint meeting on Feb. 18 to review the Center's preliminary budget requests prior to submission to the Budget Committee. It has been submitted to the City Manager.

A brief walk-through of preliminary budget figures was presented by Sara, with more details to follow on Feb. 18.

The Emergency Plan Committee report on the emergency generator, was delayed until next month, in the absence of Sharon Mc'Cartney.

Sara solicited ideas for cabinet work to be completed in the Center, through a Department of Corrections Community Service worker.

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Expansion of storage and improvements in the gift shop werediscussed. Paul Schafer explained the need for suitable shelving in the pool room.

Sara indicated that L&F wants to purchase framed display units to house photos of participants. The 27" x27" units would be permantly mounted in public rooms. After discussion, it was moved, seconded, and passed unanimously that "L&F should explore non-permanent ways to display photos or create a family atmosphere, such as scrapbooks, in the areas serving it's activities since the building is also used by other groups and the public at large, rather than purchase more than the one unit already purchased". The need to re-activate the building aesthetics committee for review of similar requests was acknowledged by the Board.

Father O'Hara solicited Board support on the issue of zoning restrictions for massage parlors and was referred to Doris Olson of the Senior Citizen Advisory Commission as a more appropriate group to consider the matter.

An item seeking clarification of the status and use of money collected in the pool room was tabled until the next meeting.

Meeting adjourned 12:04 pm

Respectfully submitted,

Pat Kennedy

Secretary pro-tem

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City of Milwaukie  
Solid Waste Task Force  
January 27, 1983  
7 p.m.

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Members present: Ron Kinsella, Chairman Mel Dienes  
Michael Borg Cecil Erdt  
Jean Baker Dwight Long  
Bonnie Mishler Richard Hutchens  
Fred Kahut Roger van Gelder

Also present: Lorna Olson, Secretary  
Bill Mc Donald  
Bill Bree  
John Lamb

- 1) Introductions: John Lamb, Operations Manager for SCA Services and Cecil Erdt of NC School Dist. #12 were introduced. Mr. Erdt is a new member of the Task Force.
- 2) Approval of Minutes: The minutes were approved as written.
- 3) Reports: Goal Coordinator reports for Goal 1 & 2 were presented as follows:

A) Goal #1 An Efficient and Effective Collection System.

Coordinators: Mike Borg and Mel Dienes  
Information Data:

- 1) Milwaukie residential accounts- 6500. (4500 single family, 2000 apartments)
- 2) 40% of waste comes from commercial and industrial accounts.
- 3) Estimate 95% have collection service.
- 4) Participation in recycling is limited; it requires a lot of publicity.
- 5) Currently between 32-35 tons a month of recycled materials are taken out of the Milwaukie waste stream by franchise haulers. This doesn't include other recycling efforts by service clubs and specialized recycling services.
- 6) SCA Services serve most of the commercial and industrial area and is going to implement a new program in that area.
- 7) Most recycling that occurs now in residential areas is newspaper to drop boxes.

B) Goal #2 Reasonable Service Choices for the Public

Coordinator: Fred Kahut  
Information Data:

The attached chart titled Goal #2 "Reasonable Service Choices" was discussed in detail. The following data is pertinent.

- 1) 85% of residences have only one can.
- 2) Curb service in Canby has 70% participation.
- 3) 40% of recyclables from commercial and industrial accounts may be even a low percentage.

- 4) In Corvallis the franchised haulers provide separate recycling on the same day at the same time regular service is provided.
  - 5) Suggested that Rick Campbell of Source Recycling be invited to the next meeting to describe the Corvallis program.
4. Assignments: The committee proceeded to develop questions for goals # 3 & 4 (as attached).
- A. Goal #3 Incentive for public participation in recycling.  
Coordinators for residential service: Dwight Long  
and for commercial service: Fred Kahut
  - B. Goal #4 Incentives for investment in necessary promotion, facilities, and equipment: Coordinator: Jean Baker
5. Other Business: Additional subjects which were discussed without specific action:
1. The problem of providing a convenient and cost-effective yard debris program.
  2. The fact that subsidies or loans were necessary for operations like Mc Farlanes Bark to get started.
  3. The necessity of always being sensitive to the business economics of recycling.
  4. The belief that good public education can produce the participation in recycling which will make it work.
  5. Idea that North Clackamas Park be used as the location for a municipal mulching project.
6. Next Meeting: The next meeting will be February 10, 1983 at 7:00 p.m. in the Council Chambers at City Hall.
7. Adjourned: The meeting was adjourned at 9:15 p.m.

