



## AGENDA

### MILWAUKIE DESIGN AND LANDMARKS COMMITTEE Wednesday, January 29, 2014, 6:30 PM

PUBLIC SAFETY BUILDING  
3200 SE HARRISON ST

- 1.0 **Call to Order—Procedural Matters**
- 2.0 **Meeting Notes**—Motion Needed
  - 2.1 October 7, 2013
  - 2.2 October 23, 2013
  - 2.3 November 25, 2013
- 3.0 **Information Items**
- 4.0 **Audience Participation**—This is an opportunity for the public to comment on any item not on the agenda
- 5.0 **Public Meetings**—Public meetings will follow the procedure listed on reverse
- 6.0 **Worksession Items**
  - 6.1 Summary: DLC Bylaws Update  
Presenters: Li Alligood, Associate Planner
  - 6.2 Summary: Officer Elections  
Presenters: Li Alligood, Associate Planner
- 7.0 **Other Business/Updates**
  - 7.1 Joint DLC/PC meeting February 11, 2014
  - 7.2 DLC notebook update page
- 8.0 **Design and Landmark Committee Discussion Items**—This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 **Forecast for Future Meetings:**
  - March 3, 2014 1. TBD
  - April 7, 2014 1. TBD

## Milwaukie Design and Landmarks Committee Statement

The Design and Landmarks Committee is established to advise the Planning Commission on historic preservation activities, compliance with applicable design guidelines, and to review and recommend appropriate design guidelines and design review processes and procedures to the Planning Commission and City Council.

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email [planning@ci.milwaukie.or.us](mailto:planning@ci.milwaukie.or.us). Thank You.
2. **DESIGN AND LANDMARK COMMITTEE MEETING MINUTES.** Approved DLC Minutes can be found on the City website at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.

### **Public Meeting Procedure**

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Committee members.

1. **STAFF REPORT.** Each design review meeting starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommendation with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Committee was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMITTEE MEMBERS.** The committee members will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the Committee will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC MEETING.** The Chairperson will close the public portion of the meeting. The Committee will then enter into deliberation. From this point in the meeting the Committee will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMITTEE DISCUSSION AND ACTION.** It is the Committee's intention to make a recommendation this evening on each issue on the agenda. Design and Landmark Committee recommendations are not appealable.
11. **MEETING CONTINUANCE.** Prior to the close of the first public meeting, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Design and Landmarks Committee will either continue the public meeting to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony.

*The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.*

### **Milwaukie Design and Landmarks Committee:**

Greg Hemer, Chair  
Sherry Grau, Vice Chair  
Val Ballestrem  
James Fossen  
Becky Ives

### **Planning Department Staff:**

Denny Egner, Planning Director  
Ryan Marquardt, Senior Planner  
Li Alligood, Associate Planner  
Brett Kever, Associate Planner  
Vera Koliass, Associate Planner  
Marcia Hamley, Administrative Specialist II  
Alicia Martin, Administrative Specialist II

**CITY OF MILWAUKIE  
DESIGN AND LANDMARKS COMMITTEE  
NOTES**

**Milwaukie City Hall  
10722 SE Main St  
Monday, October 7, 2013  
6:30 PM**

**COMMITTEE MEMBERS PRESENT**

Greg Hemer, Chair  
Sherry Grau, Vice Chair  
Val Ballestrem

**STAFF PRESENT**

Li Alligood, Associate Planner (DLC Liaison)

**MEMBERS ABSENT**

Chantelle Gamba  
Becky Ives

**1.0 Call to Order – Procedural Matters\***

**Chair Hemer** called the meeting to order at 6:35 p.m. and read the conduct of meeting format into the record.

*\*Note: The information presented constitutes summarized minutes only. The meeting audio is available from the Planning Department upon request.*

**2.0 Design and Landmarks Committee Notes**

2.1 August 5, 2013

**DLC Member Val Ballestrem** noted that his name had been misspelled as Ballestrom in the minutes. **Chair Hemer** moved to approve the August 5, 2013, meeting minutes as amended. **DLC Member Ballestrem** seconded the motion. The minutes were approved unanimously.

