

MILWAUKIE
CITY COUNCIL MEETING
July 19, 1983
7 p.m.

THE MILWAUKIE CENTER

1436TH MEETING

The one thousand four hundred and thirty sixth meeting of the Milwaukie City Council was held on July 19, 1983 with the following Councilors present:

Mayor Joy Burgess Don Graf
Ron Kinsella Roger Hall

Absent: Mike Richmond (excused)

Also present:

Hugh Brown, City Manager Ron Schanaker, Police Chief
Greg Eades, City Attorney Dick Bailey, Fire Chief
Topaz Faulkner, Comm. Serv. Dir. Gordon Erickson, Finance Dir.
Steve Hall, P.W. Director Laurie Perkin, Secretary

Mayor Burgess gave the invocation and the pledge of allegiance was recited.

AUDIENCE PARTICIPATION

Don Broetje, Chairman of the Oak Lodge Community Council read a letter from his Council requesting the city's participation in supplying members of the Oak Lodge district with information regarding annexation to the city. He said the main concern was for the future quality and costs of services. Mayor Burgess said the city would be glad to cooperate in any meetings on this issue.

Diane Quick, 10100 SE Walnut Drive, addressed the Council regarding the upcoming North Clackamas School District budget election on August 9. She said there was a possibility the schools would have to close if the budget did not pass and asked for Council support. She provided information on the vote by mail process which will be used in this election. Don Graf said he did not feel the Council could take formal action to either support or oppose the budget since they had not been involved in the budget discussions.

Discussion of Contract with Loaves & Fishes Inc.

Kinsella read a letter from Councilor Richmond requesting that Council postpone a decision regarding the amendments to the contract between Loaves & Fishes and the City until all Councilors were present. It was MOVED by Kinsella, SECONDED by Burgess, to postpone a decision on this issue until a full Council is present. MOTION CARRIED unanimously. It was decided to discuss this issue at the next regular Council meeting on the 4th of August.

Public Hearing re mobile homes-manufactured housing

The public hearing opened at 7:25 p.m. Community Services Director gave the staff presentation. She said the Planning Commission has had several hearings involving both citizens and mobile home manufacturers and in the process of rewriting the zoning ordinance, tried to comply with requests that manufactured units within Milwaukie appear similar to

"stick built" residences. No correspondence has been received and no one appeared to speak in favor of or in opposition to the proposed amendments. The public hearing closed at 7:37 p.m. It was MOVED by Graf, SECONDED by Kinsella to read the ordinance the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NO. 1438 BY ADDING PROVISIONS FOR MANUFACTURED HOUSING, MANUFACTURED HOUSING SUBDIVISION, PREFABRICATED CONSTRUCTION (MODULAR UNITS). MOTION CARRIED unanimously. There will be a second reading at the August 2 meeting.

LEGISLATION

It was MOVED by Hall, Seconded by Graf, that the bills listed for July 19, 1983 be approved for payment. MOTION CARRIED unanimously.

Resolution adopting salary schedules for Mgmt./Confidential employees.

City Manager said the only change in the resolution is an adjustment in benefits which provides employees access to a deferred compensation plan. Included in the resolution also is a clarification in the management structure regarding the position of Finance Director. This position is now designated as a department head. There was some discussion on merit increases. City Manager said these increases had been budgeted for this fiscal year and would amount to approximately \$20,000. It was MOVED by Hall, SECONDED by Graf, to adopt Resolution 8-1983 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE RATIFYING AND ADOPTING SALARY SCHEDULES FOR CERTAIN EMPLOYEES OF THE CITY OF MILWAUKIE FOR THE PERIOD FROM July 1, 1983 THROUGH JUNE 30, 1984) MOTION CARRIED unanimously by those present.

Resolution adopting salaries for Council appointed employees.

Included in the proposed resolution are salaries listed for City Manager, City Attorney and Municipal Court Judge which remain unchanged from last year. It was MOVED by Graf, SECONDED by Kinsella to adopt Resolution 9-1983 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE RATIFYING AND ADOPTING SALARIES FOR APPOINTIVE CITY OFFICERS FOR THE PERIOD FROM JULY 1, 1983 THROUGH JUNE 30, 1984) MOTION CARRIED unanimously.

Resolution re personnel rule change

This resolution provides for the establishment of one or more deferred compensation plans for employees in the management and confidential part time permanent classifications. It was MOVED by Kinsella, SECONDED by Hall, to adopt Resolution 10-1983 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE AMENDING THE PERSONNEL RULES) MOTION CARRIED unanimously.

Ordinance re Adult Business Regulation

Community Services Director provided a map indicating where adult businesses would be allowed in the area. The ordinance before Council is the result of the meeting of the Council and the Planning Commission and restricts adult businesses to manufacturing zones. There were questions concerning boundaries and the use of the word "primary" on page 3 Section 2, first paragraph. City Attorney said being more specific would only cause more problems. It was MOVED by Graf, SECONDED by Kinsella, to read the ordinance the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1438 BY ADDING ADULT ENTERTAINMENT PROVISIONS, ADOPTING STANDARDS FOR CONDITIONAL USE, RESTRICTING CERTAIN COMMERCIAL USES AND DECLARING AN EMERGENCY) MOTION CARRIED unanimously. The Council will read the ordinance a second time at the August 2 meeting.

Ordinance re unclaimed property

The ordinance was read the first time on July 5. It was MOVED by Hall, SECONDED by Graf, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Hall, SECONDED by Graf, to adopt ordinance No. 1544 (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, RELATING TO THE DISPOSITION OF UNCLAIMED PROPERTY IN POSSESSION OF THE POLICE DEPARTMENT). MOTION CARRIED unanimously.

Ordinance relating to park rules

City Manager recommended tabling this ordinance indefinitely due to problems with police enforcement. It will be reviewed further by the Police Department and the Parks and Recreation Commission. It was MOVED by Graf, SECONDED by Kinsella to table consideration of this ordinance indefinitely. MOTION CARRIED unanimously.

Ordinance re withdrawal from Oak Lodge Water District

The ordinance was read the first time on July 5. It was MOVED by Graf, SECONDED by Kinsella, to read the ordinance the second time by title only. MOTION CARRIED unanimously. It was MOVED by Graf, SECONDED by Hall, to adopt Ordinance No. 1545 (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, WITHDRAWING A PORTION OF THE OAK LODGE WATER DISTRICT FROM THE DISTRICT PURSUANT TO ORS 222.524). MOTION CARRIED unanimously.

B.P.A. Grant Application - Resolution

Community Services Director has requested Council authorization to apply for grant to develop and implement solar access ordinances and other methods of encouraging greater electric use efficiencies. It was MOVED by Graf, SECONDED by Kinsella to adopt Resolution No. 11-1983 (A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE SUPPORTING THE CITY'S APPLICATION FOR A GRANT FROM THE BONNEVILLE POWER ADMINISTRATION TO DEVELOP ORDINANCES RELATED TO RENEWABLE RESOURCE USE). MOTION CARRIED unanimously.

Consent Agenda

Approval of minutes, July 5, 1983.

Results of June 28, 1983 election.

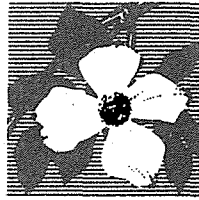
It was MOVED by Kinsella, SECONDED by Hall, to adopt the consent agenda. MOTION CARRIED unanimously.

The meeting was adjourned at 9:50 p.m.

Joy Burgess, Mayor

Laurie Perkin, Secretary

CITY OF MILWAUKIE



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

CITY COUNCIL AGENDA July 19, 1983 7 p.m.

THE MILWAUKIE CENTER

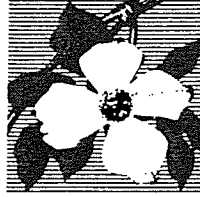
REGULAR MEETING (1436th)

WORK SESSION - 5 p.m. Loaves & Fishes
Agreement

- I CALL TO ORDER
- a) Call to order
 - b) Invocation
 - c) Pledge of allegiance
- II AUDIENCE PARTICIPATION - *Don Brattje*
- III PUBLIC HEARING - amendments to zoning ordinance re mobile homes
- ORDINANCE
- IV LEGISLATION
- a) Payment of bills
 - b) Resolution adopting salary schedules for part-time permanent and mgmt/confidential employees
RESOLUTION
 - c) Resolution re Council appointed employee salaries
RESOLUTION
 - d) Resolution re personnel rule changes
RESOLUTION
 - e) Ordinance re adult business regulation
ORDINANCE
 - f) Ordinance re unclaimed property (2nd reading)
ORDINANCE
 - g) Ordinance adopting park rules & regulations (2nd reading)
ORDINANCE
 - h) Ordinance withdrawing from Oak Lodge Water District
ORDINANCE (2nd reading)
 - i) Solar Grant application RESOLUTION
- V CONSENT
- a) Approval of minutes, July 5, 1983
 - b) Results of June 28 election
- VI OTHER BUSINESS
- a) Consideration of Loaves & Fishes agreement
 - b) Discussion regarding conclusions & recommendations of annexation report
 - c) Appointment to Traffic Safety Commission
 - d) Interim agreement with Clackamas Service District #1
 - e) Sewer Division - Quit Claim Deed

VII INFORMATION

- a) Minutes - Planning Commission, June 28, 1983
- b) Minutes - Library Board, June 22, 1983
- c) Update on Traffic Safety Commission review
of stop signs on 40th Street
- d) Status report on Bartel Wells study re Clackamas Serv. Dist.
- e) Public Works Division manpower replacement
- f) Tri-Met proposed service reductions



MEMORANDUM

July 15, 1983

TO: MAYOR AND CITY COUNCIL

FROM: HUGH H. BROWN, CITY MANAGER

SUBJECT: CITY COUNCIL MEETING - July 19, 1983

Tuesday's meeting has been scheduled for the Milwaukie Center to accommodate a possible large turnout for the work session. The work session is scheduled from 5 - 6:30 and the time between 6:30 and 7:00 may be used to partake of sandwiches in one of the side conference rooms.

The City received from Loaves and Fishes their suggested agreement changes and these are included in the packet. They have also been distributed to representatives of the advisory boards (SCAC and CAB) and the Friends of the Center, the groups invited by Mayor Burgess to participate.

The staff has found some possible difficulties with the proposed ordinance adopting the parks rules and regulations. It is mandatory that the ordinance be on the agenda after being passed on first reading, but it is recommended that further consideration be postponed pending additional staff analysis.

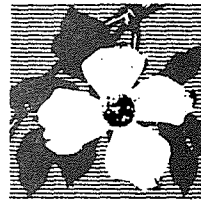
Midst a rather lengthy agenda, please note the recommendation that the city begin discussions with area residents to the east regarding possible annexation. Direction from City Council at this time will allow staff to develop an informational program for implementation in the fall.

Have a good weekend under what we hope are at least partially sunny skies.


Hugh H. Brown
City Manager

HHB/lp

CITY OF MILWAUKIE



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PLANNING DEPARTMENT
in the City Hall • phone 659-5171

III
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MEMORANDUM

TO: THE MILWAUKIE CITY COUNCIL
FROM: THE MILWAUKIE PLANNING COMMISSION
DATE: MAY 24, 1983

RE: AMENDMENT TO THE MILWAUKIE ZONING ORDINANCE
CONCERNING MANUFACTURED HOUSING (MOBILE HOMES)
MANUFACTURED HOUSING SUBDIVISIONS, PRE-FABRICATED
CONSTRUCTION (MODULAR UNITS).

At the May 10, 1983 Planning Commission Meeting the Commission held a public hearing concerning Amendments to the Milwaukie Zoning Ordinance regarding criteria for siting manufactured housing on individual lots and subdivisions. After careful consideration the Commission voted to recommend the following Amendments.

DEFINITIONS:

Section 1.03 is amended by deleting the current definitions for Mobile Home and Mobile Home Park, and by adding the following:

MANUFACTURED HOUSING:

A dwelling manufactured in a factory and transported to a site. Construction of the dwelling is in accordance with the National Manufactured Housing Construction and Safety Standards for 1974 (42 USC Sections 540 et. seq.). The dwelling is at least twenty-four (24) feet in width, has living space, has sleeping, plumbing, and cooking facilities; and is designed for permanent residential occupancy.

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DEFINITIONS: Continued

MANUFACTURED HOUSING SUBDIVISION:

A parcel of land intended for and designed principally to accommodate manufactured housing for single-family residential use. Other conventional (stick built) housing may be built on individual lots in a manufactured subdivision. The parcel shall meet all requirements of the Milwaukie Subdivision Ordinance.

PREFABRICATED CONSTRUCTION (MODULAR UNITS):

A structural unit, conforming to the Uniform Building Code, that has been wholly or in part prefabricated at an off-site location and brought by trailer to the site for assembly.

Section 6.02 - STANDARDS FOR GOVERNING CONDITIONAL USES:

DEFINITIONS
This Section shall be amended by deleting the following Subsections:

Section 6.02.7.a, b, and c - Mobile Home Park:

In its entirety, and renumbering the remaining Subsections appropriately.

Section 6.02.16. a, b, c, and d - Mobile Homes:

In its entirety.

THE SECTION SHALL BE FURTHER AMENDED BY ADDING THE FOLLOWING NEW SUBSECTIONS:

Section 6.02.15 - Manufactured Housing:

Manufactured housing shall be subject to the following requirements in all of the zoning districts in which they are allowed:

Section 6.02.15.a

The unit shall satisfy the requirements for manufactured housing as defined by this Ordinance (Section 1.03).

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Section 6.02.15.b

The manufactured home will be permanently installed on a foundation system in conformance with the Oregon Department of Commerce Requirements; and recessed so the bottom of the home is a maximum of 18 inches above the exterior finish grade of the lot on which it is located.

Exterior siding will extend to the top of a non-structural perimeter wall surrounding the base of the manufactured home. The wall may consist of concrete block, cement or pressure-treated wood finished to appear similar to cement. The perimeter wall shall be constructed to appear similar to foundations found in the immediate area.

Section 6.02.15.c

Any extension of or attachment to the manufactured home which is not part of the original factory manufactured/mobile home, and which is intended for use either as part of the dwelling unit or for storage purposes, shall not occur unless indicated as part of the application and is part of the approval. This application shall include plans for review and approval to insure the extension or attachment proposed is compatible; of like design and character to the existing manufactured home. A City Building Permit shall be obtained for such extensions or additions to manufactured homes, if so required by the appropriate Oregon Statutes and Regulations.

Section 6.02.15.d

The factory design of the manufactured home shall include a roof pitched at a minimum of two (2) inches in twelve (12) inches.

Section 6.02.15.e

Two paved parking spaces, one of which must be covered, shall be provided for each dwelling.

Section 6.02.15.f

The exterior of the manufactured home must be constructed of materials similar in appearance and quality to residential exterior found in the immediate area.

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Section 6.02.16 - Manufactured Housing Subdivisions:

- A. The minimum area for a subdivision shall be three acres.
- B. Applications shall be accompanied by a plot plan drawn to scale of general layout of the entire subdivision. Mapping requirements for Preliminary Subdivision or Major Partition shall be used as a guide for the plot plan layout.
- C. The density of units shall be subject to the density requirements of the primary district.
- D. The average area of a manufactured home site within the subdivision shall not be less than 2,500 sq.ft., including roadways, recreation areas, and other accessory facilities. No site shall have an area less than 2,000 sq.ft.
- E. Streets within the subdivision shall meet the standards established in the Subdivision Ordinance (#1438), except for inverted/rolled curbs.
- F. Off-street parking shall be two parking spaces, one of which must be covered, for each home.
- G. Storage and similar accessory structures may be located within any unit space, but shall not be attached to any manufactured home, and shall comply with the setback requirements and shall be subject to all of the applicable provisions of the appropriate Oregon Statutes and Regulations.
- H. All open areas, except as otherwise specified herein, shall be landscaped and maintained.
- I. No unit enlargements or expansions of any subdivision shall be permitted unless the existing one is made to conform with all the requirements for new construction.
- J. The entire subdivision or each phase of unit development shall comply with the aforesaid requirements prior to occupancy.
- K. Conventional (stick built) housing may be built on individual lots in the subdivision. Such housing must meet all standards of the applicable zone.

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ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NO. 1438 BY ADDING PROVISIONS FOR MANUFACTURED HOUSING, MANUFACTURED HOUSING SUBDIVISIONS, PRE-FABRICATED CONSTRUCTION (MODULAR UNITS).

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings.

A. Currently, Ordinance No. 1438 includes definitions for Mobile Home and Mobile Home Park, which do not conform to Oregon State Statutes. There is no definition for Modular Housing.

