



**Regular Session**

**RS**

**Milwaukie City Council**



**MINUTES**  
MILWAUKIE CITY COUNCIL  
www.milwaukieoregon.gov

**REGULAR SESSION**  
NOVEMBER 4, 2014  
City Hall Council Chambers

**Mayor Ferguson** called the 2,185<sup>th</sup> meeting of the City Council to order at 7:20 p.m.

Council Present: Councilors Mark Gamba, Mike Miller, and Scott Churchill

Excused: Council President Dave Hedges

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Community Development Director Steve Butler, Public Works Storm/Street Supervisor Kenny Hill, and Civil Engineer Brad Albert

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**Chaplain Jerry Craig** and members of American Legion Post 180 led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

**A. Veterans Day Proclamation**

**Mr. Craig** expressed his appreciation for the collaborative relationship between the City and American Legion Post 180.

**Mayor Ferguson** read the proclamation naming November 11, 2014, to be Veterans Day in the City of Milwaukie and commended its observance to all citizens of the *Dogwood City of the West*.

**B. 17<sup>th</sup> Avenue Multiuse Path Update**

**Mr. Albert** and **Aaron Isenhardt, PE, Harper Houf Peterson Righellis, Inc. (HHPR)** provided an overview of the project since the City received notice to proceed from the Oregon Department of Transportation (ODOT) on April 15, 2014. Most recently, the preliminary plan set was submitted to ODOT for review on October 16, 2014, and the first open house, which was well attended, was held on October 27, 2014. Mr. Albert noted that some renderings were available that he could post on the City website.

**Mr. Isenhardt** discussed the preliminary design and the general premise of a shared use path. He showed typical sections at the intersections with Lava Drive and McBrod Avenue, the retaining wall south of Waverly, the rockfall catchment area near Hwy 224, and the path adjacent to the Milwaukie Pioneer Cemetery.

**Councilor Churchill** understood the Pioneer Cemetery Board of Trustees had concerns and suggested staking out the location of the retaining wall for a better understanding.

**Mr. Isenhardt** said some of the big milestones coming up were the environmental closeout of the project footprint and acknowledgment that there were no environmental impacts. The cultural and historical elements of the project should be done the second week of January followed by the right of way (ROW) process.

**Mr. Albert** said during the well-attended project open house and ride along, public comments were generally positive, and people were excited about the project. There were some comments that signage and striping should be increased to improve safety. One person suggested deleting the bike lane on the east side of 17<sup>th</sup> Avenue and

adding the space to the multi-use path on the west side, but there were safety concerns with doing that.

**Councilor Churchill** suggested staff look into signage at St. Andrews Drive and post any survey work for a better understanding of the ROW acquisitions.

**Mr. Albert** said the acquisition phase would be in February 2015 with the goal of construction in 2016. He noted the Pioneer Cemetery concerns about parking and said the City would talk to adjacent properties about a shared use parking agreement for events.

### **C. TriMet Bus Service Changes Workshop Announcement**

**Mayor Ferguson** announced upcoming workshops on proposed bus route changes.

### **CONSENT AGENDA**

**Councilor Churchill** requested that the Library Expansion Task Force (LETf) be removed from the consent agenda and postponed to a future meeting when the City Council could select its representative.

**It was moved by Councilor Gamba and seconded by Councilor Miller to approve the consent agenda as amended.**

#### **A. City Council Meeting Minutes:**

1. **September 18, 2014, Study Session;**
2. **October 7, 2014, Work Session; and**
3. **October 7, 2014, Regular Session.**

~~**B. Resolution 83-2014: A Resolution of the City Council of the City of Milwaukie, Oregon, Revising Membership to the Library Expansion Task Force.**~~

**Motion passed with the following vote: Councilors Hedges, Gamba, Miller, and Churchill and Mayor Ferguson voting "aye." [5:0]**

### **AUDIENCE PARTICIPATION**

**Mr. Monahan** had no reports or follow-up from comments or questions from the previous City Council meeting.

**Mayor Ferguson** announced no one had requested to speak before the Council at this meeting.

### **PUBLIC HEARING**

None scheduled.

### **OTHER BUSINESS**

#### **A. Parking Lot Sweeping Service Memo of Understanding (MOU) with Oak Lodge Sewer District – Resolution**

**Mr. Hill** reviewed the elements of the MOU which would result in about a 2% work load increase that could be absorbed without additional resources. The revenue would be approximately \$300 annually for the parking lot sweeping service.

**It was moved by Councilor Miller and seconded by Councilor Churchill to adopt the resolution entering into a Memorandum of Understanding with Oak Lodge Sewer District for the purpose of providing parking lot sweeping services. Motion passed with the following vote: Councilors Gamba, Miller, and Churchill and Mayor Ferguson voting "aye." [4:0]**

#### **Resolution 83-2014:**

**A resolution of the City Council of the City of Milwaukie, Oregon, entering into a Memorandum of Understanding with Oak Lodge Sewer District for the purpose of providing parking lot sweeping services.**

**B. Council Reports**

**Mayor Ferguson** made several brief announcements about upcoming events

**ADJOURNMENT**

**It was moved by Mayor Ferguson and seconded by Councilor Miller to adjourn the Regular Session. Motion passed with the following vote: Councilors Gamba, Miller, and Churchill and Mayor Ferguson voting "aye." [4:0]**

**Mayor Ferguson** moved to adjourn the regular session at 8:02 p.m.

Respectfully submitted,

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Pat DuVal, Recorder

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# 17<sup>th</sup> Avenue Multi-Use Path Update

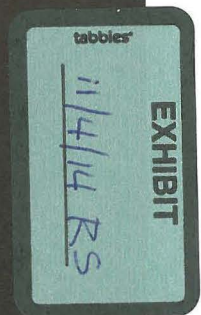
Regular Session

11/4/2014

Presented by:

Brad Albert, PE Civil Engineer

Aaron Isenhardt, PE HHPR



# 17<sup>th</sup> Avenue Multi-Use Path

- Where we have been
- Preliminary design
- Project process/potential road blocks
- Citizen comments
- Where we go from here



11/4/2014

# Where we have been

- Received notice to proceed from ODOT on April 15, 2014
- First ride along event on May 21, 2014
- Received concurrence from ODOT rail that the project would not need a crossing order.
- Preliminary plans set submitted to ODOT for review on October 16, 2014
- Held first open house on October 27, 2014



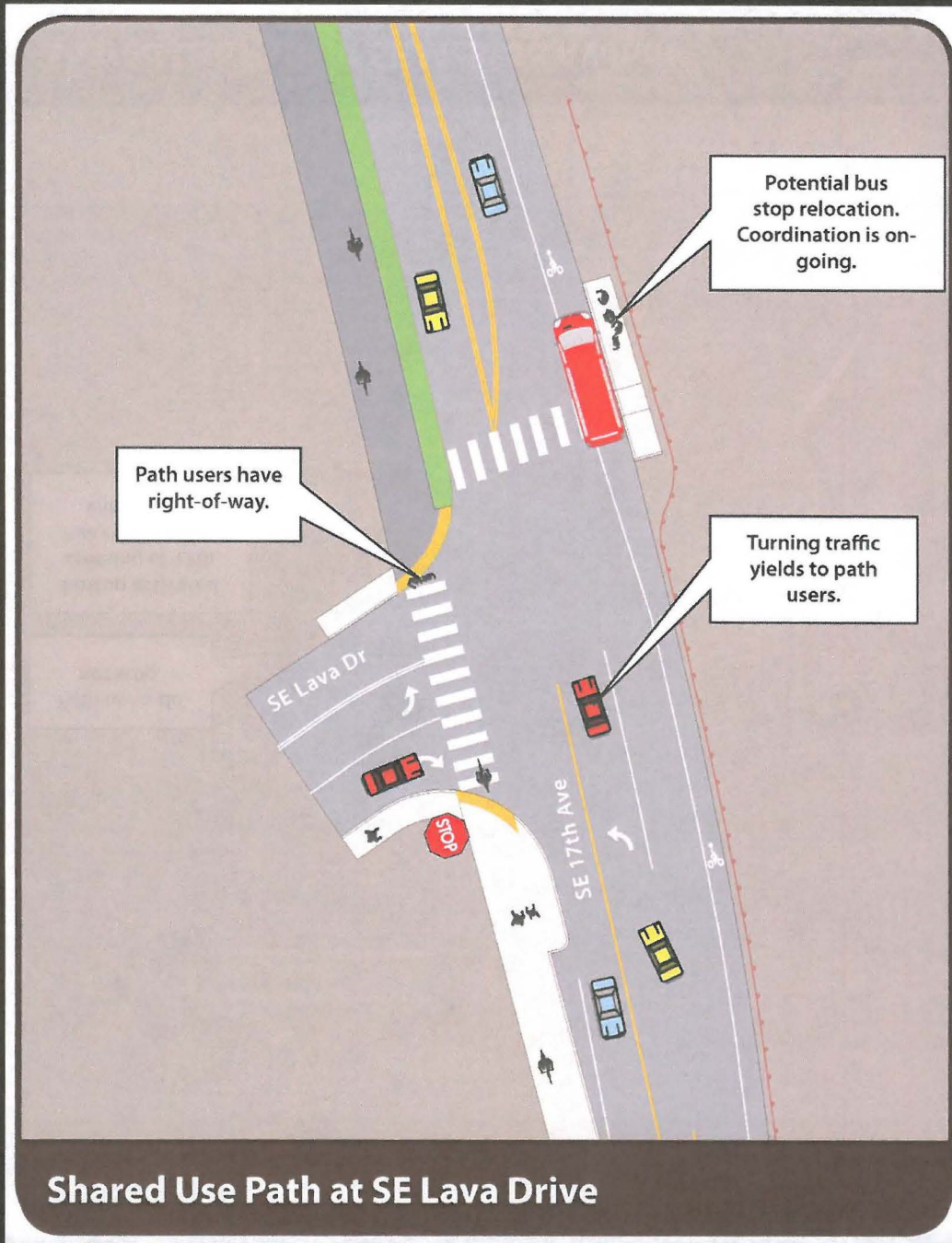
11/4/2014

# 17<sup>th</sup> Avenue Multi-Use Path

- Where we have been
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11/4/2014