Lorna Olson, Secretary  
Bill Mc Donald, Adm. Assistant

SOLID WASTE TASK FORCE  
GOAL # 2  
REASONABLE SERVICE CHOICES

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GARBAGE COLLECTION SERVICES AVAILABLE

COMMERCIAL

Daily  
Weekly  
On call

ALTERNATIVES

IMPROVEMENTS

RESIDENTIAL

Weekly  
Once a month  
On call - Yoo Hoo

Bi-weekly  
Mandatory service  
Curb service

RECYCLING SERVICES AVAILABLE

COMMERCIAL

Daily  
Weekly  
On call

Drop center  
lay center

RESIDENTIAL

Once a month  
On call

Once a week  
White flag  
Mandatory source separation  
Drop center  
lay center

YARD DEBRIS

On call

Drop center  
On site processing  
Composting  
Municipal mulching

DISPOSAL

Rossman's  
McFarlan's

Municipal burner

EDUCATION

Flyers

Schools  
Workshops  
Mailers  
Metro  
DEQ  
City

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Goal #3: Incentives for Public Participation in Recycling

A) Residential

- 1) What can be done to make it easy to recycle?
- 2) What can be done with rate structure?
- 3) What does recycling go to the profitability of the garbage haulers?
- 4) What can be done in the way of rollercarts; education, etc. to make it easier to plug into a recycling collection program.
- 5) Awareness of the alternative if we don't recycle.
- 6) Tax Credits

B) Commercial/Industrial Incentives

- 1) Dollars
- 2) Tax Credits
- 3) Rate discounts for separate materials
- 4) Publicity/good will
- 5) Matching waste resources with material needs.
- 6) Technology-cogeneration
- 7) Awareness of markets, i.e. their waste may be valuable.

Coordinator for this Goal: Dwight Long /residential  
M. Borg & Fred Kahut/commercial

Goal #4: Incentives for investment in necessary promotion facilities and equipment

- 1) 35% state tax credit- associated with recycling, 10% federal tax credit and 10% investment tax credit.
- 2) What types of equipment qualify for these credits?
- 3) City Lands used for recycling.
- 4) Exclusive contract.

<u>Sources of Funding</u>	<u>Capital</u>	<u>Promotion</u>
Metro		X
DEQ	X	
City	?	X
Recycler	X	X
Hauler (franchise fees)	X	X
Public (fees)	X	
Foundations		X
Service Groups		X
Schools		X
Banks	X	
Corporate gifts of land, etc.		
Limited partnerships	X	

Coordinator for this Goal. Jean Baker



S.E. Grand at Division St. • P.O. Box 14061 • Portland, OR 97214 • (503) 238-1640

VI 2 (5)

January 27, 1983

To: Solid Waste Task Force

As I am going to be out of town for the next month, I wished to take this opportunity to present some observations which I believe will be helpful in determining the direction of this committee.

The design of a garbage collection and a recycling collection system should be taken on as two separate issues. Though there are a few overlapping concerns, the actual collection systems can be most efficiently designed if addressed one at a time.

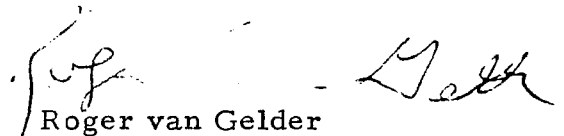
I believe this is a most important point if we are to develop an efficient and effective recycling system, for the following reasons:

1) The whole city should be served by one recycling contractor, to insure effective publicity and efficient service.

2) A separate contract for recycling would insure that the city could select the best party for the job.

3) It would be much easier for the city to oversee a recycling program under a separate city wide recycling contract than recycling merely as a condition of each garbage franchise. Under the latter condition, it would be highly improbable and probably not in the city's best interest that an otherwise excellent garbage franchise might be pulled because of unsatisfactory recycling performance.

The responsibility now before the city to help design an efficient and effective recycling program should <sup>not</sup> be taken lightly. Nor should the opportunity to select the best possible operator for the job be passed by.

  
Roger van Gelder  
Sunflower Recycling, inc.

JK ①

CITY OF MILWAUKIE TASK FORCE  
TO HELP UNEMPLOYMENT AND NEEDY IN CLACKAMAS COUNTY

MINUTES January 27, 1983

The Milwaukie Center

5:30 p.m.

Members Present:

Doug McClure, Co-Chairman  
Marianne McGee  
Sara Hite  
Mel Paulson  
Bev Kole  
John Maguire, Co-Chairman

Members Absent:

Fr. Saalfeld  
Morgana Wilson  
Glenda Braget  
Mary Wilson  
Jim Backenstos

Also Present:

Pat Kennedy  
Joan Staley

Jeannie Kuzman  
Rev. Richard Huneger

The meeting was called to order at 5:40 p.m. Mel Paulson MOVED to approve the minutes of the January 20 meeting as proposed. McClure SECONDED the motion. Motion CARRIED UNANIMOUSLY.

Doug McClure made a motion to review the preliminary report to the Milwaukie City Council; hear assigned reports then adjourn. Hite SECONDED the motion. Motion CARRIED UNANIMOUSLY. Discussion was held on how to proceed.

