

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
JUNE 4, 1991**

The one thousand six hundred and twenty-fifth meeting of the Milwaukie City Council was called to order at 6:58 PM in the Milwaukie Center with the following Councilmembers present:

Craig Lomnicki,  
Mayor  
Roger Hall

Jean Schreiber  
Chere' Sandusky  
Bob Knudson

Also present:

Dan Bartlett,  
City Manager  
Charlene Richards,  
Assistant to the  
City Manager  
Tim Ramis,  
City Attorney  
Maggie Collins,  
Community  
Development Director

Tim Corbett,  
Public Works Director  
Anne Nickel,  
Development Coordinator  
Kelly Somers,  
Public Works Superintendent  
Don Robertson,  
Parks & Rec Coordinator  
Pat DuVal,  
Recorder/Secretary

**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

**Young Milwaukians**

Anne Nickel, Development Coordinator, presented 14 fifth and sixth grade students chosen to represent their schools in the Milwaukie Festival Daze Parade on the community float. Nickel explained that these students had prepared and presented an essay on "What Makes Milwaukie Special." Participants were evaluated on poise, speaking ability, speech content, and creativity. Seven Milwaukie businesses acted as sponsors for each school.

Nickel introduced Jeannette Ripplinger and Aaron Jackson of Ardenwald Elementary, sponsor Charles Grant Co.; Bethany Bond and Adam Hoesly of Campbell Elementary, sponsor Jones Intercable; Carrie Campbell and Corey Hester of Lewelling, sponsor Willamette View Manor; Lindsey Miller and Monte McGary II of Linwood, sponsor Reddaway Trucking; Angela Sargent and Luis Trybom of Milwaukie, sponsor United Grocers; Ronda May and Victor Calhoun of St. Johns, sponsor Key Bank; and Tina Johnson and Bobby Kincaid of Wichita, sponsor Wichita Feed and Hardware. Mayor Lomnicki presented each student with a cash award donated by the sponsors. He thanked the students and their parents for their community support and commended them on their citizenship.

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Down to Earth Day Report

Don Robertson, Parks and Recreation Coordinator, presented the staff report on the seventh annual Down to Earth Day. He reviewed some of the statistics of the event. Mayor Lomnicki thanked everyone who had participated in the annual cleanup event.

## PUBLIC HEARING

Manufactured Housing - Zoning Ordinance Amendment

Mayor Lomnicki called the public hearing on amending the Milwaukie Zoning Ordinance to adopt a new section addressing placement of manufactured homes at 7:13 PM.

Mayor Lomnicki said the purpose of the hearing was to consider amendment of the Zoning Ordinance by adopting a new section which addressed placement of manufactured homes on individual lots and defined the process for manufactured home subdivisions. These amendments to the zoning ordinance are required by legislation which went into effect January 1, 1991.

Mayor Lomnicki reviewed the order of business in conducting the hearing. The procedures governing the legislative action were outlined in the staff report. The applicable policies and ordinance requirements were in compliance with ORS 197.295 - 197.313; and legislative actions, Section 10.05(E) of the Milwaukie Zoning Ordinance.

Mayor Lomnicki said that any interested person who wanted written notice should leave his or her name and address with the Recorder. Any interested party may appeal the decision of the Council to the State Land Use Board of Appeals according to the rules adopted by the Board.

Staff Report: Maggie Collins, Community Development Director, presented the staff report in which the City Council was requested to consider adoption of an ordinance regulating the placement of manufactured homes on individual lots within the City of Milwaukie based upon the findings provided within the proposed ordinance. Collins said HB 2383 was passed by the legislature. The bill required that cities review their zoning ordinances and to permit manufactured home placement outright in areas zoned for single family residential. The City of Milwaukie reviewed its R-7 and R-10 zones. Collins said the needs assessment showed that vacant land within the R-7 zone could accommodate the need. The R-10 zone would not be subject to manufactured home placement provisions.

Collins said the Planning Commission had determined that the R-7 zone should have manufactured housing placed outright with no conditional use. The Planning Commission recommended approval of the proposed ordinance with a minor change in language. There was no opposition in the Planning Commission hearing process. Collins said she believed the ordinance would be acceptable to both the DLCDC and the Manufactured Housing Association.

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**Councilmember Knudson** asked for clarification of permitting manufactured homes in R-7 and R-10 zones.

**Collins** said the law allowed the City the option of going through a buildable lands assessment. Manufactured housing could be allowed outright in one or both zones. The Planning Commission determined through the needs assessment that this could be done in R-7. The R-10 zone would be reserved for "stick-built" homes.

**Councilmember Knudson** asked if the City had the authority to eliminate manufactured housing from R-10 zones.

**Collins** said the City had this authority by state statute. The City had enough land available in the R-7 zones to allow for manufactured housing. This was approved by the Planning Commission.

**Councilmember Knudson** asked the width of a double-wide unit. **Dave Krogh**, Associate Planner, said state law did not specify a particular width, but a unit would probably be 28 feet or more. **Krogh** said a unit would have to meet HUD standards for a manufactured home. The enclosed floor area must be at least 1000 square feet.

**Councilmember Hall** said a double-wide is two units manufactured together for assembly at the final location.

**Krogh** discussed the needs assessment. The state law required that single family zones have the provision that manufactured homes be allowed outright on residential lots. The legislature allowed for a needs assessment. City staff used a DLCDD table in which it was estimated that the City of Milwaukie would need 77 units of manufactured housing. It was determined that 17 acres of R-7 zone would accommodate this number of manufactured homes. The available vacant R-7 land more than meets this need. Additional acreage in available R-10 zones would not be required to meet the anticipated need for manufactured housing.