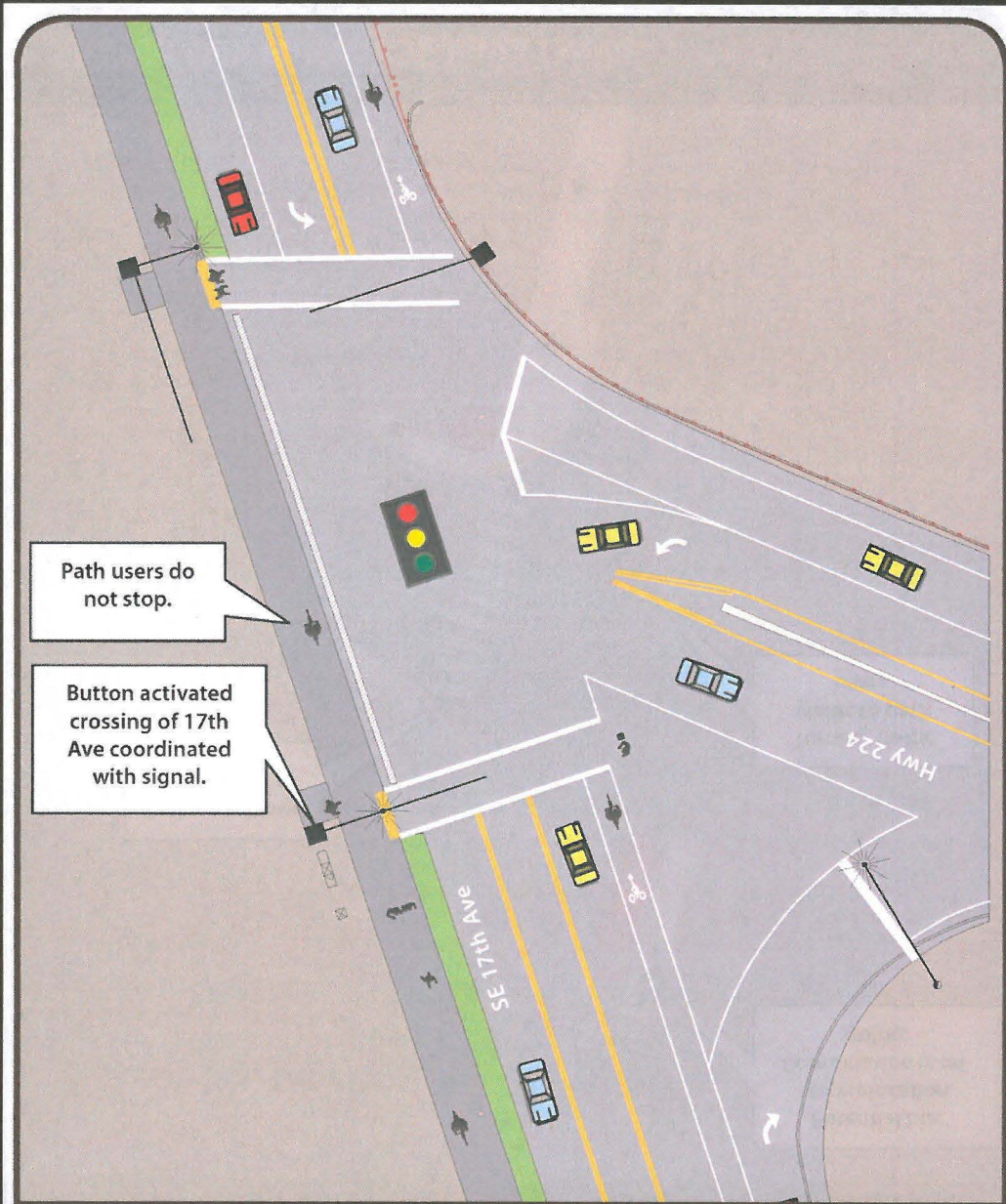
Path users have right-of-way.

Potential bus stop relocation. Coordination is ongoing.

Turning traffic yields to path users.

Shared Use Path at SE Lava Drive



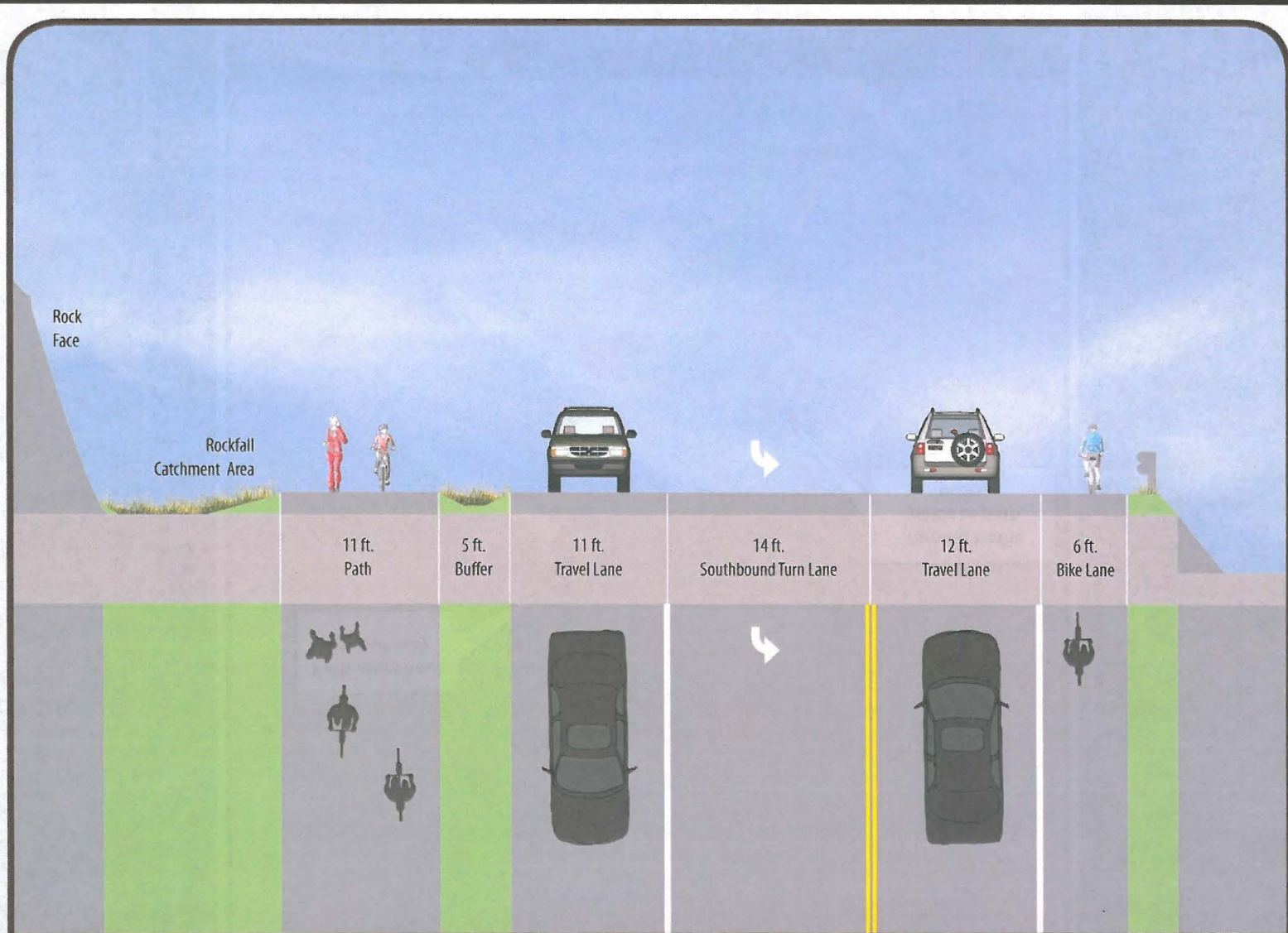


Path users do not stop.

Button activated crossing of 17th Ave coordinated with signal.