**3.0 Information Items**

**Li Alligood, Associate Planner**, noted that JoAnn Herrigel, Director of Parks and Sustainability, was leaving the City. Two positions in the Planning Department had been posted.

**4.0 Audience Participation** –This is an opportunity for the public to comment on any item not on the agenda. There was none.

41 **5.0 Public Meetings - None**

42

43 **6.0 Worksession Items**

44 6.1 Summary: Design Review Training

45 Staff Person: Li Alligood, Associate Planner

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47 **Ms. Alligood** provided an overview of the design review process and downtown design  
48 guidelines via PowerPoint presentation. **The Committee** discussed the applicability of design  
49 standards and design guidelines to a number of images in the presentation.

50

51 **7.0 Other Business/Updates**

52 7.1 Vice Chair Elections

53 **Ms. Alligood** noted that the DLC had been without a Vice Chair since Jim Perrault had resigned  
54 earlier in the year.

55 **DLC Member Ballestrem moved to elect Sherry Grau as Vice President. Chair Hemer**  
56 **seconded. The motion was approved unanimously.**

57

58 7.2 Moving Forward Milwaukie Project Update

59 **DLC Member Grau** provided an overview of the September 23, 2013, Moving Forward  
60 Milwaukie Project Advisory Committee (PAC) meeting.

61

62 7.3 DLC Notebook Replacement Pages

63 **Ms. Alligood** distributed replacement pages for the DLC notebooks.

64

65 **8.0 Design and Landmarks Committee Discussion Items**

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67 **9.0 Forecast for Future Meetings:**

68 October 23, 2013 1. Public Meeting: DR-13-01 10400 SE Main St

69 November 4, 2013 1. TBD

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72 Meeting adjourned at approximately 8:22 p.m.

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Respectfully submitted,  
Li Alligood, Associate Planner

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Greg Hemer, Chair

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**CITY OF MILWAUKIE**  
**DESIGN AND LANDMARKS COMMITTEE**  
**NOTES**  
**Milwaukie City Hall**  
**10722 SE Main St**  
**WEDNESDAY, OCTOBER 23, 2013**  
**6:30 PM**

9 **COMMITTEE MEMBERS PRESENT**

10 Greg Hemer, Chair  
 11 Sherry Grau, Vice Chair  
 12 Val Ballestrem  
 13 Chantelle Gamba

**STAFF PRESENT**

Steve Butler, Interim Planning Director  
 Li Alligood, Associate Planner (DLC Liaison)  
 Peter Watts, City Attorney

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 15 **MEMBERS ABSENT**

16 Becky Ives

17  
 18  
 19 **1.0 Call to Order – Procedural Matters\***

20 **Chair Hemer** called the meeting to order at 6:30 p.m. and read the conduct of meeting format  
 21 into the record.

22  
 23 *\*Note: The information presented constitutes summarized minutes only. The meeting video is*  
 24 *available by clicking the Video link at [http://www.milwaukieoregon.gov/planning/design-and-](http://www.milwaukieoregon.gov/planning/design-and-landmarks-committee-30)*  
 25 *[landmarks-committee-30](http://www.milwaukieoregon.gov/planning/design-and-landmarks-committee-30).*

26  
 27 **2.0 Design and Landmarks Committee Notes**

28 2.1 May 28, 2013, Joint Meeting with Planning Commission

29 **Chair Hemer** clarified that two DLC members had not participated in the May 28, 2013, DLC  
 30 meeting.

31  
 32 **Peter Watts, City Attorney**, suggested that meeting attendees should make the motion and  
 33 second the motion, and the remaining members should abstain.