B. The current definition in Ordinance NO. 1438 for Mobile Home Park is not consistent with Section 4.06 of the same Ordinance.

C. The City has received requests from citizens to assure the manufactured units allowed within the City will, to the greatest extent possible, appear similar to "stick-built" residences.

D. The City has received requests from the Manufactured Housing Association and the State Housing Division, regarding manufactured housing, to bring our Ordinance into conformance with the State Statutes and to clarify the foundation requirement.

E. Manufactured and Modular Housing represents a low-cost alternative that will enable more families to live in Milwaukie.

F. It is in the best interests of the City to increase the City's housing stock.

G. The proposed amendments support the following elements of the City's Comprehensive Plan, Ordinance No. 1437:

1. Community Conservation & Development Division
Objective #4, Neighborhood Conservation, Policy #3,
Page 31.

Within Moderate and Medium Density areas, residential infill which maintains existing building heights, setbacks, yard areas and building mass will be encouraged. Of particular importance is the maintenance of existing residential scale when viewed from the street.

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ORDINANCE NUMBER _____

2. Objective #5, Housing Choice, Page 31
To continue to encourage an adequate and diverse range of housing types and the optimum utilization of housing resources to meet the housing needs of all segments of the population.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

3. Objective #5, Policy #3, Page 32.
Section 1. Manufactured housing is encouraged in the city as long as building codes, density standards and other applicable policies are met. The City will encourage the provision of housing at types and densities indicated in the City's housing needs assessments summarized on Table 3-A.

H. The Planning Commission considered these proposed Amendments at Public Hearings held on January 25, 1983; February 22, 1983; April 8, 1983; April 25, 1983; May 10, 1983; May 24, 1983, and recommended the Council adopt them.

Section 2. Definitions.

Section 1.03 of Ordinance #1438 is amended by deleting the current definitions for Mobile Home and Mobile Home Park, and by adding the following:

MANUFACTURED HOUSING:

A dwelling manufactured in a factory and transported to a site. Construction of the dwelling is in accordance with the National Manufactured Housing Construction and Safety Standards for 1974 (42 USC Sections 540 et. seq.). The dwelling is at least twenty-four (24) feet in width, has living space, has sleeping, plumbing, and cooking facilities; and is designed for permanent residential occupancy.

MANUFACTURED HOUSING SUBDIVISION:

A parcel of land intended for and designed principally to accommodate manufactured housing for single-family residential use. Other conventional (stick built) housing may be built on individual lots in a manufactured subdivision. The parcel shall meet all requirements of the Milwaukie Subdivision Ordinance.

PREFABRICATED CONSTRUCTION (MODULAR UNITS):

A structural unit, conforming to the Uniform Building Code, that has been wholly or in part prefabricated at an off-site location and brought by trailer to the site for assembly.

ORDINANCE NO. _____
ORDINANCE NO. _____

Section 6.02 - STANDARDS FOR GOVERNING CONDITIONAL USES:

This Section shall be amended by deleting the following Subsections:

Section 6.02.7.a, b, and c - Mobile Home Park:

In its entirety, and renumbering the remaining Subsections appropriately.

Section 6.02.16. a, b, c, and d - Mobile Homes:

In its entirety.

THE SECTION SHALL BE FURTHER AMENDED BY ADDING THE FOLLOWING NEW SUBSECTIONS:

Section 6.02.15 - Manufactured Housing:

Manufactured housing shall be subject to the following requirements in all of the zoning districts in which they are allowed.

Section 6.02.15.a

The unit shall satisfy the requirements for manufactured housing as defined by this Ordinance (Section 1.03).

Section 6.02.15.b

The manufactured home will be permanently installed on a foundation system in conformance with the Oregon Department of Commerce Requirements; and recessed so the bottom of the home is a maximum of 18 inches above the exterior finish grade of the lot on which it is located.

Exterior siding will extend to the top of a non-structural perimeter wall surrounding the base of the manufactured home. The wall may consist of concrete block, cement or pressure-treated wood finished to appear similar to cement. The perimeter wall shall be constructed to appear similar to foundations found in the immediate area.

PREFABRICATED CONSTRUCTION (MODULAR UNITS):

A structural unit, conforming to the Uniform Building Code that has been wholly or in part prefabricated at the site location.

Section 6.02.15.c

Any extension of or attachment to the manufactured home which is not part of the original factory manufactured/mobile home, and which is intended for use either as part of the dwelling unit or for storage purposes, shall not occur unless indicated as part of the application and is part of the approval. This application shall include plans for review and approval to insure the extension or attachment proposed is compatible; of like design and character to the existing manufactured home. A City Building Permit shall be obtained for such extensions or additions to manufactured homes, if so required by the appropriate Oregon Statutes and Regulations.

Section 6.02.15.d

The factory design of the manufactured home shall include a roof pitched at a minimum of two (2) inches in twelve (12) inches.

Section 6.02.15.e

Two paved parking spaces, one of which must be covered, shall be provided for each dwelling.

Section 6.02.15.f

The exterior of the manufactured home must be constructed of materials similar in appearance and quality to residential exterior found in the immediate area.

Section 6.02.16 - Manufactured Housing Subdivisions:

- A. The minimum area for a subdivision shall be three acres.
- B. Applications shall be accompanied by a plot plan drawn to scale of general layout of the entire subdivision. Mapping requirements for Preliminary Subdivision or Major Partition shall be used as a guide for the plot plan layout.
- C. The density of units shall be subject to the density requirements of the primary district.
- D. The average area of a manufactured home site within the subdivision shall not be less than 2,500 sq.ft., including roadways, recreation areas, and other accessory facilities. No site shall have an area less than 2,000 sq.ft.

- E. Streets within the subdivision shall meet the standards established in the Subdivision Ordinance (#1438), except for inverted/rolled curbs.
- F. Off-street parking shall be two parking spaces, one of which must be covered, for each home.
- G. Storage and similar accessory structures may be located within any unit space, but shall not be attached to any manufactured home, and shall comply with the setback requirements and shall be subject to all of the applicable provisions of the appropriate Oregon Statutes and Regulations.
- H. All open areas, except as otherwise specified herein, shall be landscaped and maintained.
- I. No unit enlargements or expansions of any subdivision shall be permitted unless the existing one is made to conform with all the requirements for new construction.
- J. The entire subdivision or each phase of unit development shall comply with the aforesaid requirements prior to occupancy.
- K. Conventional (stick built) housing may be built on individual lots in the subdivision. Such housing must meet all standards of the applicable zone.

Read the first time on _____, 198__, and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____, 198__.

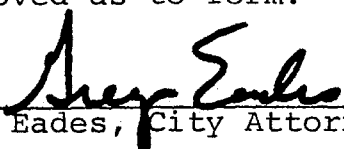
Signed by the Mayor on _____, 198__.

Joy Burgess, Mayor

ATTEST:

Laurie Perkin, Recorder

Approved as to form:



Greg Eades, City Attorney

CITY OF MILWAUKIE
BILLS PAYABLE JULY 19, 1983

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1.	A & A Drilling	1,675.00	30-	1,675.00
2.	A & A Welders Supply	24.75	7-	24.75
3.	ASE Supply	68.88	7-	68.88
4.	Alexander-Chrysler	68.00	1-52	68.00
5.	Antioch University	150.00	1-21	150.00
6.	The Asphalt Institute	30.00	4-	30.00
7.	BS Rental Center	90.00	4-	60.00
			30-	30.00
8.	Bernan Associates	200.00	1-34	200.00
9.	Bernard's Garage	24.00	7-	24.00
10.	Bernstein Bros.	24.20	1-25	24.20
11.	Best Auto Wrecking	65.00	7-	65.00
12.	Boise Cascade	70.67	1-24	52.55
			1-32	18.12
13.	Bound to Stay Bound	44.15	1-34	44.15
14.	Builders Lighting, Inc.	63.04	12-	63.04
15.	Cellocraft	276.56	1-36	276.56
16.	City Council	275.00	1-10	275.00
17.	Clackamas Cty. Sports Officials Assn.	1,083.00	1-36	1,083.00
18.	Clean One	45.60	1-37	45.60
19.	Colonial Office Products	27.98	1-53	27.98
20.	Columbia Hydraulic Service, Inc.	8.40	7-	8.40
21.	Continental Parts Distributors	102.13	7-	102.13
22.	Custom Sheet Metal	120.00	12-	120.00
23.	Clackamas Cty. Animal Control	400.00	1-53	400.00
24.	Clackamas Cty. Community Development Division	30,000.00	30-	30,000.00
25.	Clackamas County Clerk (Election)	1,110.47	1-25	1,110.47
26.	Clackamas County Environmental Services	241.90	1-24	174.70
			1-53	67.20
27.	Clackamas County Recorder	19.00	1-92	19.00
28.	Clackamas County Service District	42,693.55	1-32	60.00
			1-36	36.00
			20-	42,597.55
29.	Clackamas County Water District	83.03	1-32	65.03
			1-36	18.00
30.	Dick's Color Center	26.24	12-	26.24
31.	Environmental Pollution Control, Inc.	26.20	20-	26.20
32.	Finzer Business Systems, Inc.	139.60	1-23	139.60
33.	Fred Meyer	77.97	1-53	77.97
34.	Flying J. Propane, Inc.	200.00	4-	200.00
35.	GP Technologies, Inc.	20.95	1-91	20.95
36.	Halstead's Enterprise, Inc.	550.00	1-36	550.00
37.	Hamilton Engine Dales, Inc.	1,204.10	7-	1,204.10
38.	Harney, John W.	5.00	1-33	5.00
39.	Healthline	10.00	1-32	10.00
40.	Highsmith Co., Inc.	40.89	1-34	40.89
41.	Higgins Signs	95.00	1-52	95.00

CITY OF MILWAUKIE
BILLS PAYABLE JULY 19, 1983

IV
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42.	Home Laundry	226.62	1-62	226.62
43.	Honeywell Protection Services	66.00	20-	33.00
			30-	33.00
44.	Horton Electric	107.95	30-	107.95
45.	Howard-Cooper Corporation	298.96	7-	298.96
46.	Hyneman, Glorianne C. RN	378.10	1-32	378.10
47.	International Conference of Building Officials	127.90	1-93	127.90
48.	Kenton Supply Inc.	7.50	1-36	7.50
49.	LGPI	465.00	1-21	465.00
50.	Legislative Council Committee	35.00	1-22	35.00
51.	K & R Leonard Reloading	360.00	1-52	360.00
52.	Main Street Cleaners	473.40	1-52	407.40
			1-61	1.98
			1-62	59.40
			1-63	4.62
53.	Marvac Products Co.	40.00	30-	40.00
54.	Mastrantonio-Meuser, Lori	2,000.00	1-35	2,000.00
55.	Maury's Gun Rack	129.99	1-52	129.99
56.	Milwaukie Interiors, Inc.	119.58	12-	119.58
57.	Milwaukie Printing	32.00	1-24	32.00
58.	Mobile Radio Communication Service	82.50	1-62	82
59.	Moody's Investors Service	450.00	1-34	450.
60.	Bill Morrison Company	1,497.00	1-21	99.80
			1-22	49.90
			1-23	199.60
			1-24	49.90
			1-32	99.80
			1-33	99.80
			1-34	349.30
			1-35	49.90
			1-36	49.90
			1-51	299.40
			1-61	49.90
			1-91	99.80
61.	New Review	34.93	1-25	24.09
			1-35	25.14
			1-36	-14.30
62.	Northwest Law Enforcement Equipment	69.85	1-52	69.85
63.	Northwest Natural Gas Company	190.25	1-34	128.85
			4-	10.16
			30-	51.24
64.	O.M.F.O.A.	30.00	1-23	30.00
65.	Oregon Department of Commerce	93.70	1-34	93.70
66.	Oregon Dept. General Services	85.00	1-24	10.00
			12-	75.00
67.	Oregon Toro Distributors, Inc.	35.08	1-36	35

CITY OF MILWAUKIE
 BILLS PAYABLE JULY 19, 1983

IV
 a (3)

68.	P.G.E.	5,370.12	1-25	6.28
			1-32	527.84
			1-34	278.91
			1-36	16.95
			1-53	212.34
			1-61	1,814.38
			4-	714.41
			7-	61.72
			20-	155.43
			30-	1,581.86
69.	Pacific Coast Industrial	252.55	1-34	18.00
			1-37	16.00
			1-51	4.00
			1-62	13.50
			4-	67.02
			20-	67.01
			30-	67.02
70.	Pacific Northwest Bell	2,802.86	1-21	182.05
			1-22	72.82
			1-23	218.46
			1-24	72.82
			1-31	36.41
			1-33	72.82
			1-34	165.25
			1-35	72.82
			1-36	36.41
			1-37	157.80
			1-53	746.25
			1-61	62.11
			1-62	211.37
			1-91	72.82
			1-92	109.23
			1-93	36.41
			4-	308.01
			20-	97.50
			30-	71.50
71.	Pacific Water Works Supply	31.99	30-	31.99
72.	The Parts Store	48.96	7-	48.96
73.	Petty Cash	174.58	1-31	10.00
			1-32	46.88
			1-34	30.30
			1-35	3.00
			1-51	17.64
			1-52	9.53
			1-53	12.42
			1-62	22.14
			4-	14.39
			7-	4.21
			30-	4.07

CITY OF MILWAUKIE
BILLS PAYABLE JULY 19, 1983

IV
a (4)

74.	Pixler Auto Parts	96.92	1-62	96.92
75.	Portland Road & Driveway	333.00	4-	333.00
76.	Postmaster	1,000.00	1-23	1,000.00
77.	Redline Truck & Equipment	28.30	7-	28.30
78.	Robben Oil Company	297.35	1-37	297.35
79.	Rock Creek Sand & Gravel	90.00	4-	90.00
80.	Sanderson Safety Supply Co.	39.25	20-	19.62
			30-	19.63
81.	Oregon Peace Officers Association	12.00	1-51	12.00
82.	Shell Oil Company	19.55	1-61	19.55
83.	Steel Factors, Inc.	125.00	4-	41.67
			20-	41.66
			30-	41.67
84.	Tidwell, Mark	20.00	1-62	20.00
85.	Tri-Cty. Community Council Directory	16.00	1-32	16.00
86.	Valley Communications	444.00	1-36	21.00
			1-52	189.00
			1-91	34.00
			4-	100.00
			30-	100.00
87.	Water, Food & Research Lab., Inc.	121.00	30-	121.00
88.	Weiler Chevrolet	294.68	1-52	225.53
			7-	68.75
89.	Western-Pacific Construction Materials	110.00	4-	110.00
90.	Wichita Feed & Hardware	294.61	1-36	225.53
			4-	38.06
			12-	3.55
			20-	12.83
			30-	14.64
91.	Zellerbach Paper Company	59.40	4-	19.80
			20-	19.80
			30-	19.80
		\$100,998.69		\$100,998.69

CHART OF ACCOUNTS
FUNDS, DEPARTMENTS & DIVISIONS

TV
a (5)

Effective July 1, 1982

CITY COUNCIL	01-10	BONDED DEBT FUND	02
CITY ADMINISTRATION	01-21	EQUIPMENT RESERVE FUND	03
LEGAL	01-22	STATE TAX STREET FUND	04
COMPTROLLER	01-23	IMPROVEMENT BOND SINKING	
COMPTROLLER/PURCHASING	01-24	FUND	05
COMPTROLLER/GENERAL GOVERNMENT	01-25	STREET IMPROVEMENT FUND	06
		EQUIPMENT REPAIR FUND	07
COMMUNITY SERVICES ADMINISTRATION	01-31	BIKE AND FOOTPATH FUND	09
MILWAUKIE CENTER	01-32	FIXED ASSET ACCOUNT GROUP	10
MUNICIPAL COURT	01-33	REVENUE SHARING FUND	12
LIBRARY	01-34	COMMUNITY DEVELOPMENT GRANT	
PLANNING	01-35	FUND	13
PARKS & RECREATION	01-36	SEWER FUND	20
CITY HALL	01-37	WATER FUND	30
		GENERAL LEDGER/INVENTORY	GL
POLICE ADMINISTRATION	01-51		
FIELD SERVICES	01-52		
SUPPORT SERVICES	01-53		
FIRE ADMINISTRATION	01-61		
FIRE SUPPRESSION	01-62		
FIRE PREVENTION	01-63		
PUBLIC WORKS ADMINISTRATION	01-91		
PUBLIC WORKS ENGINEERING	01-92		
PUBLIC WORKS BUILDING	01-93		

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06

RESOLUTION NUMBER _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE RATIFYING AND ADOPTING SALARY SCHEDULES FOR CERTAIN EMPLOYEES OF THE CITY OF MILWAUKIE FOR THE PERIOD FROM JULY 1, 1983 THROUGH JUNE 30, 1984.