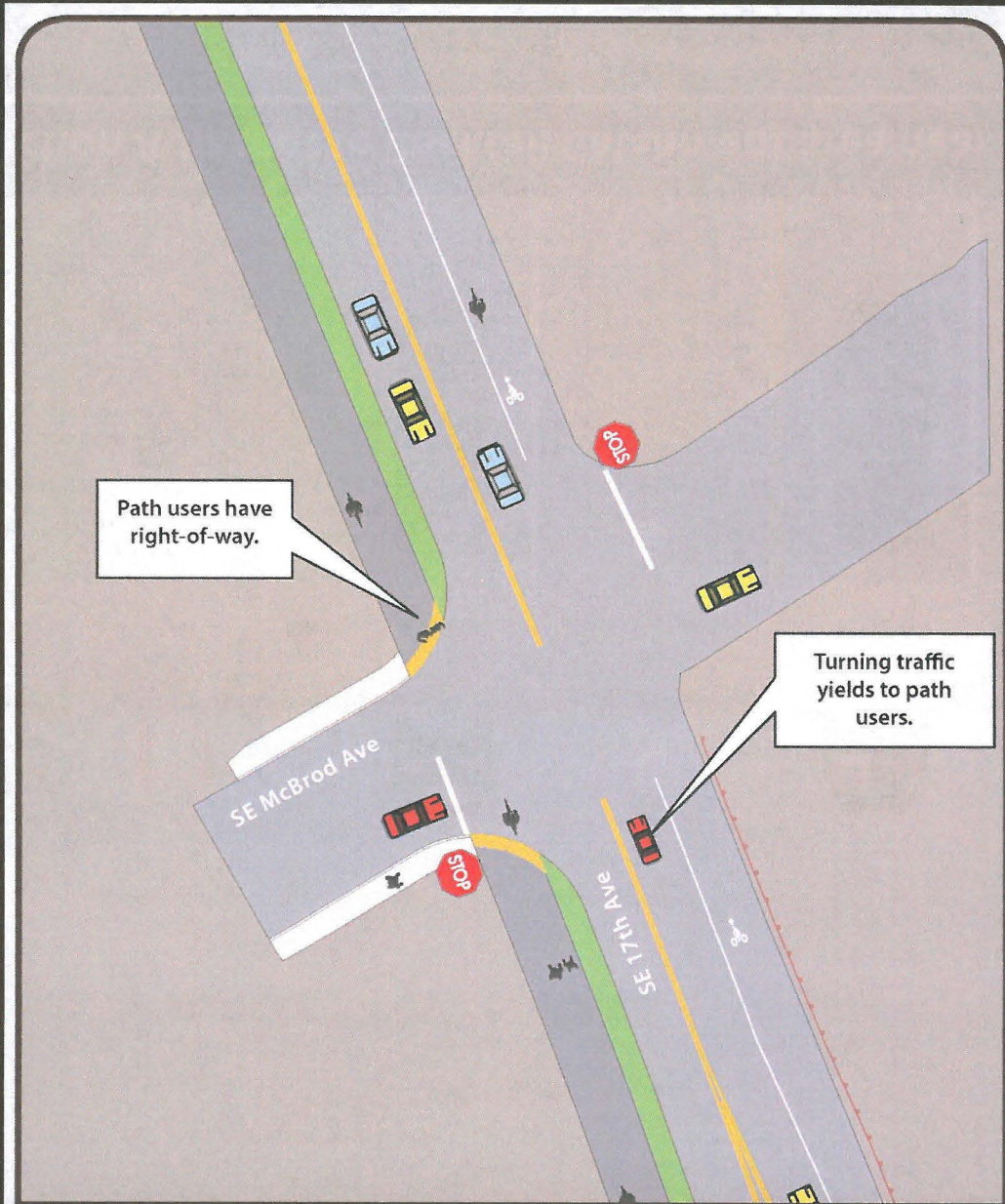
Shared Use Path at SE McBrod Avenue





**Typical Section Adjacent to Rockfall Catchment area near Hwy 224**



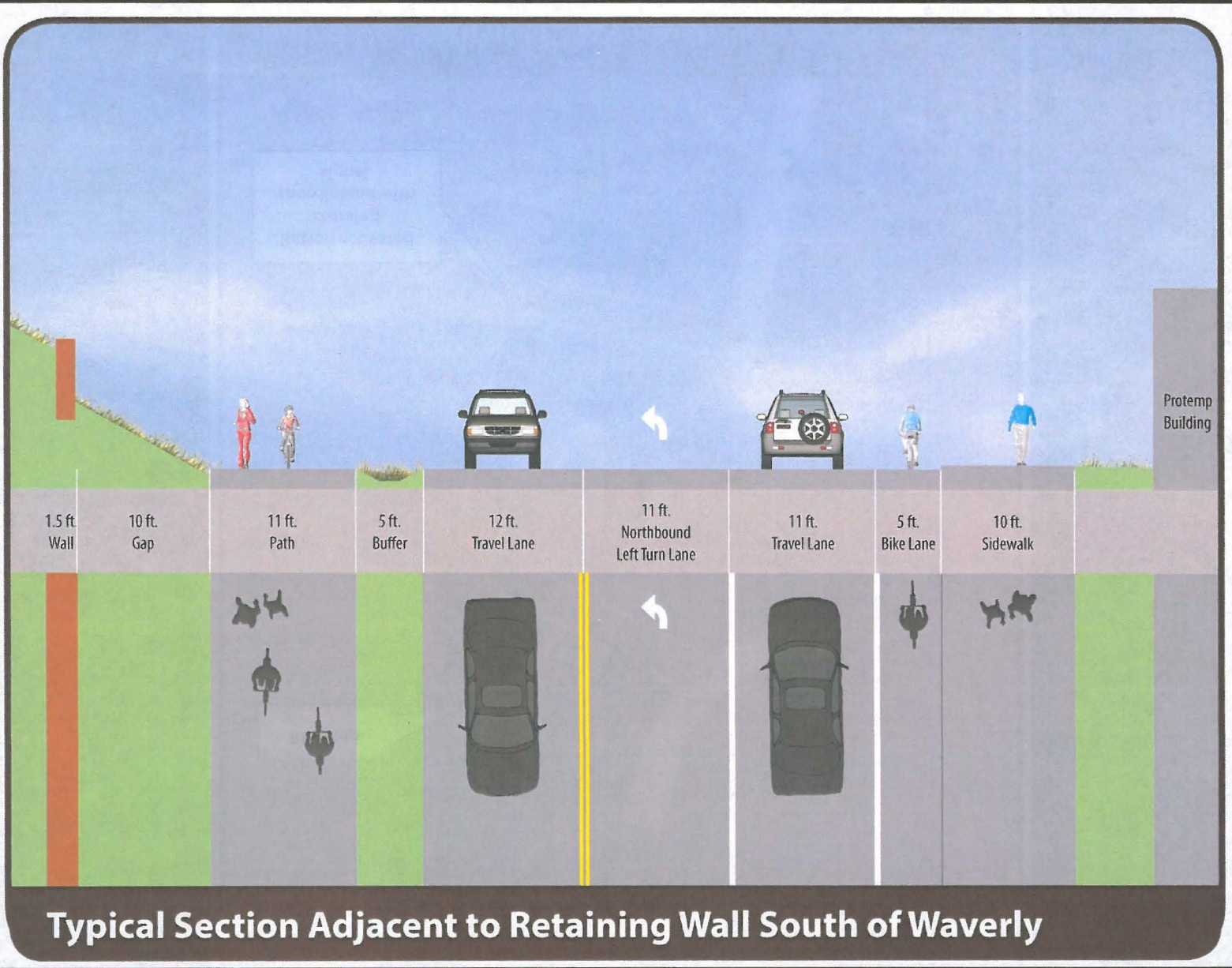


Path users have right-of-way.

Turning traffic yields to path users.

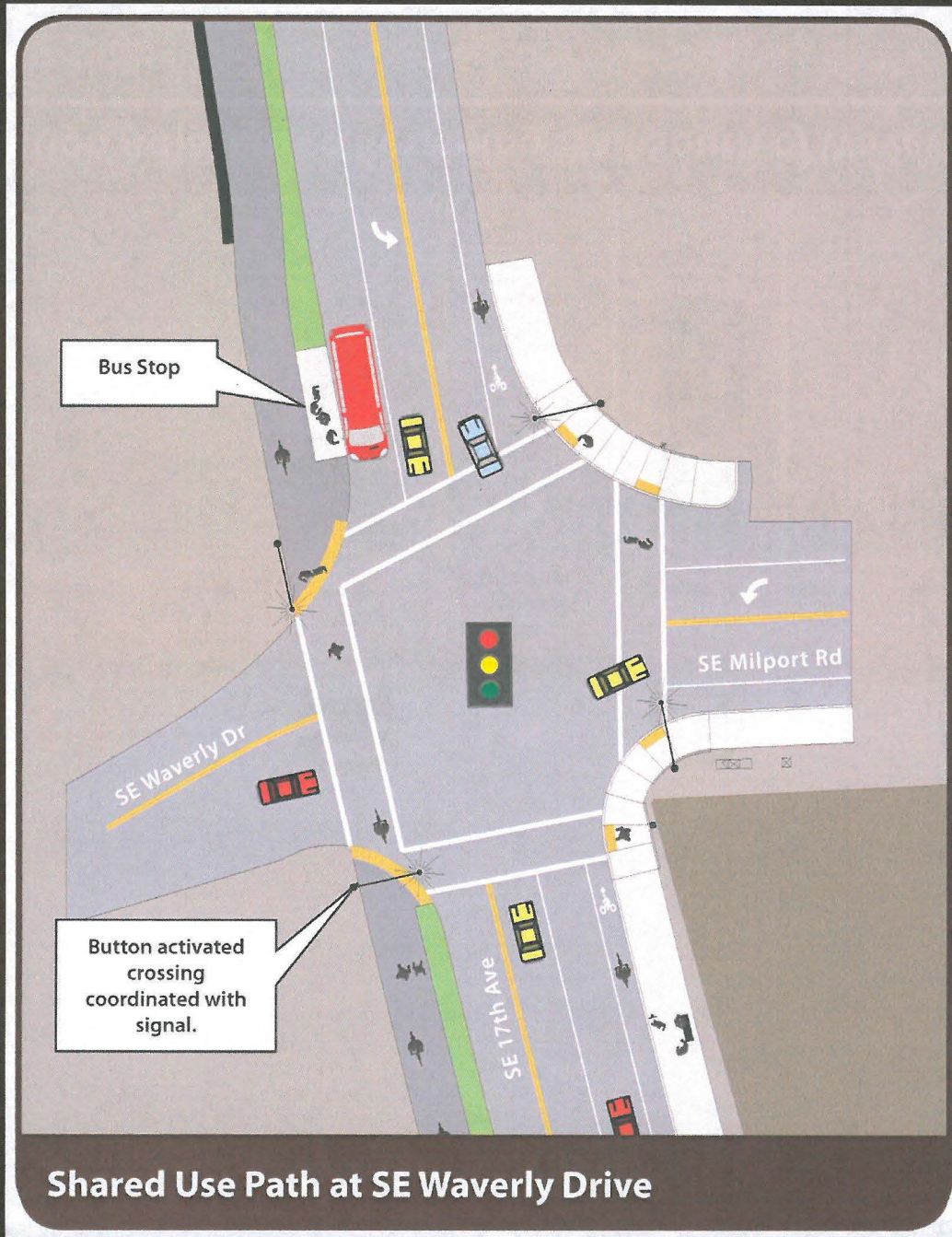
Shared Use Path at SE McBrod Avenue





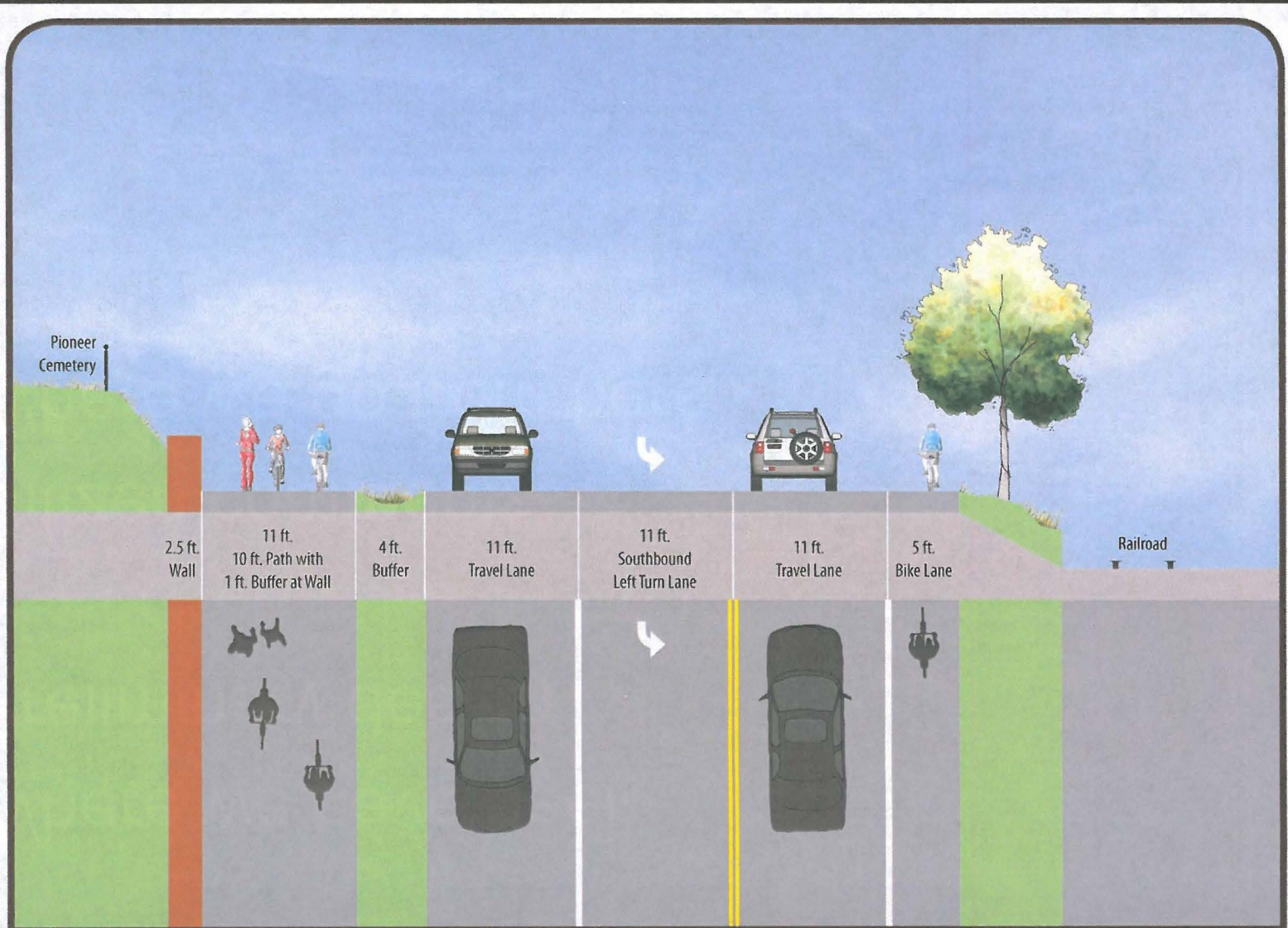
Typical Section Adjacent to Retaining Wall South of Waverly





Shared Use Path at SE Waverly Drive





**Typical Section Adjacent to Milwaukie Pioneer Cemetery**



# 17<sup>th</sup> Avenue Multi-Use Path

- Where we have been
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11/4/2014

# 17<sup>th</sup> Avenue Multi-Use Path

- Where we have been
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11/4/2014

# Citizen Comments

- The plan looks good. The sooner the better!
- Thank you for making this project a priority!
- Very excited about the project. We look forward to being able to bike more safely to Milwaukie and the Trolley Trail.