34  
 35 **DLC Member Chantelle Gamba** moved to approve the May 28, 2013, meeting minutes as  
 36 proposed. **Chair Hemer** seconded the motion. The minutes were approved 2-0-2, with  
 37 **DLC Members Sherry Grau and Val Ballestrem** abstaining.

38  
 39 **3.0 Information Items**

40 **Li Alligood, Associate Planner**, noted that two Moving Forward Milwaukie opportunity site  
41 workshops would be held on October 28 and 29 from 6:00-8:00 p.m.

42  
43 **Steve Butler, Interim Planning Director**, noted that the City was hosting an elections law  
44 training for the City's boards, committees, and commissions on November 20, 7:00-8:30 p.m., at  
45 the Public Safety Building.

46  
47 **4.0 Audience Participation** –This is an opportunity for the public to comment on any item  
48 not on the agenda. There was none.

49  
50 **5.0 Public Meetings**

51 5.1 Summary: Design Review of Veterinary Clinic Expansion  
52 Applicant/Owner: Alyssa Leeviraphan, Mahlum Architects/Kim Freeman, 10400  
53 SE Main LLC  
54 Address: 10400 SE Main St  
55 File: DR-13-05  
56 Staff: Li Alligood, Associate Planner

57 **Chair Hemer** called the meeting to order and read the conduct of design review meeting format  
58 into the record.

59 **Li Alligood, Associate Planner**, provided an overview of the staff report and recommendation  
60 via PowerPoint.

- 61 • The applicant proposed to construct three additions to the building.  
62 • Because the building was located in the Downtown Residential zone DR, the additions  
63 triggered Type III Downtown Design Review.  
64 • The applicant had also requested an exception to the design standards for roofs.

65 **Alyssa Leeviraphan, Mahlum Architects**, was available to answer questions.

- 66 • **Chair Hemer** asked if the concrete linear accelerator could be textured or covered with vinyl  
67 siding to match the rest of the building. **Ms. Leeviraphan** stated that it was possible but  
68 would add substantial cost to the addition.  
69 • **Chair Hemer** asked what type of fence material would be used for the fenced dog area. **Ms.**  
70 **Leeviraphan** was uncertain, but noted that chain link had been discussed.

- 71 • **DLC Member Gamba** suggested the landscape architect review the downtown design  
72 guidelines before putting too much time into the design.

73

74 **Chair Hemer** closed the public testimony portion of the meeting.

75

76 **The Committee** discussed the proposal.

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78 **DLC Member Ballestrem** moved to recommend approval of DR-13-05 and the  
79 recommended findings and conditions of approval. **DLC Member Grau** seconded the  
80 motion. The motion was approved unanimously.

81

82 **6.0 Worksession Items** – None

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84 **7.0 Other Business/Updates**

85 7.1 Moving Forward Milwaukie Project Update

86 **DLC Member Grau** provided an overview of the October 21, 2013, Moving Forward Milwaukie  
87 Project Advisory Committee (PAC) meeting.

88 **Ms. Alligood** noted that the key discussion points were related to the permitted uses and  
89 development type on the opportunity sites.

90 **Mr. Butler** emphasized that the input from the workshops would be very important.

91

92 7.2 November and December DLC Meetings

93 **Ms. Alligood** noted that the next regularly-scheduled meeting was November 4, 2013. **The**  
94 **Committee** agreed to cancel the November 4 meeting and reschedule the meeting to later in  
95 the month via e-mail in place of both the November and December meetings.

96 7.2 DLC Recommendation to Planning Commission

97 **Chair Hemer** asked if any DLC members would be interested in presenting the DLC's  
98 recommendation to the Planning Commission at the November 12 public hearing. **DLC Member**  
99 **Ballestrem** offered to attend with Chair Hemer.

