

REGULAR SESSION

AGENDA

MILWAUKIE CITY COUNCIL SEPTEMBER 16, 2008

MILWAUKIE CITY HALL
10722 SE Main Street

2038th MEETING

REGULAR SESSION – 7:00 p.m.

- | | Page # |
|---|-----------|
| I. CALL TO ORDER
Pledge of Allegiance | |
| 2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS | |
| 3. CONSENT AGENDA <i>(These items are considered to be routine, and therefore, will not be allotted Council discussion time on the agenda. The items may be passed by the Council in one blanket motion. Any Council member may remove an item from the "Consent" portion of the agenda for discussion or questions by requesting such action prior to consideration of that portion of the agenda.)</i> | 1 |
| A. City Council Minutes August 5, 2008 Regular Session | 2 |
| B. City Council Minutes August 19, 2008 Regular Session | 8 |
| 4. AUDIENCE PARTICIPATION <i>(The Presiding Officer will call for statements from citizens regarding issues relating to the City. Pursuant to Section 2.04.140, Milwaukie Municipal Code, 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 return it to the City Recorder. Pursuant to Section 2.04.360, Milwaukie Municipal Code, "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.)</i> | |
| 5. PUBLIC HEARING <i>(Public Comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)</i> | 16 |
| A. Proposed Amendments to Milwaukie Municipal Code Chapter 13.12.063, Fats, Oils, and Grease (FOG) Control – Ordinance (Mike Swanson) (Continued from September 2, 2008) | 17 |
| B. Motion to Consider Continuation of Amendments to Milwaukie Municipal Code (MMC) Section 19.321.7 and 19.321.3 – Ordinance (Mike Swanson) | |

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.)*

Council Reports

7. **INFORMATION** **30**
- A. **Citizens Utility Advisory Board Minutes, July 2, 2008** **31**
- B. **Design & Landmarks Committee Minutes, June 25, 2008** **33**

EXECUTIVE SESSION, ORS 192.660(2)(h) to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

RETURN TO OPEN SESSION

8. ADJOURNMENT

Public Information

- Executive Session: The Milwaukie City Council may meet in executive session pursuant to ORS 192.660(2).
- All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
- For assistance/service per the Americans with Disabilities Act (ADA), please dial TDD 503.786.7555
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.

3.

CONSENT AGENDA

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
AUGUST 5, 2008**

CALL TO ORDER

Mayor Bernard called the 2035th meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Council President Joe Loomis and Councilors Deborah Barnes, Greg Chaimov, and Susan Stone

Staff present: City Manager Mike Swanson, City Attorney Bill Monahan, Community Services Director JoAnn Herrigel

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

CONSENT AGENDA

Councilors Chaimov and Stone requested that item C -- A Resolution of the City Council of the City of Milwaukie, Oregon, Assessing the Costs of Abatement of the Nuisance Located at 5115 SE Brookside Dr. and Entering the Same on the Docket of City Liens Pursuant to Milwaukie Municipal Code Section 8.04.200(D) – be removed for discussion.

It was moved by Councilor Barnes and seconded by Councilor Chaimov to approve the remaining consent agenda items:

- A. City Council Minutes**
 - 1. June 10, 2008 Work Session**
 - 2. June 17, 2008 Work Session**
 - 3. June 17, 2008 Regular Session**
 - 4. July 1, 2008 Work Session**
 - 5. July 1, 2008 Regular Session**
- B. Resolution 70-2008: A Resolution of the City Council of the City of Milwaukie, Oregon, Acting as the Local Contract Review Board, Authorizing the City Manager to Execute Certain Contracts for Fiscal Year 2008 – 2009;**
- D. Resolution 72-2008: A Resolution of the City Council of the City of Milwaukie, Authorizing Budget Appropriation for the Purpose of Purchasing Parking Management Package.**

Motion passed unanimously. [5:0]

AUDIENCE PARTICIPATION

Les Poole had filled out a form but was not present when his name was called.

Item pulled from Consent Agenda for discussion

Councilor Chaimov had asked the City Manager about the merits and demerits of increasing the interest on abatement liens from 6% to 9%. To him 6% did not seem sufficiently coercive.

Mr. Swanson responded statute now provided for a 9% interest rate in terms of a judgment. That particular section of the municipal code, 8.04.200 was adopted in 1964 when he imagined the statutory limit was 6%. This and other sections could be changed when there was a code rewrite next year. Staff would look at standardizing all the interest rates and put them in one section so they were easier to track over time.

Councilor Stone had a question about the total cost of the abatement. It added to the total of \$1,955.70 an additional \$770 for administrative staff time. Was that staff time overtime?

Mr. Swanson replied it was not necessarily overtime, but it would be time spent by Ms. Lander and/or Mr. Salyers.

Councilor Stone did not understand since their jobs were to abate nuisances. She asked why the citizen was being charged when staff was doing their job unless it was overtime.

Mr. Swanson replied the code provided in § 8.04.200 that the city recorder by registered or certified mail postage prepaid shall forward to the owner or person in charge of the property a notice stating the total cost of abatement including administrative overhead. This property was previously assessed a couple of years ago. The lien was satisfied in the 30-days, so nothing was charged in the end.

Councilor Stone just figured if it was above and beyond their regular duties in terms of their regular shift of 8 hours it would make more sense to charge the administrative cost. She understood the code provided for that but did not agree with it.

Mr. Swanson replied the Council could amend that section of the code if it wished. In 1964 when this was adopted the Council probably felt when someone did not act to abate the nuisance it was a policy decision to charge. This Council could decide to amend that portion of the code.

Councilor Stone would agree to with charging if it was overtime.

Mayor Bernard understood Mr. Salyers had about 400 cases going right now. Ms. Lander did parking. Why would one not charge an individual who failed to obey the law, otherwise the burden was put on the taxpayers?

Councilor Stone not saying they should not be charged for abating the nuisance. They hired a contractor to remove the stuff. Her point was that staff was getting paid an hourly wage anyway. This was part of their job description to do this. If it went above and beyond their regular hours of work in a given 8-hour day she agreed the person should be charged but not if it was within the 8-hour scope of time.

Mr. Swanson would argue if someone did to abate the nuisance it did demand a lot more time from staff which took away from handling the other 399 cases. Code enforcement talked with people and resolved as many problems as possible through gentle persuasion. Most people took care of the problem. It was only the most egregious ones that got to this point. Where it may take an hour or two to deal with another case, this case was 24 hours. There may be a lot of time not spent in dealing with other cases that were easily resolved.

Mayor Bernard observed there were numerous violations over the years. It took staff time away from all the other cases because they had to spend so much time on this one individual. He did not think it was fair for taxpayers to carry the burden of the enforcement on one particular person. This had been a continuing problem, and staff had visited numerous times and was probably not included in the abatement costs.

Mr. Swanson said it was a policy decision, and Council could direct staff to prepare a code amendment.

It was moved by Councilor Chaimov and seconded by Councilor Barnes to adopt the resolution authorizing a lien in the amount of City costs for abating the nuisance on the real property owned by Lisa Meidel. Motion passed unanimously. [5:0]

RESOLUTION NO. 71-2008:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ASSESSING THE COSTS OF ABATEMENT OF THE NUISANCE LOCATED AT 5115 SE BROOKSIDE DR. AND ENTERING THE SAME ON THE DOCKET OF CITY LIENS PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 8.04.200(D)

AUDIENCE PARTICIPATION

• **Les Poole, Clackamas County**

Mr. Poole was the head of the North Clackamas Property Owners Association. He had a couple subjects he wanted to comment on. One of them was really positive. He no longer felt like he was going to be killed as he came onto McLoughlin Boulevard at the bottom of River Road. What a dramatic improvement. He was sure Councilor Chaimov lived in the neighborhood. It was light years of improvement. He noticed the day of the vote for light rail at Metro that very morning the tractors started working on the Cash Spot. We have had differences of opinion where parking ought to go. Buying the Cash Spot and getting that eyesore out of there and doing something with it he also strongly supported. He testified at Metro last week. He did not come into Milwaukie the week earlier. When he spoke at Metro it was of course about light rail. He would submit some information. He was interested in protecting Kellogg Lake and the parks. Since Dena Kronberg [Ms. Swanson] appeared on the horizon there has been a lot of questionable handling of the legalities involved there. It troubled him and still did. His attorney said he had a case, but Mr. Poole said he did not want to go there. With regard to light rail he did testify, nothing personal, but he felt Mayor Bernard probably should have recused himself. Unlike most land use situations or areas where we might have a question of possible need to recuse oneself when light rail came the property values were rezoned and went through the roof. The Mayor's property was in the alignment, in the corridor, he could not help but have a financial benefit. Nothing personal. When he spoke at Metro he commented about personal attacks. Attacks on him. Anonymous nonsense in the *Clackamas Review* blog page. Attacks on Ed Zumwalt. In the reverse, attacks on Councilors and people in general. We need to stay on the issue here. This thing was going to get kind of cute because we really did not know where we were going yet. We can pretend we do, but we do not. His big concern was simple. The cost to cross Kellogg Lake, squeeze the Trolley Trail, and eventually dump up to 1,000 cars on an acre at Park Street did not make sense. If anyone wanted to he would take them on a drive through there. You did not have to be a land use specialist or head of anything to understand there was no room for that. We were studying two alignments. The one to Park Street was going to cost so much citizens should be able to vote on it. Frankly, he did not want 1,000 cars dumped in Oak Grove. If we did not go to Park Street and stopped somewhere downtown where were those 800 – 1,000 cars going to go? When someone could give him an answer to that question, he would stop talking about it.

