

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
FEBRUARY 2, 1999**

The one thousand eight hundred and eighth meeting of the Milwaukie City Council was called to order by Mayor Tomei at 6:00 p.m. in the Public Safety Building Community Meeting Room. The following Councilors were present:

Rob Kappa
Mary King

Larry Lancaster
Jeff Marshall

Also present:

Dan Bartlett,
City Manager

Martha Bennett,
Assistant City Manager

Tim Ramis,
City Attorney

Jan Gehlen,
Finance Director

Charlene Richards,
Assistant City Manager

Janet Wright,
Assistant Planner

PROCLAMATIONS COMMENDATIONS, SPECIAL REPORTS AND AWARDS

Scouting Anniversary Week Proclamation -- Pack 561

Mayor Tomei read a proclamation naming the week of February 8 - 12, 1999, as Scouting Anniversary Week in the City of Milwaukie. Members of Pack 561 were present.

CONSENT AGENDA

It was moved by Councilor Marshall and seconded by Councilor Lancaster to adopt the Consent Agenda that consisted of the City Council minutes of January 4 & 19, 1999. Motion passed unanimously.

AUDIENCE PARTICIPATION

Bruce Bain, 4917 SE Winworth Court, presented Council with a citizen petition regarding parking concerns on Winworth Court. Bain worked for the past year to identify possible solutions to parking issues near the Lewelling School athletic fields. He believed signs needed to be installed that would more strongly enforce the law. He has discussed the issue with several groups including the School District, youth baseball association, and the Lewelling Neighborhood District Association (NDA), and each is supportive of getting the cars off the neighborhood streets and into the parking lots.

He provided a map of the school property and indicated there were 73 parking spaces in addition the bus zone and handicapped slots. Neighbors were concerned about child safety and emergency vehicle access with the current parking situation. He suggested

signs such as "No field activity parking or stopping permitted" and "No stopping or parking at any time -- tow away zone." He also recommended a "Dead end" sign on the corner to discourage people from turning onto Winworth Court.

Mayor Tomei directed that staff prepare a response based on a review of Bain's concerns and recommendations.

Councilor Marshall congratulated Bain for his work in not only identifying the problem but also offering possible solutions. He appreciated the neighbors' concerns and had himself witnessed the situation during youth sporting events.

Bain added that the outdoor soccer league has been very cooperative in encouraging parents to use the parking lots.

Councilor Lancaster asked if all of the neighbors had signed the petition, and **Bain** responded that only one resident had not.

Tracy Cook, Linwood Neighborhood District Association (NDA) chair, 5651 SE Harlene. The Linwood NDA applied for a grant to match funds collected by the Milwaukie Youth Athletic Association's bottle and can drive. She presented a check to the organization in the amount of \$1,632.20.

Dave Worsely, Milwaukie Youth Football, 4722 SE Jackson, thanked Cook and the NDA for the contribution to youth sports. He also expressed his appreciation to Milwaukie High School varsity football coach Ward, the owners of the King Road Super Center, and the parents who dedicated their time and energy to building the program.

David Bragdon, Metro Councilor, was elected in November and took office in January. He discussed Metro's role and encouraged active communication so he could represent Milwaukie's issues and concerns before the full Council.

Councilor Kappa was confident partnerships would be formed. He suggested expanding the listening posts and identifying common threads in the various city-adopted Transportation System Plans.

Councilor Lancaster commented that many people perceive Metro negatively and asked Bragdon if he had a strategy.

Bragdon said he would take the time to engage people by working with them. He believed Metro could do a better job of letting people know about some very positive projects such as the Greenspaces program.

Mayor Tomei thanked Bragdon for introducing himself to the City of Milwaukie and for his willingness to carry Milwaukie's concerns to the Metro Council.

David Aschenbrenner, 11505 SE Home Avenue, noted Milwaukie has many transportation improvement projects that need to be funded, and he urged that the Council make its voice heard when the legislature considers gas tax and registration fees.

Mayor Tomei responded that Aschenbrenner had made a very good point. The League of Oregon Cities and Clackamas Cities Association are preparing position papers in support of the increase to present to the legislature. She also urged citizens to call their legislators to express support for the gas tax and registration fee increases.

Ed Zumwalt, 10888 SE 29th Avenue, said, at a recent meeting, an Oregon Department of Transportation (ODOT) representative said there were no funds for McLoughlin Boulevard or Hwy. 224 improvements for the next 17 years.

Dale Potts, 12177 Grove Loop, offered an updated contact list for all current state legislators.