100

101 **8.0 Design and Landmarks Committee Discussion Items**



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103 **9.0 Forecast for Future Meetings:**

104 November 4, 2013 1. Cancelled

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106 November ?, 2013 1. Worksession: After-action review of DR-13-05

107 2. Worksession: Discussion of DLC Bylaws

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109 December 2, 2013 1. Cancelled

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112 Meeting adjourned at approximately 7:45 p.m.

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Respectfully submitted,

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Li Alligood, Associate Planner

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Greg Hemer, Chair

**CITY OF MILWAUKIE  
DESIGN AND LANDMARKS COMMITTEE  
NOTES**

**Milwaukie City Hall  
10722 SE Main St  
MONDAY, NOVEMBER 25, 2013  
6:30 PM**

**COMMITTEE MEMBERS PRESENT**

Greg Hemer, Chair  
Sherry Grau, Vice Chair  
Val Ballestrem  
Becky Ives

**STAFF PRESENT**

Li Alligood, Associate Planner (DLC Liaison)

**MEMBERS ABSENT**

None

**1.0 Call to Order – Procedural Matters**

**Chair Hemer** called the meeting to order at 6:37 p.m. and read the conduct of meeting format into the record.

**2.0 Design and Landmarks Committee Notes - None**

**3.0 Information Items**

**Li Alligood, Associate Planner**, noted that Chantelle Gamba had resigned from the DLC, and the position had been posted. The Planning Department had hired an Assistant Community Development Director/Planning Director and was holding second interviews for the Associate Planner position the first week of January.

**4.0 Audience Participation** –This is an opportunity for the public to comment on any item not on the agenda. There was none.

**5.0 Public Meetings- None**

**6.0 Worksession Items**

6.1 Summary: Review of DR-13-05 Design Review Meeting  
Staff Person: Li Alligood, Associate Planner

39 **Chair Hemer** asked the DLC members if they had any questions about the October 23, 2012,  
40 Design Review Meeting to review the expansion of the veterinary clinic at 10400 SE Main St.  
41 **The Committee** discussed the meeting and agreed that it had not been controversial and that  
42 they had felt adequately prepared and informed.

43

44           6.1     Summary: Discussion of DLC Bylaws  
45                     Staff Person: Li Alligood, Associate Planner

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47 **Ms. Alligood** noted that the DLC's bylaws had been adopted in 2003 and did not provide  
48 adequate direction for the Committee or staff. She had provided an annotated copy of the  
49 Planning Commission bylaws for review and discussion.

50 **The Committee** discussed the Planning Commission directed staff to return with the following  
51 revisions:

- 52 • Article II.C: Draft an objective for DLC review and discussion
- 53 • Article III.E: Committee members should be expected to attend 75% of scheduled  
54 meetings each calendar year.
- 55 • Article V.A: Procedure for meetings lasting later than 10:00 p.m. should be retained.
- 56 • Article V.B: Procedures for tie votes should be retained.
- 57 • Article V.D: Evaluate options for voting when only 3 of 5 members were present.
- 58 • Article VII.D: Determine whether this language is required, or if there are specific  
59 considerations for the DLC as a recommending body.

60

61 **7.0 Other Business/Updates- None**

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63 **8.0 Design and Landmarks Committee Discussion Items-**

64 **The Committee** discussed the regularly scheduled January meeting, and determined that if  
65 TriMet were not prepared to present at the meeting it would be cancelled.

66

67 **9.0 Forecast for Future Meetings:**





# MILWAUKIE

*Dogwood City of the West*

**To:** Design and Landmarks Committee

**Through:** Dennis Egner, Planning Director

**From:** Li Alligood, Associate Planner

**Date:** January 22, 2014, for January 29, 2014, Worksession

**Subject:** Design and Landmarks Committee Bylaws

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## **ACTION REQUESTED**

Review proposed revisions to the DLC bylaws and provide direction to staff regarding either further revisions or presentation to Council for adoption.

## **BACKGROUND INFORMATION**

Milwaukie Municipal Code (MMC) Subsection 2.10.050.A requires the City Council to adopt bylaws for each City board, committee, or commission. The DLC's current bylaws were adopted in 2003 (see Attachment 1).