11/4/2014

# Citizen Comments

- Please increase signage and striping at Waverly Ave and Lava Drive intersections.
- This will create increased demand for crossing 17<sup>th</sup> at Ochoco, which is a dangerous crossing. Something needs to be done to improve that.
- Delete the bike lane on the east side of 17<sup>th</sup> and add to the multi-use path on the west side.



11/4/2014

# 17<sup>th</sup> Avenue Multi-Use Path

- Where we have been
- Preliminary design
- Project process/potential road blocks
- Citizen comments
- Where we go from here



11/4/2014



**MILWAUKIE CITY COUNCIL  
REGULAR SESSION**

City Hall Council Chambers  
10722 SE Main Street  
www.milwaukieoregon.gov

**AGENDA  
NOVEMBER 4, 2014**

2,185<sup>th</sup> Meeting

- |  | <b>Page #</b> |
|--|---------------|
| <b>1. CALL TO ORDER</b>  |               |
| <b>Pledge of Allegiance</b>  |               |
| <b>2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS</b>  |               |
| <b>A. Veterans Day Proclamation</b>  | <b>2</b>      |
| <b>B. 17<sup>th</sup> Avenue Multi-Use Path Update</b>   | <b>3</b>      |
| Staff: Brad Albert, Civil Engineer   |               |
| <b>B. TriMet Bus Service Changes Workshop Announcement</b>   |               |
| <b>3. CONSENT AGENDA</b>   |               |
| These items are considered routine, and therefore, will not be allotted discussion time on the agenda; these items may be passed by the Council in one blanket motion; any Councilor may remove an item from the "Consent" agenda for discussion by requesting such action prior to consideration of that part of the agenda.  |               |
| <b>A. City Council Meeting Minutes</b>   | <b>5</b>      |
| 1. September 18, 2014, Study Session;  |               |
| 2. October 7, 2014, Work Session; and  |               |
| 3. October 7, 2014 Regular Session.  |               |
| <b>B. Library Expansion Task Force (LETF) Appointments – Resolution</b>  | <b>15</b>     |
| <b>4. AUDIENCE PARTICIPATION</b>   |               |
| The presiding officer will call for citizen statements regarding City business. Pursuant to Milwaukie Municipal Code (MMC) Section 2.04.140, only issues that are "not on the agenda" may be raised. In addition, issues that await a Council decision and for which the record is closed may not be discussed. Persons wishing to address the Council shall first complete a comment card and submit it to the City Recorder. Pursuant to MMC Section 2.04.360, "all remarks shall be directed to the whole Council, and the presiding officer may limit comments or refuse recognition if the remarks become irrelevant, repetitious, personal, impertinent, or slanderous." The presiding officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak. |               |
| <b>5. PUBLIC HEARING</b>   |               |
| Public Comment will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.  |               |
| <b>A. None scheduled.</b>  |               |

**6. OTHER BUSINESS**

These items will be presented individually by staff or other appropriate individuals. A synopsis of each item together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.

**A. Parking Lot Sweeping Service Memo of Understanding (MOU) with Oak Lodge Sewer District – Resolution 28**

Staff: Gary Parkin, Public Works Director  
Kenny Hill, Street/Water Supervisor

**B. Council Reports**

**7. INFORMATION**

**8. ADJOURNMENT**

**Public Notice**

Executive Sessions: The Milwaukie City Council may meet in Executive Session immediately following adjournment pursuant to ORS 192.660(2). All Executive Session discussions are confidential and those present may disclose nothing; representatives of the news media may attend as provided by ORS 192.660(3) but must not disclose any information discussed. Executive Sessions may not be held for the purpose of taking final actions or making final decisions and they are closed to the public.

The Council requests that mobile devices be set on silent or turned off during the meeting.

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**Regular Session  
Agenda Item No.**

**2**

**Proclamations,  
Commendations,  
Special Reports,  
& Awards**



**CITY OF MILWAUKIE**  
*"Dogwood City of the West"*

**PROCLAMATION**

**WHEREAS**, President Woodrow Wilson first proclaimed November 11, 1919, in commemoration of the end of World War I, the "War to End All Wars", and to promote the nation's "solemn pride in the heroism of those who died in the country's service"; and

**WHEREAS**, the United States of America has since 1938 recognized November 11<sup>th</sup> as a national holiday to "be dedicated to the cause of world peace"; and

**WHEREAS**, in the 21<sup>st</sup> Century Veterans Day continues to unite communities across this country, and around the world, to honor military veterans and their profound legacy of selfless service and sacrifice in the pursuit of a More Perfect Union and a More Just World; and

**WHEREAS**, the City of Milwaukie is proud to partner with American Legion Post 180 to commemorate the 50<sup>th</sup> Anniversary of the Vietnam War, and to recognize the men and women who served our nation during that conflict and all conflicts, and in times of peace; and

**WHEREAS**, the City of Milwaukie wishes to recognize and appreciate the many known and silent sacrifices made by the men and women who have served our country, in the hope that all people may enjoy the fruits of justice and liberty today and in the future.

**NOW, THEREFORE**, I, Jeremy Ferguson, Mayor of the City of Milwaukie, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim **November 11<sup>th</sup>, 2014**, to be **Veterans Day** in the City of Milwaukie, and do commend its observance to all citizens of the *Dogwood City of the West*.

**IN WITNESS WHEREOF**, and with the consent of the City Council of the City of Milwaukie, I have hereunto set my hand on this 4<sup>th</sup> day of November, 2014.

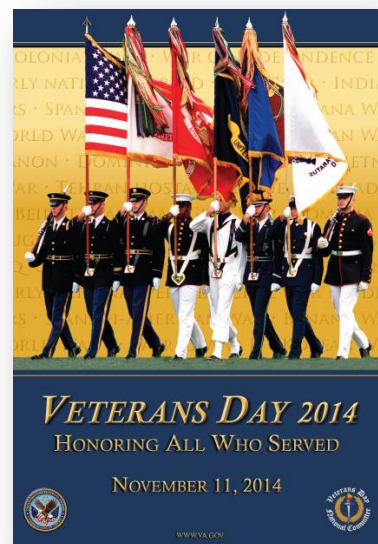
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Jeremy Ferguson, Mayor

ATTEST:

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Pat DuVal, City Recorder





MILWAUKIE CITY COUNCIL  
**AGENDA ITEM SUMMARY**

Agenda Item: **RS 2. B.**

Meeting Date: **11/4/14**

Title: **17<sup>th</sup> Avenue Multi-Use Path Update**

Prepared By: Brad Albert, Civil Engineer

Department Approval: Jason Rice, Engineering Director

City Manager Approval: Bill Monahan

Approval Date: October 23, 2014

**ISSUES BEFORE COUNCIL**

Informational report to update the status of the 17<sup>th</sup> Avenue Multi-Use Path.

**STAFF RECOMMENDATION**

Not applicable

**KEY FACTS & INFORMATION SUMMARY**

- The City and design consultant have submitted the 30% design plans to ODOT for review on October 16, 2014. This submittal is the first major milestone in the design process and is on schedule.
- The City had an Open House on October 27, 2014 at City Hall to discuss the preliminary design plans.
- The City held a second ride along event on October 30, 2014. The event had staff and interested parties ride the project limits on bikes to discuss the preliminary design elements.
- The City had meetings with affected property owners to discuss the impact of the project on their property and options to mitigate the impacts (i.e. cut slope versus a constructed wall on the property).

**OTHER ALTERNATIVES CONSIDERED**

Not Applicable

**CITY COUNCIL GOALS**

Allocate resources within the Capital Improvement Plan to improve livability in the neighborhood

**FISCAL NOTES**

The City has a 10.27% match on grant money received for the project. The total match is approximately \$350,000. The total project cost is approximately \$3.5 million.

**ATTACHMENTS**

N/A



**Regular Session  
Agenda Item No.**

**3**

# **Consent Agenda**



**MINUTES**  
MILWAUKIE CITY COUNCIL  
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**STUDY SESSION**  
September 18, 2014  
City Hall Conference Room

**Mayor Ferguson** called the study session to order at 6:00 p.m.

Council Present: Council President Hedges and Councilors Scott Churchill, Mark Gamba, and Mike Miller

Staff Present: City Manager Bill Monahan, Assistant to the City Manager Mitch Nieman, City Recorder Pat DuVal, Community Development Director Steve Butler, Planning Director Denny Egner, and Senior Planner Li Alligood

**Moving Forward Milwaukie – Briefing #10: Public Area Requirements (PAR) and Financial Tools**

**Mr. Butler** introduced the topic and said the purpose of this session was to get direction from the Council on public area requirements (PAR), site specific tax increment financing (TIF) zones, and the vertical housing tax abatement (VHTA) program.

The group discussed the most appropriate approach to create a pedestrian friendly environment with a focus on downtown aesthetics without the PARs' being a barrier to development. Developers had commented that Main Street had good bones, so a holistic approach was likely superior to a piecemeal approach. When new development occurs, development should contribute to the improvements. The Project Advisory Committee (PAC) and public felt the City should play some role. The key questions on the PARs were prioritization and timing of the frontage improvements. It was noted that some blocks had already been developed.

**Mr. Popenuk**, ECONorthwest Policy Analyst, provided a list of PAR elements and their estimated costs per block frontage on Main Street. The group discussed priorities and improvements for only a portion of the block. **Councilor Churchill** discussed half-street improvements, and **Mr. Popenuk** commented on sidewalk widening and the Engineering Department's decision-making role in terms of compliance with standards.

**Councilor Churchill** thought the \$500,000 estimate was misleading and felt the price tag was a distraction and should be removed

**Councilor Gamba** asked if the City could negotiate with property owners individually, and **Mr. Popenuk** replied that individual negotiations were at the Council's discretion if it wished to provide a portion of the funding. **Mr. Butler** added that the process would have to be above board and discernable if done on a case by case basis.

**Councilor Miller** had written a Resolution suspending PARs until they were rewritten. He did not feel 15-foot sidewalks were necessary.

The group discussed block by block differences and accommodating outdoor seating. Councilors provided feedback on a strategic decision on undergrounding utilities.

**Mr. Popenuk** said 15-foot sidewalks may not be necessary in every instance. He encouraged value engineering the small elements and developing a strategic solution for the larger elements like sidewalk widening and utility undergrounding.

**Councilor Churchill** commented on the feasibility of collecting fees in lieu of construction (FILOC) but acknowledged that might be a difficult way to go. He discussed adaptive reuse and was concerned about disproportionality. The group thought the FILOC window to spend the money might be shortened to 5 years.

**Mr. Popenuk** said the slides did not answer every little question. He hoped to get input on the relative priority of the PARs and exploring fees scaled to the size of the project as well as considering options for funding the larger PAR elements.

**Councilor Churchill** suggested looking into helping developers getting cash at a lower rate and considering options on a per block basis.

**Mr. Monahan** thought this could be done similarly to a local improvement district (LID).

**Mr. Popenuk** said the typical funding sources were urban renewal, LIDs, and general obligation bonds all of which would have to go through a public process. The main question was whether or not staff should prepare a scenario involving public funds. The benefit of redoing Main Street could be an increased tax base.

**Mr. Monahan** thought there should be a legitimate effort to find a balance with PARs not totally financed by public funds.

**Council President Hedges** did not think many people came to the downtown and that it would never have something that attracted a lot of people like a Walmart would. Small businesses and niche businesses will likely move in. He thought it would be difficult to persuade people to put property tax money toward the downtown. If he was paying for undergrounding utilities in the downtown, then he thought it would only be fair to do likewise in the neighborhoods. Things would need to be equitable across the City.