PUBLIC HEARING

Appeal of a Planning Commission Decision -- File NCU-98-02
Applicant Thomason Toyota, Scott Thomason/George Anderson
Expansion on Non-Conforming Use on Property located at 2366 SE Ochoco Street

Ramis said the applicant chose to withdraw the appeal, and it was counsel's opinion that Thomason has 120 days from the date the appeal was withdrawn to terminate the non-conforming use at 2366 SE Ochoco.

OTHER BUSINESS

Milwaukie Neighborhood Request for Fiscal Year 1999 - 2000 Funding from North Clackamas Parks and Recreation District -- Resolution

Richards provided the staff report in which the City Council was requested to consider and adopt a resolution identifying those projects Milwaukie wishes the Parks District to consider in its 1999 - 2000 budget. The priorities are:

1. Fund land acquisition for Neighborhood Parks and pocket parks, community and regional parks, wetlands, and open spaces and trails;
2. Upgrade existing facilities to meet expanding needs;
3. Construct and/or acquire facilities for the operation and maintenance of youth activities to include elements such as a skateboard/rollerblade park and youth center. Accomplish all tasks through creating partnerships with other governmental agencies and private and non-profit entities as well as volunteer efforts;
4. Develop recreation and leisure programs through partnerships with citizens, other governmental entities and public and private entities; and
5. Continue to expand on educational and volunteer activities especially as they relate to wetlands and open spaces.

It was moved by Councilor King and seconded by Councilor Kappa to adopt the resolution establishing Milwaukie neighborhood parks funding priorities. Motion passed unanimously.

RESOLUTION NO. 4-1999:

**A RESOLUTION OF THE CITY OF MILWAUKIE, OREGON,
ESTABLISHING FISCAL YEAR 1999 - 2000 NORTH CLACKAMAS
PARKS AND RECREATION DISTRICT (NCPRD) MILWAUKIE
NEIGHBORHOOD PARKS FUNDING.**

Park Land Acquisition in Hector Campbell Neighborhood -- Resolution

Richards provided the staff report in which the City Council was requested to adopt seven resolutions that would authorize the City Manager and City Attorney to negotiate the purchase of properties for future park development in the Hector Campbell neighborhood.

It was moved by Councilor Kappa and seconded by Councilor Lancaster to adopt the seven resolutions. Motion passed unanimously.

**RESOLUTION NO. 5-1999, 6-1999, 7-1999, 8-1999, 9-1999, 10-1999,
and 11-1999.** Each property was identified by a legal description and attached to the resolutions as "Exhibit A."

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MILWAUKIE, OREGON, DECLARING THE NEED TO ACQUIRE
PROPERTY FOR THE PURPOSE OF ASSEMBLING LOTS FOR PARK
IMPROVEMENTS.**

City Fee Schedule -- Resolution

Bartlett provided the staff report in which the City Council was requested to consider a resolution that would increase City fees to reflect the cost of providing the service. The average increase was about 11.5%. He suggested the City Council consider a cost of service study in 2000 to update the 1995 study currently in use.

It was moved by Councilor Lancaster and seconded by Councilor King to adopt the resolution establishing fees and charges for 1999. Motion passed unanimously.

RESOLUTION NO. 12-1999:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, SETTING FEES FOR SERVICES; CLASSIFYING THE FEES IMPOSED BY THIS RESOLUTION AS NOT SUBJECT TO ARTICLE XI, SECTION 11B OF THE OREGON CONSTITUTION; AND REPEALING RESOLUTIONS 7-1981; 24-1993, 8-1994; 12-1994; 48-1994; AND 6-1996.

Functional Plan Compliance

Bartlett said the Planning Commission continued its hearing to February 9 at St. John's Episcopal. The Commission must complete its recommendation before the Council can consider the proposed Zoning Ordinance and Comprehensive Plan amendments. The City Council is scheduled for its public hearing on February 16 at the Milwaukie Center.

Councilor Marshall asked if the Council could give the Planning Commission input prior to its hearing on February 9.

Ramis said there seemed to be no law that would preclude that action as long as it was stated in the official record and was replicated in a form that people can read. If comments are made, they must be clear and based on what is known at the time and not a prejudgment of the issue.

ADJOURNMENT

It was moved by Councilor King and seconded by Councilor Marshall to adjourn the meeting. Motion passed unanimously.

Mayor Tomei adjourned the meeting at 7:15 p.m.

Pat DuVal, Recorder