The purpose of bylaws is to establish conduct for meetings, elections of officers, filling vacancies, describing the types of officers and their duties, and other routine conduct. When Committee members or staff are unsure about the appropriate conduct, the bylaws should provide direction and clarity. According to The People's Law Dictionary, "Bylaws are, in effect a contract among members, and must be formally adopted and/or amended."<sup>1</sup>

### **A. History of Prior Actions and Discussions**

- **November 2013:** The DLC discussed proposed revisions to the bylaws and directed staff to refine the draft bylaws for further discussion.
- **September 2003:** City Council adopted the current DLC bylaws.

### **B. Revised DLC Bylaws**

At its November 25, 2013, meeting, the Committee reviewed proposed revisions to its bylaws and provided direction to staff regarding further refinement.<sup>2</sup> The following revisions have been made in the revised draft bylaws, included as Attachment 2:

- Article II.C: Draft objective for DLC review and discussion

<sup>1</sup> *The People's Law Dictionary*. S.v. "bylaws." Retrieved April 13, 2011, from <http://legal-dictionary.thefreedictionary.com/Bylaws>

<sup>2</sup> The November 25, 2013, meeting materials are available at <http://www.milwaukieoregon.gov/planning/design-and-landmarks-committee-31>.

- Staff has drafted an objective for DLC review and discussion.
- Article III.E: Committee members should be expected to attend 75% of scheduled meetings each calendar year.
- Article V.A: Procedure for meetings lasting later than 10:00 p.m. retained.
- Article V.B: Procedures for tie votes retained.
- Article V.D: Evaluate options for voting when only 3 of 5 members were present.
  - Staff has determined that additional guidance is unnecessary.
- Article V.F: Deleted. Since the DLC is a recommending, rather than decision-making, body, its members are not required to submit a Statement of Economic Interest (SEI).
- Article VII.D: Determine whether this language is required, or if there are specific considerations for the DLC as a recommending body.
  - Staff has retained the language regarding conflicts of interest.

Staff has incorporated the revisions discussed at that meeting for Committee review and discussion.

## NEXT STEPS

The Committee will vote on whether to retain the existing bylaws, revise the bylaws, or approve the proposed revisions and present to City Council for adoption. Revised bylaws would not become effective until formally adopted by Council.

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	DLC Packet	Public Copies	E-Packet
1. DLC bylaws, adopted September 16, 2003	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Draft revised DLC bylaws, dated January 17, 2014	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**Key:**

DLC Packet = paper materials provided to the Committee 7 days prior to the meeting.

Public Copies = paper copies of the packet available for review at City facilities and at the DLC meeting.

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/design-and-landmarks-committee-25>.

**Milwaukie Design and Landmarks Commission (DLC)**

**BY-LAWS**

Approved by the Design and Landmarks Commission, August 27, 2003  
**Adopted by the Milwaukie City Council on September 16, 2003**

**ARTICLE I: MEMBERS AND VOTING PROCEDURES**

1. Membership of the Commission shall be as established by the Milwaukie Municipal Code and appointed by City Council.
2. A majority of the Commission may recommend to the City Council that a member be removed from the Commission by the City Council.
3. Members are expected to attend all meetings. Failure to attend one-half or more of regularly scheduled meetings in a six-month period shall be grounds for a recommendation for removal.
4. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled.
5. All members who are present at Commission meetings, including the Chairperson and Vice-Chairperson, are allotted one vote each on all motions.
6. One member must make a motion and another member must second that motion in order for the Commission to vote. A motion is passed by majority of the Commission members present. Any member, including the Chairperson and Vice-Chairperson, may make and second motions.