BE IT RESOLVED by the City Council of the City of Milwaukee that the salary schedules below are hereby ratified and adopted as the salary schedule for the job classifications listed herein.

MANAGEMENT AND CONFIDENTIAL CLASSIFICATIONS

	<u>Salary Range (per month)</u>		
Community Service Director	2375	-	2969
Finance Director	2067	-	2687
Fire Chief	2375	-	2969
Police Chief	2375	-	2969
Public Works Director	2557	-	3196

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E (per month)</u>
Assistant Fire Chief	2067	2171	2280	2394	2514
Police Lieutenant					
Public Works Supertendent	1968	2067	2171	2280	2394
Administrative Assistant	1831	1923	2020	2121	2228
Building Official					
Police Sergeant					
Supervising Accountant					
Center Director	1665	1749	1837	1929	2026
City Recorder/Exec. Sec'y.					
Office Engineer					
Parks & Rec. Supertendent					
Pub. Works Construction/ Maintenance Foreman					
Associate Planner	1448	1521	1598	1678	1762
Senior Librarian					
Supervising Court Clerk	1207	1268	1332	1399	1469
Clerk Typist III	1098	1153	1211	1272	1336
Human Services Coordinator					
Clerk Typist II	999	1049	1102	1158	1216

RESOLUTION NO. _____

PART-TIME PERMANENT CLASSIFICATIONS

	A	B	C	D	E (per hour)
Assistant Equipment Mechanic	7.04	7.40	7.77	8.16	8.57
Building Supervisor	4.09	4.29	4.51	4.73	4.96
Clerk Typist II	5.46	5.74	6.02	6.32	6.64
Clerk Typist III	6.33	6.65	6.99	7.34	7.71
Community Service Officers	5.90	6.21	6.52	6.85	7.19
Library Aide	5.26	5.53	5.80	6.09	6.40
Library Page	3.87	4.06	4.26	4.47	4.71
Printing Coordinator	6.24	6.56	6.89	7.23	7.59

TEMPORARY CLASSIFICATIONS

	A	B	C (per hour)
Public Works Laborer Crewleader	4.25	4.50	4.75
Public Works Laborer	4.00	4.25	4.50
Public Works Clerical Aide	4.00	4.25	4.50
Park Aide	4.00	4.25	4.50

Eligible for increase after each full summer worked.

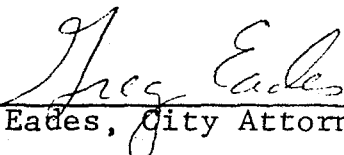
Introduced and adopted by the City Council on _____, 1983.

Joy Burgess, Mayor

ATTEST:

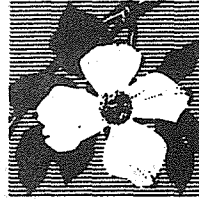
Laurie Perkin, City Recorder

Approved as to form:



Greg Eades, City Attorney

CITY OF MILWAUKIE



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

MEMORANDUM

TO: MAYOR AND MEMBERS OF CITY COUNCIL

FROM: HUGH H. BROWN, CITY MANAGER

SUBJECT: 1983-84 MANAGEMENT AND CONFIDENTIAL EMPLOYEE
COMPENSATION

DATE: JULY 15, 1983

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B (3)

The resolution before City Council establishing compensation for Management and Confidential employees contains very few changes from 1982-83. This is consistent with the City Council goal of freezing salaries and minimizing the cost of overall compensation adjustments.

All salaries reflect no change from those adopted for 1982-83. The only benefit adjustment, which will be at no cost to the city, is providing employees access to a deferred compensation plan. The city is currently a participant in the International City Management Association Retirement Corporation (ICMA/RC) and this program will now be extended on a voluntary basis to the Management and Confidential employee group. Deferred compensation programs have a similar purpose as the IRA programs of financial institutions and allow employees to set aside a portion of their salary for retirement while simultaneously gaining tax benefits. This is essentially a very useful financial planning tool which an employer may provide employees.

This will be the second consecutive year that salary adjustments for this group of employees has been minimal. A concern that I have is the increasing need to monitor these salaries relative to 1) other metropolitan cities to remain competitive in recruitment and retention of employees, and 2) the other city employee groups, and specifically, the decreasing differences between the pay between supervisors and subordinates.

The attached table indicates the relative position of the city's top management positions with similar positions in five other metropolitan cities. These cities were selected because of their similar populations to Milwaukie (15,000 - 34,000), geographical proximity and their provision of a full range of city services. The salaries of the city's top management positions are generally within the range of what is provided by other cities. The relative position decreased during the past year and will do so to a lesser extent during the coming year.

IV B (4)

Recent information indicates salary adjustments elsewhere are in the 0-4% range.

As serious a concern is the worsening compression of salaries between management positions and the positions they supervise. This is currently a problem and will become more so if the union increases are greater than the management increases. Staff will continue to observe the salary structure and when appropriate, adjustments will be recommended to make it more equitable between all positions.

A change I am clarifying in the management structure is the position of Finance Director. This position was under consideration for change under the Alternative Management Program but this was a proposal I could not agree with and no action has been taken on the proposal. This position has not changed with respect to responsibilities, authority or compensation and thus is properly recognized in the list of city department heads.


Hugh Brown, City Manager

SALARY SURVEY OF MANAGEMENT POSITIONS
(1982-83 Salaries)

IV
B (5)

	<u>Survey Range</u>	<u>Average</u>	<u>Milwaukie</u>
City Manager	\$3333 - 3774	\$3601	\$3250
City Attorney	\$3093 - 3363	\$3228	\$3113
Community Service Dir.	\$2347 - 2907	\$2592	\$2749
Finance Director	\$2439 - 3205	\$2654	\$2531
Fire Chief	\$2666 - 3052	\$2839	\$2818
Police Chief	\$2645 - 3052	\$2854	\$2818
Public Works Director	\$2576 - 3232	\$2943	\$3196

Cities Surveyed: Gresham, Hillsboro, Lake Oswego, Oregon
City, Tigard (no fire, water, parks)

Full services = police, fire, street, water, sewer, building,
engineering, planning, parks, library, community/
senior center.

RESOLUTION NUMBER _____

IV
C

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE RATIFYING AND ADOPTING SALARIES FOR APPOINTIVE CITY OFFICERS FOR THE PERIOD FROM JULY 1, 1983 THROUGH JUNE 30, 1984.

BE IT RESOLVED by the City Council of the City of Milwaukie that the salaries below are hereby ratified and adopted for the positions listed herein.

CITY COUNCIL APPOINTEES

	<u>Annual salary</u>
Municipal Court Judge	\$12,444
City Attorney	\$37,356
City Manager	\$39,000

Introduced and adopted by the City Council on _____, 1983.

Joy Burgess, Mayor

ATTEST:

Laurie Perkin, City Recorder

Approved as to form:

Greg Eades, City Attorney

H
2

RESOLUTION NUMBER _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE
AMENDING THE PERSONNEL RULES.

BE IT RESOLVED by the Council of the City of Milwaukee
that Personnel Rule II (7) is amended by adding at the end:

7. Deferred Compensation. The city will establish
one or more deferred compensation plans for voluntary use by
employees in the management and confidential and the part-time,
permanent classifications.

Introduced and adopted by the City Council on _____,
1983.

Joy Burgess, Mayor

ATTEST:

Laurie Perkin, City Recorder

Approved as to form:

Greg Eades

Greg Eades, City Attorney

ORDINANCE NUMBER _____

IV 201

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1438 BY ADDING ADULT ENTERTAINMENT PROVISIONS, ADOPTING STANDARDS FOR CONDITIONAL USES, RESTRICTING CERTAIN COMMERCIAL USES AND DECLARING AN EMERGENCY.

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

Section 1. Findings.

- A. Currently, Ordinance No. 1438 does not distinguish between adult entertainment businesses and other commercial uses, which are permitted outright in commercial zones and as conditional uses in certain industrial zones.
- B. The city has received testimony from city residents that adult entertainment businesses are not compatible with residential, church, public park and school uses.
- C. Experience in other communities has shown that the concentration of adult businesses contributes to blight and deterioration in commercial and residential areas.
- D. The City of Portland has documented complaints concerning existing adult entertainment businesses showing that these uses adversely affect the quality and stability of nearby residential and commercial areas and it is likely that the same effects would be experienced in Milwaukie if such businesses located here.
- E. It is in the best interest of the city to mitigate the adverse impacts of adult entertainment businesses by separating them from each other and from surrounding residential, church, public park and school uses and by excluding them from commercial areas.
- F. These uses can be adequately separated by prohibiting adult entertainment businesses with 400 feet of a residential zone, church, public park or school and within 500 feet of another adult entertainment business.
- G. Because many commercial uses often are incompatible with other surrounding commercial and industrial uses, it is desirable to restrict the location of certain commercial uses through the conditional use process.

- H. The current procedures for consideration of conditional use applications are not adequate. Clearer standards should be adopted and all high impact commercial uses should be subject to the conditional use requirements.

- I. The proposed regulation supports the following elements of the city's Comprehensive Plan, Ordinance No. 1437:
 - 1. Community Conservation and Development Division, Objective #4, Neighborhood Conservation, page 30.
To maximize the opportunities to preserve, enhance and reinforce the identity, pride of existing well defined neighborhoods in order to encourage the long-term maintenance of the city's housing stock.

 - 2. Economic Base and Industrial/Commercial Land Use Element, Objective #1, Economic Development, page 35.
The city will encourage an increase in the overall economic development activity within the city.

 - 3. Economic Base and Industrial/Commercial Land Use Element, Objective #8, Commercial Land Use: Convenience Centers, page 38(a).
To limit intrusion of commercial uses into neighborhood areas, while providing easy accessibility for residents.

 - 4. Recreational Needs Element, Objective #4. Neighborhood and District Parks, page 45.
To develop a city-wide park and recreation system which meets the needs of neighborhoods and the city as a whole.

 - 5. Neighborhood Area 1, Objective #1 - Single Family Character, page 54.
To maintain the single family character of designated single family areas by encouraging maintenance and rehabilitation of older structures, and by improving the quality of new residential development.

 - 6. Transportation Element, Objective #8 - Pedestrian/Bikeway, page 72.
To develop a pedestrian/bikeway system which connects local activity centers such as parks, schools and activity centers.

7. Economic Base and Industrial/Commercial Land Use Element: Goal, page 34.
To continue support and encourage the development of a broad industrial base in the city, and to encourage the expansion of service facilities in the community.

8. Objective #4 - Industrial Land Use, Policy 1, page 36.
New industrial uses will be confined to the three major industrial areas in the city: Milwaukie Industrial Park, Omark Industrial area, and the Johnson Creek Industrial area, as shown on Figure 6.

9. Objective #9 - Downtown Office Center, Policy 1, page 39.
Downtown Milwaukie will be considered a district commercial center, serving primarily the needs of nearby neighborhood residents.

Section 2. Definitions. Section 1.03 of Ordinance No. 1438 is amended by adding the following definitions in appropriate alphabetical order:

"Adult entertainment business" means an establishment which, for any form of consideration, provides or exhibits primarily products or performances characterized by an emphasis on the depiction or description of specified anatomical areas or specified sexual activities. "Adult entertainment business" includes, but is not limited to, adult arcades, adult bookstores, adult clubs, adult bars, adult motels or hotels and adult theaters.

"Church" means a structure used by a religious organization having a tax-exempt status.

"High-impact commercial businesses" means any such use that generates substantial traffic, or noise, or light, or irregular hours, or other negative impact on the community. Examples include, but are not limited to: drinking establishments, commercial recreation, adult entertainment businesses, theaters, hotels and motels.

"Public park" means a park, playground, swimming pool, reservoir, or athletic field within the city which is under the control, operation or management of the Milwaukie Community Services Department.

"Specified anatomical areas" means and includes any of the following:

- a. Less than completely and opaquely covered human genitals, pubic region, buttock, anus or female breast below a point immediately above the top of the areola; or
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

"Specified sexual activities" means and includes any of the following:

- a. The fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast;
- b. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- c. Masturbation, actual or simulated; or
- d. Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) of this definition.

Section 3. Prohibited Uses. Sections 3.08 and 3.09 of Ordinance No. 1438 are amended by adding at the end:

- 4. Prohibited Uses. The following uses and their accessory uses are prohibited:
 - a. Adult entertainment business.

Section 4. Commercial Uses. Sections 3.10, 3.11 and 3.12 of Ordinance No. 1438 are amended as follows and renumbered accordingly:

Section 3.10 Limited Commercial Zone, C-L
Delete from 3.10.2:

- d. Commercial recreation and motion picture theater, not including a drive-in theater.
- f. Eating or drinking establishment.
- g. Hotel or motel.

Add to 3.10.2:

High-Impact Commercial, except Adult Entertainment Businesses

Add at end:

4. Prohibited Uses. The following uses and their accessory uses are prohibited:

- a. Adult entertainment businesses.

Section 3.11 Central Commercial Zone, C-C.

Delete from 3.11.1:

- i. Motion picture theater, not including a drive-in.

Delete from 3.11.2:

- c. Commercial recreation.
- f. Hotel and motel.
- n. Drinking establishment.

Add to 3.11.2:

High-Impact Commercial, except Adult Entertainment Businesses.

Add at end:

4. Prohibited Uses. The following uses and their accessory uses are prohibited:

- a. Adult entertainment business.

Section 3.12 General Commercial Zone, C-G.

Delete from 3.12.1:

- g. Commercial recreation and motion picture theater.
- i. Hotel or motel.
- v. Drive-in theater.

Add to 3.12.2:

High-Impact Commercial, except Adult Entertainment Businesses.

Any other uses similar to the above; and not listed elsewhere.

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e (6)

Add at end:

4. Prohibited Uses. The following uses and their accessory uses are prohibited:

a. Adult entertainment business.

Section 5. Industrial Uses. Sections 3.13 and 3.14 of Ordinance No. 1438 are amended to read as follows:

Section 3.13 Limited Manufacturing/Industrial Zone, M-L.

1. USES PERMITTED OUTRIGHT ARE LIMITED TO Industrial Uses which meet the following criteria:

- A. A use which involves the collection and assembly of small durable goods, small trans-shipment of goods from other sources, and/or the assembly of goods from products which have been primarily processed elsewhere.
- B. Conforms with the Special Industrial Design Standards.
- C. May produce small amounts of noise, dust, vibration or glare, but may not produce a nuisance at the property line.
- D. Has access to a collector or arterial street.
- E. A permitted use may require limited outside storage areas. These storage areas shall be screened from any adjoining residential uses, or public streets.
- F. No single building may contain more than 40,000 sq. ft. of floor space on a single floor.
- G. Example of a Light-Industrial Use may include:
Small scale warehousing and wholesale distribution; facilities for the manufacturing, assembling and processing of small scale durable goods; machine shops; administrative offices associated with the Light-Industrial Use, and other similar uses.

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Add at end: Prohibited uses:

- 4. Any use which has a primary function of storing, utilizing or manufacturing explosive materials or other hazardous material is prohibited.

Section 5. I. The Planning Director will review each application to establish a new use in a Limited Manufacturing/Industrial Zone, and will allow the new use, if the Director finds that it meets the provisions of

- 1. USES: Criteria A through I of this Section, and all other appropriate provisions of this ordinance.

- 2. GENERAL AND SPECIAL DESIGN STANDARDS: General and Special Design Standards shall be applied to all permitted uses when they are applicable.

- 3. PLANNING COMMISSION REVIEW: If the Planning Director has any question regarding the applicant's ability to meet the criteria (A-I), the request may be scheduled for review by the Planning Commission.

- 4. CONDITIONAL USES:
 - A. Limited Commercial Uses that provide supporting activities for Limited Manufacturing/Industrial Uses. Examples of these activities include: A copy center; sandwich-deli shop; secretarial services; or trade school.
 - B. High-Impact Commercial Uses contain more than 40,000 sq. ft. of floor space on a single floor.

5. STANDARDS: In the M-L Zone the following Standards shall apply: unless modified by a Special Design Standard, which applies in a particular case.

- 6. SETBACKS (WHEN APPLICABLE):
 - A. FRONT YARD SETBACK: The front yard setback shall be the same as for the adjoining buildings, where such buildings exist. Where no such buildings exist, the setback shall be twenty (20) feet.

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B. SIDE YARD SETBACK:

None except property abutting a residential or apartment district, in which case the yard on the adjacent side shall have the same setback as the abutting property. On a corner lot the side abutting the street will equal the front yard setback.

