CITY COUNCIL MEETING
May 28, 1975

CITY HALL BASEMENT 7 p.m. Special Meeting

A special meeting of the Council of the City of Milwaukie, Oregon, was held on the 28th day of May, 1975. The following councilpersons were present:

C. Mervin Englund
Charles E. Swan
Joy Burgess
Jerry N. Hutchison
Mayor Bill E. Hupp

Also present:

Harold L. Schilling, City Manager
J. Wayne Daigle, Dir. of P.W.
Dave Phelps, Adm. Asst.
Myer Avedovech, City Attorney
Dorothy E. Farrell, Secretary

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The meeting was called for the purpose of a public hearing on the supplemental budget, and to discuss deferred assessments.

Public hearing was declared open at 7:10 p.m. Notices published as required. No one appeared to speak on the supplemental budget. Public hearing was declared closed. It was MOVED by Burgess, SECONDED by Swan, that Resolution Number 16-1975(RESOLUTION ADOPTING 1974-75 SUPPLEMENTAL GENERAL FUND BUDGET AND MAKING APPROPRIATIONS) be read. MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Hutchison, that Resolution 16-1975 be adopted. MOTION CARRIED and so ordered.

DEFERRED ASSESSMENT PROGRAM

Background information and programs in other communities were discussed. It was concluded that rather than restrict a deferred assessment program to an age group, such as the elderly only, that the city would aim its program at low income persons without regard to age, and that a city ordinance would not be restrictive to sewer assessments, but would speak broadly to all public improvement assessment programs, but would be restricted in its application to funds available. Questions and considerable discussion centered on how income was to be calculated--should it be the principal breadwinner or head of household only, or income of the whole household--what would be considered as income, etc.? Staff was directed to research alternatives and come back with a recommendation. Schedule A of the Beaverton school lunch program was suggested as a guideline to income standards, and should be considered in the delineation of income limitations.

It was believed that the contract entered into in deferring an assessment should not be renewed annually but should be an ongoing contract, and that the staff would develop a mechanism for periodic and/or as indicated review of the continuing qualifications of a household receiving assessment deferment.

It was believed that both principal and interest should be deferred in a city assessment deferral program.

Question was raised as to what constitutes a family, and staff was asked to look into this question and come back with suitable guidelines. In reviewing the income guidelines suggestion was made that we doublecheck the Oregon school lunch program rationale and program and also HUD's rent schedule criteria.

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Discussion of reduced utility rates for senior citizens.
There was question as to the impact of having variable utility rates on city utility revenue and whether or not such reductions for one segment of users would necessitate increases for the remainder. It was felt that rather than simply reduce utility charges because of the age of a user, that the age plus low income guidelines might be properly used. The Council expressed a consensus as to the concept of a reduced utility rate, but requested that the staff come back with information detailing the expected fiscal impact of such reduced rates. There was also discussion as to whether sewer only or sewer and water rates would be affected.

The next thing discussed was on-site sewer connection work.
There was an expressed consensus that deferring the annual assessment would address only a small portion of the financial impact of the sewer program on low income persons. Particular concern was expressed regarding the impact of the on-site work required to physically connect a dwelling to the sewer system. Commercial costs of such work range between $500 and $1000 and these amounts are not bondable and constitute a cash or long-term contract, either of which carries a considerably larger financial burden than the annual sewer assessment. Suggestion was made that the city might look at the feasibility, legalities and costs of hiring temporary personnel and renting the necessary equipment and purchasing the materials to do on-site work for households qualifying for the deferred assessment program, and the actual real cost to the city of such work would be liened on the property, as would be the annual assessment. A very rough estimate of the costs of doing this work was placed at approximately $20,000. Staff was requested to explore this possibility in greater detail and report back on findings.

Council requests for staff followup:
1) Obtain and provide the Council copies of the new Portland noise ordinance and the city ordinance, together with recently promulgated DEQ rules.
2) Inspect, and if necessary replace the guard rail along River Road at 6th Street.
3) Pursue preliminary work on adoption of a city tree ordinance.
4) Determine whether Milwaukie police reserves are covered by insurance coverage. The Chief reportedly stated some time back that the reserves are not covered by any city insurance policy, and there was concern that the city's automobile insurance should cover a reserve operating a vehicle if they are to be operating city vehicles.
5) Check to see if City Council must follow the public hearing outline established as a result of the Fasano decision. What latitude does the Council have with respect to public hearing procedures (e.g., can they re-order the steps of the procedure)?

The meeting adjourned at 10:20 p.m.

Bill Hupp
Bill Hupp, Mayor

ATTEST:

Dorothy E. Farrell
Dorothy E. Farrell, Secretary