**Councilor Miller** was not in favor of urban renewal unless it went to a vote of the people. The people who would benefit from an LID should vote on it.

**Councilor Gamba** said he was absolutely in favor of LIDs and recommended leaving the other two funding sources in the toolbox as well. He was not opposed to having a vote on urban renewal. He was interested in seeing information on a sidewalk program similar to the Street Surface Maintenance Program (SSMP).

**Mayor Ferguson** supported the concept of doing a citywide sidewalk program. He liked the idea of LIDs and supported site specific urban renewal.

The group discussed the genesis of the PARs. **Mr. Butler** said the purpose of the PARs was to create a pleasing pedestrian environment; however, the expectation that the developer would pay for them had proven to be an issue in some cases.

**Mr. Popenuk** reviewed the site specific TIF option, noting that the Council could keep it in the toolbox without immediately creating a zone. If a developer submitted a plan in the future and needed to overcome a funding gap, then the TIF and the VHTA could be considered. He discussed options to inject dollars into a project and added that the City could have leverage with the TIF option but that the VHTA was a State program.

**Councilor Churchill** said he was leaning more toward property reuse where the financial gap would not be as great as with new development. He reluctantly agreed to leave TIF in the toolbox.

**Councilor Miller** was not opposed to the TIF option, but if the goal was to keep Milwaukie a small town, then he did not support increased building heights.

**Mr. Popenuk** discussed market rents and noted that some areas in the region were turning around.

**Councilor Churchill** was concerned about giving away the farm without knowing the future of the market. He noted that North Main Village had turned out to be a placeholder rather than a catalyst. He supported adaptive reuse.

**It was the consensus of the group to keep site specific TIF in the toolbox.**

**Mr. Popenuk** described the VHTA program that was overseen by the State. The Council would decide what locations would qualify as a VHTA zone, and the developers could then apply to the state for benefits. The project must be mixed use with a residential component that was used to determine the tax abatement. If the project is

affordable housing, then the land value also qualifies for the abatement. The abatement lasts for 10 years. This all occurs when there is a developer on the doorstep. He explained that taxing districts such as the Clackamas Fire and North Clackamas School District can opt out, but that typically does not happen. If the City had specific goals such as market rate housing, it could wait until there was a developer at the table.

**Council President Hedges** said his he wanted more downtown housing to attract people with disposable incomes although he agreed there should also be some affordable housing.

**Mr. Popenuk** said as long as all the tools were available Council and staff will know what it has to offer a developer. The Council may opt not to use any of them until the right developer comes along. As long as there was a legal agreement between the City and the developer, any deviation could be a breach of contract.

The group discussed the Texaco and Cash Spot sites and building heights. **Mr. Popenuk** had looked at 17 projects statewide and found that only 1 was 5 stories and the rest were 3 or 4 stories.

**Councilor Churchill** thought there would be a sweet spot for capital development and asked for examples of those that benefitted cities. He asked for a comparison of how much North Main Village actually cost the City and how long it took to break even and factoring in the loss of Safeway.

**Council President Hedges** asked for information on doing a TIF, and although it might be difficult to predict if the development was a catalyst project, he was interested in how long it might take for the City to get the money back. He noted that developments like North Main Village had intangible benefits.

**Councilor Miller** said his real concern with these programs was that for the next 10 years residents would have to make up the difference in taxes.

**Mayor Ferguson** supported leaving VHTA in the toolbox as long as the City could work with the developer on a stipulation when transferring the property and **Councilor Gamba** stated that he agreed with Mayor Ferguson.

**Council President Hedges** said he could be persuaded if there was a binding contract.

**Mr. Popenuk** would make sure this language was in the work program so that staff knew there had to be a developer's agreement.

**Councilor Miller** discussed the change orders with the North Main Village project and the City's borrowing \$750,000 for PARs.

**Mr. Popenuk** understood this option was on the edge of falling out of the toolbox. If it were kept, then the Council would require legal agreements so the City got the kind of development it expected. He distributed a memo giving examples of public-private investment tools using the opportunity site concepts for Dark Horse and the Cash Spot.

The group discussed parking options related to the Cash Spot site.

**Mayor Ferguson** adjourned the study session at 8:04 p.m.

Respectfully submitted,

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Pat DuVal, Recorder



**MINUTES**  
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**WORK SESSION**  
OCTOBER 7, 2014  
City Hall Conference Room

**Council President Hedges** called the Work Session to order at 5:00 p.m.

Council Present: Councilors Scott Churchill, Mark Gamba, and Mike Miller

Excused: Mayor Ferguson

Staff: City Manager Bill Monahan, Assistant to the City Manager Mitch Nieman, City Recorder Pat DuVal, Community Development Director Steve Butler, Planning Director Denny Egner, Finance Director Casey Camors, Light Rail Construction Manager Stacy Bluhm, Assistant Finance Director Bonnie Dennis, and Public Works Director Gary Parkin.

**City Manager's Report**

**Mr. Monahan** announced that the Portland General Electric (PGE) wind power purchase agreement agenda item had been moved to the October 21, 2014, Regular Session agenda, and he discussed City employee life insurance rates, the proposed bus-to-light rail feeder system, the ongoing upgrades of the county radio system, and the 2014 Ed Zumwalt Volunteer of the Year Award. He noted that Council would be meeting in Executive Session, and he discussed the status of the Hospital Facilities Authority.

**Community Development Update**

**Mr. Rice** and **Mr. Bulter** introduced new staff members Chrissy Dawson, Engineering Technician II, and Samantha Vandagriff, Building Official.

**Ms. Vandagriff** reported the number of permits issued and inspections performed in the third quarter of fiscal year 2014 in comparison to fiscal year 2013.

**Mr. Rice** provided an update on Riverfront Park Phase II construction and the Winter Solstice event which would probably not include a bonfire due to the construction work.

**Councilor Miller** commented on the feasibility of firework displays at Riverfront Park for Milwaukie Festival Daze and the Vietnam Memorial Wall event. **Mr. Rice** said the risk of an event damaging the newly seeded grass would be lower by next summer.

**Councilor Miller** added that the City of Portland re-seeded Tom McCall Waterfront Park following each event held in that park. **Mr. Butler** said that staff would bring options to Council regarding the use and care of Riverfront Park.

**Mr. Rice** reported that recent Riverfront Park tree loss was due to the activities of beavers.

**Mr. Butler** announced that the Milwaukie Garden Club would be dedicating a Blue Star Memorial marker at Riverfront Park. He reported that the four parks master planning process had been going well, and he noted the schedule of upcoming meetings.

**Councilor Churchill** remarked on concerns about the lack of Americans with Disability Act (ADA) accessibility to Robert Kronberg Park, and **Mr. Butler** agreed that access to Kronberg Park included complex issues that needed to be considered further.

**Council President Hedges** pointed out that none of the four parks currently being planned featured ADA accessible play structures.

**Mr. Rice** provided an update on the 17<sup>th</sup> Avenue Multiuse Path project and noted that staff had met with property owners and were working on the design plan.

**Mr. Egner** reported on the process to remove the 21<sup>st</sup> Avenue Extension from the Comprehensive Plan, the recent tree replacement project conducted by Clackamas County Water Environment Services (WES), and recent Moving Forward Milwaukie (MFM) program and Monroe Street Neighborhood Greenway project developments.

**Councilor Churchill** and **Councilor Gamba** discussed temporary and permanent striping, tabbing, and foil options for traffic lines on Monroe Street.

**Mr. Butler** reported discussions regarding the North Industrial Area (NIA) with Clackamas County and Oregon State University, and **Councilor Churchill** and **Councilor Gamba** expressed interest in participating in the conversations.

### **Audit Committee Update**

**Ms. Camors** introduced the topic and Troy Reichlein, Audit Committee Chair.

**Mr. Reichlein** introduced Audit Committee members Macy Ray, John Fox, and Councilor Churchill, and reported that the auditor's interim field work was done and that the Finance Department was working on the Comprehensive Annual Financial Report (CAFR). He discussed the committee's role in communicating financial concerns to the auditor.

**Council President Hedges** expressed his faith in the City's current financial practices and asked that detailed explanations be provided when a department goes over budget.

**Ms. Camors** noted that the Finance Department is required to disclose budget overages to Council and the State, and **Council President Hedges** remarked on the need for transparency through non-technical explanations to the public when budgets are overspent.

**Councilor Churchill** noted that Council had approved a change in auditor firms, and **Mr. Reichlein** discussed the benefits of going through the audit firm selection process in terms of defining what levels of service the Council would like the auditor to provide.

**Ms. Ray** discussed differences between a check-list audit and a risk-based audit.

**Mr. Reichlein** discussed the auditor recommendation to set-up an anonymous third-party fraud reporting hotline, and **Ms. Camors** noted several available hotline products.

**Councilor Churchill** said he thought fraud reports should go through the Audit Committee for distribution to Council and staff as appropriate.

**Councilor Gamba** asked about the type of fraud that could be reported through a hotline. **Ms. Camors** replied that any fraud could be reported; she discussed differences in hotline systems and suggested the City consider spending between \$250 and \$5,000 per year.

**Council President Hedges** asked staff to continue researching hotline products and to route a recommendation to Council through the Audit Committee. He agreed that the Audit Committee ought to provide independent oversight of a fraud reporting system, and members of the Audit Committee voiced their agreement.

### **Kellogg Good Neighbor Committee (KGNC) Update**

**Mr. Parkin** and **Dion Shepard**, KGNC Chair, provided an update on the KGNC's effort to refine the Kellogg Treatment Plant (KTP) landscaping planting plan. They noted tree removal was part of the planting plan and that the estimated cost was about \$270,000. They discussed the Kellogg Good Neighbor Fund's funding source and working with WES on the landscaping projects and prioritizing capital improvement projects (CIPs).

**Councilor Gamba** noted that an engineer had been hired to prioritize the CIP list for final recommendation of project order to WES and that CH2M Hill had submitted the better bid and seemed to have the most comprehensive thought process.

**Councilor Churchill** said CH2M Hill was an excellent firm to work with and asked what work had been done over the last 18 months by the previously contracted engineers.

**Ms. Shepard** and **Mr. Parkin** discussed the bid review process, noted that WES was conducting odor testing and reported that CH2M Hill would begin work soon.

The group discussed recent odor issues related to facility modifications at the KTP.

**Councilor Gamba** and **Ms. Shepard** discussed the need to finish the odor study so that the KGNC and Council could recommend CIPs to pursue. They summarized that the KGNC was seeking direction from Council to continue the landscaping plan and to spend the remaining \$270,000 available on the landscaping at KTP.

The group discussed the phases of planting and concerns about planting be done by next fall to coincide with the completion of Riverfront Park.

**Ms. Shepard** explained that Council had previously approved spending \$150,000 on landscaping and that Council needed to approve spending the additional \$270,000. She noted that WES had requested the removal of several damaged trees through the Kellogg Good Neighbor landscaping process.

**Council President Hedges** asked how the additional funding would be spent, and **Ms. Shepard** and **Mr. Parkin** responded that \$120,000 was for trees and shrubs and that it would cost \$490,000 to complete all planting phases. They noted that the KGNC recommendation was to complete the phases as the fund could afford to pay for it.

**Councilor Miller**, **Councilor Churchill**, and **Ms. Shepard** discussed the size of the new trees, the public reaction to the appearance of the new landscaping, how the landscaping addressed the odor issues, and the public notification process for the different phases.