I. The Planning Director will review each

C. REAR YARD SETBACK:

None, except property abutting a residential or apartment district, in which case the rear yards shall have the same setback as the abutting property. I of this Section, and all other appropriate provisions of this

7. LOT COVERAGE:

2. The maximum lot coverage shall be seventy-five (75%) percent.

General and Special Design Standards shall be applied when they are applicable.

3. The Floor to Area Ratio (FAR) shall not exceed 2:1.

9. HEIGHT LIMIT: Director has any question regarding the applicant's ability to meet the criteria (A-D), the required height for a building shall be forty-eight (48) feet, with provision for Solar Access, which shall not restrict a building to less than thirty (30) feet.

10. OFF-STREET PARKING: Uses that provide supporting activities for Limited Manufacturing/Industrial Off-Street Parking shall be provided as required in Section 5. sandwich-deli shop; secretarial services; or trade school.

11. LANDSCAPING

B. High-Impact Commercial Uses.

A minimum of fifteen (15%) percent of the site area must be landscaped. Street trees shall be planted. Landscaping and screening shall be provided on each site, to meet the following requirements:

5. STAIRS

A. All areas of the site not occupied by paved roadways, walkways, patios or buildings shall be landscaped with ground cover, shrubs, and decorative or ornamental trees.

6. SETBACKS

A. FRONT YARD SETBACK:

It shall be the owner's responsibility to maintain the landscaping installed on the site. Where no such buildings exist, the setback shall be twenty (20) feet.

C. Screen planting, masonry walls or fencing shall be provided to screen objectionable view within five (5) months of occupancy of

IV
e (9)

a related building. Views to be screened include garbage and trash collection stations and other similar uses.

12. SITE ACCESS (WHEN APPLICABLE)

No more than one forty-five (45) foot wide maximum curb-cut driveway per one hundred fifty (150) feet of street frontage, or fraction thereof, shall be permitted per site.

13. ACCESS TO PUBLIC STREETS

All developments shall have access to public streets.

14. ADULT ENTERTAINMENT BUSINESS: The proposed location of an adult entertainment business shall not be within 500 feet of an existing or previously approved adult entertainment business or within 400 feet of either a public park, a church, a day care center, a primary, elementary, junior high or high school or any residentially zoned property, both of which distances shall be measured in a straight line, without regard to intervening structures, between the closest structural wall of the adult entertainment business and either the closest property line of the impacted property or the closest structural wall of any pre-existing or previously approved adult entertainment business.

Section 3.14 General Manufacturing/Industrial Zone, M -G

1. USES PERMITTED OUTRIGHT ARE LIMITED TO:

Industrial Uses which meet the following criteria:

- A. A use which involves the primary or secondary processing of materials; the collection, assembly and processing of durable goods; warehousing, cold storage and transshipment of goods from other sources.
- B. Proper safety precautions shall be provided as part of any use which uses, stores or manufactured goods of an explosive or hazardous nature. Proof of these precautions shall be submitted along with a performance bond which is adequate to insure their installation.

- C. Conforms with the Special Design Standards.
- D. May produce noise, odor, dust, glare, vibration or smoke, but this shall not exceed the standards set by this ordinance at the property line and shall not cause a nuisance at the property line.
- E. Must have access to a collector or arterial street.
- F. A permitted use may have outside storage of material. However, allowed outside storage, with the exception of a sales display area, shall be screened with a sight-obscuring fence or hedge.
- G. Example of a General Manufacturing Use may include:
Large scale warehouses; trucking terminals; vehicle assembly plants; tool plants; industrial equipment sales and service; small foundries or casting plants; large metal working plants and other similar uses.
- H. The Planning Director will review each request to establish a new use in a General Manufacturing/Industrial Zone, and will allow the new use, if the Director finds that it meets the provisions of Criteria A through G, of this Section, and all other appropriate provisions of this ordinance.

2. GENERAL AND SPECIAL DESIGN STANDARDS

General and Special Design Standards shall be applied to all permitted uses when they are applicable.

3. PLANNING COMMISSION REVIEW

If the Planning Director has any question regarding the applicant's ability to meet the criteria (A-G), the request may be scheduled for review by the Planning Commission.

4. CONDITIONAL USE

A. Limited Commercial Uses that provide supporting activities for General Manufacturing/Industrial Uses. Examples of these activities include: a copy center; sandwich-deli shop; secretarial services; or trade school.

B. High-Impact Commercial Uses.

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5. STANDARDS

In the M-G Zone the following Standards shall apply unless modified by a Special Design Standard, which applies in a particular case.

6. SETBACKS (WHEN APPLICABLE)

A. FRONT YARD SETBACK:

The front yard setback shall be the same as for the adjoining buildings, where such buildings exist. Where no such buildings exist, the setback shall be twenty (20) feet.

B. SIDE YARD SETBACK:

None, except property abutting a residential or apartment district, in which case the yard on the adjacent side shall have the same setback as the abutting property. On a corner lot the side abutting the street will equal the front yard setback.

C. REAR YARD SETBACK:

None, except property abutting a residential or apartment district, in which case the rear yard shall have the same setback as the abutting property.

7. LOT COVERAGE

The maximum lot coverage shall not exceed eighty-five (85%) percent.

8. Floor to Area Ratio

The Floor to Area Ratio (FAR) shall not exceed 2:1.

9. HEIGHT LIMIT

The maximum height for a building shall be forty-eight (48) feet with provision for solar access, which shall not restrict a building to less than thirty (30) feet.

10. OFF-STREET PARKING:

Off-Street Parking shall be provided as required in Section 5.

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11. LANDSCAPING

A minimum of ten (10%) percent of the site area must be landscaped. Street trees shall be planted. In addition, landscaping and screening will be provided on each site, to meet the following requirements:

- A. All areas of the site not occupied by paved roadway, walkways, patios or buildings shall be landscaped with ground cover, shrubs and decorative or ornamental trees.
- B. It shall be the owner's responsibility to maintain the landscaping installed on the site.
- C. Screen planting, masonry walls or fencing shall be provided to screen objectionable view within five (5) months of occupancy of a related building. Views to be screened include garbage and trash collection stations and other similar uses.

12. SITE ACCESS (WHEN APPLICABLE)

No more than one, forty-five (45) foot wide maximum curb-cut driveway per one hundred fifty (150) feet of street frontage, or fraction thereof, shall be permitted per site.

13. ACCESS TO PUBLIC STREETS

All developments shall have access to public streets.

14. ADULT ENTERTAINMENT BUSINESS: The proposed location of an adult entertainment business shall not be within 500 feet of an existing or previously approved adult entertainment business or within 400 feet of either a public park, a church, a day care center, a primary, elementary, junior high or high school or any residentially zoned property, both of which distances shall be measured in a straight line, without regard to intervening structures, between the closest structural wall of the adult entertainment business and either the closest property line of the impacted property or the closest structural wall of any pre-existing or previously approved adult entertainment business.

IV
e (13)

Section 6. Conditional Use. Section 6 of Ordinance No. 1438 is amended to read as follows:

Section 6. Conditional Use
Substitute for existing 6.01:

Section 6.01 - AUTHORIZATION TO GRANT OR DENY CONDITIONAL USES

All applications for Conditional Uses shall be evaluated by the Planning Commission at a public hearing, under the specific criteria listed in Section 6.01 through Section 6.03. The Planning Commission may approve or deny the application. If the decision is to approve, the Planning Commission may impose any conditions deemed necessary to protect the public health, safety or general welfare from potentially deleterious effects resulting from approval of the permit, or to fulfill the public need for services created by approval of the request.

Approval of a Conditional Use shall not constitute a change of zoning classification and shall be granted only for the specific use requested subject to such modifications, conditions and restrictions as may be deemed appropriate by the Planning Commission, or as specifically provided herein.

1. EXISTING USE:

In the case of a use existing prior to the effective date of this ordinance and now classified as a Conditional Use, any alterations, including but not limited to: Change in use, lot area, or alteration of structure shall come before the Planning Commission to assure conformance with all current requirements for such a Conditional Use.

2. APPLICANT'S RESPONSIBILITIES:

At the public hearing the Applicant shall provide evidence that all requirements of this ordinance relative to the proposed use are satisfied, and demonstrate that the proposed use also satisfies the following criteria:

- A. The use meets the requirements of a Conditional Use in the zone currently applied to the site.
- B. The use meets the standards for the underlying zone.
- C. The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use.

- D. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.
- E. The proposed use is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

3. CONDITIONS:

The Planning Commission may attach conditions and restrictions to any Conditional Use approved. The setbacks and limitations of the underlying district shall be applied to the Conditional Use, unless specifically varied by the Commission. Conditions and restrictions may include a specific limitation of uses, landscaping requirements, off-street parking, performance standards, performance bonds and other conditions, restrictions, or safeguards that would uphold the intent of the Comprehensive Plan and mitigate any adverse effect upon adjoining properties which may result by reason of a Conditional Use being allowed.

4. CONDITIONAL USE PERMIT:

When a Conditional Use Permit is approved by the Planning Commission, a written permit will be issued to the applicant, in the form of a letter from the Planning Staff, prior to development of the use. The permit shall stipulate any modifications, conditions, and restrictions imposed by the Planning Commission, in addition to those specifically set forth in this ordinance. A "Notice of Conditions" will be recorded with the County Clerk in the Deed files. These conditions may be changed after the granting of a permit only by mutual agreement of the Planning Commission and the permit holder. A Conditional Use Permit runs with the land and is not affected by a change of ownership.

- A. The permit shall become void if construction has not begun within six months, or a request been made for a time extension.
- B. The Planning Commission may, upon receiving a written request from the applicant, extend the Conditional Use Permit for a period not to exceed one year.

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5. RECONSIDERATION OF A CONDITIONAL USE PERMIT:

Approved Conditional Uses shall be reconsidered by the Planning Commission at a public hearing, after a complaint has been received by the Planning Staff, provided the following criteria have been met:

- A. The complaint(s) must be in writing, signed by the complainant, and the required fee must be paid.
- B. The complaint(s) must address one of the following:
 - 1. Violations of the standards listed in the Comprehensive Plan or implementing ordinances for the use involved;
 - 2. Failure to satisfy a condition or restriction imposed on the specific use when approval was granted;
 - 3. Incidents which have occurred as a direct result of the conditional use that are detrimental to the health, safety, property or general welfare of the public.

Reconsideration of a Conditional Use Permit may result in suspension or revocation of the approval under Section 6.01.6.

6. SUSPENSION OR REVOCATION OF A PERMIT:

A Conditional Use Permit may be suspended or revoked by the Planning Commission when any condition or restriction imposed is not satisfied.

- A. A Conditional Use Permit shall be suspended only after a hearing before the Planning Commission. Written notice of the hearing shall be given to the permit holder by certified mail at least ten (10) working days prior to the hearing.
- B. A suspended permit may be reinstated when, in the judgment of the Planning Commission, the conditions or restrictions imposed on the approval have been satisfied within a time frame set by the Planning Commission.
- C. A revoked permit shall not be reinstated. A new application must be made to the Planning Commission, and a public hearing held.

7. REVIEW OF A CONDITIONAL USE PERMIT UPON CHANGE IN OWNERSHIP, USE OR TENANT:

Upon first learning of the change in ownership, use or tenant, the Director shall conduct an Administrative Review of the status of the Conditional Use Permit. If the Director finds that the conditions attached to the Permit have not been met, the Director shall notify the new owner or tenant of the conditions and/or restrictions. If the Director deems it necessary to achieve compliance, a hearing before the Planning Commission may be scheduled to consider suspension or revocation of the Conditional Use Permit, in accordance with Section 6.01.6.

Substitute for existing 6.02.12:

12. HIGH-IMPACT COMMERCIAL USE:

In considering a Conditional Use application for a High-Impact Commercial Use the Planning Commission shall consider the following:

- A. Nearness to dwellings, churches, hospitals or other uses which require a quiet environment.
- B. Building entrances, lighting, exterior signs, and other features which could generate or be conducive to noise or other disturbance for adjoining uses.
- C. Parking vehicle and pedestrian access and circulation could contribute to noise or attract habitual assembly or unruly persons.
- D. Hours of operation.
- E. In addition to consideration of the above with respect to building and site design, the Planning Commission may attach conditions or standards of performance and impact, and methods for monitoring and evaluating these, to insure that such establishments do not become unduly or unnecessarily disruptive.

ORDINANCE NO. _____

IV
e (17) Page 17

Section 7. Emergency. Because this ordinance is necessary for the immediate preservation of the safety, health, welfare and morals of the citizens of the city, an emergency is hereby declared and this ordinance shall be effective immediately upon the passage by the Council.

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, City Attorney

ORDINANCE NO. _____

IV
80

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, RELATING TO THE DISPOSITION OF UNCLAIMED PROPERTY IN POSSESSION OF THE POLICE DEPARTMENT.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Whenever the Chief of Police of the City of Milwaukie has any property, including money, in his possession, the ownership of which is unknown, and which is unclaimed for a period of three months (90 days) after the said property came into the possession of the Police Department, the Chief of Police shall, unless the disposition of such property is otherwise specifically provided for by law, report the fact to the City Manager and request authority to dispose of it as provided in this ordinance.

Section 2. The City Manager shall act upon the request of the Chief of Police within 30 days after the receipt of the request. If the request is to have the property disposed of by public sale and if the City Manager approves the request, the City Recorder shall cause notice to be published in a newspaper of general circulation within the City of Milwaukie at least 10 days prior to the date of sale or transfer. The notice shall describe the property, excluding money, and shall state the time and place of public sale, at which the property may be purchased by the highest bidder. Until the date of the sale, the property, excluding money, may be claimed at the office of the Chief of Police. If ownership is proved, the Chief of Police shall turn the property over to the owner, and cancel the sale insofar as the claimed property is concerned.

Section 3. The Chief of Police shall cause the sale to be conducted and shall deposit the proceeds thereof, together with any other money included in the notice, in the City Treasury to the credit of the City General Fund.

Section 4. In lieu of a sale of the property under the foregoing provisions of this ordinance, the Chief of Police, with the approval of the City Manager, may transfer any portion of the unclaimed property to the city for use by the city or other governmental agencies, or provide for destruction of the property.

Section 5. Persons finding property may present it to the Police Department for safekeeping. The city shall hold such property for a period of not less than six months.

Section 6. Persons presenting found property to the Police Department shall advise the department if they intend to claim the property at a later date.

Section 7. The Police Department shall release property to its rightful owner upon a showing of satisfactory proof of ownership.

Section 8. The Police Department shall send a notice to the finder of property after the six months waiting period advising that the property may be claimed within 30 days of such notice. If after 30 days the property is unclaimed, it shall be disposed of as provided in Sections 3 or 4.

Section 9. The Chief of Police shall cause contraband or illegal drugs or other substances to be destroyed at the direction of the court after such property has been provided to the courts as evidence and is no longer required. Any unclaimed or found contraband, illegal drugs or other substances shall be destroyed at the direction of the Chief of Police and certification of destruction shall be placed in the case file jacket related to such found or unclaimed property.

Section 10. If the property is sold as provided herein and if within six (6) months after the sale, the owner of the property, including money, files with the City Manager a claim for the property, and proves his right to the same, the City Manager shall direct that the money or the amount received for the property, less expenses of the sale, shall be paid to the owner from the City Treasury. The City Manager shall not approve any claims filed more than six months after the sale. If the property is transferred to the city, or other governmental agency, in lieu of sale, it may be claimed by the lawful owner thereof at any time within six months from the transfer to the city, or other governmental agency. The Chief of Police in disposing of property in the manner provided herein shall not be liable to the owner thereof.

Section 11. Ordinance No. 1340 is repealed.

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, City Recorder
Approved as to form:

Greg Eades, City Attorney

IV
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ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ADOPTING PARK REGULATIONS AND REPEALING ORDINANCE NO. 1399.

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

Section 1. Park Rules. The attached "Parks and Recreation Rules and Regulations" are hereby adopted.

Section 2. Penalties. Violation of any of the rules and regulations shall be punishable on conviction by a fine not to exceed \$500.00.

Section 3. Repealer. Ordinance No. 1399 is hereby repealed.

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.

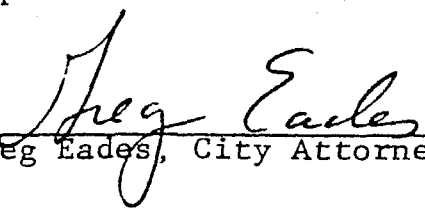
Signed by the Mayor on _____, 1983.

Joy Burgess, Mayor

ATTEST:

Laurie Perkin, Recorder

Approved as to form:



Greg Eades, City Attorney

PARKS AND RECREATION RULES AND REGULATIONS

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DEFINITIONS

1. The term "park area" includes any City park, forest or recreational area under the jurisdiction of the City, but not any residence located thereon.
2. "Commission" means the City of Milwaukie Parks and Recreation Commission.
3. "Park employee" means an individual in charge of a City park area.
4. "Park Superintendent" means the City of Milwaukie Park Superintendent.
5. "Park Resident" means individuals residing in park areas in City-owned structures under a rental agreement.