1. Bev Kole reported on pertinent medical/dental information and statistics relevant to Clackamas County.

The University of Oregon Medical School is no longer a resource to the poor according to Kole's research. Cases are admitted on a sliding fee scale by their value to medical teaching.

There are no known private endowments for medical assistance in Clackamas County.

It was reported that the amount of food stamps given per person, and the fact that food stamp buying power has been reduced since cost of living adjustments have not been made. Special diet needs are not adequately being met.

The Clackamas County Health Dept. has proposed that the City of Milwaukie jointly hold a medical clinic with the Health Dept. utilizing as much volunteer medical personnel as possible.

In addition, an increase in sexual and physical abuse and domestic violence has been noted in both Clackamas Co. and the entire state.

A report of current prenatal cases being seen has been heard by Kole.

Bev Kole will research the availability of infant mortality statistics.

There is no Hill-Burton funding in Clackamas Co. at this point.

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2. The Preliminary Report to the City Council was reviewed.

A. Housing

1. Mel Paulson presented a print-out on available real estate currently for sale.
2. Sara suggested that that number of clients served should be added to the report. It will be included in the final report. Report will be presented verbally at the City Council meeting.
3. On Page 3 D the word persons should be added after skilled.
4. On Page 3F(1) - should read Owen Sabin Skill Center.

B. Emergency Food

1. Add to Outline of Problem: Kendall is the only food box collection & distribution point in the area, which is not convenient for many Milwaukie-Oak Grove residents.
2. Strike the sentences beginning with Molalla, Sandy, etc. that problem will be addressed in the medical section,  
Add: there is widespread malnutrition with disastrous results.
3. Possible Solutions: Add to B(1) Development of satellite collection - distribution sites.

3. It was decided to request to appear under audience participation on February 1. Further meeting dates will be February 10, 17, and 24.

4. McGee moved that we accept and present the Preliminary Report as amended The motion PASSED UNANIMOUSLY.

The meeting adjourned at 7:27.

\_\_\_\_\_  
Marianne McGee, Acting Secretary

Date \_\_\_\_\_

NORTH CLACKAMAS COMMUNITY FORUM ON TAXATION  
January 31, 1983

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February 3, 1983

To Participants in the North Clackamas Community Forum on Taxation:

Enclosed are copies of the statements concerning the problems of and principles for taxation, as compiled from the transparencies at the Forum held Monday night, January 31, at Rex Putnam High School.

Every attempt was made to follow the statements as presented, though minor changes were made when listing ideas mentioned by more than one group.

The Composite Statements (Exhibits A & B) of the small group priorities for both problems and principles represent only the statements reported from the small groups. The remaining materials (Exhibits C & D) contain all ideas presented in the small groups. (Photo copies of the transparencies are available for your review if you desire.)

This information will be transmitted to the Governor, appropriate legislators and interested organizations. If you know other persons or groups who should receive the material, please contact the Office of the Superintendent, North Clackamas School District 12.

Cordially,

Forum Follow Up Committee:

Tom Disch  
Tom Worcester  
Rose Chess  
Dan Browne

THE MOST PRESSING PROBLEMS WITH OUR PRESENT TAX STRUCTURE  
AS IDENTIFIED BY EACH OF 11 WORKING GROUPS

	<u>No. of Groups Responding</u>
Inequities within income tax structure; i.e., close loopholes, tax all properties, need flat rate tax	6
Need new sources of revenues for financing schools and government services	5
Schools rely too heavily on property taxes	5
Property tax assessment is inequitable	4
Excessive government spending does not adjust to economic conditions	2
Current U.S. fiscal policy drastically affects State Revenue	2
Present system of taxation is too complex	2
Property taxes are too high	1
Need property tax limitation	1
Overemphasis on raising new revenue	1
Too much waste in government	1
Home property taxes increase without justification for people on fixed incomes	1
Rapid, uncontrolled growth of government is greater than increase in population causing rapid increase in taxes	1
Current tax system <u>does not</u> reflect ability to pay	1
Too much reliance on present County Property Tax and State Income Tax	1
Government has taken over private enterprise using tax dollars	1
Self-interests, social and emotional attitudes are a problem when discussing and determining solutions	1
Property should only pay tax for services needed	1
Legislators and local officials should be held accountable for tax dollars spent	1
Assessed value should reflect true cash value on homes, mobile homes and land	1

