

**MINUTES
MILWAUKIE CITY COUNCIL WORK SESSION
FEBRUARY 1, 2011**

Mayor Ferguson called the work session to order at 5:00 p.m. in the City Hall Council Chambers.

Council Present: Mayor Jeremy Ferguson, Council President Greg Chaimov, and Councilors Dave Hedges, Joe Loomis, and Mike Miller

Staff Present: City Manager Bill Monahan, Police Chief Bob Jordan, Community Development and Public Works Director Kenny Asher and Resource and Economic Development Specialist Alex Campbell

City Manager's Report

Mr. Monahan gave his report.

The City Council met in executive session pursuant to ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

The Council work session resumed at 5:30 p.m.

Main Street Storefront Improvement Program Proposal – Possible Downtown Milwaukie Façade Improvement Program

Mr. Campbell explained the genesis for the idea came from Metro staff to support the City and to bolster the downtown Milwaukie retail core in downtown Milwaukie. They thought a storefront program was a way to get mileage out of a small investment.

The façade improvement program was 1:1 matching funds that a local government often made available through urban renewal. The funds would be available for improvements visible from the street and would encourage property owner investment with private and public benefits. There was also a cultural and community pride element. Typically grants were \$10,000-\$20,000.

Councilor Chaimov said he hoped the City would do this and suggested the Design and Landmarks Committee and the North Clackamas Chamber of Commerce might identify specific amenities. He commented on the constitutionality of adult business restrictions.

Councilor Hedges was opposed to giving taxpayer money to businesses and suggested using funds instead to help seniors maintain their homes.

Councilor Loomis liked the façade improvement idea and would like to see it expanded to help with the expense of public area improvements.

Councilor Miller thought it was a great idea to help people improve their businesses but had a problem using taxpayer money to help increase rents. A lot of people needed help and maybe it should extend outside the downtown area. He felt we needed members from the City Council, Planning Commission, and Design and Landmarks Committee to make the decisions. He had a greater concern about public area requirements.

Mayor Ferguson understood this program made money available for façade improvements, so the City should take advantage of opportunities for grants. He supported the program given what was required for public area improvements, and it was helpful offset the costs and enhance to vitality of Main Street.

Councilor Loomis asked what County programs assisted low income families.

CITY COUNCIL WORK SESSION – FEBRUARY 1, 2011

MINUTES

Page 1 of 3

Mr. Campbell replied there were some weatherization programs, and it might be a good time to revisit and publicize those programs.

Photo Radar Enforcement Update

Chief Jordan gave a brief background on the photo radar program. The main purpose of the program was to reduce motor vehicle accidents in the City and not to generate revenue. He reviewed crash statistics that showed a reduction in the number of accidents since photo radar was been instituted. He discussed the cost of the program and noted the City netted approximately \$130,000 annually. Over the past 2 years he had been at neighborhood meeting talking about photo radar, and his sense was the community was supportive of the program. He asked the Public Safety Advisory Committee (PSAC) to poll their respective neighborhoods. At its last meeting, PSAC members indicated unanimous support for the program and adopted a resolution to that effect. He discussed mitigation efforts, including increased signage, if the City Council continued with photo radar. He further suggested a video tutorial on the City's website. He also recommend taking money from the traffic citation fund and returning it to the community through PSAC and neighborhood traffic safety projects. Based on statistical information and general community support, he recommended continuing the program.

Mayor Ferguson asked if would be possible to come back in the near future and set up the photo radar van and signage to see what it looked like.

Chief Jordan replied he could bring the van, but the operation of machinery was not available. The City's contract with ACS had expired, and the van was not being deployed at this time.

Don Wiley, PSAC Chair, reported the Linwood Neighborhood District Association unanimously supported the photo radar program. The safety aspect was overwhelmingly important. He had no idea that photos were not taken of a vehicle unless it was going 11 mph over posted speed limit which he thought was an excessive speed. He believed the photo radar van added to the safety of the community.

Councilor Miller asked if photo red-light was used or was being explored.

Chief Jordan replied it was not being used and would be the City Council's decision.

Councilor Hedges understood statistically there was a reduction in the actual number of injury accidents and asked if there was any data on the severity of injuries.

Chief Jordan replied data on the severity of injury is beyond the scope of first responder although higher speeds likely result in a more severe injury. All of the City's fatal accidents occurred on highway and not in the neighborhoods.

Councilor Loomis asked if most of the citations were issued on highways and noted he did not see significant change in crash statistics on the highways.

Chief Jordan replied Milwaukie did not have photo radar in 2007. The van was typically deployed on the major highways, in school zones, busy neighborhood streets, and by certain neighborhood streets as requested by residents. He noted drivers were slowing speeds.

Councilor Loomis had seen the van a lot but had not noticed the signage.