OTHER BUSINESS

Council Report

Councilor Chaimov attended Lewelling Neighborhood District Association meeting and visited and shopped at the New Century Players Yard Sale to show his appreciation to the group for loaning him a costume for the Milwaukie Daze Parade. He attended the Island Station neighborhood picnic with Councilor Barnes and Mayor Bernard.

Councilor Barnes said in addition to the events Councilor Chaimov mentioned she met with the new director of North Clackamas Stand for Children.

Councilor Stone announced the Ardenwald Concerts in the Park series every Thursday in August. She just returned from a hiatus to see Mickey Mouse.

Councilor Loomis had the opportunity to visit with Chief Bob Jordan and felt Milwaukie was very lucky to get him.

Mayor Bernard attended the Oregon Mayors' Conference in Pendleton and discussed issues similar between cities. He attended the Island Station Neighborhood picnic and would attend the Lake Road and Historic Milwaukie picnics.

PUBLIC HEARING

Garbage Rate Increase

Mayor Bernard called the public hearing on the garbage rate increase to order at 7:20 p.m. The purpose of the hearing was to hear public comment on the proposed increases. There was no correspondence on the matter.

Mr. Swanson distributed an amended attachment A in which the 90-gallon commercial cart rate was different from that in the packet.

Mayor Bernard noted Metro recently adopted an ordinance that required businesses to recycle a larger percentage.

Ms. Herrigel responded Metro Council was considering an ordinance, but it had not been adopted. The proposed City Council resolution would increase residential and commercial garbage rates to reflect increases in fuel rates and disposal costs and to achieve parity with Clackamas County rates and increasing miscellaneous drop box fees to reflect those increases. Each year the City received information from franchised garbage haulers on how much was spent and how much revenue was taken in. The information from the seven different companies was consolidated to make sure the combined system had an adequate rate of return. According to City code the rate of return range was between 8% and 12%, and the target was 10%. Generally speaking if the rate of return was around 10%, the haulers did not request an increase unless there was something specific coming up or something extraordinary was anticipated like fuel costs or Metro trip fee increases. This year's rate of return for consolidated system was 8.41%, which was fairly low. Metro was increasing its disposal facility tip fee by \$4.61 per ton. Fuel costs increased about 60% over the past year, and something like that was anticipated over the coming year. Parity issues were considered, and rates were modified. She proposed an increase of commercial and residential rates to reflect the increases just described for the Metro tip fee and fuel and in some cases to reach rate parity with the County. Some miscellaneous drop box fees needed to be modified to reflect fuel increases and to address parity. The County adopted these same rates on July 31. Attachment A as amended showed a rate for the commercial 90-gallon cart at 30-cents less.

Councilor Barnes thanked the haulers who helped out every year with the City cleanup. Last year when the Council adopted new rates she personally realized she had to find a way to reduce waste. Instead of using the biggest can available, she went to a much smaller size and was recycling more. She hoped people realized they could

do something similar. Overall her rates had dropped because she was no longer filling the monstrosity that she filled for the sake of filling. She took time to think it through. She asked why commercial was less than residential.

Ms. Herrigel replied yard debris collection was not included in the commercial rate.

Councilor Stone said the Council raised rates last October. Seeing that we were well underway in 2007 were there any projections for 2008.

Ms. Herrigel replied the projection was 9.06%.

Audience Testimony

- **Bryan Dorr, Milwaukie**

Mr. Dorr knew a fuel surcharge was part of the resolution. Diesel fuel prices at were \$4.75 per gallon. What if prices went down to \$3 and then went back up to \$3.25? The haulers may want an additional fuel surcharge. He wanted some kind of language regarding implementation of fuel surcharges.

Correspondence: No.

Additional Staff Comments

Ms. Herrigel appreciated Mr. Dorr's comments. It was not a surcharge but an anticipation of increases. The haulers provided this financial information on an annual basis, and a rate consultant could be hired to go through the financial report with a fine-toothed comb. If any of the anticipated costs did not reach their potential, then they would be adjusted back down. In addition to fuel and tip fees there were also insurance, labor, and equipment increases. It was all reviewed on an annual basis, and if rates of return were higher than the range they could be adjusted down.

Mayor Bernard understood there was no specific fuel charge anticipated. He commented this was one of the most highly regulated businesses he had seen and noted health insurance for his own employees went up 27%.

Mayor Bernard closed the public testimony of the hearing at 7:37 p.m.

It was moved by Councilor Chaimov and seconded by Councilor Stone to adopt the resolution increasing residential and commercial garbage rates to reflect increases in fuel and disposal costs and to achieve parity with Clackamas County rates and increasing miscellaneous drop box fees to reflect fuel prices with amended attachment A. Motion passed unanimously. [5:0]

RESOLUTION NO. 73-2008:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, INCREASING RESIDENTIAL AND COMMERCIAL GARBAGE RATES TO REFLECT INCREASES IN THE FUEL AND DISPOSAL COSTS AND TO ACHIEVE PARITY WITH CLACKAMAS COUNTY RATES AND INCREASING MISCELLANEOUS DROP BOX FEES TO REFLECT FUEL INCREASES.

ADJOURNMENT

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

Mayor Bernard adjourned the regular session at 7:40 p.m.

Pat DuVal, Recorder

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
AUGUST 19, 2008**

CALL TO ORDER

Mayor Bernard called the 2036th meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Council President Joe Loomis and Councilors Deborah Barnes, Greg Chaimov, and Susan Stone

Staff present: City Manager Mike Swanson, City Attorney Bill Monahan, Community Development and Public Works Director Kenny Asher, Resource and Economic Development Specialist Alex Campbell

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS

Oregon Zoo 2008 Campaign

Metro Councilor Carlotta Collette discussed the Metro Bond proposal on the November 2008 ballot for the Oregon Zoo. The 50-year old zoo currently has 1.5 million visitors annually, and significant needs were identified in the master planning process.

Brian Newman, Oregon Zoo Foundation and former Metro Councilor, discussed the regional treasure, its identified deficiencies, and how those needs would be addressed. The Oregon Zoo is a public institution operated by Metro. In addition to being a great place to spend an afternoon, the Zoo was also a leader in education and endangered species conservation programs. It had the largest condor-breeding program in the world at an undisclosed location in rural Clackamas County, and the hope was to begin releasing condors in Oregon soon. The Zoo had been in its current location for over 50 years, and the aging infrastructure from the 1950's and 60's needed to be brought up to current standards. The proposed bond measure would update and replace old exhibits and facilities, increase access to conservation education, and replace utility systems to reduce water and energy use and lower operating costs. It would provide more humane conditions for the elephants, protect the health of the polar bears, renovate the primate enclosures, dedicate space for conservation education, provide an on-site condor exhibit, replace aging animal hospital and quarantine buildings, and improve water quality by separating sewage from stormwater and harvesting runoff for reuse. The 21-year \$125 million bond would cost approximately \$0.09 per thousand assessed valuation. Accountability requirements would include internal audits, annual independent financial audit, and a citizens oversight committee to monitor spending and recommend project modification if necessary.

Councilor Stone asked Mr. Newman if any of the remodeling would minimize animal psychosis. What would be done to make that better?

Mr. Newman replied the behavior was documented particularly in large mammals including elephant and polar bears. The new enclosures would be safer, larger, and more natural. The Zoo also hoped to have an offsite location where elephants could get some time away from the public. Although people were generous, it was difficult to

raise the needed funds without a bond measure. He noted it took five years to raise \$5 million for the new lion exhibit.

CONSENT AGENDA

It was moved by Councilor Barnes and seconded by Councilor Chaimov to approve the consent agenda:

- A. City Council Minutes of June 3, 2008 Work Session
- B. City Council Minutes of July 14, 2008 Special Session
- C. **Resolution 74-2008:** A Resolution of the City Council of the City of Milwaukie, Oregon, Amending Contract #306 097 with David Evans and Associates, Inc. for Landscape Design and Engineering Services for Milwaukie Riverfront Park to Extend the Term to September 2009 and Increase the Compensation to \$500,000
- D. **Resolution 75-2008:** A Resolution of the City Council of the City of Milwaukie, Oregon, Approving the Award of Contract for the Rehabilitation of the 18th Avenue Wastewater Main
Resolution 76-2008: A Resolution of the City Council of the City of Milwaukie, Authorizing Budget Appropriation for the Purpose of the 18th Avenue Rehabilitation Project
- E. **Resolution 77-2008:** A Resolution of the City Council of the City of Milwaukie, Authorizing Budget Appropriation for the Purpose of Purchasing Valve Maintenance Trailer Equipment

Motion passed unanimously. [5:0]

AUDIENCE PARTICIPATION

None.