**Councilor Churchill** expressed concern that the previous engineering firm had not prioritized the CIPs and said he was glad CH2M Hill would be involved now.

**Ms. Shepard** remarked that the last 18 months of work had been bogged down by the lack of data collected by the engineering firm and by the leadership at WES.

The group discussed the size and type of trees to be planted around the KTP.

**Councilor Gamba** noted that all of the CIP projects will be expensive to complete and said that regardless any prioritizing of the CIPs it will be a long-term process to finish them. He commented that the interim leadership at WES has helped KGNC efforts.

**Councilor Churchill** said he expected public concern about the initially small new landscaping and the public perception about a lack of odor control measures.

**Council President Hedges** said he agreed with Councilor Churchill and commented on WES' role in controlling the odor. He summarized that Council was directing the KGNC to submit a formal request to spend the additional funds on landscaping to take to WES.

**Councilor Churchill** said he supported contracting with CH2M Hill and expressed his frustration about how long it has taken to prioritize the CIPs.

**Ms. Shepard** noted that at its next meeting the KGNC would address how the public is notified about the different phases of the planting plan. **Councilor Miller** commented on the need to notify the public outside of city limits as well as Milwaukie citizens and expressed his appreciation for Ms. Shepard's leadership of the KGNC.

**Mr. Monahan** discussed the joint City-WES work of the KGNC landscaping and CIPs.

The group discussed the Council timeline to formally authorize the requested additional KTP landscaping funds and the impact of that timeline on the current planting season.

### **TriMet Routing Update**

**Mr. Egner** reviewed the TriMet bus routing plan previously presented to Council and introduced Jennifer Koozer, TriMet Senior Community Affairs Representative, and Kerry Ayres-Palanuk, TriMet Service Planning Manager.

**Ms. Koozer** reported on TriMet's outreach work to solicit public feedback on their plan to re-route bus lines throughout the southeast service area to sync up with the opening of the light rail orange line in September 2015. She announced additional outreach events, including on November 6, 2014, at Milwaukie High School.

**Ms. Ayres-Palanuk** discussed proposed bus route changes that would combine bus lines to increase service and neighborhood service to light rail stations.

The group discussed the proposed doubling of service for the Express 99 bus line.

**Ms. Ayres-Palanuk** discussed TriMet's proposal to streamline bus service by limiting most bus traffic to Washington Street and removing bus traffic on Jefferson and Monroe Streets.

The group discussed the proposed number of bus lines that would be running around the new light rail station and on Washington Street, and the method and data used to model traffic patterns in south downtown Milwaukie. It was noted that the neighborhood had expressed concern about increased traffic around the light rail station and the unknown impact of the freight trains that run through Milwaukie.

**Councilor Gamba** asked about the anticipated commute time to downtown Portland, and **Ms. Ayres-Palanuk** reported that the modeled traffic patterns suggest light rail and bus commute times during rush hour of 22-25 minutes, similar to the current bus times.

The group discussed the anticipated volume of bus traffic on Jackson Street and concerns about increased congestion on Washington Street.

### **Sidewalk Enhancement Program**

**Council President Hedges** announced that Council would resume the conversation started during the City Manager's Report regarding a sidewalk enhancement program.

**Mr. Butler** reviewed prior Council discussion regarding sidewalk enhancement goals and the Safe Routes to School program. He listed steps to enact a sidewalk program and noted concerns about Right-of-Ways (ROW), dealing with topography, and funding methods. He suggested that City could take on such a program with appropriate planning.

**Councilor Churchill** said some of the sidewalk project cost estimates seemed low. **Mr. Butler** noted that some streets would not be appropriate for sidewalks on both sides and that most projects with lower dollar amounts included the use of grant funds.

**Council President Hedges** talked about the possibility of using a local improvement district (LID) to install sidewalks down Home Avenue and asked how far off the improved street a LID would extend? **Mr. Butler** replied that the City could look at the benefit of different approaches to a LID, and **Mr. Monahan** added that each street can bring different alternatives; he noted the need for community buy-in for LIDs.

**Councilor Gamba** asked how many sidewalks would need to be replaced and how many would be new. **Mr. Butler** replied that he would need to do research, and **Council President Hedges** commented on the status of different sidewalks around the City.

**Mr. Butler** said that staff was looking for Council direction on how much to participate in a sidewalk program and discussed the possibility of the North Clackamas School District (NCSD) securing a grant to do sidewalk and safety upgrades at all NCSD school facilities. He said staff would like to have a discussion with Council about which projects to pursue.

It was the Council consensus to schedule a sidewalk enhancement discussion.

**Mr. Monahan** asked Council to solicit feedback on which streets should be considered and given priority so staff could put maximum planning to the areas that want sidewalks.

**Councilor Gamba** provided a brief summary of the Safe Routes to School program.

**Council President Hedges** adjourned the work session at 7:05 p.m.

Respectfully submitted,

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Scott S. Stauffer, Administrative Specialist II



**MINUTES**  
MILWAUKIE CITY COUNCIL  
www.milwaukieoregon.gov

**REGULAR SESSION**  
OCTOBER 7, 2014  
City Hall Council Chambers

**Council President Hedges** called the 2,183<sup>rd</sup> meeting of the City Council to order at 7:15 p.m.

Council Present: Councilors Mike Miller, Scott Churchill, and Mark Gamba

Excused: Mayor Ferguson

Staff Present: City Manager Bill Monahan, City Attorney Tim Ramis, City Recorder Pat DuVal, Assistant to the City Manager Mitch Nieman, Community Development Director Steve Butler, Planning Director Denny Egner, Police Chief Steve Bartol, Police Captain Mark Dye, and Police Officer Kenny Simac

**CALL TO ORDER**

Pledge of Allegiance

**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

**Chief Bartol** introduced **Officer Kenny Simac**, Milwaukie's newest police officer.

**A. Domestic Violence Awareness Month Proclamation**

**Chief Bartol** and **Amy Doud**, Clackamas County Women's Services, introduced the Proclamation. **Council President Hedges** read the Proclamation naming October 2014 as *Domestic Violence Awareness Month*.

**B. National Archives Month Proclamation**

**Ms. DuVal** introduced the Proclamation, and **Council President Hedges** read the Proclamation naming October 2014 as *National Archives Month*.

**C. Community Planning Month Proclamation**

**Mr. Egner** introduced the Proclamation, and **Council President Hedges** read the Proclamation naming October 2014 as *Community Planning Month*.

**CONSENT AGENDA**

It was moved by **Councilor Miller** and seconded by **Councilor Churchill** to approve the consent agenda as presented.

**A. City Council Meeting Minutes:**

1. August 19, 2014, Regular Session;
2. August 21, 2014, Study Session;
3. September 2, 2014, Work Session;
4. September 2, 2014, Regular Session;
5. September 16, 2014, Work Session; and
6. September 16, Regular Session

**B. Receive and File City Council Goals Update**

**C. Resolution 79-2014: A Resolution of the City Council of the City of Milwaukie, Oregon, Authorizing the City Manager to Approve the Purchase of Two Police Patrol Vehicles from Northside Ford Truck Sales and the Associated Safety Equipment for Each Vehicle from Auto Additions for a Total Cost Not to Exceed \$91,647.34.**

**Motion passed with the following vote: Councilors Miller, Churchill, and Gamba and Council President Hedges voting “aye.” [4:0]**

#### **AUDIENCE PARTICIPATION,**

**Mr. Monahan** reported there was no follow up from the previous City Council meeting.

**Alicia Hamilton** and **Ed Zumwalt**, Milwaukie residents. Ms. Hamilton said it had been an honor to work with Mr. Zumwalt on the First Friday Events over the past several years. She announced she was stepping down as one of the event organizers to spend more time with her family. She thanked the sponsors that included Clackamas County Tourism, The Clackamas Review, Celebrate Milwaukie, Inc., Willamette View, PDX Design, and the City of Milwaukie.

**Mr. Zumwalt** thanked the sponsors and the City and expressed particular appreciation to Ms. Hamilton for her invaluable organizational skills. First Friday was granted 501(c)3 status to provide those taking over in the future more structure to follow.

#### **PUBLIC HEARING**

There was none scheduled.

#### **OTHER BUSINESS**

##### **A. Expedited Annexation of the Property Located at 5704 SE Flora Dr (File #A-14-03)– Ordinance**

**Mr. Egner** provided the staff report in which the City Council was requested to adopt an Ordinance annexing the properties at 5704 SE Flora Dr and 5703 – 5705 SE Flora Dr.

**It was moved by Councilor Gamba and seconded by Councilor Miller for the first and second readings by title only and adoption of the ordinance annexing tracts of land identified as Tax Lots 1S2E30DB00700 and 1S2E30DB01000 and located at 5704 SE Flora Dr and 5703-5705 SE Flora Dr into the City Limits of the City of Milwaukie and withdrawing the tract from the territory of Clackamas County Service District for Enhanced Law Enforcement and Clackamas County Service District No. 5 for Street Lights (File #A-14-03). Motion passed with the following vote: Councilors Miller, Churchill, and Gamba and Council President Hedges voting “aye.” [4:0]**

**Mr. Monahan** read the Ordinance two times by title only.

**Ms. DuVal** polled the Council: Councilors Miller, Churchill, and Gamba and Council President Hedges voting “aye.” [4:0]

##### **ORDINANCE NO. 2085:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ANNEXING TRACTS OF LAND IDENTIFIED AS TAX LOTS 1S2E30DB00700 AND 1S2E30DB01000 AND LOCATED AT 5704 SE FLORA DR AND 5703-5705 SE FLORA DR INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE AND WITHDRAWING THE TRACT FROM THE TERRITORY OF CLACKAMAS COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT AND CLACKAMAS COUNTY SERVICE DISTRICT NO. 5 FOR STREET LIGHTS (FILE #A-14-03).**

##### **B. Expedited Annexation of the Property Located at 5807 SE Cedar St (File #A-14-04) -- Ordinance**

**Mr. Egner** provided the staff report in which the City Council was requested to adopt an Ordinance annexing the property located at 5807 SE Cedar St.

**It was moved by Councilor Gamba and seconded by Councilor Churchill for the first and second readings by title only and adoption of the ordinance annexing a tract of land identified as Tax Lot 1S2E30DA03700 and located at 5807 SE Cedar Street into the City Limits of the City of Milwaukie and withdrawing the tract from**

the territory of Clackamas County Service District for Enhanced Law Enforcement and Clackamas County Service District No. 5 for Street Lights (File #A-14-04). Motion passed with the following vote: Councilors Miller, Churchill, and Gamba and Council President Hedges voting “aye.” [4:0]

Mr. Monahan read the Ordinance two times by title only.

Ms. DuVal polled the City Council: Councilors Miller, Churchill, and Gamba and Council President Hedges voting “aye.” [4:0]

**ORDINANCE NO. 2086:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ANNEXING A TRACT OF LAND IDENTIFIED AS TAX LOT 1S2E30DA03700 AND LOCATED AT 5807 SE CEDAR STREET INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE AND WITHDRAWING THE TRACT FROM THE TERRITORY OF CLACKAMAS COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT AND CLACKAMAS COUNTY SERVICE DISTRICT NO. 5 FOR STREET LIGHTS (FILE #A-14-04).**

**C. Council Reports**

**Councilor Miller** attended the Bowman & Brae Park and Robert Kronberg Park master planning meetings and heard valuable feedback.