Chief Jordan replied the sandwich board signs were placed to the front and to the rear of the van as required by State law. People were typically focused on the van rather than the sign.

Councilor Loomis suggested increased and better sign placement might be in order.

Mayor Ferguson said it would be beneficial to see some of the suggestions Chief Jordan was making prior to the RFP.

Councilor Chaimov saw the van and saw people slowing down. He hoped to continue with the program as soon as possible as speeding was an avoidable offense. The complaints he heard generally had to do with people who were coming into the community on McLoughlin Boulevard and thought it is inappropriate to have a 30 mph zone in certain locations. It was most important to have active enforcement, and he was happy to follow Chief Jordan's suggestions and deploy the photo radar van to make the community safer.

Councilor Miller supported the van; most calls he received related to McLoughlin Boulevard. He also recommended deploying the van in the neighborhoods and near schools. That provided the greatest safety for the neighborhoods.

Councilor Hedges supported the van. How the van and signs could be described as a trap he did not understand. There were inherent risks in stopping speeding vehicles with a regular police car. He estimated 95% support from the neighborhoods for continuing the program.

Councilor Loomis disagreed with the 95% and thought it was more like 50%. He suggested people found officer-issued tickets more acceptable.

Mayor Ferguson appreciated the information being shared to help him make an educated decision. He was leaning toward a new contract and would like the van set up so the public could learn about it. He liked the idea of a webpage and video tutorial about the program. He still had concerns about better signage.

Chief Jordan replied that the police department does not set up speed signs or speed limits. ODOT just reconfigured the speed limits on McLoughlin after conducting a traffic study.

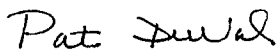
Councilor Loomis thought it was important to get the message out that the signs were not changed by Milwaukie.

Mr. Monahan would request a meeting with ODOT to discuss signage. He understood Council supported staff's beginning the RFP process.

Mayor Ferguson noted that Mary Weaver provided email supporting the program.

Mayor Ferguson adjourned the work session at 6:23 p.m.

Respectfully submitted,



Pat DuVal, City Recorder

WORK SESSION

**WORK SESSION
MILWAUKIE CITY COUNCIL
FEBRUARY 1, 2011**

MILWAUKIE CITY HALL

Council Chambers
10722 SE Main Street

A light dinner will be served

WORK SESSION – 5:00 p.m.

Discussion Items:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>	<u>Page #</u>
1.	5:00 p.m.	City Manager's Report	Bill Monahan	
2.	5:15 p.m.	Executive Session The Milwaukie City Council will meet in executive session pursuant to ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations. Resume Work Session		
3.	5:30 p.m.	Main Street Storefront Improvement Program Proposal -- Possible Downtown Milwaukie Façade Improvement Program	Alex Campbell	1
4.	6:00 p.m.	Photo Radar Enforcement Update ** The staff report on this item will be available on Friday, January 28 after the Public Safety Advisory Committee meets on January 27 **	Bob Jordan	
5.	6:45 p.m.	Adjourn		

Information

Executive Session: 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.

Public Notice

- The Council may vote in work session on non-legislative issues.
- The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the one previous to it.
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.
- The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities (ADA). If you need special accommodations, please call 503.786.7502 or email ocr@ci.milwaukie.or.us at least 48 hours prior to the meeting.



To: Mayor and City Council

Through: Bill Monahan, City Manager, and
Kenneth Asher, Community Development and Public Works Director

From: Alex Campbell, Resource and Economic Development Specialist

Subject: Possible Downtown Milwaukie Façade Improvement Program

Date: January 14 for February 1, 2011 Work Session

Action Requested

Provide direction to staff on whether to pursue an IGA with Metro to help fund a façade improvement program. Provide direction several program design questions.

History of Prior Actions and Discussions

April 2009: Staff updated Council on Main Street program efforts.

February 2009: Council approved a contract for an urban renewal feasibility study.

February 2009: Council approved an IGA with Clackamas County committing to support an exploratory Main Street effort.

June 2008: Council was provided a briefing on needs and funding options for encouraging downtown development activity.

Background

A downtown storefront improvement program would improve the appearance and curb appeal of buildings in the downtown, thereby improving the marketability and economic vitality of the area and increasing its attractiveness as a location for investment.

The team which completed the City's urban renewal feasibility study in 2009 included a real estate economist, Nancy Guitteau. Ms. Guitteau examined existing rent levels and the cost of developing new or redeveloping existing buildings in downtown. She found a significant gap between existing rents and rents that would be required to justify significant market-led investments in new or improved buildings. Rent levels typically do not move by big jumps; therefore, it is important that the City support changes that lead to multiple incremental increases in activity and rent levels.

