

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
JULY 2, 1991**

The one thousand six hundred and twenty-seventh meeting of the Milwaukie City Council was called to order at 6:57 PM in the Milwaukie Center with the following Councilmembers present:

Craig Lomnicki,
Mayor
Jean Schreiber

Chere' Sandusky
Bob Knudson

Absent:

Roger Hall

Also present:

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

Chuck Mansfield,
Police Chief
Kelly Somers,
Public Works Superintendent
Don Robertson,
Parks and Recreation
Coordinator
Pat DuVal,
Recorder/Executive
Secretary

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

None scheduled.

PUBLIC HEARING

None scheduled.

AUDIENCE PARTICIPATION

None.

OTHER BUSINESS

Consider Code and Ordinance Amendments Resulting from Ballot Measure 5

Dan Bartlett, City Manager, presented the staff report in which the City Council was requested to consider adoption of ordinances amending Municipal Code Chapters regarding charges for connection to sewer and water systems and amending the Economic Improvement District ordinance due to Ballot Measure 5 impacts. The first two ordinances under consideration referred to water and sewer connections. The proposed ordinances would clarify that it is not the intent that these charges be a tax on real property.

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Bartlett said the next ordinance referred to the Economic Improvement District indicating that this assessment be a tax under Ballot Measure 5 and be collected during the assessor collection process.

Councilmember Knudson asked how the EID assessment would be collected. **Bartlett** said the assessment was against the property owners and would be collected with property taxes. The business license surcharge was being collected from the business owners. **Bartlett** said in some lease agreements, this type of property assessment charge was passed along to the occupant. Other businesses may have older leases in which this stipulation is not made. **Bartlett** added that there have been some complaints that credits were not applied to owner/occupants as had been discussed earlier in the process.

Councilmember Knudson asked how the money was collected. **Bartlett** said that the City will collect the business license surcharge and pass funds to the Downtown Development Association. Economic Improvement District assessments will be collected by the County tax assessor and forwarded to the City. The City in turn will pass these funds to the Downtown Development Association.

Councilmember Sandusky asked for clarification of the section in the proposed sewer system ordinance referring to grease traps. **Kelly Somers**, Public Works Superintendent, said this type of reference was standard.

It was moved by **Councilmember Sandusky** and seconded by **Councilmember Knudson** to read the ordinance amending Chapter 13.04 of the Milwaukie Municipal Code pertaining to the Municipal Water System due to the impact of Ballot Measure 5 and declaring an emergency for the first time by title only. Motion passed 4 - 0 with the following vote: Mayor **Lomnicki**, **Councilmember Schreiber**, **Councilmember Sandusky**, and **Councilmember Knudson** aye; no nays; no abstentions; **Councilmember Hall** absent. The ordinance was read for the first time.

The ordinance will be read for the second time on July 16, 1991.

Mayor Lomnicki explained that the emergency clause would make the ordinances effective immediately after adoption rather than the normal 30 days after adoption.

Councilmember Schreiber asked if not meeting the July 15 certification deadline would cause a problem. **Bartlett** said that because **Councilmember Hall** was absent, the ordinance could not be adopted at this Council session. He said this had been discussed with the County tax assessor. It was decided that the City would certify the economic improvement district assessment with the county. If the ordinance were not adopted at the July 16 meeting, the assessor's office would be notified. **Bartlett** said the process would not be delayed by having only the first reading of the ordinance.

It was moved by **Councilmember Sandusky** and seconded by **Councilmember Schreiber** to read the ordinance amending Chapter 13.12 of the Milwaukie Municipal Code pertaining to the Municipal Sewer System due to the impact of Ballot Measure 5 and declaring an emergency for the first time by title only. Motion passed 4 - 0 with the following vote: Mayor **Lomnicki**, **Councilmember Schreiber**, **Councilmember Sandusky**, and **Councilmember Knudson** aye; no nays; no abstentions; **Councilmember Hall** absent. The ordinance was read for the first time by title only.

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The ordinance will be read for the second time on July 16, 1991.

It was moved by Councilmember Sandusky and seconded by Councilmember Schreiber to read the ordinance amending Ordinance No. 1704 pertaining to the Economic Improvement District by changing the collection cycle from a calendar year to a fiscal year due to the impact of Ballot Measure 5 and declaring an emergency for the first time by title only. Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent. The ordinance was read for the first time by title only.

The ordinance will be read for the second time on July 16, 1991.

Consider Year 2 Recycling Plan

Don Robertson, Parks and Recreation Coordinator, presented the staff report in which the City Council was requested to approve the proposed year 2 Milwaukie Recycling Plan. Requirements would include regulation of garbage collection with franchise agreements; in-house recycling; waste audits; school recycling programs; plan review for multi-family housing recycling; yard debris collection; and completed year 1 report. Robertson said the plan was reviewed by Metro and the City Attorney. Funding for the plan will include Metro Challenge Grant funds, Metro Multi-family money, and City 1% recycling funds.

Councilmember Sandusky asked for clarification of "strengthening" franchise agreements for commercial haulers. Robertson said that the City will take a firmer stance and include stronger language regarding commercial recycling.

Councilmember Sandusky asked if City facilities were still using Styrofoam. Robertson said this was packaging materials, not cups and plates. Councilmember Sandusky asked how City staff would handle hospital recycling. Robertson said this would be done with Metro guidance.

