

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
APRIL 19, 2005**

City Manager Swanson announced that the City Attorney was excused from the meeting pursuant to Resolution No. 9-2003.

CALL TO ORDER

Mayor Bernard called the 1956th meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Council President Deborah Barnes	Joe Loomis
Carlotta Collette	Susan Stone

Staff present:

Mike Swanson, City Manager	Kelly Somers, Public Works Operations Director
John Gessner, Planning Director	Paul Shirey, Engineering Director
Grady Wheeler, Information Coordinator	

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

Milwaukie High School Student of the Month

Between the ages of 6 and 16, **Violet Read** was a ward of the state living in foster homes. Today as a senior at Milwaukie High School, Ms. Read was a superior student who recently traveled to Washington, D.C. to receive a \$10,000 Horatio Alger scholarship for students who had overcome adversity in their lives. In addition to maintaining a 4.0 GPA, Ms. Read was an orchestra student, a member of the National Honor Society, and participant in habitat for humanity. She tutors and volunteers at her church and the Angel Tree Prison Ministry. Ms. Read was an example of how a young woman can overcome adversity and give so much back to her community. She plans to pursue a degree in elementary education.

Recognize Off-going Board and Commission Members for Service to the Community

The Council recognized **Peter Koonce** for his six years of service on the Budget Committee and **Sue Trotter** for her seven years of service on the Library Board.

Mayor Bernard noted that former Planning Commission member Howard Steward had passed away. He would be truly missed.

CONSENT AGENDA

It was moved by Councilor Barnes and seconded by Councilor Stone to approve the Consent Agenda that consisted of the following:

- A. City Council Minutes of March 12 and April 5, 2005; and
- B. Resolution No. 18-2005: A Resolution of the City Council of the City of Milwaukie, Oregon, authorizing the Mayor to execute the third amendment to personal services contract with Ramis, Crew, Corrigan & Bachrach establishing new rates for service effective July 1, 2005.

Motion passed unanimously. [5:0]

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING**Sale of Surplus Property**

Mayor Bernard called the public hearing to order at 7:15 p.m. The purpose of the hearing was to consider public comment on declaring the property located at 12125 SE 21st Avenue surplus and setting minimum terms for the sale.

No ex parte contacts or conflicts of interest. There were no challenges.

Staff Report: **Mr. Somers** reported that the property was advertised as two parcels. The vacant lot had a minimum bid of \$60,000, and it sold for \$65,000. The lot with the house was appraised at \$140,000, and that was established as the minimum bid. After people looked at the house, they felt that amount was too high to bring it up to standards. He initially proposed to have the house demolished, but since that time several people suggested that the house be advertised at \$60,000. The buyer could repair it and re-sell it. He was assured this time the property would sell for \$60,000 or more. The revised resolution would allow the City to sell the property with the house intact as a package.

Mr. Swanson said the new draft resolution directed staff to sell the property located at 12125 SE 21st Avencu consisting of tax lot 1401 consistent with Milwaukie Municipal Code Section 3.15.015, the minimum sale price shall be \$60,000. The last two "whereas" clauses stated that there was a structure located on tax lot 1401 and that the structure would remain and would be declared surplus with the tax lot.

Councilor Collette asked if the City would incur any liability if something happened at that site either before or after it was sold.

Mr. Somers did not believe the City would have any liability once it was sold. It was being sold "as is." According to the building official, the new owner would have to present to the building official that it was brought up to codes when it was built. Everything had to work properly.

Councilor Collette asked if the structure would not have to be brought up to current code if the remodel was more than ¼ of the value of the structure.

Councilor Barnes asked if staff had gotten feedback from the Neighborhood Association.

Mr. Somers said several of the people in the Neighborhood suggested that it be put back on the market for \$60,000.

Correspondence: None.

Public Comment: **Lisa Batey**, Island Station Neighborhood Chair, 11912 SE 19th Avenue. Ms. Batey said the Association had not had a meeting since learning that the house did not sell. Based on some e-mail exchanged, the Land Use Committee and officers were aware of these plans. There were concerns with the draft resolution that required demolition. Now that the plan was to retain the house and let the purchaser decide what to do with the house, she did not believe there would be any objections. All of the neighbors were keen to have it cleaned up and occupied. She believed the Neighborhood Association was very supportive of the proposal, and she hoped the bid would be higher than \$60,000. The previous bid was for \$90,000 - \$100,000 for the entire property, and land values have gone up in the neighborhood since then.

Questions of Council: None.

Deliberations: **Mayor Bernard** toured the house, and he thought it would take a lot of work to make it livable.

Councilor Collette thought this plan made it more cost effective for the City because it would not have to spend \$10,000 for demolition. She was in favor of saving older buildings whenever possible. If the neighborhood was supportive, she thought it was a great plan.

Mayor Bernard closed the public hearing portion of the testimony at 7:22 p.m.

It was moved by Councilor Barnes and seconded by Councilor Loomis declaring the property located at 12125 SE 21st Avenue as surplus and setting minimum acceptable terms. Motion passed unanimously. [5:0]

RESOLUTION NO. 19-2005:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DECLARING PROPERTY LOCATED AT 12125 SE 21ST AVENUE TO BE SURPLUS, DIRECTING THE SALE OF THE PROPERTY, AND DETERMINING MINIMUM ACCEPTABLE TERMS.

OTHER BUSINESS

Councilor Barnes asked to be excused from the work session.

Mayor Bernard announced that the City Council would meet in work session to hear the annexation evaluation presentation.

It was moved by Councilor Stone and seconded by Councilor Collette to adjourn the meeting. Motion passed unanimously. [5:0]

Mayor Bernard adjourned the regular session at 7:24 p.m.

Pat DuVal

Pat DuVal, Recorder

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APPROVED MINUTES

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