PUBLIC HEARING

Motion to Consider Continuation of Amendments to Milwaukie Municipal Code (MMC) Section 19.321.7 and 19.321.3

Mr. Swanson reported this matter had been taken up at the second meeting of each month since June 2006. He briefly reviewed previous actions and read the proposed amendments:

19.321.3. Unpermitted uses

The following uses may not be permitted as community service uses and are prohibited in all zones:

- A. Major utility facilities, including wastewater treatment plants and thermal (coal, gas, or oil) power generating plants, other than cogeneration facilities sited with an industrial use. A generator supplying on-site power is not a thermal power generating plant for purposes of this section.

19.321.7 Nonconforming Community Service Uses

Any use prohibited by Section 19.321.3 that was approved prior to the adoption of Section 19.321.3 may remain in use through December 31, 2015, but may not be enlarged, upgraded, remodeled, or altered in any way, except as needed to abate nuisances declared by the City or as needed to comply with applicable federal or state statutes, regulations or permits. No changes in such nonconforming uses are permitted, except as needed to abate City-declared nuisances or as needed to comply with applicable federal or state statutes, regulations or permits. Violation of this

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DRAFT MINUTES

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subsection shall be prosecuted under Chapter 1.08 and the civil penalty for violation of this section shall be \$10,000 per day of violation. During the period when any such nonconforming use remains in effect after December 31, 2015, the owner of the property and the operator of the use are jointly liable to the City for payment of a nonconforming major utility fee in an amount to be set by resolution of the City Council to recover costs and impacts on the City resulting from the presence of the nonconforming major utility. This section does not apply to a use that has been approved under Section 19.321.2B.

Mr. Swanson explained both sections related to the Kellogg Treatment Plant. He recommended continuing the matter and stated he believed they would be important when the District financed system improvements. An underwriter might not be comfortable with those provisions in the municipal code or with their monthly continuance. He recommended continuing the matter to September 16, 2008. If adopted there would need to be some work done to amortize the costs and ensure the penalties were reasonable. He did not recommend adoption at this point but wanted to read the amendments into the record for clarity.

Mayor Bernard recommended sending the Clackamas County Commissioners copies of the proposed code amendments.

It was moved by Councilor Chaimov and seconded by Councilor Loomis to continue the hearing to September 16, 2008. Motion passed with the following vote: Mayor Bernard and Councilors Loomis and Chaimov voting 'aye' and Councilors Barnes and Stone voting 'no.'

OTHER BUSINESS

A. South Downtown Concept – Report on Phase 1 and Contract Approval for Phases 2 and 3 – Resolution

Mayor Bernard recused himself as a property owner in the area.

Mr. Asher reported the City began working last spring with the Center for Environmental Structure (CES) to better understand the redevelopment potential for the South Downtown area and validate the *South Downtown Concept Plan* that showed a plaza with light rail station, restored Kellogg Creek, and a pedestrian underpass. CES conducted and compiled information from 34 interviews about what people wanted to see in downtown Milwaukie. He had heard many positive comments about people's perceptions the process. CES provided the City with two key deliverables: a 23-point review of the South Downtown Concept Plan and a 37-page summary of issues and information raised by community members.

Randy Schmidt, CES, provided an update on the work and talked about the next phases to reach a new, revised, and embellished concept plan for South Downtown. CES asked 34 members of the community what they loved about Milwaukie, what defined it, and what was important to reproduce, extend, or protect. The information was boiled down and grouped thematically around topics in preparation for the pattern language. He briefly reviewed the 2007 Concept Plan.

Community members' comments tended to fall into themes, and it was probably worthwhile stating that a certain amount of boiling and synthesizing was used as a generative tool. CES and the interviewees went on a walking tour of the downtown, and Mr. Schmidt showed slides of the things people loved and wanted to protect so Milwaukie's character was enhanced and reinforced and not lost. City Hall came up repeatedly as a structure and human organization, and the Sunday Farmers' Market was an emotional anchor with a relationship to City Hall. The waterfront was the jewel

of the City, and opinion was divided on the adequacy of the connection. Some felt it was just not there. Many spoke about beautiful trees and dogwoods in particular. The Masonic Lodge came up many times as something of value along with the Portland Waldorf School as a physical structure and human organization. Many felt the sidewalk widths were adequate, and the trees were a nice aspect. People talked about businesses and spoke favorably about the improvements made under the Downtown Plan. The businesses at the north end of Main Street were valued a great deal. People liked the columnar structure and multi-paned windows at Casa de Tamales and appreciated the intersection improvements at Main and Harrison Streets including the street medallions. A space similar to the Portland Waldorf School might be reproduced at the south end of Main Street in a vest pocket park. The presence of nature and access to water in the downtown was important. People spoke positively of the Lee Kelly Fountain at the Ledding Library. The railroad trestle was attractive and should be protected and enhanced. Mr. Parecki's building came up many times as a desirable renovation in terms of materials and size. The awning at the Brew Pub on Main Street was an attractive sidewalk feature for pedestrians in any kind of weather. People liked the Oregon Department of Transportation (ODOT) building at the north end of town. People suggested the design of the Bend, Oregon, train station be duplicated in a downtown Milwaukie light rail station. Restoration of the Kellogg Lake into a creek was considered a good idea.

CES was also charged with reviewing the 2007 South Downtown Concept Plan. CES found the overall broad concept of a plaza at south end coupled with the light rail station a strong positive. The proposed plaza would be six blocks from the other major focus of downtown Milwaukie: City Hall and the current location of the Sunday Farmers' Market. The two plazas and the intervening six blocks formed a barbell structure generating a new core. Those two poles had the potential to enliven Main Street and form activity nodes with redevelopment creeping in from either end. People felt it was important to save the trees on the site across from City Hall as they were treasureable resources. He recommended protecting the site and leaving it open for the Farmers' Market and other uses of the outdoor space. There was some talk at one point about light rail ending further north, but he felt there was great strength in having it in the South Downtown design. Light rail would bring pedestrian traffic making the plaza and light rail a strong positive. The right triangle of the plaza was inherently problematic in that it did not lend itself to human comfort and satisfaction, and the acute angles reduced use. The geometry, by virtue of the size, shape and relationship to the street, made the site hard to define. It left little opportunity for surrounding buildings to "hug" the plaza, and a symbiotic relationship of buildings and space was vital to successful design of a lively urban plaza. Dogwood Park, the green triangle on the west side of Main Street should be protected as a vital component of the plaza. CES felt the scale and unit of development should be smaller than implied and not block sized. Smaller units of development probably lead to greater success. The tower was a strong positive and gesturally could be a strong anchor if done appropriately. Kellogg Lake improvements were a strong positive with pedestrian access to the extent feasible without disturbing habitat. In the scheme shown, there was a hint of a pedestrian underpass from the Creek to the waterfront. He was not sure about the best way to establish it, but it was a worthy objective to study further. Access from the downtown to the River was an issue in its own right given the barrier of McLoughlin Boulevard and pedestrian safety.

Upcoming work would be to establish pattern language using these community grassroots materials as fuel. CES would diagnose the strengths and weaknesses and identify where human intervention could heal things. It would generate a new concept design that embellished and superceded the 2007 Plan and include and implementation strategy based on present findings. The intent was to continue working with a 9-member citizen group to hammer out the issues, and CES would meet with the property

owners in the South Downtown area. CES often worked with large models and staked sites to generate feedback on what ought to be done. City Council could review the pattern language followed by a public showing. Mr. Schmidt showed an example of a large-scale model from which more polished drawings would be generated.

- **Ed Zumwalt, Milwaukie**

Mr. Zumwalt thought the CES document was remarkable. He was concerned about intellectual memory, changes of Council, and what the next part of the City was going to look like. What would keep us in line? It was up to the conscience of our leaders. He was concerned a lot of people had talked about a village concept north of Hwy 224 and this area. He asked if the “barbells” could be stacked end to end in that case. He was looking forward to seeing what CES came up with but was concerned about the future.

- **Greg Seagler, Milwaukie**

Mr. Seagler lived in the South Downtown and was sometimes a NIMBY. He loved the City’s location on the River and wanted to enhance what was there. Working with CES had been a positive experience for him, and although initially skeptical, he was pleased with the report. The consultant had a wonderful understanding of how people, buildings, and nature worked together. He appreciated the concern with scale. People said they wanted Milwaukie to keep the human scale and the small town feeling to encourage pedestrian activities and social interactions. CES really seemed to understand. Although he did not know how much it would cost to continue working with this company, he felt some expense was justifiable because the agency strives to operate with a certain amount of transparency and not adhere to its own agenda. There were a lot of community issues recently, and things had not been easy. When he read the report he was struck by how much agreement there was among people who had been far apart on other issues. The focus was on the south end, but it was clear everyone was looking at the bigger picture. Certain things were inevitable, and this was the time to envision how to make the most of everything.

- **Ed Parecki, Milwaukie business owner**

Mr. Parecki had been able to speak about the things he liked and how to make Milwaukie better. The exterior of his Main/Monroe Street building on the bar was complete, and his other building was the bell. He would like CES to tie this into the Downtown Plan to determine where the similarities might or might not be. He was glad to see one of his issues, keeping the plaza at City Hall, was prominent along with waterfront access.

