

**MINUTES
MILWAUKIE CITY COUNCIL WORK SESSION
MARCH 15, 2011**

Council President Chaimov called the work session to order at 5:03 in the City Hall Council Chambers

Council Present: Council President Chaimov, Councilors Loomis, Miller and Hedges

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Finance Director Casey Camors, Light Rail Design Coordinator Wendy Hemmen, Assistant Finance Director Rina Byrne, Community Development and Public Works Director Kenny Asher and Engineering Director Gary Parkin

City Manager's Report

The NDA leadership agenda would be focused on Council goals.

The next Clackamas Cities Dinner is on 3/17/11.

Trolley Trail Groundbreaking – Councilor Loomis, Councilor Hedges, Councilor Miller, and Council President Chaimov present.

Purple glove video presentation would be on 4/5/11.

C4 Committee alternate – Councilor Hedges will have a resolution at next meeting.

The Quiet Zone memo was handed out to Council.

Mr. Rice handed out Public Area Requirements memo.

Councilor Chaimov asked if were we charging more or less than we thought we would.

Councilor Miller would draft resolution for April 5 meeting

Mr. Monahan reviewed HB 2075.

Councilor Miller proposed resolution to the City Council that would be looked at in more depth on March 29 and on agenda for April 5. It freed downtown business from public area requirements for the period of 4/6/11-10/31/12. He provided copies for City Council review. To take a stand on what we believe in was holding back development in downtown Milwaukie. It should be the responsibility of the City and not the business owners because downtown was used by all. He asked Council to give feedback to Mr. Monahan

Councilor Hedges said he supported it with one caveat, should be citywide and not just the downtown.

Councilor Chaimov said it would be helpful to know potential scope of downtown area improvements on March 29.

Mr. Monahan said he would ask Kenny to bring a couple examples of “what-ifs” that involved new retail or reuse of an office building.

Councilor Loomis needed more information in the study session and what happens to those who have paid already. Know all the pros and cons. He had felt a detriment, but needed more information on actual impact of doing this.

Mr. Monahan for future any suspending of PAR did not mean they would not be provided. The City would put PAR in place, but need a funding mechanism.

Mr. Monahan would propose a funding source in the resolution.

Audit information

Ms. Camors reviewed the overall audit and plans for the coming fiscal year. Financial statements fairly represented financial position for FY 2010. Statements issued were referred to as annual financial statements. In coming year they would like to prepare a CAFR which was a program set up by government finance officers with concentration on full disclosure and transparency.

The City's financial position did not change significantly, it was a 1% decline overall. There were two funds with expenditures in excess of budget and two deficit fund balances. She added city's run in to this fairly often and she was hoping to avoid that next year.

Ms. Byrne reviewed 2 letters she received from the auditors. First was a statement of auditing standards that included certain aspects that they were required to communicate to Council. It was used to draw attention to anything unusual and there were no significant comments. The other letter was the SAS 115 that identified internal control issues or material weakness, which was more serious than significant deficiencies. There were no reports of material weakness, but there some deficiencies. The first two referred to account reconciliations that either weren't done at all or weren't done in a timely manner. The third related to audit schedules that were not done timely. The Finance Department plans to have all those repaired timely for the FY 2011 audit. The fourth point was that bank reconciliation were prepared, but was not reviewed. They starting reviewing the reconciliations in January by someone other than the preparer. The fifth point related to cash being over or short at the front desk and suggested individual cash drawers to reconcile differences. There may still be some refinements to make in that process in the following months. The sixth point related to staff posting their own utility payments. They would look to make substantive changes on internal controls. Some of these findings may be found in the next year's letter because they were already half way through this year, but if they did there should be a remark made that changes were made.

Quiet zone update

Ms. Hemmen reported on two of the quiet zones they were trying to get in Milwaukie. The last discussion was January, 2010. The quiet zones involved the mainline and the Tillamook Branch. She discussed progress made on mainline and Tillamook and how it compare to the Tualatin quiet zone. The City was expecting FRA approval of the City's proposal for the mainline, which should be here this week. Will start this summer with construction of sidewalks on Harrison with CDBG funding in the amount of approximately \$100,000. They also have crossing orders from ODOT rail in place;

would like to put in median barriers and as part of the SSMP program work to rebuild street pavement. That work requires approximately \$70,000 from budget and it was in the CIP packet. Their next step would be seeking crossing orders with ODOT rail once they had FRA approval. They would need approximately \$140,000 need to build the remainder in FY11-12, which was currently unfunded. Once all of the improvements are made the City can apply to establish the quiet zone, which silences the trains except for emergencies. It could be as early as 2012 depending on funding.

They had been working on the design with TriMet for the Tillamook branch starting at Mailwell. A draft application to be jointly formed with TriMet crossing orders should be ready with work beginning this summer. Quiet zones improvements for Tillamook branch will go in FY2013 with quiet zone established by FY2014. The Milwaukie quiet zone is about 1-mile long; mainline approximately \$300,000 and Tillamook about \$1 million funded by TriMet as part of the light rail project. She discussed the wayside horns in Tualatin. The City needs \$200,000 to finish mainline, but with less money they could do incrementally. Quiet Zones are a popular idea with Milwaukie residents, and she still gets phone calls from residents.

