

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
MAY 7, 2002**

**Call to Order**

The 1885<sup>th</sup> meeting of the Milwaukie City Council was called to order by Mayor Bernard at 6:05 p.m. in the City Hall Council Chambers. The following Councilors were present:

Larry Lancaster

Brian Newman

Staff present:

Mike Swanson,  
City Manager

Larry Kanzler,  
Police Chief

Tim Ramis,  
City Attorney

JoAnn Herrigel,  
Program Specialist

Alice Rouyer,  
Community Development/  
Public Works Director

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS**

**Mayor Bernard** announced the Alan DeLay photo exhibit at the Milwaukie Center during the month of May and Milwaukie Museum trolley trail event on May 10.

**CONSENT AGENDA**

It was moved by Councilor Newman and seconded by Councilor Lancaster to approve the Consent Agenda that included:

1. **City Council Minutes of April 15 & 16, 2002;**
2. **Resolution 10-2002: A Resolution of the City Council of the City of Milwaukie, Oregon, Recommending the Downtown Economic Improvement District Assessment Base Rate for the Fiscal Year Beginning July 1, 2001 and Classifying the Fees Imposed by This Resolution As Not Subject to Article XI, Section 11B of the Oregon Constitution;**
3. **Resolution 11-2002: A Resolution of the City Council of the City of Milwaukie, Oregon, Authorizing the Mayor to Sign an Intergovernmental Agreement with the Oregon Department of Transportation to Provide Funding to the Milwaukie Police Department to Conduct Motor Carrier Safety and Regulatory Inspections; and**
4. **O.L.C.C. Application for Gambrinus Company, 2400 SE Mailwell Drive (Rudie Wilhelm Warehouse).**

**Motion passed unanimously among the members present.**

## **AUDIENCE PARTICIPATION**

**Ed Zumwalt** was concerned with Budget Committee members' comments about contracting with Lake Oswego for dispatch services. He feels the City is giving away too many of its services for which, in the long run, little money is actually saved. Zumwalt suggests Milwaukie market its services to other jurisdictions. He is proud of his town and would hate to see it disappear.

**Councilor Newman** hopes Zumwalt will take an active role in discussing what actions the City can be taken to increase its future revenues.

## **PUBLIC HEARING -- None scheduled**

## **OTHER BUSINESS**

### **Traffic Assessment Citation Fee -- Ordinance**

**Kanzler** provided the staff report in which the City Council was requested to adopt an ordinance that would allow the Police Department to assess a \$10 citation fee on all persons who plead guilty or are found guilty of committing a traffic violation. Many of the drivers cited live outside the City limits, while it is Milwaukie taxpayers who support the department's operation. This is an effort to spread the burden of equipment and training costs for Milwaukie police officers.

**It was moved by Councilor Lancaster and seconded by Councilor Newman to read the ordinance imposing a traffic citation fee and amending Municipal Code Chapter 10.12 by adding a new Section 10.12.040 for the first time by title only. Motion passed unanimously among the members present. The ordinance was read for the first time by title only.**

**It was moved by Councilor Lancaster and seconded by Councilor Newman to read the ordinance imposing a traffic citation fee and amending Municipal Code Chapter 10.12 by adding a new Section 10.12.040 for the second time by title only. Motion passed unanimously among the members present. The ordinance was read for the second time by title only.**

**It was moved by Councilor Lancaster and seconded by Councilor Newman to adopt the ordinance imposing a traffic citation fee and amending Municipal Code Chapter 10.12 by adding a new Section 10.12.040. Motion passed unanimously among the members present.**

### **ORDINANCE NO. 1900:**

**AN ORDINANCE IMPOSING A TRAFFIC CITATION FEE AND AMENDING CHAPTER 10.12 OF THE MILWAUKIE MUNICIPAL CODE BY ADDING A NEW SECTION 10.12.040.**

### **Repeal Residual Solid Waste Code Section -- Ordinance**

**Herrigel** provided the staff report in which the City Council was requested to adopt an ordinance that would repeal Municipal Code Chapter 13.26 -- Residual Solid Waste. She reviewed the May 2000 AGG v Washington County injunction, and Milwaukie's subsequent adoption of Ordinance 1879. Staff recommends repealing Chapter 13.26 in order to enforce the original solid waste code.

**It was moved by Councilor Newman and seconded by Councilor Lancaster to read the ordinance repealing Ordinance 1879 which created Municipal Code Chapter 13.26 -- Residual Solid Waste for the first time by title only. Motion passed unanimously among the members present. The ordinance was read for the first time by title only.**

**It was moved by Councilor Newman and seconded Councilor Lancaster to read the ordinance repealing Ordinance 1879 which created Municipal Code Chapter 13.26 -- Residual Solid Waste for the second time by title only. Motion passed unanimously among the members present. The ordinance was read for the second time by title only.**

**It was moved by Councilor Lancaster and seconded by Councilor Newman to adopt the repealing Ordinance 1879 which created Municipal Code Chapter 13.26 -- Residual Solid Waste. Motion passed unanimously among the members present.**

#### **ORDINANCE NO. 1901:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, REPEALING ORDINANCE 1879 WHICH CREATED CHAPTER 13.26 TITLED "RESIDUAL SOLID WASTE" IN THE MILWAUKIE CITY CODE.**

### **Other**

**Mayor Bernard**, with the consensus of Council, appointed Mart Hughes as the Milwaukie representative to the North Clackamas Parks and Recreation Board. **Councilor Lancaster** recommended appointing an alternate.

**Swanson** announced the upcoming Budget Committee meetings on May 15 & 16 at 5:00 p.m. at Milwaukie City Hall for the purpose of public input.

**Mayor Bernard** announced the City Council would meet in executive session immediately following adjournment of the regular session to discuss real property pursuant to ORS 192.660.

## **Adjournment**

**It was moved by Councilor Newman and seconded by Councilor Lancaster to adjourn the meeting. Motion passed unanimously among the members present.**

**Mayor Bernard** adjourned the meeting at 6:25 p.m.

---

Pat DuVal, Recorder