- **Dion Shepard, Milwaukie**

Ms. Shepard had been looking at the triangle for 9 years, and she was pleased with what CES had come up with. She really like having two plazas because she wanted to save the trees and remove asphalt. She did not advocate for the cookie cutter effect or hodgepodge development and wanted to keep the small town feel. She liked the ideas for Dogwood Park and hoped she could continue working with CES as the project went forward.

Mr. Asher appreciated the comments. The action in this agenda item was to authorize the City Manager to execute a contract with CES for planning services for Phases 2 and 3 in the amount of \$120,000. CES had started discussions with TriMet so this work could inform any light rail station design.

Councilor Barnes found the comments interesting and was pleased people found a common goal. It benefited the City when people with differing political views worked

together. She like the Bend train station idea and hoped TriMet would consider it. Overall she was very impressed.

Mr. Schmidt was surprised by the two strong positives. The comments were incredibly rich and heartfelt, and the level of agreement among those who might have opposing views surprised him.

Councilor Stone commented light rail really had no end point whether it went to Park Avenue, Lake Road, or not at all. She asked how the terminus discussions were going.

Mr. Asher replied this City Council and other jurisdictions approved the locally preferred alternative with a terminus at Park Avenue and a station at Lake Road. Mr. Schmidt had agreed to fly to Portland in order to have a series of meetings with the TriMet design team. Milwaukie was working on its South Downtown and TriMet should be responsive to Milwaukie. TriMet appreciated speaking with someone that had a sense of what they wanted and had involved its citizens early. CES would have some hand in helping with the station location and design as part of the umbrella agreement.

Councilor Stone commented about the photo of the Bend train station and suggested the ODOT building be used as a transit station. The City once had an Amtrak station and could still use one. It was not over until the fat lady sang. Something to consider was the use of stonework mimicking the Bend station on a smaller scale. The waterfront park could have a similar design. She liked the suggestion of tying in this work to the Downtown Plan and looking broadly including the north end. She liked the barbell analogy. She wanted there to be an intimacy between people, buildings, and nature. CES was spot on in having this concept plan address all the human senses. The idea of smaller development and scale of downtown redevelopment was going in a good and positive direction. She liked the idea of models and mapping and felt the same thing should be done with light rail because it would be huge in the Milwaukie downtown. It was important to pay attention to proper scale. She was pleased it was not a cookie cutter plan and included small businesses and a variety of restaurants. She hoped modeling would prevent a major misfit before it occurred. Light rail was the elephant in the kitchen, and it was important to make sure it fit.

Councilor Chaimov was pleased this work gave the community a way of moving forward together.

Councilor Loomis felt the work had really captured Milwaukie, and he was impressed.

It was moved by Councilor Barnes and seconded by Councilor Chaimov to adopt the resolution authorizing the city manager to execute a contract with the Center for Environmental Structure for Planning Services for Milwaukie's South Downtown Area Phases 2 and 3.

Councilor Loomis felt this was a project the whole community could get behind, and this work helped set the path. It was interesting that it took an outside visitor to remind us how beautiful Milwaukie was and nice for someone to come in with fresh eyes.

Motion passed with the following vote: Councilors Barnes, Chaimov, and Stone and Council President Loomis voting 'aye.' Mayor Bernard had recused himself. [4:0]

RESOLUTION NO. 78-2008:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE CENTER FOR ENVIRONMENTAL STRUCTURE FOR PLANNING SERVICES FOR MILWAUKIE'S SOUTH DOWNTOWN AREA PHASES 2 AND 3.

B. Logus Road Right-of-way Acquisition Authority – Resolution

Mr. Campbell reported adoption of the proposed resolution would authorize the City Manager to acquire right-of-way to construct Logus Road sidewalk and to use eminent domain if necessary. The design included continuous sidewalk predominantly on the south side of the street and preserved the tree canopy. On-site storm water runoff was captured and treated through the use of “rain gardens” that also provided a buffer between the pedestrians and vehicles. The right-of-way acquisition was ready to begin, and he had a number of appraisals in hand. He discussed the process and noted it was important for the City to make an initial offer that would survive in court if necessary. It would pay 100% of the value of the land that would be used as sidewalk.

Councilor Stone understood in reading the report using eminent domain was not anticipated. Could the City Council decide the City Manager did not have that authority? It could easily be put on an agenda for Council to decide. To her it was threatening to take property anyway, and she did not wish to portray that to citizens. The land was sacred, and this was the American dream. She did not wish to approach it as a threat and suggested the matter come back to Council.

Mr. Campbell replied getting items on the Council agenda could take three to four weeks, so there could be problems with the construction window. He felt there was value in the City’s being upfront and direct with the property owners. There was some uncertainty with not using eminent domain.

Mr. Swanson added no one liked to use eminent domain, but the Council had certain fiduciary responsibilities. It also had certain powers at its disposal, and was a matter of how things were handled. It was a tool that could be used to the benefit of the community as a whole and not used in a heavy-handed manner.

Mayor Bernard observed eminent domain was used successfully on the Johnson Creek Boulevard and McLoughlin Boulevard improvements, and the resulting projects satisfied all parties. He felt it was the most honest way to go.

Mr. Swanson added in the McLoughlin Boulevard situation eminent domain would have been expensive, so the City pursued outright purchase of the larger property.

Councilor Stone asked what would happen if a property had a lien on it.

Mr. Campbell replied whether it was a willing seller or eminent domain any payment would go toward the lien and not to the property owner.

Councilor Stone thought it would be cleaner to negotiate without using the big gun. That was what she would prefer. The City could pull out the big gun later.

It was moved by Councilor Chaimov and seconded by Councilor Barnes to adopt the resolution declaring the need to acquire property on Logus Road for sidewalk and utility right-of-way and approving purchase and/or condemnation of select properties on Logus Road in fulfillment of the Logus Road Improvement Project. Motion passed with the following vote: Mayor Bernard and Councilors Chaimov, Loomis, and Barnes voting ‘aye’ and Councilor Stone voting ‘no.’ [4:1]

RESOLUTION NO. 79-2008:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DECLARING THE NEED TO ACQUIRE PROPERTY ON LOGUS ROAD FOR SIDEWALK AND UTILITY RIGHT-OF-WAY AND APPROVING THE PURCHASE AND/OR CONDEMNATION OF SELECT POPERTIES ON LOGUS ROAD IN FULFILLMENT OF THE LOGUS ROAD IMPROVEMENT PROJECT.

C. Council Report

Councilor Stone enjoyed the Ardenwald Summer Concert and dinner with the Board of County Commissioners.

Mayor Bernard announced he could use more volunteers at the concert and Farmers' Market community booth.

Mr. Swanson announced immediately following adjournment of the regular session, City Council would meet in executive session pursuant to ORS 192.660(2)(h) to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

ADJOURNMENT

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

Mayor Bernard adjourned the regular session at 8:40 p.m.

Pat DuVal, Recorder

5.
PUBLIC HEARING

13.12.063 Fats, oils and grease control.

A. Purpose. ~~IThe city of Milwaukie finds that,~~ in order to provide for the public health and welfare, to ensure the adequate maintenance and operability of the wastewater collection and treatment infrastructure, and to comply with the laws and regulations of the Sstate of Oregon, Clackamas County Service District No. 1, and the United States ~~Government,~~ it is necessary to set uniform requirements for all users of the city's sanitary sewer system to include, but not limited to, the following:

1. To establish the appropriate authority for the city to condition or deny discharges to the city sewer system;
2. To prevent the introduction of excessive amounts of grease into the city sewer system;
3. To prevent the clogging or blocking of the city sewer lines due to grease build-up ~~causing that cause~~ backup and flooding of streets, residences, and commercial buildings;
4. To implement a set of procedures to recover the costs incurred when grease blockages require the city to engage in cleaning and maintenance of sewer lines and the disposal of grease blockages;
5. To implement a procedure to recover costs from the parties responsible for contributing waste products to the city system for the cost of any liability incurred by the city for damage caused by grease blockages resulting in the flooding of streets, residences or commercial buildings;
6. To establish enforcement procedures for violations of any part or requirement of this section; and
7. To establish the authority for the city to carry out routine and non-routine monitoring (sampling and inspections) of the grease traps of any food service facility either in the city or outside, that contributes waste products that enter the city system.

B. Applicability. The terms and conditions of this section shall apply to all food service facilities.

C. Definitions.

“City” means the city of Milwaukie Oregon, employees of the city, or an authorized agent of the city.

“Discharger” means the food service facility that is discharging gray water to the city sewer system.

“Food service facility” or “facility” means any business which prepares and/or packages food or beverages for sale or consumption, on or off site, with the exception of private residences.

Food service facilities shall include, but are not limited to, food preparation facilities, food courts, food manufacturers with an average daily discharge volume of up to twenty-five thousand (25,000) gallons per day, food packagers, restaurants, cafeterias, grocery stores, convenience stores, coffee shops, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, and all other food service facilities not listed, herein.

“Garbage disposal” means a device which shreds or grinds up waste materials into smaller portions for discharge into the city’s sanitary sewer system.

“Gray water” means all of the liquid contained in a grease interceptor that lies below the floating grease layer and above the food solids layer.

