

**CITY OF MILWAUKIE  
CITY COUNCIL MEETING  
SEPTEMBER 17, 2002**

**CALL TO ORDER**

The 1894<sup>th</sup> meeting of the Milwaukie City Council was called to order by Mayor Bernard at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Mary King  
Larry Lancaster

Brian Newman

Staff present:

Mike Swanson,  
City Manager  
Gary Firestone,  
City Attorney  
Alice Rouyer,  
Director of Community  
Development and Public  
Works

Jay Ostlund,  
Associate Engineer  
Roosevelt Carter,  
Program Services Coordinator

**PLEDGE OF ALLEGIANCE**

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

**Mayor Bernard** read a proclamation naming the week of September 17 - 24 as *Constitution Week*.

**Mayor Bernard** recognized Greg Blackman for participating in the recent Mayoral Pinewood Derby.

**CONSENT AGENDA**

It was moved by Councilor Newman and seconded by Councilor King to consider item VI.B – *Fiscal Year 2002 – 2003 Fees* -- in the consent agenda. Motion passed unanimously among the members present.

It was moved by Councilor Newman and seconded by Councilor Lancaster to adopt the consent agenda that included:

- A. City Council Minutes of September 3, 2002;
- B. Intergovernmental Agreement with City of Portland for the Springwater Three Bridges Project;
- C. 2001 – 2002 Sanitary Sewer Replacement Bid;
- D. OLCC Application, Kimmy's Market; and

- E. **Resolution 23-2002: 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 Resolution 17-2002.**

The motion to adopt the consent agenda passed unanimously among the members present.

#### **AUDIENCE PARTICIPATION**

None.

#### **PUBLIC HEARING**

None scheduled.

#### **OTHER BUSINESS**

##### **Amend Municipal Code Section 5.08.080 – Transfer or Assignment of Receipts and Establish a Fee for Processing**

**Swanson** provided the staff report in which the City Council was requested to adopt an ordinance that would allow a current business tax receipt to be transferred with the relocation of a business at no additional fees except for processing. The code amendment was requested by the City Council after considering public comment on the current process. In a related action the City Council was asked to adopt a resolution establishing a \$5 processing fee for such transfers.

**It was moved by Mayor Bernard and seconded by Councilor King to read the ordinance amending Municipal Code Section 5.08.080, transfer or assignment of receipts, 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 King and seconded by Councilor Lancaster to read the ordinance amending Municipal Code Section 5.08.080, transfer or assignment of receipts, 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 amending Municipal Code Section 5.08.080, transfer or assignment of receipts. Motion passed unanimously among the members present.**

#### **ORDINANCE NO. 1909:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE CHAPTER 5.08.080 – TRANSFER OR ASSIGNMENT OF RECEIPTS.**

It was moved by Councilor King and seconded by Mayor Bernard to adopt a resolution setting a processing fee for business license transfers. Motion passed unanimously among the members present.

**RESOLUTION NO. 24-2002:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ESTABLISHING A FEE FOR TRANSFER OR ASSIGNMENT OF RECEIPTS AND CLASSIFYING THE FEES IMPOSED BY THIS RESOLUTION AS NOT SUBJECT TO ARTICLE XI, SECTION 11B OF THE OREGON CONSTITUTION.**

**Intergovernmental Agreement with Clackamas County Service District #1 to Cover City's Share of Capital Construction Costs at Kellogg Wastewater Treatment Plant**

**Mayor Bernard** announced this agenda item was pulled.

**EXECUTIVE SESSION**

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

**ADJOURNMENT**

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

**Mayor Bernard** adjourned the meeting at 6:15 p.m.

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Pat DuVal, Recorder