THE STRONGEST PRINCIPLES OF TAXATION  
IDENTIFIED BY EACH OF 11 WORKING GROUPS

	<u>No. of Groups Responding</u>
Tax reform should consider ability to pay	9
Equitably define basic needs	3
Everyone pays taxes	3
Be broadbased, dependable and stable	3
Review current services and prioritize them by need; i.e. Sunset Laws, exemptions, unnecessary services	3
Close loopholes	2
Be taxed on gross income	2
Business conservative financial practices should be applied to State and Local Governments	2
Provide appropriate balance among basic sources of major revenues	1
Limit expenditures (by State)	1
Schools should be financed equally and adequately by State	1
Added sources of revenues; i.e., user's fees, luxury tax, legalize gambling, sales tax	1
Real property not on tax rolls should be taxed	1
Taxation should be by a direct vote of the people	1
Tax laws should have long-term solutions to provide tax stability	1
Citizens should have realistic expectations of State Services	1
Greater local authority and autonomy	1
Taxes should <u>maintain</u> - not disrupt - basic services; i.e., schools, fire, police	1

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EXHIBIT C

A COMPLETE LISTING OF PROBLEMS  
IDENTIFIED BY EACH WORKING GROUP

GROUP A-1

Too high of property tax with threat of reduced services  
Schools rely too heavily on property taxes  
Mergers cost more rather than less  
No control over appraisals and assessments  
Accountability of \$ spent  
Disproportionate taxation  
Estimated income taxes (do away with)  
% of property not taxed (not for profit)  
Assessed value does not reflect true cash value - homes, mobil homes and land  
Repeated re-assessment  
New ways of funding services  
Present assessed valuation  
Poor disbursement of present revenue  
Not enough notice of budget hearings  
No tax exempt real property  
Legalize and tax gambling  
Tax luxuries  
Equity (ability to pay)  
More and equal sources of taxation

GROUP A-2

Taxes too high  
Property taxes too high to finance schools  
Unfairly apportioned  
Property taxes are regressive  
School budget too high  
Level of services too high  
Property should only pay taxes for services needed  
Legislature doesn't listen to taxpayers  
Legislature listens to pressure groups

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GROUP A-7

Inefficient use of tax \$  
Duplication of services  
Inequitable  
Expensive  
Lack of federal funds returning to state  
Insufficient funds for higher education  
Improper investment management  
U.S. fiscal policy  
Present tax structure is wrong  
Property tax bill uncertain  
Expenditures exceed revenue  
There is an overemphasis on raising new revenue sources

GROUP A-8

Property taxes too high  
Limit increases on assessments for fixed incomes and retired persons  
Too few tax sources - timber industry too heavy  
Schools rely too heavily on property tax  
Property (home) assessments increase w/o justification  
Public perception of tax structure - complacency  
Income and property taxes not equitable  
Home property tax unfair  
School elections used to comment on taxes  
People are afraid of change  
Land exemptions

GROUP A-10

Schools are target of voter displeasure w/excessive taxes  
Need another means/source of revenue for financing schools and government services  
Too many state school requirements - excessive, expensive  
There exists on the current tax system unfair distribution of taxes collected  
Destroys incentive for economic and personal/corporate development  
Inappropriate tax loopholes - personal-business  
Assessment unfair/unrealistic

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GROUP A-10 Contd.

- Property taxes burden too high - too great a dependency/burden
- Taxes are not noninflationary (real terms) indexation of property values
- Complexity of tax laws
- Human resource areas are cut
- Too many taxes - at all levels - too many programs

GROUP A-12

- Too complex
- Not a wide enough base
- Too few people paying too large a percentage of taxes, especially income tax, too many loopholes
- Deferral of property taxes deprives state of income now
- Too much property not on tax rolls
- There is no limit on rate per thousand of property taxes
- Too much tax money spent on elections
- All of the current taxing systems are too complex and citizens do not understand the process
- There are too many loopholes in the tax system causing the middle income people to pay bulk of the taxes
- The state is deprived of justified property tax revenues because of too much exempt property and too many deferred payments
- The present tax base is too narrow because we are only using two sources of major revenue

GROUP A-13

- Inequality - inequality on base (resident property owner) - loopholes
- Property tax for retirees
- Too high
- Mismanagement of funds
- Rapid-uncontrolled growth - greater than inflation rate
- Too much reliance on property tax - too many services from P.T.
- Only 50% of property taxed
- Duplication of services
- Property tax outmoded - property no longer reflects person's wealth
- Too many administrative bodies

GROUP A-13 Contd.

