

# AGENDA

## MILWAUKIE CITY COUNCIL APRIL 21, 2009

MILWAUKIE CITY HALL  
10722 SE Main Street

2052<sup>nd</sup> MEETING

### REGULAR SESSION – 7:00 p.m.

- |   | Page #    |
|---|-----------|
| <b>1. CALL TO ORDER</b><br>Pledge of Allegiance   |           |
| <b>2. PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS</b>   | <b>1</b>  |
| <b>A. Building Safety Week May 3 – 9, 2009 -- Proclamation</b>  | <b>2</b>  |
| <b>3. CONSENT AGENDA</b> <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>   | <b>3</b>  |
| <b>A. City Council Regular Session Minutes, March 3, 2009</b>   | <b>4</b>  |
| <b>B. City Council Regular Session Minutes, March 17, 2009</b>  | <b>19</b> |
| <b>C. Resolution Appointing Kim Hutchinson to Public Safety Advisory Committee – Ardenwald Representative</b>   | <b>24</b> |
| <b>D. Resolution Reappointing David Hedges to Public Safety Advisory Committee – Member-at-Large</b>  | <b>25</b> |
| <b>E. Resolution Reappointing Dick Newman to the Planning Commission</b>  | <b>26</b> |
| <b>F. Resolution Authorizing the City Manager to Sign a Contract for the 55<sup>th</sup> Avenue and Carmel Court Water System Improvements</b>  | <b>27</b> |
| <b>4. AUDIENCE PARTICIPATION</b> <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** *(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.)*
  - A. **Motion to Consider Continuation of Amendments to Milwaukie Municipal Code (MMC) Sections 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.)* **33**
  - A. **Amendment to Milwaukie Municipal Code Chapter 12.13, Sidewalk and Street Obstructions – Ordinance (Tim Salyers)** **34**
  - B. **Amendments to Milwaukie Municipal Code Chapter 8.04.200, Assessment of Costs – Ordinance (Bill Monahan)** **37**
  - C. **Identity Theft Prevention Program Adoption – Resolution (Bill Monahan)** **43**
  - D. **City Manager Performance Review and Compensation (Mayor Ferguson)** **57**
  - E. **Council Reports**
  
7. **INFORMATION**
  
8. **ADJOURNMENT**

**Public Information**

- Executive Session: The Milwaukie City Council will meet in executive session immediately following adjournment pursuant to ORS 192.660(2)(i) performance evaluations of public offices and employees.
- 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.