Councilmember Schreiber asked if the available funding would cover the program. Robertson said the funds would adequately cover the projects.

Mayor Lomnicki asked what the City's level of responsibility was to insure that the School District met Metro recycling standards. Robertson said it was the City's responsibility to provide the schools with the opportunity and encouragement to reduce waste.

Councilmember Schreiber asked for a report on the summer recreation program. Robertson stated that all the programs were going very well.

It was moved by Councilmember Sandusky and seconded by Councilmember Knudson to approve the proposed Milwaukie Year 2 Recycling Program. Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent.

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Consider Extension of E-911 Agreement with Clackamas County

Charles Mansfield, Police Chief, presented the staff report in which the City Council was requested to approve extension of the current Clackamas County E-911 agreement on a month-to-month basis, not to exceed twelve months ending July 5, 1992. He explained that US West had filed for a new tariff for the system with the Public Utilities Commission. US West has requested the extension of the current agreement until the tariff has been approved.

It was moved by Councilmember Sandusky and seconded by Councilmember Schreiber to approve extension of current Clackamas County E-911 agreement on a month-to-month basis, not to exceed twelve months ending July 5, 1992.

Councilmember Schreiber asked the Chief if he knew the amount of the tariff. Mansfield said he did not know at this time.

Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent.

Consider Letting Bids for Front End Loader

Kelly Somers, Public Works Superintendent, presented the staff report in which the City Council was requested to authorize the letting of bids for a front end loader with attachments. He explained the advantages of the proposed equipment, and how it would aid daily handling of materials.

Mayor Lomnicki said Council had received an unsigned letter from employees stating the equipment was not necessary. He asked if the statements in the letter were true. Bartlett said he was concerned that the letter was unsigned and that the person had not addressed staff directly. He said this was a versatile piece of equipment and would have several applications for City use.

Councilmember Schreiber said the recommendation to let bids had gone through several layers of management, and she believed it was a legitimate request.

Somers said the asphalt grinder would enhance repair of potholes throughout the City. He added that the proposed equipment could be driven to the site rather than transported on a trailer.

Councilmember Knudson asked how this would affect personnel. Somers said there would be no change to the number of existing personnel.

Councilmember Schreiber asked if the old equipment would be sold to recover some funds. Somers said the old equipment would probably be sold at auction.

Bartlett said vendors would be asked to make two bids. One would include trade in of the old equipment. Staff would determine if selling the equipment or trading it in would be more financially advantageous to the City. He said money from the asset sale would go to the utility fund.

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It was moved by Councilmember Knudson and seconded by Councilmember Sandusky to authorize the letting of bids for a front end loader with attachments. Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent.

Consider Letting Bids for 17th Avenue/Milport Paving Project

Kelly Somers, Public Works Superintendent, presented the staff report in which the City Council was requested to authorize the letting of bids for the paving of Milport Road. The state has requested that Milport be used as a detour during the construction of McLoughlin Blvd. It has been determined that a 2" overlay as offered by the state will not be adequate to meet current and future traffic needs. The state would furnish funding equivalent of \$14,350. The total cost of the project would be \$120,000 and is included in the 1991-1992 Budget.

Bartlett said that Milport Road has obviously failed. He said staff believed this was the appropriate time to provide long term repairs.

It was moved by Councilmember Sandusky and seconded by Councilmember Knudson to authorize the letting of bids for the paving of Milport Road. Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent.

Commission Appointments

It was moved by Councilmember Sandusky and seconded by Councilmember Knudson to appoint David Cookson to the Traffic Safety Commission and Evelyn Anderson to the Library Board. Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent.

It was moved by Councilmember Schreiber and seconded by Councilmember Knudson to appoint Marie Linn to the Center/Community Advisory Board. Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent.

Metro Charter Committee

Mayor Lomnicki discussed the meetings scheduled by the Metro Charter Commission. He said he believed it was important for the City to participate in the process as Metro defines its role. He said he believed participation by cities would diffuse some potential negative impacts.

It was the consensus of Council that staff prepare a letter for presentation by Council President Sandusky at the July 8 Metro Charter Committee meeting.

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It was moved by Councilmember Sandusky and seconded by Councilmember Knudson to adopt the Consent Agenda which consisted of the City Council minutes of June 18, 1991. Motion passed 4 - 0 with the following vote: Mayor Lomnicki, Councilmember Schreiber, Councilmember Sandusky, and Councilmember Knudson aye; no nays; no abstentions; Councilmember Hall absent.

INFORMATION**Affordable Housing**

Councilmember Schreiber discussed the need for affordable housing in Milwaukie and how the City would address this need. She said that she and Maggie Collins, Community Development Director, had attended a meeting on this issue. Topics considered were the use of available resources for affordable housing; housing stock in the area; and changes in regulations and how these changes would impact developers.

Parks District

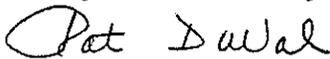
Councilmember Schreiber discussed the recruitment for the Parks District Director and the status of the aquatic center project.

Water Authority

Mayor Lomnicki said he was attending monthly meetings of the Clackamas Basin Water Authority Committee. The cities of Milwaukie and Gladstone were now involved in the planning process.

ADJOURNMENT

Mayor Lomnicki adjourned the meeting at 7:53 PM



Pat DuVal, Recorder/Executive Secretary