**ARTICLE II: CHAIRPERSON AND VICE-CHAIRPERSON DUTIES/MOTIONS**

1. The Commission shall elect a Chairperson and a Vice-Chairperson. Elections shall be held yearly in January.
2. In the event that an officer cannot complete the specified term, an emergency election shall be held for the completion of the term.
3. In the event the Chairperson cannot attend a scheduled meeting, the Vice-Chairperson shall act as the presiding officer.
4. The Chairperson shall preserve the order and decorum of the meeting; direct discussion and comment to relevant issues; establish and enforce time limits for discussion and comment as appropriate; prevent attacks on personalities; and encourage citizen input.

### **ARTICLE III: MEETINGS AND PUBLIC HEARINGS**

1. Regular meetings shall be held at 6:30 p.m. on the fourth Wednesday of each month. The time and date of the meeting may be changed by a majority vote of Commission.
2. The public shall be notified of all Commission meetings by the City's general notification procedures.
3. The Planning Director or his/her designee shall be responsible for preparing the Minutes for each meeting and keeping records of the attendance.
4. The Planning Director or his/her designee shall be responsible for mailing the Agenda and all meeting materials to members and interested members of the public at least seven (7) days before the next scheduled meeting.
5. Special Meetings may be called at the request of the Chairperson or a majority of the Commission. The Planning Director shall set a special meeting on such request unless good cause exists for delaying until the next regularly scheduled meeting. Good cause may include such factors as staff availability, meeting room availability, and budgetary considerations.
6. Executive Sessions may be held consistent with City Council Meeting Provisions, Section 2.04.090 of the City of Milwaukie Code and applicable state law

### **ARTICLE IV: BY-LAWS/ CHANGES**

1. By-laws may be amended, repealed or altered by a majority of the entire Commission, subject to approval by the City Council.



PROPOSED DRAFT

MILWAUKIE DESIGN AND LANDMARKS COMMITTEE BYLAWS

JANUARY 17, 2014

**ARTICLE I NAME**

The name of this commission is the Design and Landmarks Committee (Committee).

**ARTICLE II PURPOSE, AUTHORITY, AND OBJECTIVE**

- A. **Purpose.** The purpose of the Committee is to serve as an advisory body to, and a resource for, City staff and the Planning commission on historic resource and urban design matters.
- B. **Authority.** The Committee authorized by ORS 227 and Milwaukie Municipal Code (MMC) Chapter 2.18.
- C. **Objective.** The Committee’s objectives include protecting the community’s values and commitment to order, harmony and quality within the built environment of downtown Milwaukie, and protection of Milwaukie’s historic resources as reflected in the Comprehensive Plan.
- D. **Open Meetings.** All meetings of the Committee are open to the public.

**ARTICLE III MEMBERSHIP**

- A. **Appointment.** Each Committee member shall be appointed by the Mayor with the consent of Council, consistent with MMC 2.10.030.G. Members shall serve at the pleasure of the Council.
- B. **Term of Office.** Terms are for a period of two years. Committee members may serve no more than three consecutive full terms, unless there is an interval of at least one term prior to reappointment. The Council may waive this limitation if it is in the public interest to do so.
- C. **Membership.** The Committee consists of five members. No member may be a City of Milwaukie officer, agent, or employee. To the degree possible, one Committee member shall have demonstrated special interest, experience, training, or knowledge in the field of historic preservation or history. To the degree possible, one Committee member shall have demonstrated special interest, experience, training, or knowledge in the field of architecture, planning, landscape design, or similar field.
- D. **Vacancies and Removal.** Vacancies are filled in the same manner as the original appointments. A member of the Committee may be removed by the appointing authority, after hearing, for misconduct or nonperformance of duty.
- E. **Attendance.** Upon failure of any member to attend 75% of the scheduled meetings during a calendar year, the Committee may recommend termination of that appointment

to the Council, and the Council may remove the incumbent from the Committee and declare the position vacant to be filled in the manner of a regular appointment.

- F. **Compensation.** Committee members shall receive no compensation for their service, but shall be fully reimbursed for all duly authorized expenses.