**Councilor Gamba** attended the League of Oregon Cities (LOC) conference with Mr. Nieman and came back with some really valuable information.

**Councilor Churchill** attended the Robert Kronberg Park master planning session and felt the park accessibility was critical. He and Council President Hedges were featured readers at the First Friday Milwaukie Poetry Series event. He commented on the great downtown business participation with the First Friday event.

**Council President Hedges** discussed attending the Clackamas County Coordinating Committee (C4) meeting where he asked who the C4 represented and what it was coordinating. He enjoyed the poetry reading and was amazed at how many people were downtown on a Friday night. He thanked the artists for showing their works in the sculpture garden and announced the Breakside Brewery Oktoberfest, upcoming Library events, and the annual scarecrow contest organized by the Milwaukie Arts Committee.

**Council President Hedges** announced that the Council would meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

**ADJOURNMENT**

**It was moved by Councilor Gamba and seconded by Councilor Churchill to adjourn the Regular Session. Motion passed with the following vote: Councilors Miller, Churchill, and Gamba and Council President Hedges voting “aye.” [4:0]**

**Council President Hedges** adjourned the regular session at 8:11 p.m.

Respectfully submitted,

---

Pat DuVal, Recorder



MILWAUKIE CITY COUNCIL  
STAFF REPORT

**To:** Mayor and City Council  
**Through:** Bill Monahan, City Manager  
**Subject:** **Resolution to revise membership to the Library Expansion Task Force**  
**From:** Katie Newell, Library Director  
**Date:** November 4, 2014

**ACTION REQUESTED**

Revision of the Library Expansion Task Force (LETF) to update its membership

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

September 16, 2014, Work Session, LETF was instructed to update its membership, present to council an updated roster and continue its work on a library expansion.

December 18, 2012, Regular Session, the composition of the LETF was modified in recognition of changes caused by the November 2012 election, Resolution No. 63-2012.

February 21, 2012, Regular Session, the composition of the LETF was modified in recognition of changes to membership on the Library Board, Resolution No. 10-2012.

March 15, 2011, Regular Session, Council authorized creation of the LETF, Resolution No. 35-2011.

**BACKGROUND**

In order to reconvene the LETF, the membership needs to be updated to reflect changes in the representatives from the City's Boards, Commissions and Committees (BCCs). When possible, people remained on the Task Force to maintain continuity even if serving in a different capacity.

The Planning Commission was being asked to make an appointment at its October 28 meeting. The proposed Resolution will be updated in advance of the November 4, 2014, City Council meeting. The proposed Resolution, Attachment 5 of this Staff Report, includes a blank line for the name of the designated Planning Commission representative, which will be filled in following the formal naming of that body's LETF representative on October 28, 2014.

The Library Board, at its October 27, 2014 meeting, formally recommended that Kathi Schroeder and Ryan Healy be its LETF representatives.

MODA has provided a manager to serve on LETF. Representatives of MODA have served as the Task Forces local business representative since 2011 after notice was provided that the Council sought business representation on the Task Force.

The two Citizen-at-Large positions have been assumed by Melissa Perkins and Tom Hogan, both having served as Library Board representatives.

The remaining positions representing the City Council, Library Foundation, Budget Committee and the NDAs have remained the same.

**CONCURRENCE**

The Library Director supports updating the LETF roster while still maintaining continuity of the original task force created in 2011.

**FISCAL IMPACTS**

None at this time.

**WORK LOAD IMPACTS**

Library Director and Circulation Supervisor will attend meetings.

**ATTACHMENTS**

1. Resolution No. 35-2011, creating LETF
2. Resolution No. 50-2011, appointing original LETF members
- 3 .Resolution No. 10-2012, revision of LETF roster
4. Resolution No. 63-2012 revision of LETF roster
5. Resolution No. \_\_\_\_-2014 revision of LETF roster

**RESOLUTION NO. 35-2011**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,  
CREATING THE LIBRARY EXPANSION TASK FORCE.**

**WHEREAS**, the Ledding Library (Library) has served the Milwaukie community for many years at its present location; and

**WHEREAS**, in 2010 the City entered into a Cooperative Intergovernmental Agreement between the Library District of Clackamas County and Library Cities; and

**WHEREAS**, the Library has been found to have insufficient size to house all facilities needed to serve the City of Milwaukie and the service area assigned to the City through the Cooperative Intergovernmental Agreement; and

**WHEREAS**, under the Cooperative Intergovernmental Agreement the City will receive \$1 million in 2012 to be used for capital facilities associated with the library, and

**WHEREAS**, the City lacks a long term facility plan that identifies options for expanding or relocating some facilities of the Ledding Library; and

**WHEREAS**, the Ledding Library Board (Board) and the City Council met in January, 2011 and discussed the need for undertaking an analysis of the needs and opportunities for expanding the library

**WHEREAS**, the Board has recommended the formation of a Library Expansion task Force to assist the Board and Council to assist in evaluation and development of alternatives; and

**WHEREAS**, the Board has recommended that the Task Force be comprised of representatives from the citizens at large, the neighborhood district associations, the Library Board, the Council, the Planning Commission, the Budget Committee and the local business community, with the assistance of the Library Director and staff from the Planning Department and Finance department as ex officio members,

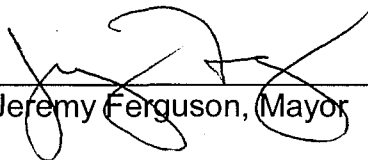
**NOW, THEREFORE, BE IT RESOLVED** that the City Council:

1. Creates the Library Expansion Task Force.
2. Authorizes the Mayor to bring forth names of representatives for approval by Council to fill the positions on the Task Force from the following:
  - a. Two Citizens at large
  - b. Two Neighborhood District Association representatives
  - c. Two Ledding Library board members

- d. A member of the City Council
  - e. A local business person
  - f. A Library Foundation member
  - g. A Planning Commissioner
  - h. A Budget Committee member
3. Designates that the Task Force will cease to function upon the completion of the following tasks:
- a. Develop a scope of work to evaluate options to either expand the Ledding Library or to pursue additional library facilities within the city that deliver services in association with the Ledding library (to be completed by July 1, 2011).
  - b. Evaluate the impact of assuming responsibility for delivering services to the unincorporated areas of Clackamas County (to be completed by July 1, 2011).
  - c. Cost out the options and present preliminary estimates to the City Council for direction (to be completed by September 1, 2011).
  - d. Follow Council direction and obtain necessary consultant services to develop detailed plans to present to Council of the alternative funding options (to be completed by January 1, 2012).

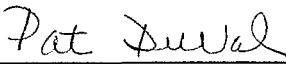
Introduced and adopted by the City Council on 3/15/11.

This resolution is effective on 3/15/11.

  
\_\_\_\_\_  
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Schrader Ramis PC

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

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

**RESOLUTION NO. 50-2011**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,  
APPOINTING THE LIBRARY EXPANSION TASK FORCE.**

**WHEREAS**, the Ledding Library Board recommended the formation of a Library Expansion Task Force to assist the Board and Council to assist in evaluation and development of alternatives; and

**WHEREAS**, the Board recommended that the Task Force be comprised of representatives from the citizens at large, the neighborhood district associations (NDAs), the Library Board, the Council, the Planning Commission, the Budget Committee and the local business community, with the assistance of the Library Director and staff from the Planning and Finance department as ex officio members; and

**WHEREAS**, Council stipulated that the citizen at large members and the NDA representatives should be appointed to represent the areas on either side of Highway 224, as follows - position A. the Lake Road, Historic Milwaukie and Island Station NDAs and position B. Hector Campbell, Ardenwald, Linwood, and Lewelling NDAs, and

**WHEREAS**, on March 15, 2011 the City Council passed Resolution 35-2011 creating a task force, and

**WHEREAS**, staff informed the various boards and committees of the opportunity to appoint representatives to the Task Force and on March 22, 2011 staff issued a press release and advertised the need for citizen and business member volunteers; and

**WHEREAS**, the designated groups have appointed representatives to serve on the Task Force and citizens have either applied or been nominated to serve, and

**WHEREAS**, Mayor Jeremy Ferguson has reviewed the list of applicants and recommends that the initial members of the Task Force be appointed,

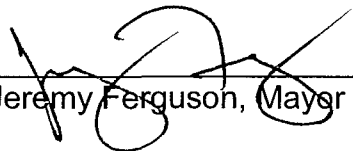
**NOW, THEREFORE, BE IT RESOLVED** that the City Council:

1. Appoints the initial members of the Library Expansion Task Force as follows:
  - a. Library Board – Mark Docken
  - b. Library Board – Tom Hogan
  - c. City Council – Greg Chaimov
  - d. Library Foundation – Ed Zumwalt
  - e. Budget Committee – Jon Stoll
  - f. Planning Commission – Lisa Batey

- g. Local Business person – ODS representative
- h. NDA Position A – Scott Churchill
- i. NDA Position B – Paul Klein
- j. Citizen At Large Position A – Christie Schaeffer
- k. Citizen At Large Position B – Kathi Schroeder


Introduced and adopted by the City Council on 5/3/2011

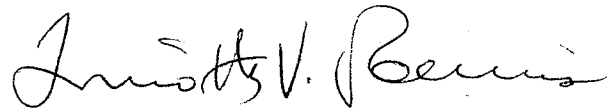
This resolution is effective on 5/3/2011.

  
\_\_\_\_\_  
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Schrader Ramis PC

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

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

Document2 (Last revised 09/18/07)

**RESOLUTION NO. 10-2012**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, REVISING THE LIBRARY EXPANSION TASK FORCE AND APPOINTING MELISSA PERKINS TO THE TASK FORCE.**

**WHEREAS**, on March 15, 2011, the Milwaukie City Council passed Resolution No. 35-2011 creating the Library Expansion task Force; and

**WHEREAS**, the Task Force was appointed and is comprised of representatives from the citizens at large, the neighborhood district associations, the Library Board, the Council, the Planning Commission, the Budget Committee and the local business community, with the assistance of the Library Director and staff from the Planning Department and Finance department as ex officio members; and

**WHEREAS**, the Task Force has met regularly since June, 23, 2011 and has made significant progress assessing the needs and interests of the community to expand the library; and

**WHEREAS**, the Task force continues to function well and has not had the opportunity to complete its assigned tasks; and

**WHEREAS**, there has been one resignation from the Task Force and one or more additional members could be lost if their terms on City boards, commissions, or committees cease;


**WHEREAS**, the intent of the City Council is to maintain continuity of the task Force so the Task Force can produce the best possible work product and recommendations.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council:

1. Modifies resolution No. 35-2011 to:
  - a. Acknowledge that the Task Force's work will continue until the four tasks stated in Resolution No. 35- 2011 is completed.
  - b. Accept that an appointee who has represented the Ledding Library Board on the Task Force who become term limited and no longer serves on the Ledding Library Board may continue as a member of the Task Force.
  - c. Melissa Perkins, a member of the Ledding Library Board, is appointed to fill a vacancy on the Task Force caused by the resignation of Mark Docken, a member of the Ledding Library Board

Introduced and adopted by the City Council on 2/21/12.

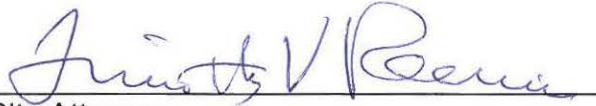
This resolution is effective on 2/21/12.