“Grease” means a material either liquid or solid, composed primarily of fat, oil and grease from animal or vegetable sources. The terms “fats, oils, and grease (FOG),” “oil and grease” or “oil and grease substances” shall all be included within this definition.

“Grease interceptor” or “interceptor” means a device located underground and outside of the food service facility designed to collect, contain or remove food wastes and FOG from the wastestream while allowing the balance of the liquid wastes (gray water) to discharge to the wastewater collection system by gravity. Interceptors shall have at least one inspection hatch on the top surface to facilitate inspection, cleaning, and maintenance.

“Grease trap” or “trap” means a device located in a food service facility or under a sink designed to collect, contain, or remove food wastes and FOG from the wastestream while allowing the balance of the liquid waste (gray water) to discharge to the wastewater collection system by gravity. Traps shall have a removable lid on the top surface to facilitate inspection, cleaning, and maintenance.

“Grease trap service company” means a person, or company, who provides maintenance services for grease traps and interceptors. Maintenance services ~~to~~ include cleaning, minor repairs, FOG and solids removal from the interceptor, and transport of the removed material to an appropriate recycling or disposal facility.

“Waste grease” means fats, oils, and grease that can be collected following use and prior to discharge to the sewer or interceptor. Waste grease is collected from pans, deep fat fryers, and cooking grills.

D. Grease Interceptor/Trap Required.

1. General Requirements. ~~Except as provided otherwise in this subsection (D), g~~Grease interceptors and/or traps shall be provided by the food service facility owner to prevent FOG from entering the sanitary sewer system. ~~The o~~Owner shall provide documentation and/or calculations on all sizing and model selections to the city building division for approval prior to installation. The grease interceptor or trap shall be ~~located as to be~~ easily and safely accessible for cleaning and inspection. All prospective grease interceptor or trap users must provide

manufacturer's capacity data and an estimate of the product rate at the facility that is within the capacity of the grease interceptor or trap to be approved by the building permit department.

2. Existing Facilities. For the purposes of sizing and installation of grease interceptors/traps, all food service facilities existing within the city's sewer system service area, whether within, or without, the city limits, prior to the effective date of the ordinance codified in this section shall be allowed to operate and maintain existing grease interceptors/traps provided their grease interceptors or grease traps are maintained in efficient operating conditions.

Except as provided otherwise in this subsection (D), on or after the effective date of said ordinance, the city shall require an existing food service facility to install, operate and maintain a new grease interceptor or trap that complies with the requirements of this section or to modify, repair or replace any noncompliant interceptor or trap within ninety (90) days of written notification by the city when any one or more of the following conditions exist:-

- a. The facility does not have a grease interceptor or trap:-
- b. The facility has an undersized, nonrepairable or defective grease interceptor or trap:-
- c. Remodeling of the food preparation or kitchen waste plumbing system is performed which requires a building permit to be issued by the city: or-
- d. The existing facility does not have plumbing connections to a grease interceptor or trap in compliance with the requirements of this ordinance, or current building codes.

3 —3. New Facilities or New Interceptor Installations. Grease interceptors or traps shall be located in the food service facility's lateral sewer line between all fixtures which may introduce grease into the sewer system and the connection to the city's wastewater collections system. Garbage disposals, dishwashers and restrooms shall not be plumbed to the grease interceptor. Automatic hood washers, floor drains in food preparation and storage areas shall be plumbed to the grease interceptor. Sanitary facilities (restrooms) shall not be plumbed to the grease interceptor under any circumstance.

4 A food service facility operating prior to the effective date of this ordinance may apply for an exception to the requirement that it install a grease interceptor or grease trap under the following conditions:

- a. That application be made in writing to the Community Development Director or his/her designee prior to November 1, 2008 requesting an exemption;
- b. That an exemption be granted only for a food service facility that produces a minimal amount of FOG;
- c. That the determination that a minimal amount of FOG is being produced shall be based on a comparison of the food service facility's production of FOG as compared to all food service facilities subject to the provision of this section. In determining the production of FOG relative to other food service providers, inferences may be drawn from a comparison of the total amount of discharge to the wastewater system, the volume of products likely to produce a heavier

- concentration of FOG, and the active employment of practices that remove FOG prior to its discharge to a grease trap or grease interceptor;
- d. That the burden or proof is on the food service facility's owner/operator;
 - e. That the intention of this exception is to provide relief only to those whose production and discharge of FOG would not constitute more than a minor contribution to the system; and
 - f. That the food service facility's owner/operator consents to an annual review and inspection at which it shall be determined whether the food service facility has implemented changes that increase its production of FOG;
 - g. That the determination of the Community Development Director or his/her designee may be appealed by the food service facility owner/operator to the City Manager within five working days of the date it is mailed; and
 - h. That the exception may be unilaterally revoked pursuant to any requirement of the State of Oregon, Clackamas County Service District No. 1, or the United States whose effect is to require a grease trap or grease interceptor for any food service facility, regardless of the amount of FOG contributed to the system

E. Maintenance of Grease Interceptor/Trap Required.

1. Maintenance. All grease interceptors and grease traps shall be continuously maintained in satisfactory and effective operational condition by the discharger at the discharger's expense. Typically maintenance consists of the removal of floatable solids and settleable solids collected in the grease interceptor/trap; and the cleaning of the walls and piping.

2. Routine Maintenance Schedules. The discharger is responsible for establishing a routine maintenance schedule that includes the routine removal of floatable and settleable solids and cleaning of the interceptors/traps. The maintenance frequency should be such that the interceptor/trap does not allow fats, oils, grease and food solids to leave the interceptor and enter the city sewer collection system. The amount of time between pumping and cleaning services is dependent on the volume of wastes discharged, the volume of the interceptor/trap, and the physical integrity of the interceptor/trap structures and piping. It is the discharger's responsibility that the interceptors/traps are routinely inspected and repaired as needed.

3. Record Keeping Requirements. The discharger is responsible for maintaining appropriate maintenance records that documents the routine pumping, cleaning, and repairs made to interceptors and traps. Where the discharger hires a grease trap service company to clean the interceptor/trap and remove and dispose of the accumulated grease and solids, a copy of the pumping manifest or billing must be retained with the maintenance records. Where the discharger does not hire a grease trap service company the discharger shall maintain a receipt for proper disposal of the accumulated FOG and solids. All maintenance records should include at a minimum the following information:

- a. Name of facility;
- b. Date service performed;

- c. Total volume of the interceptor/trap;
- d. Total volume of material removed from the interceptor/trap;
- e. List of all deficiencies identified from an inspection of the empty interceptor/trap;
- f. Name and address of the grease trap service company;
- g. Name and address of final disposal site;
- h. Signature of the grease trap service company employee performing the work, if applicable;
- i. Signature of the discharger's employee observing and accepting the services.
- j. Receipt for payment for proper disposal of FOG and solids, if such services are not provided by a grease trap service company.

4. Record Retention. All grease interceptor/trap maintenance records shall be retained for a period of no less than, three (3) years. These records shall be retained at the food service facility and shall be made available for inspection by the city.

F. Disposal of wastes from interceptors and traps. Storage, handling, transportation and disposal of all wastes from interceptors/traps shall be performed in accordance with applicable federal, state and local regulations that pertain to the type and/or class of waste. Materials removed from waste interceptors/traps must be disposed of at State of Oregon Department of Environmental Quality (DEQ) designated locations for those specific type wastes. Materials removed from waste interceptors/traps shall not be discharged to the city sanitary sewers or storm drains.

G. Collection, Storage and Disposal of Waste Grease and Solids. Dischargers are encouraged to collect excess oil and grease from deep fat fryers, pots, and pans prior to washing. This waste grease and oil should be collected and stored in appropriate containers that are appropriately labeled. The collected waste grease and oil should be collected by a waste grease service company for disposal. In no case shall the discharger dispose of deep fat fryer oils and other collected waste greases and oils by discharge to the grease interceptor/trap or to the city sewer system.

H. Clean up of Spilled Grease and Oil. The discharger shall clean up all spilled grease and oil using appropriate tools including a mop and bucket. Bucket contents may be discharged to the grease interceptor/trap, and solid greases and oils that can be manually picked up should be held in the waste grease collection containers for final disposal. In no instance shall spilled grease and oils be washed to the stormwater drains. In the event that the city is required to clean up a grease and oil spill generated by a discharger, the city is authorized to assess cost recovery fees to the discharger for all reasonable documented costs associated with the clean up.

I. Use of Chemicals and Other Additives. The use of chemicals, emulsifying agents, enzymes, microorganisms and/or other additives that are added to the grease interceptors/traps to reduce or eliminate the pumping and cleaning of the interceptor/trap is prohibited. Dischargers currently using a chemical or other additive must halt such use immediately on the effective date of this ordinance or be subject to citation and fine under subsection K of this section.

J. Right of Access. The city, employees of the city, or authorized agents of the city, have the authority to enter the property of the discharger to conduct inspections of the entire facility, including the interceptors, traps, cooking and storage areas, restrooms, offices, service areas, and other areas of the facility. The city is also authorized to collect samples of any wastestream, including the discharge from the facility and the interceptors and traps. The city may obtain search warrants for inspection and sampling purposes. Failure to grant access may result in the suspension of sewer and water services provided by the city.