Councilor Loomis thanks Ms. Hemmen for her work and like the idea of doing the work incrementally if we don't have all of the funding.

Councilor Hedges was disappointed that it wouldn't be done until 2015. He had only had one comment that he heard was concern about safety and generally would like to see it happen as soon as possible.

Councilor Miller shared concern about going on for so long. He asked if there had been any discussion or meetings related to the Linwood / Harmony crossing.

Ms. Hemmen said there have been talks in the past. The solution was rejected by the neighborhood because it involved grade separating and an overpass. Most of that intersection was Clackamas County with only a small part in Milwaukie.

Mr. Aschenbrenner understood all had to be done before quiet zone established.

Monthly NDA Discussion

Present: Jeff Klein, Dave Aschenbrenner, Pepi Anderson, Art Ball, Ed Zumwalt, Dion Shepard, Linda Hedges, Bryan Dorr.

Ms. Shepard said they talked about Council Goals at length at the Historic Milwaukie NDA meeting. They didn't think the Trolley should be on there. Develop master plans for Kronberg and Balfour; already a master plan for Wichita. Kronberg has a sense of urgency – were there resources outside of the Parks District? She said it would be nice to have master plan before light rail.

Councilor Chaimov asked should the goal be have master plan before light rail or the park planned and developed before light rail arrived.

Ms. Shepard would like the second, but if master plan could be done in reasonable time then it would be shovel ready.

Mr. Zumwalt said there is a fear that it will be tied in with Kellogg for Coho and would drag on for many years. They would like to see something accomplished there.

Mr. Zumwalt like discussion of City Council playing a greater role in regional bodies.

Ms. Anderson said pursuing economic development went hand in hand with City attractions to make us a destination point as well as developing Riverfront Park. The baseball would be a key destination. It was important to find the \$5 million for light rail. She supported other areas where parks can be developed and whatever made the City attractive.

Mr. Klein agreed with Dion and Ed and the approach to outsourcing all parks and master planning to County was a mistake. He would like the City to take that back and work in conjunction with the County. When it comes to Robert Kronberg Park the big assumption is that it would be used for staging and would like to see park developed when staging phases out, which can't get done without a master plan. Looking at it in 3 years doesn't do that property justice. He thinks we need to take a look at school zones and ask a broader group of informed people to come up with better answers on how to better serve the community. He would like to see the City go away from wooden posts and install metal in concrete, and evaluate how we put up signs. He felt wooden posts reflected poorly on the overall state of the City.

Mr. Aschenbrenner thought it was important to establish misdemeanor court. He felt the residential design standards are important goals. Regarding the street car he said we need a line that serves the City and not a street car that goes up and down Main Street. He felt parks are important and need to be planned locally by the neighborhoods initially and the City can come to the table to get into comp plan.

Mr. Klein said parks are not easy to build and they were fortunate to have members of the community that played a role and donated their time on the project. He felt it shouldn't be as difficult as it is.

Mr. Aschenbrenner said the question to staff was how detailed does the plan have to be to get into comp plan. It was his recollection that they took a basic drawing to staff and then staff worked on the details.

Mr. Dorr said with regards to Balfour Park they had a preliminary plan, but were still getting feedback from the neighborhood to determine park features. They wanted to make sure to get feedback from neighbors bordering the park.

Mr. Aschenbrenner said he thought once they finalize the plan and have a drawing that was all that was needed to get the park in to the comp plan.

Councilor Chaimov asked why Mr. Aschenbrenner thought we needed a misdemeanor court.

Mr. Aschenbrenner replied if people are committing crime in the City it needed to be handled in the City. He thought that when the cases get pushed to the County they often get dropped due to lack of resources, which hurts the City. He thought it would pay for itself.

Councilor Hedges commented on the streetcar. Initially the street car idea was a local bus with 15-20 seats as a way for residents to get to and from light rail. It got shanghaied into a street car going to the baseball field and to Lake Oswego. A good Long-term goal would be to have bus service in Milwaukie by 2015 that connected various parts of Milwaukie so people can get around without using a car.

Mr. Dorr said he would like Balfour Park developed by the community and maintained by the City. He commented on metal versus wood sign poles. On JCB near Brookside and 45th there 4-5 poles and mailboxes in the middle of the sidewalk, which presented obstacles for people walking on the sidewalk. He felt signs posted in the middle of a sidewalks were unacceptable. He thanked Ms. Hedges and Councilor Hedges for attending their last meeting regarding emergency preparedness, which turned out to be days before the Japan disaster. Their NDA minutes are posted and available on line after the meeting.

Mr. Klein said Mr. Dorr's point was excellent about the signs in the sidewalks. When we are fortunate to put down new sidewalks we do not contact PGE to move utility poles. He doesn't get that. He counted 27 signs from 49th to Stanley Ave, which was about 4 blocks and that didn't include street signs, which seemed ridiculous. They were mainly regarding the school zones. They created obstacles for pedestrians and he would love to see signs placed on PGE poles. He said the City is told we can't post anything on PGE poles, but we allow them to put their poles on our sidewalks and just accept their answers, but don't ask why and he felt we need to ask the questions.