  
\_\_\_\_\_  
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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

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

RESOLUTION NO. 63-2012

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,  
REVISING MEMBERSHIP TO THE LIBRARY EXPANSION TASK FORCE.**

**WHEREAS**, the Library Expansion Task Force was established by Resolution 35-2011 to assist the Board and Council to assist in evaluation and development of alternatives; and

**WHEREAS**, the Task Force is comprised of representatives from the citizens at large, the neighborhood district associations (NDAs), the Library Board, the Council, the Planning Commission, the Budget Committee and the local business community, with the assistance of the Library Director and staff from the Planning and Finance department as ex officio members; and

**WHEREAS**, Council stipulated that the citizen at large members and the NDA representatives should be appointed to represent the areas on either side of Highway 224, as follows - position A. the Lake Road, Historic Milwaukie and Island Station NDAs and position B. Hector Campbell, Ardenwald, Linwood, and Lewelling NDAs; and

**WHEREAS**, on May 3, 2011 the City Council passed Resolution 50-2011 appointing members to the task force; and

**WHEREAS**, Greg Chaimov, who currently represents the Task Force City Council position, will no longer be eligible to fill this role due to his departure from Council December 31, 2012, but is a resident of the Island Station NDA; and

**WHEREAS**, Scott Churchill has been serving as the NDA Position A but was elected to take office on City Council January 2, 2013 and is eligible to serve as the Council representative on the Task Force; and

**WHEREAS**, Council desires that both individuals remain on the Task Force to provide for continuity of progress towards expansion of the library and proposes to switch these member positions; and

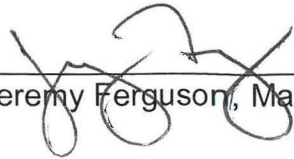
**WHEREAS**, on November 28, 2012, the NDA leadership group concurred with this change in the Council and NDA Position A representatives.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council revises the following Task Force positions effective January 1, 2013:

- a. City Council – Scott Churchill
- b. NDA Position A – Greg Chaimov

Introduced and adopted by the City Council on December 18, 2012.

This resolution is effective on December 18, 2012.

  
\_\_\_\_\_  
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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

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



CITY OF MILWAUKIE  
*"Dogwood City of the West"*

**Resolution No.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,  
REVISING MEMBERSHIP TO THE LIBRARY EXPANSION TASK FORCE.**

**WHEREAS**, the Library Expansion Task Force (LETF) was established by Resolution 35-2011 to assist the Library Board and City Council in evaluation and development of alternatives; and

**WHEREAS**, the LETF is comprised of representatives from the citizens at-large, the Neighborhood District Associations (NDA), the Library Board, the City Council, the Planning Commission, the Budget Committee, and the local business community, with the assistance of the Library Director and staff from the Planning and Finance departments as ex officio members; and

**WHEREAS**, on May 3, 2011, the City Council adopted Resolution 50-2011 appointing members to the LETF; and

**WHEREAS**, on February 21, 2012, the City Council adopted Resolution 10-2012 revising the LETF membership roster; and

**WHEREAS**, the intent of the City Council is to maintain continuity of the LETF so the Task Force can produce the best possible work product and recommendations.

**Now, Therefore, be it Resolved** that the City Council:

1. Modifies Resolution No. 50-2011 and Resolution No. 10-2012 to:
  - a. Appoint Melissa Perkins, a former member of the Ledding Library Board and currently serving on the LETF, as a Library Board representative to remain on the LETF at the Citizen at Large Position A.
  - b. Appoint Kathi Schroeder, a member of the Ledding Library Board and currently serving on the LETF as the Citizen At Large Position A and to remain on the LETF as one of the two Library Board representatives.
  - c. Appoint Tom Hogan, a former member of the Ledding Library Board and currently serving on the LETF as a Library Board representative and to remain on the LETF as the Citizen at Large Position B.
  - d. Appoint Ryan Healy, a member of the Ledding Library Board, to assume the second of two Library Board positions.
  - e. Appoint Nancy Avery, manager at MODA, to assume the Local Business position left vacant with the retirement of Fred Bruderlin of MODA.
  - f. Appoint Scott Barbur, a member of the Planning Commission, to assume the Planning Commission position left vacant when Lisa Batey's term expired.

2. Accepts the members of LETF as follows:
- a. Library Board – Kathi Schroeder
  - b. Library Board – Ryan Healy
  - c. City Council – Scott Churchill
  - d. Library Foundation – Ed Zumwalt
  - e. Budget Committee – Jon Stoll
  - f. **Planning Commission – Scott Barbur**
  - g. Local Business person – Nancy Avery, MODA
  - h. NDA Position A – Greg Chaimov
  - i. NDA Position B – Paul Klein
  - j. Citizen-At-Large Position A – Melissa Perkins
  - k. Citizen-At-Large Position B – Tom Hogan

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

This resolution is effective on \_\_\_\_\_.

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Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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Pat DuVal, City Recorder

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City Attorney



**Regular Session  
Agenda Item No.**

**6**

# **Other Business**



**MILWAUKIE CITY COUNCIL  
STAFF REPORT**

Agenda Item: **RS 6. A.**  
Meeting Date: November 4, 2014

To: Mayor and City Council  
Through: Bill Monahan, City Manager  
Subject: **Memorandum of Understanding to provide parking lot sweeping for the Oak Lodge Sanitary District**  
From: Kenny Hill, Public Works Supervisor  
Gary Parkin, Public Works Director  
Date: October 23, 2014

**ACTION REQUESTED**

Authorize the City Manager to execute a Memorandum of Understanding (MOU) for the City to provide parking lot sweeping service for the Oak Lodge Sanitary District (OLSD).

**HISTORY OF PRIOR ACTIONS AND DISCUSSIONS**

None

**BACKGROUND**

City staff were approached by Oak Lodge Sanitary District (OLSD) staff asking if the City was interested in providing street sweeping service for their parking lot on a once a month basis. City staff recognized this as a low time commitment and provided OLSD with a cost to provide the service based on labor and equipment cost recovery charges and an estimate of the time needed to drive to the site (the main office/plant at 14611 S.E. River Road in Oak Lodge, about 5 miles from the PW yard).

The cost estimate to provide the monthly sweeping is \$376 using a two hour time to complete, which is a conservative estimate of the time to travel to the site and complete the sweeping. The estimate is based on the personnel and vehicle cost (including depreciation, operation and maintenance).

The MOU provides for a charge of \$400 per sweeping to ensure complete cost recovery. A Return on Investment calculation for this MOU would conservatively be \$400/\$376 or 6% for this small amount of work. The charge will automatically increase by 5% on July 1 of each year. The IGA will be effective until June 30, 2017.

City staff is concerned with the condition of our current sweepers. The primary sweeper is 7.5 years old and the backup sweeper, which is needed during the leaf season and on the few occasions when the primary sweeper is out of service, is 19 years old. Both are nearing the end of operational life which is estimated at 10 years for the primary sweeper and 20 years for the backup sweeper. Staff is noticing higher down time and cost for both sweepers.

Staff has prepared a request for Finance to look at lease options for a street sweeper to replace the backup sweeper. In the meantime staff believes that the current sweepers will be able to meet City need and the proposed OLSD obligation but put language in the MOU to provide for City preference should it become difficult to provide service to OLSD.

Another benefit of the MOU would be to strengthen the City's relationships in the surrounding community. This MOU would build on a history of cooperation as the City has an Intergovernmental Agreement with OLSD from July 2000 that provides for sharing equipment. The City has used the IGA to borrow OLSD equipment in the past.

**CONCURRENCE**

Public Works staff supports this proposed MOU. The City attorney's office has reviewed and approved the MOU as to form and provided an opinion that this work was not a risk related to the public/private contracting competition issue.

**FISCAL IMPACTS**

A small amount of revenue (about \$300 per year) is expected from the service to be provided by this MOU.

**WORK LOAD IMPACTS**

The Street crew spends about 900 hours per year street sweeping, the additional work for this MOU would be about 24 hours or about 2% which can be absorbed without additional resources.

**ALTERNATIVES**

1. Deny the MOU, OLSD would look elsewhere for service
2. Modify the MOU terms, staff has no suggested alternative terms

**ATTACHMENTS**

1. Resolution with MOU



**CITY OF MILWAUKIE**

*"Dogwood City of the West"*

**Resolution No.**

**A resolution of the City Council of the City of Milwaukie, Oregon, entering into a Memorandum of Understanding with Oak Lodge Sanitary District for the purpose of providing parking lot sweeping services;**

**WHEREAS**, Oak Lodge Sanitary District desires monthly sweeping service for the parking lot at their plant/office located at 14611 SE River Road in Oak Lodge; and

**WHEREAS**, the City is able to provide the desired service; and

**WHEREAS**, the City has drafted a Memorandum of Understanding (MOU) providing the conditions under which the service will be provided;

**Now, Therefore, be it Resolved** that the City Council of the City of Milwaukie authorizes the City Manager to execute the provided MOU (Exhibit A) with the Oak Lodge Sanitary District for parking lot sweeping service.

Introduced and adopted by the City Council on November 4, 2014.

This resolution is effective on November 5, 2014.

\_\_\_\_\_  
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

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

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



# MILWAUKIE

*Dogwood City of the West*

## **Memorandum of Understanding (MOU) between the City of Milwaukie (City) and the Oak Lodge Sewer District (District).**

Whereas the District desires street sweeping services that the City is able to provide, both parties agree to enter into this MOU for the purpose of defining the terms of the City providing parking lot sweeping for the District.

The District desires parking lot sweeping once a month at their plant office (14611 SE River Rd, Oak Lodge). The City can provide this service as follows:

- Sweeping with a street sweeper only, once a month on Tuesday, Wednesday or Thursday. The sweeping would occur between the hours of 8:00am to 1:00pm.
- City will schedule the sweeping days on a regular basis. This schedule will be subject to change as needed to suit City circumstances including foregoing the parking lot sweeping if necessary.
- Special arrangements may be possible with a minimum two day notification.
- Water shall be provided on site without cost to the City.
- A nearby place to discharge the debris picked up from the site shall be provided by the District as needed during times of heavy accumulation of debris.
- The District shall be responsible for relocating vehicles or equipment that the District believes would inhibit the sweeping process prior to the City arriving to sweep the parking lot.

The cost for the City to provide this service shall be based on a single operator with a standard street sweeping vehicle, travelling time to and from the City's Public Works Yard and using cost recovery data from the City's asset management program without profit consideration.

The City will provide parking lot sweeping as noted for **\$400.00 (four hundred dollars)** per sweeping visit during the first year. The rate will be increased by 5% effective on July 1 of each year. This cost is based on an assumed average of two hours total time per visit using cost data from 2014. The cost per visit may be adjusted based on the actual time to provide the service and cost increases absorbed by the City.

This MOU will be effective upon the date of execution by both parties and shall continue until June 30, 2017. Either party may terminate this MOU upon thirty (30) days written notice.

Exhibit A

The terms of this MOU may be amended by mutual agreement of the parties. Any amendment shall be in writing.

CITY OF MILWAUKIE, an Oregon  
municipal corporation

OAK LODGE SANITARY DISTRICT, an  
Oregon Sanitary Sewer District

By: \_\_\_\_\_  
Bill Monahan, City manager

By: \_\_\_\_\_  
Sign Name:

Approved as to form:

\_\_\_\_\_  
Print Name:

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

\_\_\_\_\_  
Title: