

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
SEPTEMBER 3, 2013**

**CALL TO ORDER**

**Mayor Ferguson** called the 2157<sup>th</sup> meeting of the Milwaukie City Council to order at 7:06 p.m. in the City Hall Council Chambers.

Present: Council President Dave Hedges and Councilors Scott Churchill, Mark Gamba, and Mike Miller

Staff present: City Manager Bill Monahan, Assistant to the City Manager Teri Bankhead, City Attorney Damien Hall, City Recorder Pat DuVal, Police Chief Bob Jordan, Police Captain Dave Rash, Community Development Director Steve Butler, Parks and Sustainability Director JoAnn Herrigel, and Building Official Tom Larsen

Press: Michael Bamesberger, The Oregonian

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS**

**A. Recognize Milwaukie's Police Cadets for Their Performance at the Law Enforcement Challenge**

**Chief Jordan** reported on the Milwaukie Police Cadets' individual achievements at the Oregon Law Enforcement Challenge (LEC) XXXIV and the award of the Top Post Trophy for combined overall scores. Post members included Tori Amundson, Brandon Blackwood, Hector Campos, Patrick Ford, Zach Fournier, Cooper Jolley, Jonny Pyles, Kenny Simac, Ashley Smit, Martin Stinger, and Brandon Walther. Ms. Amundson extended special thanks to Officers Crystal Hill, Lindsey Nold, and Ron Glenn for their work with the Cadets.

**B. Award Police Meritorious Service Medals to Officers Greg Elkins and John Redenbo**

**Chief Jordan** recognized Milwaukie Police Officers Greg Elkins and John Redenbo for their quick thinking, decisive action, bravery, and overall outstanding performance in preventing a young man from jumping off the footbridge above McLoughlin Boulevard near Ochoco Street. The officers were awarded the Police Meritorious Service Medal for their work in preventing the young man from hurting himself and possibly causing injury to an unsuspecting motorist.

**C. Recognize Oregon Building Officials Association Award to Milwaukie Permit Technician Bonnie Lanz**

**Melanie Adams**, City of Hillsboro, immediate past president of the Oregon Building Officials Association (OBOA), presented Milwaukie Permit Technician Bonnie Lanz with the 2013 OBOA *Raising the Profile Award*. Ms. Lanz has served the City for over 15 years and has established positive relationships with the local contractors. Further, she founded the Oregon Permit Technicians Association (OPTA), and for these and other reasons her peers nominated her for this award.

#### **D. Portland – Milwaukie Light Rail Update**

**Ms. Bluhm** updated the City Council and public on the anticipated and completed Light Rail Project street closures in Milwaukie. She recapped the McLoughlin Boulevard closure which was done 11 hours ahead of schedule. The Monroe Street closure was complete, and the street and sidewalks were open. Future road closures were related to Street Surface Maintenance Program (SSMP) projects. The next light rail closure was 21<sup>st</sup> Avenue and Adams Street scheduled for October 21 through November 3, 2013. The Trolley Trail will reopen in the late summer or early fall of 2014. She discussed the equipment and compacting vibration noted by Island Station residents.

The Mayor and Councilors thanked Ms. Bluhm for her work on this difficult project and especially the recent McLoughlin Boulevard closure.

**Councilor Churchill** commented he thought the TriMet hotline was a weak link.

#### **E. National Emergency Preparedness Month Proclamation**

**Council President Hedges** read a proclamation naming September, 2013, as *National Preparedness Month* and encouraged all citizens and businesses to develop a plan and work together toward creating a more prepared society.

#### **F. City Hall Diamond Jubilee Proclamation**

**Mayor Ferguson** read a proclamation proclaiming September 6, 2013, as Milwaukie City Hall Diamond Jubilee Day and called upon public officials, historians, students, and all the people of Milwaukie to observe this day.

### **CONSENT AGENDA**

It was moved by Council President Hedges and seconded by Councilor Gamba to approve the consent agenda as presented.

#### **A. City Council Meeting Minutes:**

1. July 18, 2013, Study Session; and
2. August 6, 2013, Regular Session.

Motion passed with the following vote: Councilors Hedges, Gamba, Miller, and Churchill and Mayor Ferguson voting "aye." [5:0]

### **AUDIENCE PARTICIPATION**

**Mr. Monahan** reported there were no follow up items from the previous meeting.

**Chris Rall**, Pacific Northwest Field Organizer, Transportation for America. He provided demographic information that indicated driving had peaked in 2006, and was now on the decline. His organization urged leaders to carry out bold, new visions for transportation that ensured mobility, a stronger economy, and a more sustainable future.

### **PUBLIC HEARING**

None scheduled.

### **OTHER BUSINESS**

#### **A. Habitat Development Agreement Due Diligence Completion – Resolution**

**Mr. Monahan** provided the staff report in which he reviewed the prior actions related to the Habitat Development Agreement (HDA) with Wildlands Capital Partners, LLC. Over

CITY COUNCIL REGULAR SESSION – SEPTEMBER 3, 2013

APPROVED MINUTES

Page 2 of 4

the past 60 days, the City considered Wildlands' financial stability, evaluated its experience and qualifications, made site visits, and investigated other factors to determine the company's capability to complete the restoration project. The City Council advised staff it was satisfied with the work done and found Wildlands capable of doing the project. Wildlands will have 60 days to perform its due diligence.

**Council President Hedges** found that during the course of the inquiries that Wildlands had a remarkably good reputation for the work it had done. He looked forward to the restoration of Kellogg Creek.

**Mayor Ferguson** and **Councilor Churchill** visited one of the Wildlands restoration sites and were pleased with the tour of the property, and the people involved were satisfied with the experience and commented favorably.

**It was moved by Councilor Gamba and seconded by Councilor Churchill to adopt the resolution declaring that the owner has completed its due diligence during the sixty day owner's feasibility period provided for in the habitat development agreement between the City of Milwaukie and Wildlands Capital Partners, LLC. Motion passed with the following vote: Councilors Hedges, Gamba, Miller, and Churchill and Mayor Ferguson voting "aye." [5:0]**

#### **RESOLUTION NO. 70-2013:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DECLARING THAT THE OWNER HAS COMPLETED ITS DUE DILIGENCE DURING THE SIXTY DAY OWNER'S FEASIBILITY PERIOD PROVIDED FOR IN THE HABITAT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MILWAUKIE AND WILDLANDS CAPITAL PARTNERS, LLC.**

#### **B. Garbage Rate Increase – Resolution**

**Ms. Herrigel** provided the staff report seeking City Council consideration of a resolution increasing residential, commercial, and some drop box rates effective October 1, 2013. The proposed rates would reflect increases in Metro tip fees labor related costs. Staff applied rate increases using a graduated distribution methodology, and over the next year, staff and the haulers would increase public education about service levels and conduct a waste characterization study. Further, staff will develop options for a yard debris exemption program for City Council consideration. The group discussed depot style recycling rather than curbside and absence of yard debris service for multi-family customers.

**Dave White**, regional representative for the Oregon Refuse and Recycling Association and in that capacity represented the Milwaukie franchised collection companies. He read his written comments into the record.

**Mayor Ferguson** appreciated the efforts to keep the rates as low as possible.

**Councilor Gamba** appreciated the commitment to working on waste reduction in the coming year.

**It was moved by Council President Hedges and seconded by Councilor Miller to adopt the resolution increasing residential, commercial, and some drop box service rates effective October 1, 2013, to reflect increases in the Metro tip fee and labor related costs and increases. Motion passed with the following vote: Councilors Hedges, Gamba, Miller, and Churchill and Mayor Ferguson voting "aye." [5:0]**

**RESOLUTION NO. 71-2013:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, INCREASING RESIDENTIAL, COMMERCIAL, AND SOME DROP BOX SERVICE RATES EFFECTIVE OCTOBER 1, 2013, TO REFLECT INCREASES IN THE METRO TIP FEE AND LABOR RELATED COST INCREASES.**

**C. Council Reports**

The Mayor and Councilors gave brief updates on their City and regional activities since the previous meeting. Mayor Ferguson encouraged people to attend the City Hall Diamond Jubilee on September 6.

**ADJOURNMENT**

**It was moved by Council President Hedges and seconded by Councilor Miller to adjourn the meeting. Motion passed with the following vote: Councilors Hedges, Gamba, Miller, and Churchill and Mayor Ferguson voting "aye." [5:0]**

**Mayor Ferguson** adjourned the regular session at 8:32 p.m.

Respectfully submitted,



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Pat DuVal, Recorder