K. Enforcement. A person failing to comply with the provisions of this section is subject to the short form uniform citation and complaint method and enforcement procedures within Chapter 1.08 of city codes. In addition to these enforcement actions the city is authorized to take the following actions to achieve compliance to this section.

1. Mandatory Interceptor/Trap Service. The city may issue an order requiring the discharger to conduct interceptor/trap maintenance services within a mandatory time period. The cost of the services shall be the direct responsibility of the discharger.

2. Mandatory Interceptor/Trap Service Schedule. The city may impose a mandatory pumping and cleaning schedule to assure the proper maintenance of an interceptor not properly maintained by the discharger. The cost of the services shall be the direct responsibility of the discharger. Mandatory service schedules may cover a time period of up to three (3) years.

3. Cost Recovery. The city may assess the discharger the amount of those expenditures made by the city to clean up or prevent sewer blockages and overflows caused by the discharge from that discharger. The city may also recover costs associated with any testing performed for reasons associated with violations or repeat offenders.

4. Civil Penalties. A person found to have committed a violation of this title shall be assessed a penalty of not more than five hundred dollars (\$500.00) per day per violation, for violations of this section.

5. Emergency Suspensions. The city may immediately suspend a discharge and/or water services, after informal notice to the discharger, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. (Ord. 1972 § 1, 2007)

13.12.063 Fats, oils and grease control.

A. Purpose. In order to provide for the public health and welfare, to ensure the adequate maintenance and operability of the wastewater collection and treatment infrastructure, and to comply with the laws and regulations of the State of Oregon, Clackamas County Service District No. 1, and the United States, it is necessary to set uniform requirements for all users of the city's sanitary sewer system to include, but not limited to, the following:

1. To establish the appropriate authority for the city to condition or deny discharges to the city sewer system;

2. To prevent the introduction of excessive amounts of grease into the city sewer system;

3. To prevent the clogging or blocking of the city sewer lines due to grease build-up that cause backup and flooding of streets, residences, and commercial buildings;

4. To implement a set of procedures to recover the costs incurred when grease blockages require the city to engage in cleaning and maintenance of sewer lines and the disposal of grease blockages;

5. To implement a procedure to recover costs from the parties responsible for contributing waste products to the city system for the cost of any liability incurred by the city for damage caused by grease blockages resulting in the flooding of streets, residences or commercial buildings;

6. To establish enforcement procedures for violations of any part or requirement of this section; and

7. To establish the authority for the city to carry out routine and non-routine monitoring (sampling and inspections) of the grease traps of any food service facility either in the city or outside, that contributes waste products that enter the city system.

B. Applicability. The terms and conditions of this section shall apply to all food service facilities.

C. Definitions.

"City" means the city of Milwaukie Oregon, employees of the city, or an authorized agent of the city.

"Discharger" means the food service facility that is discharging gray water to the city sewer system.

“Food service facility” or “facility” means any business which prepares and/or packages food or beverages for sale or consumption, on or off site, with the exception of private residences. Food service facilities shall include, but are not limited to, food preparation facilities, food courts, food manufacturers with an average daily discharge volume of up to twenty-five thousand (25,000) gallons per day, food packagers, restaurants, cafeterias, grocery stores, convenience stores, coffee shops, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, and all other food service facilities not listed, herein.

“Garbage disposal” means a device which shreds or grinds up waste materials into smaller portions for discharge into the city’s sanitary sewer system.

“Gray water” means all of the liquid contained in a grease interceptor that lies below the floating grease layer and above the food solids layer.

“Grease” means a material either liquid or solid, composed primarily of fat, oil and grease from animal or vegetable sources. The terms “fats, oils, and grease (FOG),” “oil and grease” or “oil and grease substances” shall all be included within this definition.

“Grease interceptor” or “interceptor” means a device located underground and outside of the food service facility designed to collect, contain or remove food wastes and FOG from the wastestream while allowing the balance of the liquid wastes (gray water) to discharge to the wastewater collection system by gravity. Interceptors shall have at least one inspection hatch on the top surface to facilitate inspection, cleaning, and maintenance.

“Grease trap” or “trap” means a device located in a food service facility or under a sink designed to collect, contain, or remove food wastes and FOG from the wastestream while allowing the balance of the liquid waste (gray water) to discharge to the wastewater collection system by gravity. Traps shall have a removable lid on the top surface to facilitate inspection, cleaning, and maintenance.

“Grease trap service company” means a person, or company, who provides maintenance services for grease traps and interceptors. Maintenance services include cleaning, minor repairs, FOG and solids removal from the interceptor, and transport of the removed material to an appropriate recycling or disposal facility.

“Waste grease” means fats, oils, and grease that can be collected following use and prior to discharge to the sewer or interceptor. Waste grease is collected from pans, deep fat fryers, and cooking grills.

D. Grease Interceptor/Trap Required.

1. General Requirements. Except as provided otherwise in this subsection (D), grease interceptors and/or traps shall be provided by the food service facility owner to prevent FOG from entering the sanitary sewer system. The owner shall provide

documentation and/or calculations on all sizing and model selections to the city building division for approval prior to installation. The grease interceptor or trap shall be easily and safely accessible for cleaning and inspection. All prospective grease interceptor or trap users must provide manufacturer's capacity data and an estimate of the product rate at the facility that is within the capacity of the grease interceptor or trap to be approved by the building permit department.

2. Existing Facilities. For the purposes of sizing and installation of grease interceptors/traps, all food service facilities existing within the city's sewer system service area, whether within, or without, the city limits, prior to the effective date of the ordinance codified in this section shall be allowed to operate and maintain existing grease interceptors/traps provided their grease interceptors or grease traps are maintained in efficient operating conditions.

Except as provided otherwise in this subsection (D), on or after the effective date of said ordinance, the city shall require an existing food service facility to install, operate and maintain a new grease interceptor or trap that complies with the requirements of this section or to modify, repair or replace any noncompliant interceptor or trap within ninety (90) days of written notification by the city when any one or more of the following conditions exist:

- a. The facility does not have a grease interceptor or trap;
- b. The facility has an undersized, nonrepairable or defective grease interceptor or trap;
- c. Remodeling of the food preparation or kitchen waste plumbing system is performed which requires a building permit to be issued by the city; or
- d. The existing facility does not have plumbing connections to a grease interceptor or trap in compliance with the requirements of this ordinance, or current building codes.

- 3 New Facilities or New Interceptor Installations. Grease interceptors or traps shall be located in the food service facility's lateral sewer line between all fixtures which may introduce grease into the sewer system and the connection to the city's wastewater collections system. Garbage disposals, dishwashers and restrooms shall not be plumbed to the grease interceptor. Automatic hood washers, floor drains in food preparation and storage areas shall be plumbed to the grease interceptor. Sanitary facilities (restrooms) shall not be plumbed to the grease interceptor under any circumstance.
- 4 A food service facility operating prior to the effective date of this ordinance may apply for an exception to the requirement that it install a grease interceptor or grease trap under the following conditions:
 - a. That application be made in writing to the Community Development Director or his/her designee prior to November 1, 2008 requesting an exemption;

- b. That an exemption be granted only for a food service facility that produces a minimal amount of FOG;
- c. That the determination that a minimal amount of FOG is being produced shall be based on a comparison of the food service facility's production of FOG as compared to all food service facilities subject to the provision of this section. In determining the production of FOG relative to other food service providers, inferences may be drawn from a comparison of the total amount of discharge to the wastewater system, the volume of products likely to produce a heavier concentration of FOG, and the active employment of practices that remove FOG prior to its discharge to a grease trap or grease interceptor;
- d. That the burden or proof is on the food service facility's owner/operator;
- e. That the intention of this exception is to provide relief only to those whose production and discharge of FOG would not constitute more than a minor contribution to the system; and
- f. That the food service facility's owner/operator consents to an annual review and inspection at which it shall be determined whether the food service facility has implemented changes that increase its production of FOG;
- g. That the determination of the Community Development Director or his/her designee may be appealed by the food service facility owner/operator to the City Manager within five working days of the date it is mailed; and
- h. That the exception may be unilaterally revoked pursuant to any requirement of the State of Oregon, Clackamas County Service District No. 1, or the United States whose effect is to require a grease trap or grease interceptor for any food service facility, regardless of the amount of FOG contributed to the system

E. Maintenance of Grease Interceptor/Trap Required.

1. Maintenance. All grease interceptors and grease traps shall be continuously maintained in satisfactory and effective operational condition by the discharger at the discharger's expense. Typically maintenance consists of the removal of floatable solids and settleable solids collected in the grease interceptor/trap; and the cleaning of the walls and piping.

2. Routine Maintenance Schedules. The discharger is responsible for establishing a routine maintenance schedule that includes the routine removal of floatable and settleable solids and cleaning of the interceptors/traps. The maintenance frequency should be such that the interceptor/trap does not allow fats, oils, grease and food solids to leave the interceptor and enter the city sewer collection system. The amount of time between pumping and cleaning services is dependent on the volume of wastes discharged, the volume of the interceptor/trap, and the physical integrity of the interceptor/trap structures and piping. It is the discharger's responsibility that the interceptors/traps are routinely inspected and repaired as needed.