RULES AND REGULATIONS

1. No person in any park area shall:
 - A. Build or maintain a fire except in designated locations by Park Superintendent;
 - B. Hunt, pursue, trap, kill, injure, molest, or disturb the habitat of any bird or animal;
 - C. Possess any firearms, pellett guns, bow and arrow, slingshot, or other weapon;
 - D. Possess any alcoholic beverage in containers larger than quart size, without obtaining a permit from the Park Superintendent;
 - E. Mutilate, deface damage, or remove any table, bench, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder, or other structure or facility of any kind;
 - F. Except under authorization of the Park Superintendent, dig up, deface, or remove any dirt, stones, rock, or other substance whatever, make any excavation, quarry any stone, or lay or set off any blast, or roll any stones or other objects, or cause or assist in doing any of the said things;

RULES AND REGULATIONS: Continued

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- G. Erect signs, markers, or inscriptions of any type except by authorization of the Park Superintendent;
 - H. Operate a concession, either fixed or mobile, without obtaining a permit from the Park Superintendent;
 - I. Solicit, sell or offer for sale, peddle, hawk, or vend any goods, wares, merchandise, foods, liquids or services, without obtaining a permit from the Park Superintendent;
 - J. Advertise any goods or services except with the authorization of the Park Superintendent, and with the proper City licenses;
 - K. Set up or use a public address system without authorization from the Park Superintendent;
 - L. Ride, drive, lead, or keep a saddle horse or other animal except on such roads, trails, or areas designated for that purpose;
 - M. Wash any clothing or other materials, or clean any fish in a lake, stream, or river;
 - N. Use abusive, threatening, boisterous, vile, obscene, or indecent language or gestures;
 - O. Camp overnight;
 - P. Operate any motor vehicle at a speed in excess of 10 miles-per-hour;
 - Q. Operate or use any noise-producing machine, vehicle, device, or instrument in such a manner that might be disturbing to others.
2. Flowers, shrubs, foliage, trees, or plant life or products of any type shall not be picked, cut, mutilated, or removed from any park area without written permission from the Park Superintendent.
3. Motor vehicles shall be operated only on roads and in parking areas constructed or designated for motor vehicle use. No motor vehicle shall be operated on any trail or in any part of a park area not constructed or designated for motor vehicle use, or on any road or trail posted as closed to the public, or on any road or trail where signs have been placed or erected by authority of the Park Superintendent prohibiting the driving of motor vehicles. Automobiles, trailers, or other vehicles shall be parked only in designated parking areas.

RULES AND REGULATIONS: Continued

IV 8 (4)

4. No dog, cat, or other animal of any kind except horses using the horse arena shall be brought into or kept in a park area unless confined, or in a vehicle, or on a leash.
5. No bottles, cans, ashes, waste, paper, garbage, sewage, or other rubbish or refuse shall be left in a park area except in designated receptacles in proper locations.
6. No horse or other animal shall be hitched to any tree, shrub, or object in such a manner that may cause damage to such tree, shrub, or object.
7. All City parks, grounds, and recreation facilities except City Hall grounds and Jefferson Street Boat Ramp shall be closed to public use, except by permit from the Park Superintendent, from sunset to 8:00 a.m.. It shall be unlawful for any person to occupy the facilities during these hours.
8. The park resident is authorized to obtain compliance by the public with these rules and regulations, and any person who fails to comply may be barred from further use of park areas. In addition, these rules may also be enforced in accordance with other applicable City and State Ordinances, Laws, and Regulations.

ORDINANCE _____

IF 20

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, WITHDRAWING A PORTION OF THE OAK LODGE WATER DISTRICT FROM THE DISTRICT PURSUANT TO ORS 222.524.

WHEREAS, a portion of the Oak Lodge Water District has been annexed to the City and

WHEREAS, ORS 222.520 authorizes the City to elect to withdraw annexed areas from certain districts upon finding that the withdrawal is in the best interests of the city, and

WHEREAS, pursuant to ORS 222.524, the City conducted a public hearing on July 5, 1983 to hear objections to the withdrawal,

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

Section 1. All objections to the proposed withdrawal are overruled.

Section 2. The City Council finds that the withdrawal of that property described in Exhibit A from the Oak Lodge Water District is in the best interest of the City. The area described in Exhibit A is therefore withdrawn from the District.

Section 3. The City Recorder is directed to give notice of the provisions of this ordinance as required by law.

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

Exhibit A

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BEGINNING at the intersection of the north right-of-way line of Eagle Street (also the north boundary of ROBERTSON ADDITION and the westerly right-of-way of the Southern Pacific Railroad in NE 1/4 of the SE 1/4 of Section 35, T1S, R1E, W.M.;

Thence westerly along the north line of said Eagle Street 300.21 ft.;

Thence north, 75 feet;

Thence west, 100 feet;

Thence north, 50 feet;

Thence west, to the low water line of the Willamette River;

Thence Southerly along the low water line of said river 2400 feet, more or less to the southwest corner of a tract of land conveyed to George and Lillian Munford in book 478, page 408, Deed Records;

Thence south $89^{\circ} 05'$ east along the southerly line of said Munford tract, 412 feet more or less, to the westerly right-of-way of the Southern Pacific Transportation Co. (formerly Beaverton and Willsburg Railroad Company);

Thence northeasterly along said westerly right-of-way line, 340 feet, more or less, to the north boundary line of S.E. Lark Street (formerly 6th Street) in ROBERTSON ADDITION;

Thence east along the north boundary line of S.E. Lark Street, 400 feet, more or less, to a point that is 684.46 feet west of the southeast corner of Block 5, ROBERTSON ADDITION;

Thence south, 60 feet to a point on the south line of said S.E. Lark St., which is the northwest corner of a tract of land conveyed to Ernest Aebi by Edna H. McNary described in Book 329, page 232, Deed Records;

Thence continuing south along the westerly line of said Aebi Tract, 100 feet to a point;

Thence south $0^{\circ} 55'$ east, 115.1 feet to an iron pipe in the north line of a tract conveyed to Jacob Link in Book 172, Page 513, Deed Records;

Thence North $89^{\circ} 05'$ east 520.44 feet through an iron pipe on the northwesterly line of S.E. River Road, to the southeasterly line of S.E. River Road;

Thence southwesterly along the southeasterly right-of-way of S.E. River Road, 670 feet, more or less, to the south line of the Lot Whitcomb D.L.C.;

Thence easterly along the south boundary of said Lot Whitcomb D.L.C., 205.54 feet to the southwest corner of that tract conveyed to Ray Townsley by deed recorded in Book 438, page 557, Deed Records;

Thence north along the west line of said Ray Townsley tract, 50 feet to the northwest corner thereof;

Thence east on the north line of said Ray Townsley tract, 100 feet to the northeast corner thereof;

Thence south along the east line of said Ray Townsley tract, 50 feet to the southeast corner thereof and the south line of the Lot Whitcomb D.L.C.;

Thence easterly along the south line of said D.L.C., 64.68 feet to the southwest corner of that tract conveyed to Portland General Electric Company by deed recorded in Book 436, page 505, Deed Records;

Thence Northerly along the west line of said Portland General Electric Company's tract, 225 feet to the northwest corner thereof;

Thence easterly along the north line of said Portland General Electric Company tract, 195.32 feet to the west line of S.E. 23rd Ave. (formerly 7th Ave.);

Thence northerly along the west line of said S.E. 23rd Ave., 95.6 feet, more or less, to a point that is 485 feet south of the southeast corner of Block 5, ROBERTSON, point being the southeast corner of that tract conveyed to John R. Townsley, et ux, by deed recorded in Book 418, page 81, Deed Records;

IV h (3)

Thence west along the south line of said John R. Townsley tract, 100 feet to the southwest corner of said tract;

Thence north along the west line of said John R. Townsley tract and its northerly extension, 150 feet to the northwest corner of that tract of land conveyed to John R. Townsley, et ux, by deed recorded in Book 252, page 692, Deed Records;

Thence east along the north line of said Townsley tract, 100.00 feet, more or less, to the northeast corner of said Townsley tract;

Thence north along the west line of the aforementioned S.E. 23rd Ave., 332 ft, more or less, to the southeast corner of Block 5, ROBERTSON'S ADDITION;

Thence east along the north boundary of S.E. Lark Street (formerly 6th St.), 260 feet to the southeast corner of Block 33, MILWAUKIE HEIGHTS;

Thence south, 60.0 feet to the northeast corner of Block 34, of said MILWAUKIE HEIGHTS;

Thence east, 30 feet to center of vacated S.E. 24th Ave.;

Thence south, 100 feet along the center line of vacated S.E. 24th Ave.;

Thence east, 30 feet to the southwest corner of Lot 4, Block 37, of said MILWAUKIE HEIGHTS;

Thence south 200 feet to the southwest corner of Block 37;

Thence east, 260.0 feet to the southwest corner of Block 44 of said MILWAUKIE HEIGHTS;

Thence south, 210.0 feet to the southwest corner of Lot 6, Block 45 of said MILWAUKIE HEIGHTS;

Thence east, 260.0 feet to the southwest corner of Lot 6, Block 46 of said MILWAUKIE HEIGHTS;

Thence north, 260.0 feet to the southwest corner of Lot 10, Block 47 of said MILWAUKIE HEIGHTS;

Thence east 100 feet to the southeast corner of said Lot 10;

Thence north, 125.0 feet to a point on the west line of Lot 5 of said Block 47 which is 25.0 feet south of the northwest corner of said Lot 5;

Thence east, parallel with and 25.0 feet south of the north line of said Lot 5, 100.0 feet to a point in the east line of said Lot 5;

Thence north, 62.5 feet to a point that is 12.5 feet south of the northeast corner of Lot 3, of said Block 47;

Thence east 60.0 feet to the east boundary of S.E. 27th Ave. (formerly 11th Ave.);

Thence north along the east boundary of said S.E. 27th Ave. to its intersection with the southwesterly boundary of Portland Traction Company right-of-way;

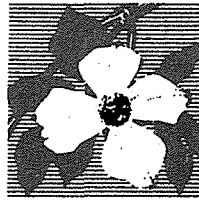
Thence southerly along the westerly boundary of said Portland Traction Company right-of-way, to the south line of Park Ave.;

Thence east along the south line of Park Avenue, to the easterly boundary of said Portland Traction Company right-of-way;

Thence northerly along the easterly boundary of said Portland Traction Company right-of-way, to the north boundary of ROBERTSON'S ADDITION;

Thence westerly along the north boundary of ROBERTSON'S ADDITION to the point of beginning.

CITY OF MILWAUKIE



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

MEMORANDUM

TO: HUGH BROWN, CITY MANAGER
FROM: TOPAZ FAULKNER, DIRECTOR OF PLANNING AND COMMUNITY SERVICES
DATE: JULY 15, 1983
RE: B.P.A. GRANT APPLICATION

The Bonneville Power Administration is offering grants to local governments to develop and implement solar access ordinances and other methods of encouraging greater electric use efficiencies. Last year, funds ranging from \$14,500. to \$39,000. were received by jurisdictions working on similar projects. Milwaukie's Comprehensive Plan mandates such efforts in Milwaukie as part of complying with the State-Wide Goal related to Energy.

The application deadline is August 5, 1983, and requires a letter of support from the City. If there is space on the Agenda to discuss this on July 19, I could provide more details at that time.

MILWAUKIE
CITY COUNCIL MEETING
July 5, 1983
7 p.m.

IIa①

THE MILWAUKIE CENTER

1435th Meeting

The one thousand four hundred and thirty fifth meeting of the Milwaukie City Council was held on July 5, 1983 with the following Councilors present:

Mayor Joy Burgess
Mike Richmond
Don Graf

Absent:

Ron Kinsella (excused)
Roger Hall (excused)

Also present

Hugh Brown, City Manager
Steve Hall, P.W. Director
Ron Schanaker, Police Chief
Gordon Erickson, Finance Dir.
Laurie Perkin, Secretary

The invocation was given by Mayor Burgess and the pledge of allegiance was recited.

Public Hearing - RR/Harmony Road Improvements

The public hearing was opened at 7:05 p.m. Included in the RR/Harmony Road improvement project is the establishment of a bus trunk line between downtown Milwaukie and the Town Center. Public Works Director gave staff report. He said since 1978 there has been discussion on possible transit routes. This project will be 3 1/3 million dollars with a \$214,000 match from the city. He requested City Council to decide on a preferred route and authorize signing of the agreement with Clackamas County for method and payment of local match. Gary Spanovich, Project Manager, Clackamas County, talked of the details of the project. He discussed projected traffic and population, criteria for improvements, bike lanes, and alternative routes. He gave reasons for choosing RR/Harmony Road, noting minimal travel time, direct connection and service to the Omark industrial area.

Alonzo Wurtz of the Tri-Met planning staff spoke of the need for a timed transfer station and explained the concept. He noted the number of busses on Harrison and Washington Streets and said there was no service now on Monroe.

A letter was received from Pete Sinclair of the Milwaukie USA Business Association in support of the project.

The following persons appeared to speak in support of the project:

Lorraine Vick, 11340 SE 48th said there was a need for bus service in her neighborhood but was concerned about the safety of the bike paths and the traffic problems they could cause.

Mary Russell, 4235 SE 48th, expressed concern about the possible traffic problems and cars going around busses.

Bill McConnell, 12115 Sequoia, spoke of the need for pedestrian safety and realignment of 37th st.

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The following persons spoke in opposition to the plan:

Harvey Wardrip, 10955 SE 28th said the plan should be investigated further and introduced Jean Baker, 2607 SE Monroe as the spokesperson for his neighborhood group. Jean Baker said the plan was not consistent with high population areas, not accessible to small business and employment centers. She spoke of danger to school children, negative environmental impacts of the plan. She said that Lake Road was a preferable alternative because of population, convenience and better substructure.

The following persons also spoke in opposition to the project:

James Backenstos, 3626 SE Harrison
Bill Hupp, 2626 SE Washington
Al Liane, 4809 SE Monroe

Gary Spanovich refuted some of Baker's comments regarding population centers, and safety factors. He said Lake Road is not the most direct route and would not serve people in the industrial area. He mentioned also that Lake Road already has transit service.

Alonzo Wurtz spoke of the need for service on Harmony Road. He said the aim of the project was to reduce traffic, provide needed service.

Bill Hupp asked how much Tri-Met would pay on the project. Public Works Director said nothing on the first phase but they would be heavily financially involved in the second phase.

There was further discussion of truck traffic, road maintenance, engineering studies, problems with soil and whether or not funds allocated by the County could be used for routes other than Harmony Road.

The Mayor asked for a show of hands indicating support or opposition to the project. A count was so taken indicating 13 persons in opposition and 5 persons in support of project. There was no further testimony. The public hearing was closed at 9:15 p.m. It was MOVED by Burgess, SECONDED by Graf, to delay approval of the project until a study of Lake Road from 21st to Harmony Road be done and considered as a feasible alternative. MOTION CARRIED unanimously by those present. Public Works Director asked whether Council wanted a public hearing on this issue. It was the concurrence of Council that a report would be sufficient. Jean Baker asked to be provided with copies of the report. A recess was called at 9:20 p.m. The meeting reconvened at 9:30 p.m.

Public Hearing- Withdrawal from Oak Lodge Water District

The public hearing was opened at 9:30 p.m. Public Works Director has requested Council approve withdrawal of portions of land in the Island Station area, particularly those portions south of SE Lark Street from the Oak Lodge Water District. With the construction of the Island Station improvements, the city will be able to serve these properties. No correspondence has been received in favor of or in opposition to this action.

V
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No one appeared to testify. The public hearing was closed at 9:38 p.m. It was MOVED by Graf, SECONDED by Richmond to read the ordinance the first time by title only.

(AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, WITHDRAWING A PORTION OF THE OAK LODGE WATER DISTRICT FROM THE DISTRICT PURSUANT TO ORS 222.524.) MOTION CARRIED unanimously by those present. The ordinance will be read the second time at the next regular Council meeting.

Payment of bills

It was MOVED by Graf, SECONDED by Richmond, that the bills listed for July 5, 1983 be approved for payment. MOTION CARRIED unanimously by those present.

Resolution to qualify for state shared revenues

Finance Director said it was a requirement of the State Shared Revenues Program that the city certify it provides four or more services to its citizens. It was MOVED by Graf, SECONDED by Richmond, to adopt Resolution 7-1983 (A RESOLUTION CERTIFYING SERVICES PROVIDED BY THE CITY OF MILWAUKIE TO QUALIFY FOR STATE SHARED REVENUES) MOTION CARRIED unanimously by those present.