Government providing services it should not be  
Tax exempt groups influence/push tax programs - laws (lobbyist)  
Lack of influence on tax system by small business

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GROUP A-14

No standard assessment of property  
There should be property tax limitation  
We don't have a sales tax  
Unemployed still pay property taxes  
Average person has little control over how taxes are spent  
There are inequities within the income tax structure - no flat rate tax  
Property tax is base source of income - e.g., schools (inequities between districts)  
Allocation of taxes not consistent w/community needs or priorities  
Property tax not commensurate with ability to pay  
Excessive government spending - all levels  
No operating base for schools  
Special interest legislation  
Government expenditures not limited to a % of personal and corp. income -  
government cannot adjust to economy

GROUP A-15

Dependency on property tax to fund schools  
Unknown taxes and unfairness of property tax  
Property taxes too high-evaluations too high for retired people  
No restraint in spending  
Method of voting for monies  
Current system provides unstable funding  
Narrow base for deriving revenue - a growing program with voter lack of  
control - programs to fund  
Inequitable taxation - unemployment, inflation, low income, U.S. high income  
Lack of broad base for taxation - intangibles - i.e., stocks, bonds

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GROUP A-16

Inability of school system to curb appetite  
Lack of connection between voting new taxes and understanding the tax bill  
Lack of understanding the appraised value and tax rate in regard to tax rate  
Cost of providing adequate education  
Effect of inflation on education system  
Wants more than willing to pay  
Too many exemptions/deferrals in property tax  
Inequality  
Victims of inflation and recession on tax collection  
High tax burden on low income  
Current tax system does not reflect ability to pay  
Older residents need deferral of some taxes  
Difficult to find basis on which property is valued  
Too much reliance on present county property tax and state income tax  
Uncertainty of ramifications of choosing a tax system

GROUP A-17

Taxing system is complex  
Property tax payer is overburdened and not used as originally intended - too many services/uses of it  
Government take over of private enterprise using tax \$\$  
Because of self-interests, social/emotional/attitudes are a problem when discussing and determining solutions  
Complex system  
Property tax overburdened in support of basic social/political functions/ police/school/fire, etc.  
Taxes should be user oriented and they are not  
MSD/Tri-Met is ridiculous  
Current tax structure has negative effect on public education  
Taxes have killing effect on property owners  
Reflection of inflation and economy i.e., mixed in with other BIG issues  
Property taxes are used for other than original intent  
Fixed income offsets a property retention  
Government reached out and gathered everyone into the system - i.e., "Private to government subsidy"

GROUP A-17 Contd.

VI 8 9

Attitudes and emotions are a problem when discussing solutions (self-interest)

Corporate taxing a problem

Fed's give back requires more taxing locally/make-up system

Spending too centralized (Federal \$ competition)

Lack of social consciousness about paying taxes

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A COMPLETE LISTING OF PRINCIPLES  
IDENTIFIED BY EACH WORKING GROUP

GROUP A-1

Ability to pay  
No taxation without representation  
User Fees (parks, etc.)

GROUP A-2

Only basic service should be paid by taxes  
Business conservative financial practices should be applied to state and local government  
Tax by consumption  
Only graduated income tax  
Ability to pay by income  
Fairly and uniformly taxed by category  
Any tax should be nonregressive  
Schools should be financed equally and adequately through the state

GROUP A-7

Diverse revenue sources  
Realistic expectations of State Services  
Fair (not favoring one group over another)  
Reevaluate State Programs - costs/needs  
Deemphasize property tax  
Maintain/improve higher education standards

GROUP A-8

User should pay for services  
Long-term solution (stability)  
Consider impact on everyone in state  
Equity - tax should tax everyone equally - ability to pay  
Maintain current quality of life  
Review property exemptions - review services and Sunset Laws  
Broaden base of tax structure

GROUP A-8 - Cont.

Simplicity

Closing loopholes

Industry and business should bear more educational burden

Out-of-state visitors should pay more for services they use

Prioritize needed services

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GROUP A-10

Administrative efficiency in collection and distribution of funds

Fairness

Free-market - encourages individual to produce

Easy to administer

Understandable to the public

Equitable taxing to all income brackets

Indexing for inflation

Eliminate tax-exemption for non-profit organizations

Need reliable/predictable/stability in revenue sources

Taxation for vital services only

Distribution burden of local taxation by identifying other sources of revenue

Local decision-making and control of resources needed with minimal state interference - less state control - sharing tax at local/state levels

GROUP A-12

Regressive - A tax reform should have a balance between progressive and regressive form

A tax reform should consider the ability to pay U.S. the amount to be spent

A basic tax principle should equitably define basic needs

A basic tax principle should provide appropriate balance among basic sources major revenues

GROUP A-13

Taxation based on accountability of taxing body

Related to ability to pay

Prudent spending of budgeted funds

Establish a ratio of government cost to G.N.P.

Government employees should be reimbursed (including parks) like private enterprise employees

Everybody should be taxed

GROUP A-13 Cont.