Mr. Dorr said that question had been raised in the WSMP survey in connection to Water Tower Park at 40th and Harvey. There is a 3 foot sidewalk with a 18" PGE pole in the middle of the sidewalk.

Ms. Anderson said there were a large amount of things that were positive and focused half on development and half on problem solving. She liked the communication goals and she had seen a lot of effort from City Staff.

Mr. Ball commented on the park issue. The biggest obstacle is money. He recalled the most difficult part Lewelling had with the park was funding, which took 3 years. It was important to get the right landscape architect whose services could cost \$15,000; some came from the City grants and others came from fundraising and a lot of volunteer labor.

Ms. Shepard would like to see some sort of preparedness project for the community. Also, she did not see anything about the triangle development.

Councilor Chaimov said they will talk about those as well as a more active code enforcement.

Mr. Klein fully supported that instead of the complaint driven format.

Ms. Hedges like the idea of improving collaboration between boards, committees, and City Council. She encouraged setting some standards such as going to their own NDA meetings and that minutes from all NDA's be online within a reasonable amount of time. She had become the queen of preparedness although Mr. Monahan doing work a lot of things going on such as the CERT team being 23 members. She said there are other

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ways that the City can be prepared and suggested adopting a mantra. We want the City to have standards to work toward; staff support for volunteer organizations and have collaboration between the City and Fire Department could be better.

Council President Chaimov asked what the Mantra should be.

Ms. Hedges said as a one year goal to say Council would make efforts of hardening plans to train staff to the level they should be, and public works and police have their plans in place. We also need a public education campaign to make people aware of shelters and what they should do and where they can go in the event of an emergency.

Councilor Chaimov probably useful if people thought how to phrase overarching goal. They could work off the list from those working on emergency preparedness of things the City could do to get ready or help individuals get ready.

Mr. Aschenbrenner said phrasing for the goal could be to, *"Solidify the City Emergency Preparedness Plan along with a Public Education Campaign"*.

Mr. Monahan added the County is assisting us in updating our emergency plan, but then there was the matter of ensuring staff was ready through certifications and then public information piece.

Councilor Hedges said we can't have hard and fast plans. We need to make sure methods of communication with citizens is the most important thing and has to be effective.

Mr. Monahan said we can have a plan with an instant command system and have employees and citizens practice and understand responsibilities.

Mr. Ball asked if each NDA Chair could get a copy of the CIP when it is complete. He said that was distributed in years past and wanted to know if it could be done again.

Mr. Monahan said they will make sure it is distributed to each NDA.

Mr. Dorr said Lisa Gunion-Rinker is heading their parks effort. There NDA is trying to draft a fundraising process for the park.

Council President Chaimov adjourned 6:35 p.m.

Pat Duval
Recorder

WORK SESSION

**MILWAUKIE CITY COUNCIL
WORK SESSION
MARCH 15, 2011**

MILWAUKIE CITY HALL

Conference Room
10722 SE Main Street

WORK SESSION – 5:00 p.m.

A light dinner will be served

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.	5:30 p.m.	Report on Recent Audit Results	Richard Seals/Casey Camors	
3.	5:45 p.m.	Update on Quiet Zone Efforts	Wendy Hemmen	1
4.	6:15 p.m.	Monthly Neighborhood District Association Dialogue		
5.	6:45 p.m.	Adjourn		

Information

Executive Session: The Milwaukie City Council may meet in executive session pursuant to ORS 192.660(2). 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.
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To: Mayor and City Council

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

From: Wendy Hemmen, Light Rail Design Coordinator

Subject: Update on Quiet Zone Efforts

Date: March 2 for the March 15, 2011 Work Session

Action Requested

No action needed at this time; informational report only.

History of Prior Actions and Discussions

February 2, 2010 – Council adopted a resolution, No. 15-2010, establishing intent to create a Quiet Zone on the Tillamook Branch. Council also heard an update on the Union Pacific Mainline Quiet Zone.

October 16, 2007 – Council adopted a resolution, No. 61-2007, authorizing application to establish a Quiet Zone on the Union Pacific mainline as funding was available. Staff discussed proposed Supplementary Safety Measures (SSM) for the three crossings, Harrison Street, Oak Street, and 37th Avenue. Staff presented a list of persons interested in Quiet Zones (noting how long they had lived in Milwaukie) and provided case studies demonstrating the safety benefits of Quiet Zones.

March 20, 2007 – Staff reported to Council on the opportunity to leverage a Community Development Block Grant (CDBG) project to improve the pedestrian crossings on the Union Pacific Rail Road (UPRR) Mainline at Harrison, Oak, and 37th Avenue.

November 9, 2006 – Staff presented to Council regarding establishing a Quiet Zone on the Union Pacific mainline. Staff discussed the establishment of a Train Horn Quiet Zone with the installation of federally approved SSMs, the estimated cost of the measures, and showed the “sound shed” impact of the train horns.