3. Record Keeping Requirements. The discharger is responsible for maintaining appropriate maintenance records that documents the routine pumping, cleaning, and

repairs made to interceptors and traps. Where the discharger hires a grease trap service company to clean the interceptor/trap and remove and dispose of the accumulated grease and solids, a copy of the pumping manifest or billing must be retained with the maintenance records. Where the discharger does not hire a grease trap service company the discharger shall maintain a receipt for proper disposal of the accumulated FOG and solids. All maintenance records should include at a minimum the following information:

- a. Name of facility;
- b. Date service performed;
- c. Total volume of the interceptor/trap;
- d. Total volume of material removed from the interceptor/trap;
- e. List of all deficiencies identified from an inspection of the empty interceptor/trap;
- f. Name and address of the grease trap service company;
- g. Name and address of final disposal site;
- h. Signature of the grease trap service company employee performing the work, if applicable;
- i. Signature of the discharger's employee observing and accepting the services.
- j. Receipt for payment for proper disposal of FOG and solids, if such services are not provided by a grease trap service company.

4. Record Retention. All grease interceptor/trap maintenance records shall be retained for a period of no less than, three (3) years. These records shall be retained at the food service facility and shall be made available for inspection by the city.

F. Disposal of wastes from interceptors and traps. Storage, handling, transportation and disposal of all wastes from interceptors/traps shall be performed in accordance with applicable federal, state and local regulations that pertain to the type and/or class of waste. Materials removed from waste interceptors/traps must be disposed of at State of Oregon Department of Environmental Quality (DEQ) designated locations for those specific type wastes. Materials removed from waste interceptors/traps shall not be discharged to the city sanitary sewers or storm drains.

G. Collection, Storage and Disposal of Waste Grease and Solids. Dischargers are encouraged to collect excess oil and grease from deep fat fryers, pots, and pans prior to washing. This waste grease and oil should be collected and stored in appropriate containers that are appropriately labeled. The collected waste grease and oil should be

collected by a waste grease service company for disposal. In no case shall the discharger dispose of deep fat fryer oils and other collected waste greases and oils by discharge to the grease interceptor/trap or to the city sewer system.

H. Clean up of Spilled Grease and Oil. The discharger shall clean up all spilled grease and oil using appropriate tools including a mop and bucket. Bucket contents may be discharged to the grease interceptor/trap, and solid greases and oils that can be manually picked up should be held in the waste grease collection containers for final disposal. In no instance shall spilled grease and oils be washed to the stormwater drains. In the event that the city is required to clean up a grease and oil spill generated by a discharger, the city is authorized to assess cost recovery fees to the discharger for all reasonable documented costs associated with the clean up.

I. Use of Chemicals and Other Additives. The use of chemicals, emulsifying agents, enzymes, microorganisms and/or other additives that are added to the grease interceptors/traps to reduce or eliminate the pumping and cleaning of the interceptor/trap is prohibited. Dischargers currently using a chemical or other additive must halt such use immediately on the effective date of this ordinance or be subject to citation and fine under subsection K of this section.

J. Right of Access. The city, employees of the city, or authorized agents of the city, have the authority to enter the property of the discharger to conduct inspections of the entire facility, including the interceptors, traps, cooking and storage areas, restrooms, offices, service areas, and other areas of the facility. The city is also authorized to collect samples of any wastestream, including the discharge from the facility and the interceptors and traps. The city may obtain search warrants for inspection and sampling purposes. Failure to grant access may result in the suspension of sewer and water services provided by the city.

K. Enforcement. A person failing to comply with the provisions of this section is subject to the short form uniform citation and complaint method and enforcement procedures within Chapter 1.08 of city codes. In addition to these enforcement actions the city is authorized to take the following actions to achieve compliance to this section.

1. Mandatory Interceptor/Trap Service. The city may issue an order requiring the discharger to conduct interceptor/trap maintenance services within a mandatory time period. The cost of the services shall be the direct responsibility of the discharger.

2. Mandatory Interceptor/Trap Service Schedule. The city may impose a mandatory pumping and cleaning schedule to assure the proper maintenance of an interceptor not properly maintained by the discharger. The cost of the services shall be the direct responsibility of the discharger. Mandatory service schedules may cover a time period of up to three (3) years.

3. Cost Recovery. The city may assess the discharger the amount of those expenditures made by the city to clean up or prevent sewer blockages and overflows

caused by the discharge from that discharger. The city may also recover costs associated with any testing performed for reasons associated with violations or repeat offenders.

4. Civil Penalties. A person found to have committed a violation of this title shall be assessed a penalty of not more than five hundred dollars (\$500.00) per day per violation, for violations of this section.

5. Emergency Suspensions. The city may immediately suspend a discharge and/or water services, after informal notice to the discharger, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. (Ord. 1972 § 1, 2007)

7. INFORMATION

CUAB MEETING MINUTES
Wednesday, July 2, 2008
Johnson Creek Facility Conference Room
6101 SE Johnson Creek Blvd.

Members Present

Charles Bird, Chair
Bob Hatz, Vice Chair
Mike Scolar
Beth Kelland

Staff Present

Gary Parkin, Engineering Director

I. CALL TO ORDER

Chair Bird called the meeting to order at 6:00 p.m.

II. INTRODUCTIONS—None

III. CONSENT AGENDA

Minutes from the last meeting (5/7/08) and a synopsis of the facilities tour (6/4/08) were both approved.

IV. REPORTS

A. Capital Improvement Plan

Briefly reviewed the projects proposed for the 2008-2009 fiscal year.

V. DISCUSSION

A. Water rate

Reviewed some water rate data. More to follow in next meeting.

B. Review other Utility rates

Discussed the status of the rates in general, need to examine fiscal health more in depth.

VI. MATTERS FROM THE BOARD—None

VII. OTHER—None

VIII. INFORMATION SHARING

- A. Ed Miller's picture was received by the Board and will be displayed at our meetings.
- B. Bob will be the grand marshal of the old-fashioned parade.

IX. FUTURE MEETING DATE/AGENDA ITEMS

August 6 and September 10, 2008 (Charles may need to change dates)

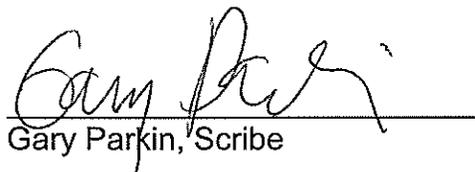
- Check water quality report (see if Don Simenson is available).
- Water demand down last year?
- Get Ted Kyle for meeting.

X. ADJOURN

The meeting adjourned at 8:00 p.m.



~~Bob Hatz, Chair~~
Charles Bird



Gary Parkin, Scribe

**Design and Landmarks Committee
Meeting Notes
Wednesday, June 25, 2008**

Members Present¹

Patty Wisner, Chair
Becky Ives

Members Absent

Parker Fitzpatrick

Staff Present

Brett Kelver, Assistant Planner (DLC liaison)
JoAnn Herrigel, Community Services Director
Ryan Marquardt, Assistant Planner

1. Call to Order

Chair Patty Wisner called the Design and Landmarks Committee (DLC) meeting to order at 6:50 p.m.

2. Meeting Notes

Assistant Planner Brett Kelver handed out copies of the adopted minutes from the March 25, 2008, meeting with the Planning Commission. DLC members were previously given an opportunity to review the minutes and suggest corrections before adoption at the June 24, 2008, Planning Commission meeting.

Mr. Kelver presented final copies of DLC minutes from two meetings in 2004 to Chair Wisner for signature. Since Chair Wisner is the only current DLC member who was on the committee in 2004, Mr. Kelver had sent the draft minutes to her prior to the meeting for review and correction. Chair Wisner signed the final versions of both sets of minutes.

Mr. Kelver noted that this would be the last meeting where he would be the notetaker. Planning Director Katie Mangle has secured funding for Paula Pinyerd and ABC Transcription Services to cover DLC meetings starting in the new fiscal year (July 2008). Although meetings will be tape-recorded, the minutes will be a summary of the discussion and not a literal transcription. Draft minutes will be sent to DLC members for review in the packets for each meeting in order to fill in gaps or correct inaccuracies. Committee members should focus their edits on corrections and not try to restate or otherwise elaborate on discussion points—the review is not intended as a chance to add more detail but to make sure that items were correctly recorded.

3. Riverfront Park

Mr. Kelver noted that the session tonight was intended to be a wide-open discussion and a chance for the DLC to ask questions about any part of the project. When this item returns to the group for the Design Review process, however, the discussion will necessarily be limited to measuring how well the proposal stacks up against the

¹ Prior to the meeting, Vice Chair Andrew Tull announced his resignation from the DLC due to work-related reasons. Barbara Cartmill's term ended earlier in 2008 and she chose not to renew it. At present, the DLC has only three members (Chair Wisner, Becky Ives, and Parker Fitzpatrick).

Municipal Code and Downtown Design Guidelines. Tonight is the night to discuss the project more generally.