Taxed on basis of what you spend  
A tax dedicated to school support  
Taxation by direct vote of people  
Tax code should be easily understood by layman

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GROUP A-14

Taxes should be commensurate with ability to pay  
Benefits should go to meet actual needs versus perceived needs of the community  
Citizens should be willing to pay for what they vote for  
Equality of taxation - limit loopholes - e.g., tax exempt status (properties that generate income) - equitable percentages  
Taxes should support human services  
Should not disrupt basic human services - e.g., school fire, police, sewer and water  
Should encompass properties, income, corporation, sales, and more

GROUP A-15

Equity (fairness)  
Broadly workable large enough base, administratively collectable  
Voluntary system  
Benefactors/users contribution  
All income earning real property should be taxed  
Ability to pay as basis (Progressivity) not taxing basic needs  
All taxes as small and simple as possible  
Provide the electorate the ability to control the spending  
Ability to be sensitive to the economy

GROUP A-16

Those who have ability to pay should not escape taxes  
Equitable  
Each person pays fair share  
Each person pays fair share according to ability to pay  
Reduce exemptions for currently exempt institutions  
Ability to spend reflects ability to pay taxes  
Taxes should provide revenues necessary to support desired services  
Tax system should not unduly burden a small number of targeted groups

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GROUP A-16 Contd.

All government agencies who spend tax dollars must be more accountable to tax payers

Person should be taxed based on income

All persons should be taxed at the same rate on gross income

All real property should be taxed on appraised true cash value without exemptions or deferrals

Property taxes should pay for services to the property

Should vote on specific services paid by state tax dollars

Taxing system must provide for continuity in essential services

GROUP A-17

Everyone pay in proportion to what they own

Everyone should pay taxes

Taxes should be levied - commensurate with benefits received

Taxes should be based on the ability to pay/wealth

Should not be regressive or progressive

People should have a direct say in all taxation or people should have a more direct say on the two levels of taxation (representation versus direct taxing)

Language and structures of taxing (general laws with less ambiguity and more understandable to general public

Reevaluate fundamental needs of society supported by taxes (decade/generation)

Coordinate self interest with common good

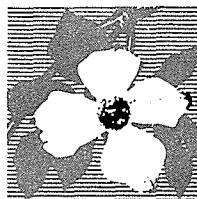
Fair/reduce loopholes

Educate public as to who pays taxes and where proceeds go

Broad based/dependable overtime/stability


Legal authority for/to tax

CITY OF MILWAUKIE



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MO  
CITY ATTORNEY  
in the City Hall • phone 659-5171

MEMORANDUM

TO: CITY COUNCIL  
FROM: GREG EADES   
SUBJECT: CABLE COMMISSION  
DATE: FEBRUARY 11, 1983

I'm sending you the attached memo and sample ordinance from last March so that you can begin thinking about the use of a Cable Commission, depending on what type of a regulatory structure we end up with. The decision does not need to be made now, but I'd be happy to answer any questions you may have concerning different alternatives.

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MEMORANDUM

TO: CITY COUNCIL

DATE: MARCH 23, 1982

FROM: GREG EADES, CITY ATTORNEY

SUBJECT: Ordinance establishing Cable Communications Commission.

Attached is a proposed ordinance creating a commission to regulate cable in the city. The most important features of the ordinance are:

1. Residency is required. This will eliminate some very qualified people, but it's important that the commission be representative of the Milwaukie community and its needs, especially if we franchise a firm with a large metropolitan system.
2. Broad powers are delegated to Commission. If approved the ordinance would grant the Commission authority over all aspects of cable communications, except penalties and revocation. This would relieve the Council of a substantial regulatory burden, and still allow for appeals from Commission decisions.
3. Commission budget is required. FCC regulations require that 40% of the franchise fees collected be used for regulation and development of community access programming. I would hope the Council would approve an appropriation of at least that amount for Commission expenses. These expenses will include consultant services, advertising, office supplies and other related costs. I do not anticipate adding any additional staff.

Prompt approval of the ordinance and appointment of the Commission would insure that the Commission could participate in the review of the franchise proposals. If you agree, I would like to solicit names of candidates for appointment from the other advisory commissions and the key communicators in order to get as many volunteers as possible, and then screen them down to 7 - 10 for Council interviews.

If you have any questions or would like to discuss this further, it will appear on the agenda for April 6.

GE/vk

AN ORDINANCE OF THE CITY OF MILWAUKIE ESTABLISHING A CABLE COMMUNICATIONS COMMISSION AND REPEALING ORDINANCE NO. 1500 AND SECTION 4 of ORDINANCE NO. 1443.

WHEREAS, the city intends to grant one or more non-exclusive franchises for a cable communications system, and

WHEREAS, the Council desires to appoint a commission to exercise the continuing regulatory powers of the city over the cable communications franchises.

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

Section 1. Commission created. The Milwaukie Cable Communications Commission is created, consisting of five members appointed by the City Council. Appointments shall be for a term of three years, except that two of the initial appointments shall be for two years. All terms shall expire the last day of February in the expiration year. All members shall be city residents and no member shall have an ownership interest in any cable television franchise. Members may be removed by the Council for cause.

Section 2. Meetings. The Commission shall meet at least once a month and shall adopt rules for the election of officers and the conduct of its meetings. A majority of the members shall constitute a quorum and the affirmative vote of a majority of the members present shall be necessary to decide any matter. All meetings shall be held in accordance with ORS 192.610 to 192.690 (Open Meeting Law).