#### ARTICLE IV OFFICERS AND STAFFING

- A. **Officers.** The officers consist of a Chair and a Vice Chair who shall be selected by the membership and who shall serve at the pleasure of the membership for one year. Nominations and election of new officers shall be taken from the floor at the Committee's first meeting of the calendar year. Officers may be re-elected. In the event that an officer is unable to complete the specified term, a special election shall be held for the completion of the term.
- B. **Chair.** The Chair shall preside at all deliberations and meetings of the Committee and review Committee agendas with the staff liaison. The Chair shall sign all documents memorializing Committee actions in a timely manner after action by the Committee.
- C. **Vice Chair.** During the absence, disability, or disqualification of the Chair, the Vice Chair shall exercise or perform all duties and be subject to all the responsibilities of the Chair. In the absence of the Chair and Vice Chair, the remaining members present shall elect an acting Chair.
- D. **Staff.** The City of Milwaukie Planning Department will provide staff support to the Committee for: design review issues, meeting notifications, postponements, final disposition of matters, and other steps taken or acts performed by the Committee, which include administrative housekeeping functions such as word processing, minutes preparation, copying, and information gathering to the extent the budget permits.

#### ARTICLE V ORGANIZATIONAL PROCEDURES

- A. **Meetings.** The Committee shall hold meetings as necessary at a time and place designated by staff consistent with Oregon Public Meetings Law. Typically, the Committee meets once a month on the first Monday at 6:30 p.m. at City Hall. Committee meetings shall end no later than 10:00 p.m., unless extended by majority vote of the Committee members present and participating in the Agenda item that is under consideration at that time.
- B. **Quorum.** A quorum is three of the voting membership of the Committee. The concurrence of a majority of the Committee members present shall be required to decide any matter. In the case of a tie vote, the matter is not complete. One new motion may be made. If a majority vote is not obtained on that motion the agenda item fails. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled. In the event it is known by the Planning Director (Director) prior to a meeting that a quorum will not be present at any meeting, the Director shall notify the Committee members. All items scheduled for the meeting shall be automatically continued to a regularly scheduled meeting unless the Director determines that a special meeting is needed. The Director shall post notice of the continuance on the exterior doors of City Hall notifying the public of the continuance and specifying the date and

time when the continued items will be before the Committee. The Notice shall remain through the evening on which the meeting is originally scheduled.

- C. Order of Business.** The Chair shall have the authority to arrange the order of business as is deemed necessary to achieve an orderly and efficient meeting. In general, the order of business will be as follows:
1. Call to order – Procedural Matters
  2. Minutes
  3. Information Items
  4. Audience Participation
  5. Public Meetings
  6. Worksession Items
  7. Planning Department Other Business/Updates
  8. Design and Landmarks Committee Discussion Items
  9. Forecast for Future Meetings.
- D. Voting.** All members who are present at a Committee meeting, including the Chair and Vice Chair, are allotted one vote each on all motions. A motion may be made by any Committee member with the exception of the presiding officer. All Committee members, when a vote is taken, shall vote unless he or she abstains from voting and cites the reason for the record. Staff shall call the roll, altering the order of members called. The Chair shall vote last.
- E. Reconsideration of Actions Taken.** A member who voted with the majority may move for a reconsideration of an action at the same meeting only. The second of a motion may be a member of the minority. Once a matter has been reconsidered, no motion for further reconsideration shall be made without unanimous consent of the Committee.
- F. Minutes.** A staff representative or designee shall be present at each meeting and shall provide for a sound, video, or digital recording, or written minutes of each meeting. The record of the meeting, whether preserved in written minutes or sound, video, or digital recording, shall include at least the following information:
1. Names of the Committee members present;
  2. All motions and proposals, and their disposition;
  3. The results of all votes and the vote of each Committee member by name;
  4. The substance of any discussion on any matters; and,
  5. A reference to any document discussed at the meeting;
  6. Written minutes need not be a verbatim transcript, but give a true reflection of the matters discussed at the meeting and the views of the participants.
  7. Written minutes of a meeting will be made available to the public within a reasonable time after the meeting.
  8. Minutes shall be reviewed and voted upon by the Committee at a regular meeting.
- G. Repeal or Amendments.** The Committee may review these bylaws periodically and forward suggested revisions to the Council for approval. These bylaws may be repealed or amended, or new bylaws may be adopted by a majority vote of the Council on its own initiative, or upon a recommendation from the Committee.