Community Services Director JoAnn Herrigel provided some background and history on the Riverfront Park project. Milwaukians have been working with ideas about how to redevelop Riverfront Park for at least the last 30 years. In 2000 and 2001 the Downtown and Riverfront Park Plan was developed, without a provision for keeping the boat ramp. **Chair Wisner** noted that an earlier plan had been developed in 1996 and asked what had happened to it. **Ms. Herrigel** cited the Council recall and staff turnover as key factors in that plan languishing off to the side.

When Ms. Herrigel took over as staff for the Riverfront Board after the newer plan was adopted, she worked to get a better understanding of some of the long-standing conflicts and disagreements about the park, as well as to learn about grant opportunities and the various interagency agreements involved. The Riverfront Board conducted a survey in the community to get feedback about the overall park concept and learn what amenities folks wanted there. A sound majority of returns indicated a preference for a boat ramp and parking, as well as for picnic and plaza areas.

The Riverfront Board remained somewhat divided on the question of the boat ramp and looked at different examples and options, including the use of pavers and bioswales. In 2006, the Board came to consensus and agreed on a design that included a boat ramp and parking between the mouths of the two creeks (Kellogg Creek and Johnson Creek). The City hired David Evans and Associates (DEA) in 2007 to do the design and held an open house later in 2007 to show the new design, which also includes a transient boating dock, children's play structures, and an amphitheater.

Ms. Herrigel listed the proposed park elements that are sensitive and not subject to modification because the Riverfront Board has already hashed them out. These include open space at Klein Point, the boat ramp and green space arrangement with a set number of parking spaces, and the location of the restrooms. Nonsensitive items that are still open for discussion and modification include design of the bathroom building, colors, public art, and interpretive signage. Ms. Herrigel noted that Milwaukie Museum curator Madalaine Bohl talked to the Riverfront Board about city history and possible design themes, including industry, logging, and river traffic. An outreach effort was also made to Native American groups in the region for additional historical information. She listed several particular features that must somehow be accommodated in the park design, though the specifics have not yet been worked out: a time capsule somewhere in the park that must be preserved, a Daughters of the American Revolution monument that must be installed somewhere, and a boulder with a historical plaque (deSmet Marker) that must be relocated.

Having presented that background to the group, **Ms. Herrigel** indicated that she wanted to sit back and take notes on the Committee members' thoughts and ideas about the proposed park design. **Chair Wisner** noted that she had previously been on the Riverfront Board and said that many of the design elements from the original 1996 design appear to still be in the current plan, which she sees as good. She asked whether there was any flexibility in the proposed design and if there would be a chance to have DEA come back with revised designs to better reflect the true character of Milwaukie. She also asked whether the planned transient boat dock would accommodate any of the large excursion boats that do dinner cruises on the river and could make Milwaukie a destination. **Ms. Herrigel** confirmed that the intent was to have space for an excursion boat and asked whether that was seen as a good thing. **Chair Wisner** agreed that it was a good thing and noted that several excursion boat companies seem to be interested in the possibility as well.

Chair Wisner stated that she had only two major concerns about the current plan: the design of the water feature and of the bathroom building. Regarding the water feature, she thinks the current design is too rectangular and rigid and trough-like instead of being more curvy and rounded and natural looking. She liked the idea of water-carved rock that incorporates plants. She suggested that a more organic design might better reflect the natural springs and streams that meander through Milwaukie. She cited the High Desert Museum outside Bend as a good example of a design that incorporates its surrounding natural elements. She wondered whether there might be a way to somehow integrate the shape of a sternwheeler or paddle or some other aspect of riverboat commerce in the design. She thought the water feature should cascade and bubble and somehow reflect the fact that water downtown flows above and below the ground.

Committee Member Becky Ives suggested that the Riverfront Board take a look at Murase Park near the South Wilsonville exit off I-5. She described a water feature there that has some natural elements and is designed so that it is safe even for small children to play in. She wondered if the water features proposed for Riverfront Park could be designed to connect to one another underground as the water moves from the upper to the lower part of the park. **Ms. Herrigel** noted these ideas and said she liked a lot of them, though she said it can be difficult to wrestle with the architects once they get their own ideas about how things should be. Both **Chair Wisner** and **Ms. Ives** agreed that the architects should remember that they are working for the City of Milwaukie and that the community is the client calling the shots.

Chair Wisner addressed the second of her major concerns, that of the proposed bathroom building. She acknowledged that the building needs to literally keep a low profile to avoid impacts to sightlines, but she wondered whether there was a way to make it a bit more human and inviting. **Ms. Ives** expressed dislike for the flat-roof design and wondered whether the bathroom building could have a “green roof.” She offered to send **Ms. Herrigel** some examples of other designs, including one from a waterfront park in New York City. She noted her own personal concern about the Kellogg sewage treatment plant and that she would like it to go away. **Ms. Herrigel** suggested that the city cannot wait for the treatment plant to be decommissioned and that installing a nice park next door might in fact be a helpful contribution to the effort to move the plant.

Ms. Ives shared the name of Eamonn Hughes of Hughes Water Gardens on Stafford Road as a possible resource for the Riverfront Board regarding the water feature design and spoke some about his expertise in the field. She also noted that Kendra Smith, who worked on the Oregon Garden in Silverton, would be a good resource on wetlands and bioswales. Back to the bathroom building, **Chair Wisner** asked how people were supposed to sit on the reverse slope and watch movies projected onto one of the flat walls of the building. **Ms. Ives** agreed and asked how the movie screen was supposed to work if there is also supposed to be a trellis there (as shown on the plans).

Chair Wisner concluded that the building design should somehow reflect the character of Milwaukie. She asked whether DEA would actually consider the DLC’s ideas, which are rooted in the belief that the design should reflect the flavor and character of the community. **Ms. Herrigel** said that DEA would consider the ideas because the City is the client, as noted above. But she also suggested that the DLC members consider attending the upcoming Riverfront Board meetings to see how the design is modified.

Assistant Planner Ryan Marquardt asked whether it might be possible to set up an interim meeting with the DLC before the official Design Review hearing so that the architect from DEA could share some of the revised designs. **Ms. Herrigel** said yes and that she would think more about how to best do that in such a way that additional comments could be integrated into the design.

The discussion concluded and Ms. Herrigel and Mr. Marquardt excused themselves from the remainder of the meeting.

4. **Historic Property Photos**

Mr. Kelper had set up a projector to show the recently recovered and digitized slide photos of the properties on the City's historic resources list. He scrolled through the 90 photos, many of which the DLC members were able to identify. As a next step, **Chair Wisner** agreed to take a copy of the photo files and arrange them in folders, starting with the ones that are identifiable. After that, someone will need to identify the unknown photos and then match them all with the newest photos the DLC members have taken more recently. Once that work is done, the committee will need to further develop the slide show concept and decide how to group and organize the properties, such as by construction date or neighborhood.

5. **Officer Elections**

With the recent resignation of Vice Chair Andrew Tull, there are now two vacancies on the DLC and no Vice Chair. Because there was not a quorum, the group was unable to hold an election for officers, so that item will be on the agenda for the next meeting.

Chair Wisner reiterated that she is comfortable either being reconfirmed as Chair and serving until the end of her term or having the group elect a new Chair.

6. **2008-2009 Draft Work Plan**

Mr. Kelper reviewed the draft DLC work plan for 2008-2009 with the group. Regarding the historic photos task (Item #5 on the work plan), he suggested that the DLC consider building on the historic photos to create a more specific informational resource that focused on the history of downtown Milwaukie. He had in mind something that could be used by potential future developers downtown to help them design projects that more accurately reflect the character and history of the community. Such a resource would also be useful for the larger community as an educational tool, and it might tie in with a proposed walking tour of downtown. **Chair Wisner** suggested that it would be good to incorporate some of the older residents of Milwaukie in such a project, to help get the history and maybe present a type of Milwaukie-then-and-now perspective. The group agreed to talk more about that particular project at the next meeting. There were no comments or questions about other parts of the proposed work plan, and **Mr. Kelper** noted that Ms. Mangle expects to have the Planning Commission adopt a work plan for itself later this summer, which would include several points related to the DLC.

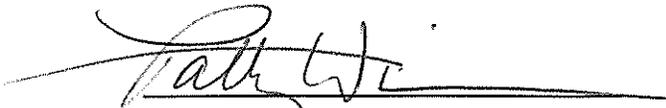
7. **Other Items**

Planning Commission e-packet: Passing along a note from Ms. Mangle, **Mr. Kelper** noted that all Planning Commission packets are now being posted on the City's web site, just as DLC packets have been for some time. DLC members will receive an informational e-mail each time a Planning Commission packet is posted, regardless of whether there are any DLC-related items on that particular meeting agenda.

70th birthday party for City Hall (July 11): **Mr. Kelper** reminded the group that there will be a birthday event to celebrate the 70th anniversary of City Hall (built in 1938) on Friday, July 11, 2008, from 11:30 a.m. to 1:30 p.m. He will be setting up a community booth for the DLC in order to show the historic properties slides and recruit new members to fill the vacant positions. All DLC members are invited and welcome to attend and partake in the festivities, which will include speeches, historical information, an unveiling of public art, and free hot dogs and drinks.

8. Adjourn

Chair Wisner adjourned the meeting at approximately 8:52 p.m.



Patty Wisner, Chair



Brett Kelter, Scribe