Section 3. Duties. The Commission shall exercise all cable communication regulatory powers of the city as set forth in the franchises and any applicable city ordinances. These powers include, but are not limited to, authority to:

- a. Receive and investigate subscriber complaints.
- b. Develop, coordinate and control use of government, public and other access channels.
- c. Regulate rates.
- d. Monitor system operation, including construction timetables and standards, to insure compliance with franchise and other applicable ordinances and local, state and federal regulations.
- e. Perform necessary tests, inspections and demonstrations as required by franchises.

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- f. Prescribe and review reports furnished by franchisees.
- g. Advise City Council concerning cable communications matters.
- h. Recommend to City Council regarding imposition of fines or other penalties for franchise or ordinance violations.
- i. Recommend to City Council regarding the award of a new franchise or the transfer, renewal, revocation or purchase of any existing franchise.
- j. Promote and guide the future development of the city cable communications system to insure that the system keeps pace with technological innovations and the interest of the public.
- k. Retain professional consultants or other employees to assist the Commission in the performance of its duties.
- l. Cooperate with other governmental agencies to share cable communications information and resolve common regional problems.
- m. Adopt rules to carry out the Commission's duties under this ordinance and the franchises.
- n. Perform such other duties as may be assigned by the City Council.

Section 4. Budget. The city shall budget a sufficient amount from franchise fees collected to defray the cost of the regulatory functions of the Commission and for the support and development of community access programming.

Section 5. Appeal. Any franchisee may appeal any action of the Commission to the City Council by filing a written notice of appeal with the City Recorder not more than 20 days after the date of final action by the Commission. The notice shall state the action taken by the Commission, the reasons why the action was improper and the relief requested. The Council shall consider the appeal at a regular meeting and may affirm, modify or reverse the action of the Commission. Upon petition of any city resident, the Council may also review any action of the Commission on its own motion.

ORDINANCE NO. \_\_\_\_\_

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Section 6. Annual report. The Commission shall prepare an annual report at the end of each fiscal year, covering the activities of the Commission during the past year, planning activities for the next year, use of budgeted funds, general performance of franchisees, use and development of the cable communications system and such other matters as the Commission may deem appropriate.

Section 7. Repeal. Ordinance No. 1500 and Section 4 of Ordinance No. 1443 are repealed.

Read the first time on \_\_\_\_\_, 1982, and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_, 1982.

Signed by the Mayor on \_\_\_\_\_, 1982.

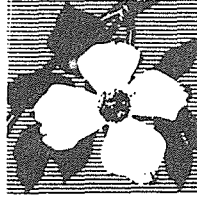
\_\_\_\_\_  
Joy Burgess, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Perkin, City Recorder

Approved as to form:

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



## MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM: HUGH BROWN  
SUBJECT: POLICE DEPARTMENT VEHICLE SAFETY AND  
DOWNTOWN PATROL  
DATE: FEBRUARY 11, 1983

During recent City Council meetings, questions have arisen regarding police department activity and procedures. Specifically, the concerns related to downtown patrol activities and repairs on police vehicles.

Attached are two memorandas from Chief Schanaker. Regarding vehicle damage, I believe you'll find the department is taking steps to develop good driving skills and the record of damage over the past five years is minimal. This is certainly the best record I have seen among cities I have worked with. As these incidents occur, we expect the cost to be higher, unfortunately, because of the extraordinary increases over the last few years in car repair prices. This is just another reason, though, for the department to continue their emphasis on safe driving and maintain their low accident rate.

The second memo addresses the concern about sufficient patrol coverage of the downtown area. While criminal activity will and does occur, the record is good downtown and there does not appear to be a cause for alarm. The city does take extra measures to communicate with the businesses to be aware of concerns and does respond to special needs and situations.

I also don't recommend the use of volunteers performing certain patrol activities. There are some liability concerns depending mostly on the type of work. Insurance could cover these additional people, but this would need to be carefully evaluated also, as we are trying to reduce

MAYOR AND CITY COUNCIL  
February 11, 1983

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risk exposure and the cost of insurance in all programs of the city. The only parking problem we are aware of downtown is the desire for varying time limits and this is being studied. We are not aware of a concern regarding inadequate patrol or inadequate parking. The downtown parking situation and the method of patrol will continue to be reviewed, however, as business activity downtown increases.

M E M O R A N D U M

FEB 05 1983

VI  
N (3)

TO: Hugh Brown  
FROM: Ron Schanaker  
DATE: February 4, 1983  
SUBJECT: TRAFFIC ACCIDENT INVESTIGATION PROCEDURE

The following information is in response to your request for:

1. Police Vehicle Accident Investigation

In the event a police vehicle is involved in a traffic accident, the provisions of our department policy, established April 24, 1980, must be complied with. According to our policy,

"An accident involving a department vehicle shall be investigated by the Oregon State Police, or if they are unavailable, the Clackamas County Sheriff's Department, when one or more of the following elements are present:

- a. Damage to department vehicle exceeds \$200;
- b. There is an injury;
- c. There is damage to another vehicle;
- d. There is a violation of any law."