Ordinance re unclaimed property

Police Chief has requested approval of ordinance regarding disposal of unclaimed property in order that the Police Department may dispose of property and return found property systematically. This ordinance will clarify procedures in case there is a challenge, the Chief said. There was discussion on time restrictions, what the city does with found property, and auction procedures. It was MOVED by Graf, SECONDED by Richmond, to read the ordinance the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, RELATING TO THE DISPOSITION OF UNCLAIMED PROPERTY IN POSSESSION OF THE POLICE DEPARTMENT). MOTION CARRIED unanimously.

Ordinance adopting park rules & regulations

Council has been requested to formally adopt rules which have been approved by the Parks & Recreation Commission. The rules are unchanged from what has been in effect for some time except for some changes in the curfew enforcement which will apply to all city parks. It was MOVED by Graf, SECONDED by Richmond, to read the ordinance the first time by title only. (AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ADOPTING PARK REGULATIONS AND REPEALING ORDINANCE NO. 1399) MOTION CARRIED unanimously by those present.

CONSENT AGENDA

Minutes - June 9, 15, 21, 1983

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

OTHER BUSINESS

RR/Maintenance Agreement

Public Works Director has requested approval of a maintenance agreement with the City of Portland for maintenance of railroad crossing improvements to the intersection of SE 17th Ave. and Ochoco Street. It was MOVED by Graf, SECONDED by Richmond to approve the agreement as requested. MOTION CARRIED unanimously by those present.

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SBA Landscaping Grant Agreement

Parks & Recreation Superintendent has requested Council approval of SBA Landscaping Grants which the city secured through the State Parks Division for \$7,595 for rehabilitation of the Ledding Library grounds and landscaping for The Milwaukie Center. It was MOVED by Graf, SECONDED by Richmond, to approve the landscaping grants. Mayor asked that the Council be informed before anything was done about the ducks at the library.

Appt. to PARC

The following members of the Parks & Recreation Commission have requested reappointment. Wayne Logeman, Betty Stephens, Walt Haynes. It was MOVED by Burgess, SECONDED by Graf, to reappoint these persons to the PARC. MOTION CARRIED unanimously. It was decided to interview further applicants at a later meeting.

Mayor Burgess said she had received many letters expressing concern over the Loaves & Fishes program at Milwaukie Center. She read a letter from Delora Hegg announcing her intention to resign as Director of Milwaukie Loaves & Fishes.

Richmond asked what was being done to repair the roof at The Milwaukie Center. City Manager said the contractors were awaiting delivery of materials.

INFORMATION

There was a question regarding the regional bike path plan. City Manager said this would come before Council at the next meeting.

Adult Business Ordinance

City Manager said this ordinance is the result of the meeting of the City Council and the Planning Commission. The zoning for adult business is restricted to light industrial areas under this ordinance. There was discussion on the wording of the ordinance. Mayor Burgess expressed concern that the provisions and conditions listed were not definitive enough. City Manager said this was an information item which would be brought to the Council for formal consideration at the next meeting.

Street Maintenance

Mayor asked whether the Council would receive a list of streets to be repaired. Public Works Director said revenues were down \$50,000 due to decrease in state gas tax funds. All the streets originally listed will not be repaired.

Tax Reform

City Manager said the legislature will be meeting July 6 and there was some concern that no substantial tax reform will come from the session. He will keep Council posted.

The meeting adjourned at 10:40 p.m.

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July 12, 1983

Dear Advisory Board Chairmen:

During the past week it has been brought to my attention that both the Milwaukie Loaves & Fishes Steering Committee and the general public share in a continual growing dissatisfaction and unhappiness with the terms of the new existing contract between Loaves & Fishes and the City of Milwaukie. I have had numerous requests that their concerns be brought up for full discussion and reconsideration by the Milwaukie City Council. This matter may be addressed and resolved at any time by the contracting parties pursuant to Article XIII, Duration of Agreement, "This agreement may be amended at any time by mutual agreement".

As a first step, I, as Mayor, am calling a work session of the City Council for Tuesday, July 19 from 5 p.m. to 6:30 p.m. at The Milwaukie Center and am inviting your organization to be a participant in order for the city to hear and be knowledgeable of your views. I am specifically asking that you appoint a spokesperson to represent your entire organization. I will allow a maximum time limit of 7 minutes for each presentation, and the agenda will include a question and answer period which most logically may involve members of the City Council, spokespersons of each group and the audience.

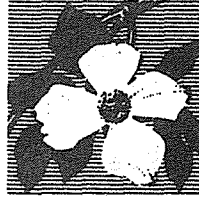
This matter will be discussed later by the City Council as a part of the regular City Council meeting which will be held immediately following the work session at The Milwaukie Center. This work session will be open to the general public and the City Council will appreciate the opportunity to hear your opinions which I hope will be reflective of your entire organization.

Sincerely,



Joy Burgess, Mayor

CITY OF MILWAUKIE



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

MEMORANDUM

VI b ①
July 15, 1983

TO: MAYOR AND CITY COUNCIL

FROM: HUGH H. BROWN, CITY MANAGER

SUBJECT: ANNEXATION ALONG CITY'S EASTERN BOUNDARY

Since early this year the city has worked with Cogan and Associates to assess the legal, fiscal and political feasibility of annexing an unincorporated area immediately east of the current city limit. The objective is to eliminate the current meandering and confusing boundary and instead establish a rational and understandable boundary.

The legal and fiscal analyses were based on census data, property tax assessment information, state statutes, and interviews with city, county and state officials. Political feasibility was assessed by interviewing a group of residents randomly selected from the study area.

The final report from Cogan and Associates concludes annexation of the area would be beneficial to both the city and the residents and recommends the city initiate a program to inform residents of alternatives available to them. The purpose of this program would be to help residents compare current services and costs with those anticipated as part of the city. It is also the hope that representatives of the proposed Clackamas incorporation and adjoining special districts would participate in this informational program so that residents could compare a third alternative to annexation and the status quo.

The significant finding from the study for the city was that additional service costs would be offset by additional revenues. Significantly for the residents, services would improve, primarily in the area of police protection, parks and planning and the tax rate would change very little. Compared to the 1982-83 total tax rate of \$21.60 in the unincorporated area, the total rate within the city is \$22.21.

Based on conclusions of the report that annexation could benefit both the city and the residents of the area, I recommend City Council authorize the staff to prepare a program of information distribution to the area residents. The basic underlying assumption of this program would be that the area

Mayor & City Council
Memo- re annexation

page 2.

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residents have the right to decide what is best for their future and that they should have a choice based on complete and accurate information. A major step would include extending an invitation to participate to the Clackamas incorporation group and affected special districts. It is anticipated the program would be implemented during the fall and include numerous area meetings with residents.



Hugh H. Brown
City Manager

HHB/lp

MEMORANDUM

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TO: MAYOR AND CITY COUNCIL

FROM: VIRGINIA KOPP, ~~SECRETARY~~

DATE: JULY 14, 1983

SUBJECT: TRAFFIC SAFETY COMMISSION VACANCIES.

There are three positions on the Traffic Safety Commission that are vacant. These are for regular two-year terms. The Milwaukie High School student, appointed by the school district, has not been attending meetings due to other commitments. This leaves the Commission without a quorum and there are several projects underway that need attention.

Dick Samuels is eligible for reappointment and has expressed a desire to continue for another term. His reappointment would give the Commission a quorum and would allow them to continue work.

We just have one new applicant for the Commission at this time and will schedule interviews when we have more.

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

DATE: July 12, 1983

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TO: Hugh' Brown
City Manager

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

SUBJECT: Clackamas Service District #1
Interim Agreement

ACTION REQUESTED

City Council authorize Mayor to sign attached agreement with Clackamas Service District #1 for processing of sewage.

BACKGROUND

I believe the City Council is fully aware of the current status of negotiations between Clackamas Service District #1 and the City of Milwaukie for a new agreement for processing of sewage and payment of capital improvements to the Kellogg Treatment plant.

As further background, several questions raised by the City Council at their last work session and insuing regular Council meeting have been answered by Dave Abraham in his letter. They are summarized as follows:

1. Unit charge for sewage treatment to remain at 455.54 per million gallons as per 1982/83 cost.
2. Copies of audit of district are available in the Manager's office.
3. Bartle Wells has outlined a schedule which will allow completion in October of 1983 as requested.
4. Milwaukie has completed the preliminary analysis of Equivalent dwelling units and forwarded those to Bartle Wells and the district.

SUMMARY

1. The City has a long term agreement and commitment to the District for processing of City of Milwaukie sewage.
2. The extension of the old agreement at this point in time is the most expeditious way of coming to an interim contractual agreement for cost of processing.

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

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Hugh Brown
Interim agreement/CCSD#1

-2-

July 12, 1983

DATE: July 12, 1983

TO: Hugh Brown
City Manager
SUMMARY - Continued

- FROM: Steven Hall
Public Works Director
3. The cost of processing sewage will not raise in the fiscal year 1983/84.
- SUBJECT: Clackamas Service District #1
Interim Agreement
4. The interim agreement is the best vehicle available for extending our current contract.

ACTION REQUESTED
Enclosure: Letter Agreement
Background info.

City Council authorize Mayor to sign attached agreement with Clackamas Service District #1 for processing of sewage.
SMH:js

BACKGROUND

I believe the City Council is fully aware of the current status of negotiations between Clackamas Service District #1 and the City of Milwaukie for a new agreement for processing of sewage and payment of capital improvements to the Kellogg treatment plant.

As further recommended, several questions raised by the City Council at last work session and during regular Council meetings were answered by Dave Johnson in his report. They are listed as follows:

- Approval Recommended
Hugh H. Brown
Hugh H. Brown
City Manager
1. Unit charge for sewage treatment to be approximately \$1.14 million gallons as per 1981/82 cost.
 2. Copies of addit of district are available at the Mayor's office.
 3. Bartle Wells has outlined a schedule which will allow completion in October of 1983 as requested.
 4. Milwaukie has completed the preliminary analysis of 2,000 dwelling units and forwarded those to Bartle Wells and the district.

SUMMARY

1. The City has a long term agreement and commitment to the District for processing of City of Milwaukie sewage.
2. The extension of the old agreement at this point is probably the most expeditious way of coming to an interim contract agreement for cost of processing.

July 8, 1983
Milwaukie Agreement/CCSD#1

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UTILITIES DIVISION

JOHN C. McINTYRE DAVID J. ABRAHAM
Director Utilities Director

Steve Hall
Public Works Director
City of Milwaukie
10722 S.E. Main Street
Milwaukie, Oregon 97222

Clackamas County Service District #1
Milwaukie Agreement

This letter is intended to update you on matters pertaining to our ongoing agreement negotiations. They are those issues related to our city council meeting, the Ed Wells meeting of June 14, and subsequent discussions by telephone.

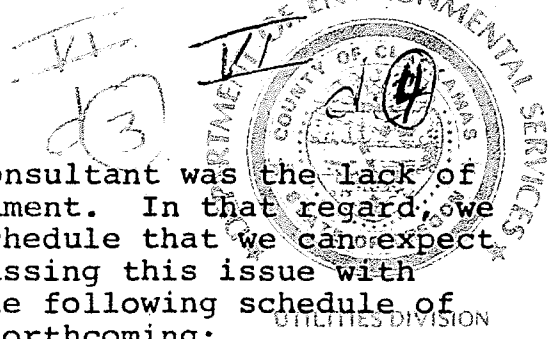
The first matter is that of an agreement to extend until June 30, 1984, the 1970 agreement between the district and the city that has expired. Enclosed is a draft of that extension agreement that will be signed by the Board of County Commissioners on Thursday, July 14, 1983. I intend to forward the signed agreement to you for action by your city council at their July 19 council meeting. If you have any questions on this, please contact me prior to July 14.

Relating to the matter of the extension agreement was our commitment that the unit cost for treating Milwaukie sewage would not exceed the 1982-83 unit charge of \$455.54 per million gallons. I do reaffirm this unit cost at this time. I will forward to you the 1982-83 cost summaries that we usually submit to support this figure.

A third matter I wish to address is the scope of the consultant's assignment in our agreement negotiations. The scope of work as I see it remains essentially as defined in the Bartle Wells letter of July 19, 1982, a copy of which was forwarded to you on July 29, 1982. The Bartle Wells letter report of March 4, 1983, began to define in detail the issues of concern to either or both the city and district. The report further detailed the options available to resolve these issues. The Bartle Wells assignment is to continue to develop the alternatives that resolve those issues and to do it in concert with the city and the district in a timely manner.



July 8, 1983



The real concern relating to the consultant was the lack of timeliness in completing the assignment. In that regard, we had asked that they provide us a schedule that we can expect their progress to follow. In discussing this issue with Bartle Wells, we have arrived at the following schedule of task accomplishments that will be forthcoming:

JOHN C. MCINTYRE DAVID J. ABRAHAM
Director Utilities Director

July, 1983: Bartle Wells will receive customer account and Public Equivalent Dwelling units (EDUs) estimates from the City of Milwaukie. The district will provide Bartle Wells with 10722 updated information. Bartle Wells will prepare revised financial projections in which costs are allocated on an EDU basis.

August, 1983: Bartle Wells will schedule one or two staff level meetings with the city and district to suggest refinements in the financial plan projections and discuss steps required to develop an acceptable implementation plan. This meeting will update you on matters pertaining to our ongoing agreement negotiations. They are those September, 1983: Bartle Wells will schedule at least one meeting study session with the city staff and council members to discuss results of revised financial plan and options

for implementation of an agreement to extend until June 30, 1984, the 1970 agreement between the district and the city. Present to city council and district board extension documents of plan and schedule for implementation. County Commissioners on Thursday, July 14, 1983. I intend Bartle Wells is required to advise us monthly on the progress they are making in their overall assignment. If for any reason the scope or schedules outlined need clarification or modification, we can deal with those matters at our first meeting with Bartle Wells in August. Our agreement was our commitment that the unit cost for treating Milwaukie sewage to trust the foregoing brings current those matters of initial concern. If you have further questions, please give me a call. I forward to you the 1982-83 cost summaries that we usually submit to support this figure.

A third matter I wish to address is the scope of the consultant's assignment in our agreement negotiations. The scope of work is defined as follows: *David J. Abraham*
DAVID J. ABRAHAM, Utilities Director

of which was forwarded to you on July 29, 1982. The Bartle Wells letter report of March 4, 1983, began to define in detail the issues of concern to either or both the city and district. The report /concern to either or both the city and district. The report
Encls.: Draft of Extension Agreement
issues. Bartle Wells letter of July 19, 1982 continue to develop Bartle Wells letter report, March 4, 1983
do it in concert with the city and the district in a timely
cc: Ed Wells, Bartle Wells & Associates
W/copy of Extension Agreement

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EXTENSION AGREEMENT

THIS EXTENSION AGREEMENT is made this _____ day of _____, 1983, effective November 25, 1980, by and between the CITY OF MILWAUKIE, OREGON, a Municipal Corporation (herein called "Milwaukie") and CLACKAMAS COUNTY SERVICE DISTRICT NO. 1, a County Service District (herein called "District").

RECITALS:

On or about November 25, 1970, these parties entered into an Agreement wherein District agreed to construct a sewage treatment plant and collection system and to accept, treat and dispose of sewage from Milwaukie in consideration of the payment by Milwaukie to District of an annual lump sum and a unit charge. The term of that contract was for a period of ten (10) years from November 25, 1970 until November 24, 1980. On or about August 31, 1978, the parties executed an agreement modifying the original Agreement relating to the schedule for the annual lump sum payment. The 1978 agreement provided for payments through November 25, 1997. The parties wish to extend the original agreement, as modified, from November 25, 1980 to June 30, 1984. The parties have therefore agreed:

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1. Extension of Agreement. The Agreement, as modified by the agreement dated August 31, 1978, is hereby extended from November 25, 1980 to June 30, 1984. Milwaukie and District hereby ratify all acts pursuant to this Agreement performed by each from November 25, 1980 until the date this Agreement is executed.

2. All terms and conditions of the original Agreement and the agreement of August 31, 1978 are hereby approved and ratified.

CITY OF MILWAUKIE, OREGON,
a Municipal Corporation

CLACKAMAS COUNTY SERVICE
DISTRICT NO. 1, a County
Service District
Board of Directors

By: _____
Mayor

By: _____

By: _____
Recorder

By: _____

Dated: _____

By: _____

Dated: _____

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

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DATE: July 14, 1983

TO: Hugh Brown
City Manager

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

SUBJECT: Sewer Division
Quitclaim Deed

ACTION REQUESTED

City Council authorize Mayor to sign quitclaim deed returning easements for sewer line to property owner.