One common and widely successful effort to support the granular, incremental changes that improve inner urban retail streets are façade or storefront improvement programs. Such programs typically provide an incentive to existing businesses or property owners to improve the appearance of storefronts by sharing design and/or construction costs. These efforts can improve the appearance of run-down or antiquated buildings, and have the simultaneous benefit of increasing local pride for existing residents and businesses and positively impact the local commercial real estate market. Eligible improvements typically include:

- Exterior painting
- Siding replacement
- Window and door replacement
- New cornices, gutters and downspouts
- Signs and graphics
- Exterior lighting
- Canopies and awnings.

The Metro Transit Oriented Development (TOD) program has access to a Development Opportunity Fund, which can provide a one-to-one match to City efforts such as storefront improvements. City staff has had preliminary conversations with the TOD group about the possibility of launching a new program for downtown Milwaukee. Metro could provide up to \$25,000 for a façade improvement program in downtown. With a minimum City match of \$25,000, a pool of \$50,000 could be established. Such a program would also require a minimum match of one-to-one from the property owner or business. Therefore, the effort could leverage three additional dollars for each dollar invested by the City.

Staff is seeking Council input on whether to move forward with development of a program and an agreement with to accept Metro funding. Key parameters that the Metro/TOD staff has suggested:

- Maximum grants of \$15,000 or \$20,000
- Require one-to-one match from grantees

- Focus on the downtown (the area meets the TOD program's goal of supporting development in areas with development potential and high capacity transit), i.e., the areas with downtown zoning designations.

A program could be structured as first-come, first-served or use an application deadline to review proposals. Selection of individual grantees could be made by Council, by an *ad hoc* committee (perhaps including representatives of the Council, Planning Commission, and the DLC?), or by staff. Grant criteria would be designed based on the Milwaukie Downtown Design Guidelines. Eligible expenses would likely include design costs, permitting costs, and construction.

There are a number of different possible models for a program. Attachment 1 summarizes a comparison of three recently-adopted programs that were based on research on best practices.

If Council directed staff to move forward, an IGA or grant agreement with Metro would be developed and brought to Council for approval. At that meeting, or shortly to follow, staff would present a draft program design. Input from stakeholders, such as Planning Commission, the DLC, and downtown businesses would also be sought, to inform the program. Implementation would commence this fiscal year.

Concurrence

No action requested at this time. The Planning Director has been consulted.

Fiscal Impact

No action requested at this time. Staff proposal assumes use of budgeted funds, the “economic development” line item in the General Fund. In the current fiscal year, and in recent years, \$35,000 has been budgeted in this line. The City has paid for economic development association memberships and studies from this line (e.g., the urban renewal feasibility study mentioned above). Minimal funds have been expended this year. Staff anticipates that it is possible to expend a significant portion of the local share of funds this fiscal year. However, these programs are structured as a reimbursement to protect the City’s fiscal interest. Therefore, it is possible (even likely) that some City funding would be required beyond the current fiscal year to complete the proposed program. Staff would seek re-appropriation of the unexpended funds for the next fiscal year.

Work Load Impacts

Project could be accomplished within existing workloads, but this project would be a primary focus of the Resource and Economic Development Specialist through execution of this effort.

Alternatives

Staff has explored with Metro staff the limitations on their funding. The funding source for the Development Opportunity Fund is explicitly focused on areas with high capacity transit and significant development potential, such as downtown. A program with a broader geographic focus could be pursued with City resources, such as General Fund or, potentially, as an element of a future of urban renewal district.

Attachments

1. Oregon City, Gresham and Canby Storefront Improvement Program Summaries

ATTACHMENT 1

	Canby	Gresham	Oregon City	Portland
Funding source	Urban renewal	Urban renewal	Urban renewal	Urban renewal
Maximum grant	\$25,000	\$20,000	\$20,000	\$20,000
City share	up to 50%	up to 50%	up to 50%	up to 50%
Selection	Rolling	Rolling	Rolling	Rolling
Eligible expenses	Exterior improvements, accessibility improvements, signage, structural upgrades	Exterior improvements such as painting, siding, signs, lighting, doors/windows, and canopies/awnings	Exterior rehabilitation and restoration including building surface, awnings, lighting.	Rehabilitation of facades visible from the street.
Restrictions	Property owners only; no single-use residential	No national franchises; no buildings over 80,000 SF; no non-taxable entities; no businesses that exclude minors, no residential properties	No single family residential; to tenant signage	No national franchises; no buildings over 80,000 SF; no non-taxable entities; no businesses that exclude minors; no new buildings (less than 5 years old).
Criteria	Main Street Design Committee reviews and advises on selection. Projects in commercial core are prioritized.	Not specified	Scored 0-50 based on design elements, sustainability and match	Not specified
Other	Up to \$1,500 design grants available	Free design assistance		Free design assistance available in some areas