**Councilmember Sandusky** asked for clarification of the location of a manufactured home. **Krogh** said unit placement on an individual R-7 would be required to meet siting standards administered as part of the building permit process. Manufactured home subdivisions may be allowed outright within the R-7 zone.

Correspondence: No correspondence had been received on this matter other than those items included in the agenda materials.

Testimony in Support: **Jim Backenstos**, 3626 Harrison, spoke regarding the quality of this type of housing. He said he believed this action would help home buyers. He added that inspections of manufactured homes were much easier and would require less time.

Testimony in Opposition: None.

Neutral Testimony: None.

Staff Comments: None.

Questions of Clarification: None.

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Close Hearing: Mayor Lomnicki closed the public testimony portion of the hearing on amendment of the Zoning Ordinance at 7:32 PM.

Discussion among Councilmembers: It was moved by Councilmember Hall and seconded by Councilmember Sandusky to read the ordinance amending ordinance number 1438, the Zoning Ordinance (ZA-91-01), for the first time by title only. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions. The ordinance was read for the first time by title only.

It was moved by Councilmember Hall and seconded by Councilmember Sandusky to read the ordinance amending ordinance number 1438, the Zoning Ordinance (ZA-91-01), for the second time by title only. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions. The ordinance was read for the second time by title only.

It was moved by Councilmember Hall and seconded by Councilmember Sandusky to adopt the ordinance amending ordinance number 1438, the Zoning Ordinance (ZA-91-01), for the first time by title only. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions.

**ORDINANCE NO. 1705:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON  
AMENDING ORDINANCE NUMBER 1438, ZONING ORDINANCE  
(ZA-91-01).**

**AUDIENCE PARTICIPATION**

Jim Backenstos, 3626 Harrison, discussed the Public Safety Facility. He urged that City staff be cost conscious during construction and keep in mind the welfare of the citizens. He said the new facility would be something in which residents could take pride.

Backenstos discussed sidewalk repair in the City. He said he was concerned that certain street problems might be causing deterioration of the sidewalk.

Backenstos discussed the need to improve the City Council broadcast. Mayor Lomnicki said broadcast problems were being investigated. He said the volunteers were doing a good job.

Councilmember Schreiber said that any residents who had concerns with the City Council broadcast should call City Hall.

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### OTHER BUSINESS

#### Consider Intergovernmental Agreement with Metro for Challenge Grant Funds

**Don Robertson**, Parks and Recreation Coordinator, presented the staff report in which the City Council was requested to authorize the Mayor and City Manager, to sign on behalf of the City of Milwaukie, a contract for Metro Challenge Grant funds in the amount of \$5,373. The City staff had gone through the process and was now eligible for these funds.

**Councilmember Hall** asked for clarification about the disparity between the \$12,000 he believed had been the original grant amount and the current figure. **Robertson** said this was a prorated amount. \$5,373 was the amount currently available.

It was moved by **Councilmember Sandusky** and seconded by **Councilmember Hall** to authorize the Mayor and City Manager, on behalf of the City of Milwaukie, to sign Metro contract No. 901907 for a "Metro Challenge" payment of \$5,373. Motion passed 5 - 0 with the following vote: Mayor **Lomnicki**, **Councilmember Hall**, **Councilmember Schreiber**, **Councilmember Sandusky**, and **Councilmember Knudson** aye; no nays; no abstentions.

#### Consider Contract Award for 1991-1992 Street Overlay Project

**Kelly Somers**, Public Works Superintendent, presented the staff report in which the City Council was requested to approve awarding the 1991-1992 Asphalt Overlay Project bid to Portland Road and Driveway Co., Inc. in the amount of \$266,140.00. The City received five bids. The engineer's estimate was approximately \$10,000 above the low bidder. He discussed the areas in the City which would be part of the summer overlay project.

It was moved by **Councilmember Hall** and seconded by **Councilmember Schreiber** to award the 1991-1992 Asphalt Overlay Project bid to Portland Road and Driveway Co., Inc. in the amount of \$266,140.00. Motion passed 5 - 0 with the following vote: Mayor **Lomnicki**, **Councilmember Hall**, **Councilmember Schreiber**, **Councilmember Sandusky**, and **Councilmember Knudson** aye; no nays; no abstentions.

**Councilmember Sandusky** asked about the patching material on Railroad Avenue. **Somers** said this was a patch preparatory to paving Railroad Avenue from 55th Avenue east.

#### Additional Items

**Councilmember Schreiber** thanked staff for the work done on the Channel 51 reader board.

City Council urged that citizens participate on City advisory boards.

**Backenstos** discussed certain street problems on King Road and Johnson Creek Blvd. He said other citizens call him with their concerns, and he acts as liaison to the City Council and staff.

**Mayor Lomnicki** said he and other Councilors held office hours Monday, Wednesday, and Friday from 10:00 am to noon at City Hall.

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Bartlett reminded the public that phone messages could be left after hours at City Hall and Johnson Creek.

**CONSENT AGENDA**

It was moved by Councilmember Sandusky and seconded by Councilmember Knudson to approve the Consent Agenda which consisted of the City Council Minutes of May 21, 1991. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember Hall, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions.

**INFORMATION**

No additional information was presented or discussed.

**ADJOURNMENT**

It was moved by Councilmember Hall and seconded by Councilmember Knudson to adjourn the meeting.

Mayor Lomnicki adjourned the meeting at 7:53 PM

Pat DuVal

Pat DuVal, Executive Secretary