BACKGROUND

Last year during the testing of sewer lines within the City of Milwaukie for illegal connections and potential problem areas in sewer lines, it was found that a large segment of old sewer line could be eliminated.

The sewer line, now abandoned, was a 24" interceptor which served the old City of Milwaukie treatment plant. This line was still in operation serving the few businesses along McLoughlin Blvd. between Harrison and Jefferson Street and one house located near Pendleton Woolen Mills. This line ran under Johnson Creek and had severe problems as to infiltration due to bad joints and deterioration of the line.

It was determined that a line could be connected between the old line near Jefferson Street boat ramp to a new line constructed under the Milwaukie local improvement district and several thousand feet of old line could be disconnected from the system.

The intertie was completed in early 1983 and the old sewer line was disconnected from service at that point in time.

The City of Milwaukie no longer has any need for using the old easement or the line and by this action are quitclaiming the easement back to the original property owners.

SUMMARY

1. The City of Milwaukie no longer has need of sewer line or easements on property.
2. City has made a connection which has eliminated the old line which caused severe infiltration problems to the sewer system.

Enclosure: Deed/map
SMH:js

KNOW ALL MEN BY THESE PRESENTS, That the CITY OF MILWAUKIE OREGON, in consideration of other valuable benefits gained ~~thereby~~ ~~by~~ grantor.

does hereby remise, release and forever QUITCLAIM unto ~~the said~~ Mary T. Harlow, Harold K. Ytredal, and James W. Cobb

and unto their heirs and assigns all its right, title and interest in and to the following described real property, with the tenements, hereditaments and appurtenances, situated in the County of Clackamas, State of Oregon, bounded and described

as follows, to wit:

The following described sanitary sewer easements.

Commencing at the southeast corner of T.L. 2200 in T1S,R1E, Section 35AA; said point also being the northwest corner of the intersection of S.E. McLoughlin Blvd. and S.E. Jefferson St.; thence along the northerly right-of-way line of S.E. Jefferson St. S.89°42' West, 80.17 ft; thence N.18°15' West, 129.17 feet to a point of beginning:

EASEMENT #1: A 10 foot wide strip, 5 feet either side of the following described centerline:

commencing at the above described point of beginning; thence S.8°04'41" East, 5.0 feet to the true point of beginning; thence continuing S.8°04'51" East, 121.96+ feet to the north right-of-way line of S.E. Jefferson St. to the point of terminus.

EASEMENT #2: A 10 foot wide strip, 5 feet either side of the following described centerline:

Commencing at the above described point of beginning; thence S.14°52'02" East, 5.0 feet to the true point of beginning; thence continuing S.14°52'02" East, 126.32+ feet to the north right-of-way line of S.E. Jefferson St. to the point of terminus.

EASEMENT #3: A 10 foot wide strip, 5 feet either side of the following described centerline:

Commencing at the above described point of beginning; thence N.14°57'10" West, 5.0 feet to the true point of beginning; thence continuing N.14°57'10" West 259.35 feet; thence N.19°23'58" West, 122.86 feet; thence N.45°38'27" West, 37.0+ feet to a point of terminus.

TO HAVE AND TO HOLD The same unto the said

and heirs and assigns forever.

Witness our hands and seals, this _____ day of _____ 19 _____

Mayor

City Recorder

State of Oregon)
) ss.:
County of Clackamas)

Personally appeared before me, the undersigned, a Notary Public, the within named Mayor, and City Recorder, both officers of the City of Milwaukie, Oregon, a Municipal Corporation, who severally acknowledge that as such Mayor and as such City Recorder, and for and on behalf of the City of Milwaukie, Oregon, that each signed and delivered the foregoing deed of conveyance on the day and year therein written pursuant to the authority of an order duly adopted by the City Council of the City of Milwaukie, Oregon, a Municipal Corporation.

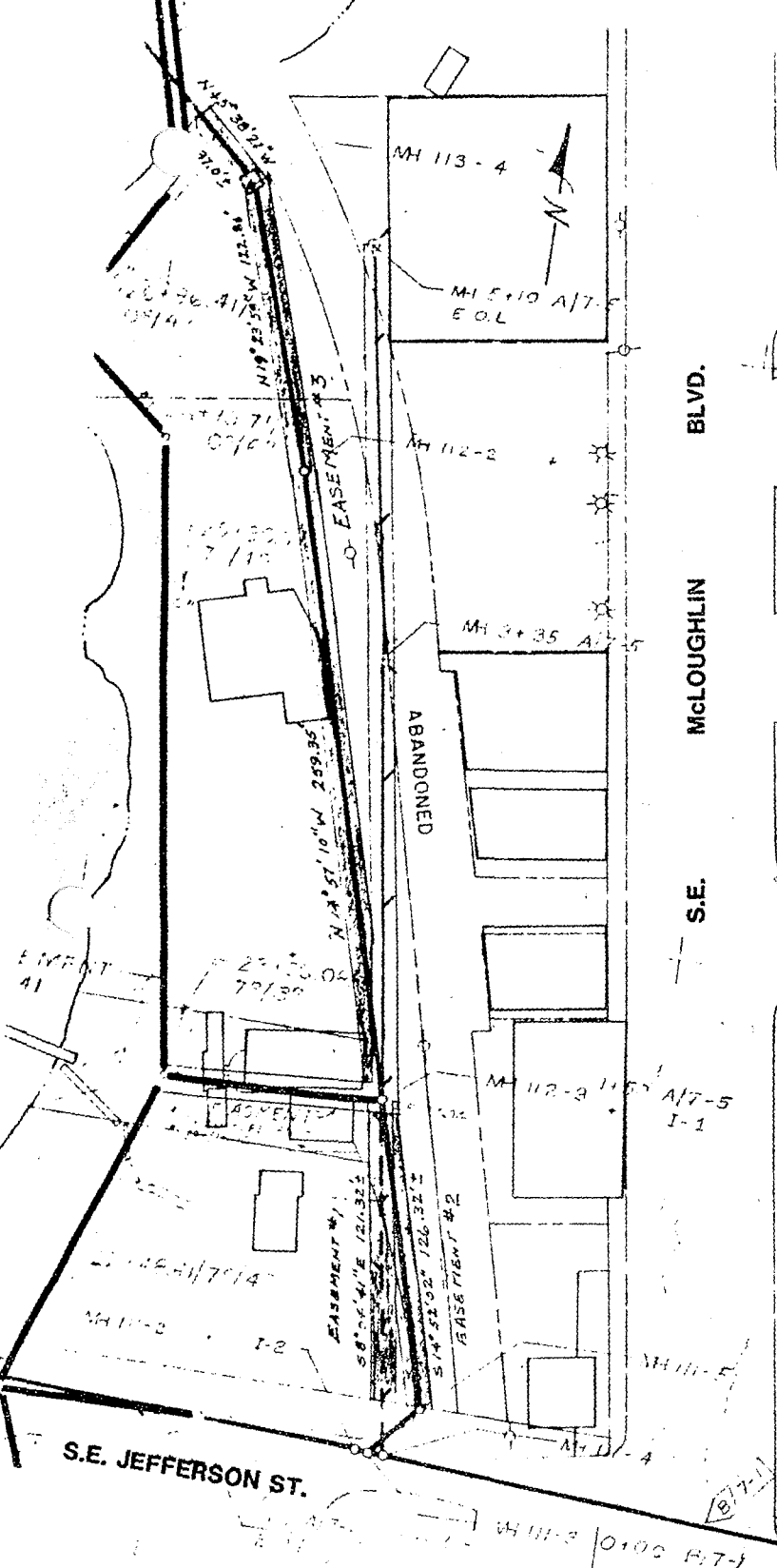
Subscribed and sworn to before me this _____ day of _____ 19 _____

Notary Public for Oregon

My commission expires:

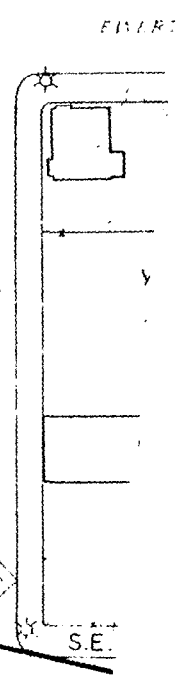
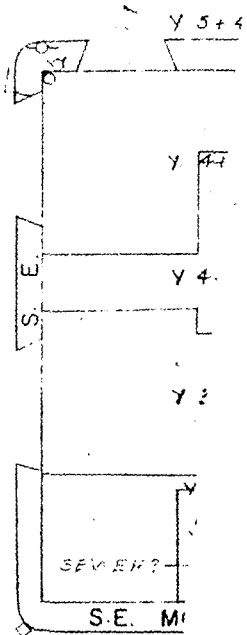
EXHIBIT A

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S.E. JACKSO

BLVD.
McLOUGHLIN
S.E.



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S.E. JEFFERSON ST.

EXHIBIT "A"

PLANNING COMMISSION MINUTES

REGULAR MEETING

JUNE 28, 1983

VII
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MEMBERS PRESENT

JOHN LITTLEHALES
GEORGE CATHEY
BETTY ROHOLT
AL LAINE
REBECCA SWEETLAND
JOHN FOSTER

EXCUSED ABSENCE:
BOB BROWN

STAFF PRESENT

JERRY THELANDER, PLANNER

EXCUSED ABSENCES:

TOPAZ FAULKNER, PLNG. DIR.
CAROL LEE, SECRETARY

Mr. Cathey opened the meeting at 6:30 p.m.

3.1 CONTINUATION OF
DIERINGER'S PROPERTIES, INC., Applicant and Property Owners
M-83-5 Minor Land Partition
VR-83-14 Variance Request
LOCATION: 4403 SE Lewellyn
PROPOSAL: Request Minor Land Partition to divide a lot into
3 parcels. Variances for lot depth and lot size are required.

Jerry presented a brief review of the application.

APPLICANT'S RESPONSE:

SPEAKING: Bob Derringer, introducing representative.

SPEAKING: Don Hanna, 6432 SE Foster, Portland, Ore

Mr. Hanna presented the revised proposal indicating changes in lot size and percentages of variance, as well as building design. The new proposal allows addition of two townhouse units connected to the existing dwelling by a 15' x 20' carport and another carport on the west end of the new dwelling units.

Mr. Cathey asked the applicant if a garage had been considered in the revised plans.

Mr. Hanna explained that if a garage were constructed two windows would be covered which would not comply with fire code safety requirements.

SPEAKING: W.C.Tony, 5205 SE Appenine Way, Milwaukie

Mr. Tony spoke in favor of the request.

APPLICANT'S FINAL REMARKS:

SPEAKING: Bob Derringer

Mr. Derringer added that the proposed dwellings would have a positive affective to the appearance of the neighborhood.

CITY OF MILWAUKIE - PLANNING DEPARTMENT
PLANNING COMMISSION MINUTES
REGULAR MEETING - JUNE 28, 1983

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There was discussion among the Commission regarding construction of a garage instead of carport and the position of the existing windows on the west side of the home.

Jerry explained that fire safety standards require that an existing structure meet fire code if the value is at least 50% of the existing structure.

Mr. Hanna mentioned that the entire structure will be repainted and shutters added in order to combine the design and be aesthetically pleasing.

Mr. Cathey read the Commission's interpretation of single-family attached housing and expressed his concerns regarding the concept of carport vs garage.

Mr. Hanna said there would be considerably more expense for garage construction.

There was further discussion among the Commissioners regarding roof line, compatibility, revised lot sizes, and percentages of variances required.

Mr. Laine made a Motion to approve M-83-5 and VR-83-14, with the additional Finding #8: No adverse testimony was received, and Condition #1: Utilities, drainage, curbing, sidewalk, driveway improvements, by the City, be approved by the Public Works, Building, and Fire Department Staffs. Mr. Foster Seconded the Motion. Mr. Littlehales made a Motion to add Condition #2: Trees along the current property line between the proposed and existing lots are to be replaced with compatible species, and approved by the Planning Director.

Mr. Cathey made a Motion to amend the Main Motion, adding Finding #7: Consideration was given to the May 10, 1983 Planning Commission interpretation for single-family attached dwelling, in regards to size, scale and bulk, and the Commission found to consider otherwise. The Motion was Seconded and carried 6-0. The Main Motion to approve M-83-5 and VR-83-14, with revised Findings and Conditions, the Motion Carried 4-2, Mr. Foster and Mr. Littlehales opposing.

FINDINGS: M-83-5; VR-83-14

1. The proposal is compatible with the following sections of the Comprehensive Plan:

Residential Land Use and Housing:
OBJECTIVE 2, Policy 4.a, Page 28.
OBJECTIVE 3, Policy 5, Page 30.
OBJECTIVE 5, Policy 1, Page 32.

CITY OF MILWAUKIE - PLANNING DEPARTMENT
PLANNING COMMISSION MINUTES
REGULAR MEETING - JUNE 28, 1983

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FINDINGS: M-83-5; VR-83-14 Continued

2. The proposal does not include provision for compatible architecture through use of identical siding material.
3. Applicant has stated his intention to match the new and existing dwelling's through roof material, paint color and shutters.
4. The proposal calls for connecting the new and existing dwellings with a 15' x 20' carport, with a pitched roof.
5. The City Zoning Ordinance defines single-family attached dwelling as " . . . sharing common structural walls."
6. The Planning Commission has interpreted single-family attached dwellings that combine existing and new structures as requiring the following conditions:
 - a. Architecture to be compatible with the existing dwelling.
 - b. No "Breezeway" or carport should be built between the townhouse units and existing dwelling.
7. Consideration was given to the May 10, 1983 Planning Commission interpretation for single-family attached dwelling. In regards to size, scale, and bulk, and the Commission found to consider otherwise.
8. No adverse testimony was given at the public hearing.

CONDITIONS: M-38-5; VR-83-14

1. Utilities, drainage, curbing, sidewalk, driveway improvements, fire protection standards, and other requirements that are required by the City, be approved by the Public Works, Building, and Fire Department Staffs.
2. Trees along the current property line between the proposed and existing lots are to be replaced with compatible species, and approved by the Planning Director.

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3.2 EAGLE VALLEY DEVELOPMENT, Applicant

FINDINGS: VR-83-16 Variance Request

LOCATION: 5123 Appenine Way, Milwaukie

PROPOSAL: Request Minor Land Partition to divide a lot into 3 parcels. Variances for lot depth and lot size are required.

Applicant has stated his intencion to match the new and Jerry presented the Staff Report.

APPLICANT'S RESPONSE:

The proposal calls for connecting the new and existing SPEAKING: Rick Nedelisky, Applicant, 1585 SE. 114th St. Suite C.

Mr. Nedelisky said the owners of the property have chosen the building plan and the only alternative available would be a variance.

The Planning Commission has interpreted single-family SPEAKING: Greg Demateo, 12002 SE Vivaldi Circle, Milwaukie as requiring the following conditions:

Mr. Demateo testified in favor of the request.

No "Breezeway" or carport should be built between the SPEAKING: Wilbur Tony, 5205 Appenine Way

Mr. Tony asked questions regarding the right-of-way and required setbacks. Mr. Cathey explained the setbacks in relationship to the driveway and parking area.

Ms. Sweetland made a Motion to approve VR-83-16 with an additional Finding #4: No adverse testimony was given. Mr. Littlehales Seconded the Motion, it carried unanimously.

FINDINGS: VR-83-16

1. The lot configuration is pie-shaped, resulting in limitations to shape and placement of buildings on it.

2. The site will conform to all other standards of the Zoning Ordinances.

3. The proposal complies with the following Sections of the Comprehensive Plan:

RESIDENTIAL LAND USE AND HOUSING ELEMENT

OBJECTIVE #4 - Neighborhood Consdervation, Policy 5, Page 31.

OBJECTIVE #5 - Housing Choice, Policy 1, Page 32.

NEIGHBORHOOD ELEMENT

OBJECTIVE #1 - Single family Character, Page 59.

4. No adverse testimony was given.

CITY OF MILWAUKIE - PLANNING DEPARTMENT
PLANNING COMMISSION MINUTES
REGULAR MEETING - JUNE 28, 1983

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CONDITIONS: VR-83-16

1. Utilities, drainage, curbing, sidewalk, driveway improvements, and procedures for fire protection to be approved by Public Works and Fire Departments.
 2. Submit landscape plan, to be approved by Planning Department.
- 3.3 DELAP/OSTROM, Applicants and Property Owners
M-83-6 Minor Land Partition
VR-83-15 Variance Request
LOCATION 3828 SE Olsen St., Milwaukie
PORPOSAL: Request Minor Land Partition to divide a lot into 2 parcels. Variances for lot size are required.

Jerry presented the Staff Report.

APPLICANT'S RESPONSE:

SPEAKING: Riley DeLap, P.O. Box 441, Hubbard, Ore 97032

Mr. DeLap said the main reason for application to partition the property is to bring it into comformance with the six adjoining lots. The property is unique because it has access from both Olsen and Hazel Avenue. Mr. DeLap mentioned that several of the neighboring property owners are in favor of the proposal, however they were not able to attend the meeting.

Mr. Cathey suggested that the amount of variance for Lot #1, could be reduced by changing the lot configuration. The lot line could be changed to allow Lot #1 an additional 500 sq.ft., total lot size would be 5,000 sq.ft.

There was considerable discussion among the Commissioners regarding alternatives and consistency of lot size to contiguous lots.

Mr. Foster made a Motion to approve M-83-6 and VR-83-15, with alternative lot size change for Lot #1: 83.5' x 60'. Additional Finding #7: No adverse testimony received at the public hearing. Motion was corrected to state: Lot #1 - Lot Size: No less than 5,000 sq.ft. Mr. Laine seconded the Motion.

Mr. DeLap stated he was in agreement with the lot size change for Lot #1.

Mr. Foster withdrew the Main Motion, Mr. Laine conturred.

CITY OF MILWAUKIE - PLANNING DEPARTMENT
PLANNING COMMISSION MINUTES
REGULAR MEETING - JUNE 28, 1983

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M-83-6 AND VR-83-15 Continued

Mr. Foster made a Motion to approve M-83-6 and VR-83-15 with Findings as listed in Staff Report, with additional Finding #6: Lot #1 lot size to be changed to allow more lot area and reduce the variance. Finding #7: No adverse testimony at public hearing. Condition #1: Lot #1, to be based on 5,000 sq.ft.

SPEAKING: Don Trotter

Mr. Trotter reminded the Commission that the Findings must support the Motion. If the Commission votes to approve the proposal then the proposed findings should be reconsidered and rewritten to support the Commission's decision.

Ms. Sweetland made a Motion to amend the Proposed Findings: Finding #1 to be stated as in the Staff Report, Finding #2: This is a unique and special situation. Finding #3: Lot #2 will comply to all the Zoning Standards. Finding #4: There was no adverse testimony at the public hearing. (Findings #2,3,5 & 6 to be deleted.) Mr. Littlehales Seconded the Motion, for amendment it carried unanimously. The Main Motion Carried Unanimously.

FINDINGS: M-83-6 and VR-83-15

1. The proposal complies with the following elements of the Comprehensive Plan:
OBJECTIVE #3 - Residential Land Use: Design, Policy 6, Page 30.
OBJECTIVE #4 - Neighborhood Conservation, Policy 5, Page 31.
OBJECTIVE #5 - Housing Choice, Policy #1, Page 32.
2. This is a unique and special situation which merits consideration beyond the normal standards that a parcel Zoned R-7 Residential is required to comply to. The proposal is compatible to the surrounding land use.
3. Lot #2 will comply to all the zoning standards except lot size and front yard setback (for the storage shed).
4. There was no adverse testimony at the public hearing.

CONDITION:

1. Extend Lot #1 so it is not less than 5,000 sq.ft. (83.33' x 60')

CITY OF MILWAUKIE - PLANNING DEPARTMENT
PLANNING COMMISSION MINUTES
REGULAR MEETING - JUNE 28, 1983

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6.1 PLANNING COMMISSION MINUTES:

May 10, 1983 - Approved

May 24, 1983 - Approved

June 14, 1983 - Correction:

Mr. Foster, correction on Page 8 - additional Finding #3,
to read: Existing building not to be classified as a
stable for horses.

Approved as corrected.

7.1 CONTINUED DISCUSSION OF DENSITY BONUSES.

Jerry presented the Commission with certain criteria for limiting
density bonuses, which is based on the revised Draft Zoning Ordinance.

Mr. Trotter cautioned the Commission of the necessity to establish
policy that is compatible with the current Zoning Ordinance.

After considerable discussion the Commission decided by consensus
to adopt the first page of Memorandum, Density Bonus Criteria -
Dated, June 28, 1983. The Commission requested Staff to further
review criteria for Exceptional Design, to be presented at the
next meeting.

Meeting adjourned at 10:10 p.m.

Carol Lee
Carol Lee, Secretary

George Cathey
George Cathey, Chairman

Minutes of Ledding Library Board of Trustees Meeting
June 22, 1983

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Chairman Arlie Brown called the meeting to order at 7:00 P. M.

Members present: Arlie Brown, Janice Rose, Loraine Vick, Cynthia Sturgis,
Librarian. Absent: Sam McKean, Brian Coover, Topaz Faulkner,
Community Services Director.

Minutes of May meeting: Approved as corrected

Treasurer's Report: Not available. Estimated at \$7,600.

Librarian's Report: There was discussion of the statistics which will be
available through the computer system. The relationship of libraries
to the County Network was discussed along with issues raised at the
COL meeting and the county response to those issues.

Old business: Progress of getting the library into the computer system
was discussed and also planned use of the terminals at the library.
The payment of \$387 for a replacement blind for the Children's
Library was authorized. The library open house brought in new
registrations, and also many cards were bar coded. The dedicated
uses of the library fund were reviewed.

New business:

Loraine Vick was nominated for Chairman of the Library Board, Janice
Rose for Secretary, and Brian Coover for Treasurer. They were
elected by unanimous ballot.

There was discussion of a requirement that if a board member is
absent for three consecutive meetings, there should be a request
for resignation and appointment of a new member.

The meeting adjourned at 8:30 P. M. The next meeting will be Wednesday,
July 20, at 7:00 P. M.

Loraine Vick
Secretary

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

VII
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DATE: July 15, 1983

TO: City Council

FROM: ^{PNR.} Paul Roeger, Office Engineer
Traffic Safety Commission

SUBJECT: Stop Sign request
Mrs. Ganier

On July 11, 1983, at the regular meeting of the Traffic Safety Commission, Mrs. Ganier spoke regarding her request for a stop sign at the intersections of S.E. 40th and Washington, Adams and Jefferson. The commission has directed staff to do a traffic count in the area to determine traffic flow and frequency and thus determine whether or not these intersections meet the criteria established by the Manual on Uniform Traffic Control Devices for the placement of stop signs.

The transportation department of North Clackamas School District #12 has indicated to staff that a bus stop for elementary students is scheduled for the corner of S.E. 40th and Washington. Mrs. Ganier was under the impression that her child would have to walk from her home at 4084 S.E. Washington to a school bus stop at 42nd Ave.

Further action will depend on the results of the traffic counts.

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

1 JUN 23 8:43
MILWAUKIE
PUBLIC WORKS DEPARTMENT

DATE: June 15, 1983

TO: Hugh Brown
City Manager

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

SUBJECT: Public Works Sewer Division
Manpower replacement

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There seems to be some confusion as to the duties of the Sewer Division crews and the differences between routine maintenance and major repairs.

Currently, with the cutbacks from fiscal year 1982-83, the sewer division has been operating with two full time field personnel. The previous crew size was set at four and that reduction in manpower has slowed our process of finding and repairing our aging sewer system.

The existing two man crew is operating with two prime areas of responsibility. The first area is that of high pressure cleaning of the sanitary sewer lines in areas of known problems. This process has virtually eliminated after hour and weekend callbacks due to sewer system blockage and has drastically reduced our overtime budget. The second area of concern for this two man crew is that of the daily check of our four sanitary sewer lift stations which provide for a safe functioning system and minimizes the chances of station failure and the attendant backup of sewage into individual homes.

The replacement of the two positions will allow us to continue our investigation and minor repair of the sanitary sewer system. The primary responsibility of the two new personnel and the crew formed by them will be continue the investigation of the sewer system with the Construction Inspector to locate critical areas needing major repair. In this case, major repair is defined by replacing or relining existing sewer lines to minimize the infiltration of ground water into the system. The second area of involvement for this crew will be that of grouting or patching manholes where visually leaks can be detected where ground water or storm water is entering into a manhole or around the tip of pipes where they enter the manhole. It is estimated that this process of repairing manholes could continue full time for this crew for approximately two years. Along with the repair of manholes will be the location of existing facilities which have been burried under paving or construction and need to be relocated to allow us access for maintenance of those portions of the system.

Memo
Public Works Sewer Division
Page 2

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June 15, 1983

The value of the two people returned to the budget is in that of preventative maintenance and some minor maintenance to minimize the cost of processing storm water and ground water which enters the system through bad joints or leaking manholes. These are areas that have not been addressed in the past and we have just commenced to really deal with them in a rational and programmed manner.

The definition of maintenance repair vs. reconstruction or major repair is pretty well defined in the tasks noted before. Minor maintenance repair is that of repairing manholes or areas of known infiltration in the system. Major repair, where the replacement construction fund would be utilized, is in that area of relining or totally replacing sewer lines which are damaged by broken joints, root intrusion or total failure.

If there are further questions, I would be happy to answer them either at the Council level or individual level.

SMH:js

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

RECEIVED
CITY OF MILWAUKIE
PUBLIC WORKS DEPARTMENT
JUL 13 1983
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DATE: July 12, 1983

TO: Hugh Brown
City Manager

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

SUBJECT: Tri-Met
Proposed service reductions

On Friday, 8 July 1983 Paul Bay and Steve Smith presented the attached information to the METRO Transportation Policy Advisory Committee (TPAC).

You will note the proposal is to be implemented 1 January 1984 if approved. Tri-Met will be holding informational meetings in the future.

The items affecting Milwaukie are:

1. Extension of Line 7 to Milwaukie.
2. Route 30, Ardenwald to be discontinued.
3. Routes 34, 76, 78 & 79 will have service reduced by less frequent times and limitation on total operation hours.

This is presented as information for City Council.

Enclosure: Report

SMH:js

PROPOSED SERVICE REDUCTIONS FOR JANUARY 1984

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INTRODUCTION

Due to poor economic conditions in the Portland metropolitan area during the past several years, Tri-Met is faced with a revenue shortfall that, in part, must be made up by a reduction of service hours. Tri-Met staff has been directed to develop a plan for service reductions totalling 2,000 hours per week. This report will provide a detailed description of the service reduction plan and information describing the rationale and methodology used in its development.

Revenue Shortfall

The number of employed persons in the Portland metropolitan area has fallen nearly 10% from peak employment levels in 1980. Over 70,000 persons were unemployed as of March this year, as unemployment levels in the Portland region have increased from 7% to 11% over the past several years. This steady rise in unemployment has had a negative impact on Tri-Met revenues in two ways. First, as employment levels drop there is a subsequent decrease in the number of work trips made on transit. As work trips typically comprise about 49% of all trips made on the Tri-Met system, a decrease in the volume of these trips can impact ridership and revenues significantly. In fact, farebox revenues are falling 3% below those realized for a similar period last year.

Second, and more critical, is the relationship between employment levels and Tri-Met's employer payroll tax. Due to recent decreases in employment levels during the first ten months of this fiscal year, employer payroll tax receipts are down 6% when compared with the previous fiscal year. As the payroll tax comprises 56.8% of Tri-Met's operating budget, this impact on revenue is particularly severe.

Because of favorable results in terms of revenues and expenses in prior years, the agency has working capital sufficient to carry it through operating losses this fiscal year and next, but only if there are service cuts sufficient to stay within a maximum \$75 million operating budget for fiscal 1984. In order to stay within that budget and maintain the agency overall as an effective organization, service reductions totalling 2,000 weekly hours must be made to be effective in January 1984.

Methodology Used in Developing the Service Reductions

As previously stated, Tri-Met must reduce service by 2,000 weekly hours. In developing a plan for service reductions of this magnitude, the staff had to balance eliminating unproductive service with the needs of transit dependents, and avoiding disproportionately heavy cuts in any particular area.

Tri-Met staff has developed a service reduction plan using the following objectives and guidelines:

Cuts for 3 year period

I. Objectives

- Minimize losses in ridership
- Minimize impact on transit dependents
- spread the burden of service reduction throughout the system
- Maximize the efficiency of remaining services

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II. Guidelines

- Focus reductions on most unproductive service. All service operating during early morning and late night hours, and suburban/rural services will be closely scrutinized.
- Eliminate duplicated service where practicable. Different routes operating on the same or closely parallel streets will be reviewed for service reductions.
- Reasonably good levels of transit service should be maintained in fully developed, urban areas. Clearly, the greatest need for public transit is in areas having higher development and population densities.
- Service levels necessary to operate grid and timed transfer systems must be maintained. Reductions in service on routes operating in areas served by grid or timed transfer systems must be approached cautiously, as each route is an important component of the system operating in that area.

Information Sources

The quarterly line performance report, produced by the Management Information and Analysis Department, and peak load counts, generated by the Scheduling Department, were primary information sources used to arrive at service reduction proposals. All trips recommended for elimination were subsequently counted to determine current ridership. If the trip counts demonstrated more patronage than anticipated, the trip was removed from the service reduction plan.

Public Involvement in Planning for Service Cuts

Tri-Met will actively seek public participation in the decision-making process regarding the proposed service change, beginning with a press conference and a presentation to neighborhood leaders in mid-June. Brochures describing the plan and encouraging people to attend the community meetings will be distributed in early July on all buses, through the downtown Customer Assistance Office, and to an extensive mailing list. Notices will also appear in local newspapers regarding the community meetings. These meetings have been scheduled for the evenings of July 18, 19, and 20 at Fernwood Middle School in northeast Portland, Milwaukie High School, and the Multnomah Center; and at noon on July 21 in the Portland Building.

Concurrent with the public involvement process, Tri-Met employees--particularly bus operators--will be involved as well. There will be reports in Fare Exchange, notices distributed with paychecks, information displays at each garage, and presentations scheduled for early July.

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The revised proposal, based on information gathered during the public and employee involvement process, will be submitted to the Board of Directors, and again the press and mailing lists will be informed of the recommendation. After a public hearing in September, the final proposal will be developed and submitted to the Board of Directors for a decision at the October Board meeting.

OUTER SOUTHEAST AREA

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This service area is bounded to the north by Johnson Creek, to the south by Molalla and Canby, to the east by Estacada, and to the west by the Willamette River. Transit service in this area is provided by lines 30-35, 70, 72, and 75-79.

The route structure in the outer southeast has been developed to operate as a timed transfer system, with most routes scheduled to meet in Milwaukie. Currently, eight of the 12 lines operating in the outer southeast serve the Milwaukie Transit Center, and four routes serve the Clackamas Town Center Transit Center. These routes have been carefully scheduled to arrive simultaneously at the transit centers to allow riders quick and convenient transfers.

As transit service in this area has been developed to function as a system of inter-dependent routes, service reductions on a particular line will necessarily impact others. Service reductions must, therefore, be approached carefully, with consideration given to the system impact of any trip elimination.

Line 30-ARDENWALD, a peak-hour express route, is proposed to be discontinued because its route is duplicated by lines 75, 78 and 32/33. Passengers who currently utilize line 30 as an express route to downtown Portland would be required to use line 78 or 75 and transfer to lines 32 or 33 at the Milwaukie Transit Center. Travel time to downtown Portland would be increased by five minutes.

Midday service on lines 76-MONROE and 78-LINWOOD is proposed to operate every hour during weekdays and Saturday. Because of low ridership levels, an effective 30-minute frequency would be maintained between Clackamas Town Center and Milwaukie by alternating trips.

Night service on line 34-RIVER ROAD would be discontinued because of low patronage.

Outer Southeast Area

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- 30-Ardenwald Route would be discontinued. Service would be provided by lines 75, 76 and 78 with transfer to downtown at Milwaukie.
- 34-River Road Weekday: Service would be 5:30 AM to 10:00 PM instead of 5:00 AM to 1:00 AM, and would be every 60 minutes instead of every 30 minutes from 7:00 PM to 10:00 PM.
Saturday: Service would end at 8:30 PM instead of 1:00 AM.
Sunday: Service would end at 6:30 PM instead of 7:30 PM.
- 76-Monroe Weekday midday & Saturday: Service would be every 60 minutes instead of every 30 minutes, alternating with line 78. Peak period service unchanged.
Sunday: Service would be every 2 hours instead of every hour.
- 78-Linwood Weekday midday & Saturday: Service would be every 60 minutes instead of every 30 minutes, alternating with line 76. Peak period service unchanged.
Sunday: Service would be every 2 hours instead of every hour and would begin at 11:00 AM instead of 9:00 AM.
- 79-Canby Weekday morning: Service would be every 60 minutes instead of every 30 minutes. Peak service unchanged.
Saturday & Sunday: Service would start at 7:00 AM instead of 5:00 AM.