In the event none of the above elements are present in an accident, and the damage is less than \$200, the Milwaukie Police Department will investigate the accident. Following the field investigation of police vehicle accidents, an accident review board is convened within ten days following the accident. This is an internal procedure that was established in 1980 with the purpose of reviewing the circumstances surrounding the accident and submitting a finding to the Chief of Police. The minimum action taken by the Chief of Police would be a letter of reprimand being placed in the officer's personnel file. In the event the officer is involved in a chargeable and negligent accident within one year of

Memo to: Hugh Brown  
From: Ron Schanaker  
Subject: Traffic Accident Investigation Procedure

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of the letter of reprimand, additional disciplinary action would be taken. This has not occurred in the past five years.

2. Driver Training

All of the uniformed officers in our department have received driver training. This involves behind the wheel training at the Portland International Raceway and conducted by the larger departments in the area. The program is offered about once every two years as an on-going training process. In addition to this localized training, the Board on Police Standards and Training provides driver training instruction during the initial recruit training process. We feel that it is important to expose our officers to this training, thereby increasing their skill at driving and reducing the possibility of accidents.

3. Warranty Repair on Vehicles

You requested information about the repair, at Olinger Dodge, of a 1982 Dodge police car. The bill was for the repair of a rear window defroster that could not be done by our city shops. Additionally, the car was passed the 12,000 mile warranty period. In fact, at the time of the repair, the patrol vehicle had 16,000 miles on it.

In summary, I believe the elements of our vehicle operation procedures and policies have assisted in reducing the number of accidents over the past years. We have an outstanding record of few accidents considering the fact that our officers drive approximately 160,000 miles a year. As an example, from 1978 through 1982, we experienced a total loss of \$2655 for accidents which occurred as the result of police officer driving error.

Please contact me for any further information.

RCS:jh

M E M O R A N D U M

VI  
N(5)

TO: Hugh Brown  
FROM: Ron Schanaker  
DATE: January 31, 1983  
SUBJECT: CITIZEN DOWNTOWN PATROL AND PARKING ENFORCEMENT

A concern was raised at the last council meeting regarding the level of criminal activity in the downtown area. In an effort to reduce this perceived problem, a citizens' patrol was suggested. A citizen volunteer parking control program was also presented.

For you to address these two topics, I believe it is necessary to present a brief overview. The downtown commercial area has not experienced a dramatic increase in any type of criminal activity. Although we do witness an occasional burglary and robbery through the year, there has been no appreciable change over the past years. The basis of the concern expressed at the council meeting was the problem of four burglaries occurring during a three-day period. This was an unusual occurrence and I don't recall it happening in the past, in the same manner.

We commit an acceptable level of police officer patrol to the downtown area, considering the amount of general police activity and citizens' calls for services in the remaining portion of our community. As an example, a seven-month survey of activity in our downtown area, covering a period from April 1, 1981 through October 30, 1981, reflected that 252 incidents in 23 categories occurred, as compared to 7,795 calls for service, city-wide, during the same period of time.

I frequently attend the Milwaukie USA Merchants Association for the principle purpose of understanding the merchants' concerns about police service. During the several years that I have been attending these sessions, I can recall only one question being raised about the level of police service in the downtown area. To elicit further information on the topic of downtown police service and merchants' satisfaction with our activities, I contacted the chairman of the Milwaukie USA Merchant's Association, Pete Sinclair. Mr. Sinclair stated that there has been no discussion or complaints about police service in the downtown area.

The suggestion that citizens patrol the downtown area, to deter criminal activity, is a questionable approach to police augmentation. There are several concerns regarding this. The first,

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From Ron Schanaker

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Subject: Citizen Downtown Patrol and Parking Enforcement

and most significant, is the issue of city liability when individuals are permitted to perform security-type service on behalf of the city. Also, it is rather doubtful whether citizens would patrol, on a continuous basis, during the hours of darkness. This takes a considerable number of people and dedication to this type of program.

The second suggestion, that being a civilian parking control officer, was raised. Again, the liability attached to this type of program creates an enormous exposure for the city. Additionally, the present system of patrol and control of vehicle movement appears to be working well. It is seldom that we receive any complaints from the merchants regarding inadequate parking enforcement in the downtown area. Random visual surveys have been conducted during many periods of the day - the conclusion is that adequate parking spaces are available for shoppers.

I believe that further information should be developed by the city attorney to address some of these questions.

If you have further comments, please contact me.

RCS:jh