- H. **Meeting Conduct.** The meeting conduct for this Committee is these bylaws except where superseded by or local, state, or federal law.

**ARTICLE VI DUTIES OF OFFICERS**

- A. **Duties of the Chair.** The Chair or Vice Chair, in addition to the duties in Article IV, shall preserve the order and decorum of the meeting.
  - 1. The Chair may assess the audience at the beginning of the meeting, and, with the consent of the Committee, announce reasonable time limits.
  - 2. The Chair will direct the planning staff to summarize the issues to be addressed and the criteria to be applied by the Committee during its deliberations, following the conclusion of public meeting testimony.
  - 3. The Chair will summarize the meeting results at the conclusion of the public meeting.
- B. **Requesting Response and Opinion.** The Chair will ask for response and opinion from the members of the Committee.
- C. **Appointments to Specific Projects on Committees.** The Chair may appoint Committee members to specific projects or committees, and may select a Committee member to be spokesperson for the Committee when the Chair or Vice Chair is unavailable.
- D. **Confer with Director.** The Chair or Vice Chair shall confer with the Director on a regular basis outside scheduled meetings concerning the direction each expects of the Committee.
- E. **Orientation of New Members.** The Chair, in conjunction with the Director, shall orient new members.

**ARTICLE VII DUTIES OF THE COMMISSION**

- A. **Duty of Committee Member.** Committee members shall address all those who come before the Committee in a formal and courteous manner.
- B. **Absence From a Meeting.** If a Committee member is unable to attend a meeting, it is that Committee member's responsibility to inform the Community Development staff and/or the Committee Chair of that fact prior to the meeting to be missed.
- C. **Site Visits.** Prior to Committee meetings, Committee members are encouraged to visit sites that are subjects for design review actions. If a Commissioner visits a site, he or she shall report on the record any information gained from the site visit that is not consistent with the information included in the application or staff report.
- D. **Method of Handling Conflicts by Members.** In accordance with ORS 244.135: (1) A member of the Committee shall not participate in any Committee proceeding in which any of the following has a direct or substantial financial interest:

1. The Committee member or the spouse, brother, sister, child, parent, father-in-law, or mother-in-law of the Committee member;
2. Any business in which the Committee member is then serving or has served within the previous two years; or
3. Any business with which the Committee member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
4. Any actual or potential interest shall be disclosed at the meeting of the Committee where the action is being taken.

**E. Meeting Preparation.** Committee members shall prepare for participation at a meeting by fully reviewing the staff report and materials provided by the planning staff. If a Committee member is unable to attend a public meeting on an application that is continued to another meeting, the Committee member shall not take part in the continuance hearing unless the Committee member:

1. Reviews the staff report and materials provided by the planning staff as well as:
  - a. All materials submitted at the public meeting, and
  - b. Any additional materials prepared by the Planning staff applicable to the application, and
  - c. Either the audio recording of the meeting or the draft minutes of the meeting.
2. Declares that they are prepared to participate.

**F. Duties Assigned by Council.** The Committee shall carry out the duties assigned to it by Council.

## **ARTICLE VIII GOALS AND OBJECTIVES**

- A. Annual Goal Review.** The Committee shall review the Council goals annually for establishment of Committee goals which enhance and augment those of the Council.
- B. Establishment of Commission Goals.** The Committee shall establish goals, at a minimum, annually.