

**MILWAUKIE CITY COUNCIL
WORK SESSION
APRIL 5, 2011**

Mayor Ferguson called the work session to order at 5:14 in the City Hall Conference Room.

Council Present: Mayor Ferguson and Councilors Chaimov, Hedges and Miller.

Staff Present: City Manager Bill Monahan, City Recorder Pat DuVal, Community Services Director JoAnn Herrigel, Community Development and Public Works Director Kenny Asher, Planning Director Katie Mangle, and Engineering Director Gary Parkin

City Manager Report

Mr. Monahan discussed City Council goals and public area requirements.

Attorney General's Government Transparency Initiative

Ms. DuVal updated Council on two Senate Bills, 41 and 47, that would impact public records laws in the State and alter the way local governments do business. Both bills seem to be resting, but she did not anticipate the transparency effort to be dropped in the future.

Ms. DuVal explained some products that the City currently uses to reach its goal of transparency and to fill records requests in a timely manner. She briefly reviewed the HP TRIM software as a service program being offered by the Secretary of State, Archives Division. TRIM was developed about 30 years ago and is currently being implemented in various State agencies as well as Beaverton and Tualatin Hills Parks and Recreation. The City of Portland and Metro have been using the product for over a decade. She discussed the sliding per user cost that would begin at \$37 per month and potentially go down to \$10 as more users sign on. There was also a rebate offer for those agencies signing on for the pilot project. The program would help meet disaster recovery needs of the City, and upgrades would be automatic. She was pursuing the program and would return to the City Council with an intergovernmental agreement (IGA) for its consideration.

Mr. Monahan said this proposal addressed issues related to electronic records management and preservation of the public record. He believed it was a solution that would enable the City to operate more efficiently and provided adequate protection.

Ms. DuVal added staff supported this project. She explained some recent records requests that were extremely time consuming given our current system.

Riverfront Board Joint Meeting

In attendance: Staff Liaison JoAnn Herrigel, Vice Chair Gary Klein, Chair Dave Green, and Mike Stacey.

Ms. Herrigel discussed possible ways to enhance communication between the Board and the City Council and Neighborhood District Associations (NDA).

Mayor Ferguson liked the willingness of the Board to come to Council on a regular basis. It would help to see progress that related to Council goals.

Council Chaimov thought it was an excellent work plan.

Councilor Loomis supported the idea quarterly reports and suggested Council rotate attending meetings.

Ms. Herrigel reviewed the elements of the Riverfront Park Plan.

Mr. Green said the current access would be removed and replaced with new access. There were a lot of comprises related to parking, boat ramps, and open space. They had gathered additional input during the process from the community at-large as well as boaters. He reviewed the history of the Park design and said it was at 70%. It was now going through the permitting process. Prior to the plan being complete they have to get feedback from the permitting agencies and incorporate that into the design. They have completed the Design and Landmarks Committee (DLC) hearings and approvals. They got approval from the Planning Commission over a year ago, but there were some details that they were required to go back for as the Park developed. They submitted joint permits to the Division of State Lands (DSL) and Army Corps of Engineers. DSL granted the permit in 2009, The Corps completed its review and submitted comments to Washington, D.C. where they get reviewed again. They have been able to take a few steps with construction including removal of the last few privately-owned buildings, McLoughlin Boulevard improvements, and the relocation of water lines and utility poles. He discussed the Metro application to Metro for work at Klein Point. Other grant applications were stalled while the access issues were being resolved with Clackamas County. There was a concern that the access issue was wrapped up in the larger treatment plant issue. Financing will be a challenge as the current estimate for the Park was \$6 million. The Oregon Solutions Group had reconvened, so the Board hoped that renewed interest will rejuvenate the financing discussion. He discussed project phasing.

Councilor Loomis asked Mr. Green to discuss the challenges in the event agreement on the access road was not achieved.

Mr. Green replied it would be a great challenge. Some of the parking would have to be eliminated which might not meet the Marine Board design standards and could affect funding. He stressed the importance of that access point. He noted the Plant parking would not be affected.

Councilor Chaimov thanked the Board for its work and trying to resolve the access issue with Clackamas County.

Mr. Green added there were also some technical problems around traffic lights and safe movements. They were looking at options and moving toward solutions.

Ms. Herrigel discussed the harbor lane in the current design to protect cars, boats, and trucks going into the property. The problem was that there would be no light based on Oregon Department of Transportation (ODOT) standards though many would like to see a traffic light for safety.

Ms. Herrigel hoped to meet the Council's goal of completing the Park by 2013.

Mayor Ferguson said the Council was working with the County and was committed to reaching a resolution as quickly as possible.

Councilor Loomis discussed utility poles and asked if line would be put underground.

Ms. Herrigel said due to cost they would be relocated but not undergrounded.

Councilor Hedges recommended the Riverfront Board visit the NDA's as soon as possible.

Mayor Ferguson said it was helpful to take projects out to the community to remind people the City was still working on them.

Public Area Requirements

Mr. Asher provided background on the public area requirements (PAR). They have been working to implement current code as best they could for the last 5 years. He talked about the 4 areas of potential amendments.

Mr. Parkin described what PARs and noted they were more focused on the downtown area and the pedestrian zones. That included width of sidewalks, street trees, bike racks, bus stop improvements, water quality and ADA ramps. They referred to Code Section 19.400 Public Facility Improvements which was used for the entire City, not specific to the downtown area. He noted they follow the standards for capital improvement projects not just redevelopment.

Ms. Mangle said there are street standards for every street. Engineering looks at the level of intensification along with the code to determine proportional improvements that a project should contribute to the street frontage. The downtown should be a high quality pedestrian environment that encourages people to walk. The street standards make sense with the development plans adopted by the City Council.

Mr. Parkin said there were additional downtown standards that included underground utilities requirement which were expensive. He discussed the lighting and sidewalk scoring pattern and medallion requirements that are unique to the downtown area. It was more complicated to apply the standards, and there was a need driven by pedestrians. Traffic counts were relatively easy, but pedestrian traffic was not. He briefly commented on neighborhood standards and traffic plans.

Ms. Mangle said it is good to have a streetscape plan, but it did have its challenges. Staff had a lot of conversations with property owners. She talked about sub-standard lighting and lack of ADA standards in some areas. These were expensive upgrades to make and there is no public funding source. There have been concerns of unfairness specifically for smaller projects.

Mr. Asher discussed successful redevelopment in a pedestrian-friendly environment, but the costs may deter potential development. If the City can find a way to share the cost burden they would have more economic development and a better streetscape. The question was how to execute a streetscape liked by everyone, and he discussed the feasibility of urban renewal. Staff thinks the code can be improved, but the biggest issue with PARs was financial.

Mayor Ferguson said looking at the list of projects in the downtown not a lot of them had triggered PAR. He asked if staff had an idea of how many people abandoned their projects because of the PAR.

Mr. Asher said it was more of a factor of reputation than actual projects; except for the current prominent example staff had not received comments about the PARs being a disincentive. It could, however, be a factor in the future.

Mr. Miller asked how the City can maintain consistency in the downtown if each business was required to do its own public area requirements.

Mr. Parkin replied the requirements are very specific with consistent frontage development. It could be a problem when partial block faces were developed and fees in lieu of collected.

Mr. Asher added the cleanest way would be to do a block at a time, which was what a lot of other towns did. To maintain consistency it was really important to have PARs.

Councilor Miller commented on the funding the City provided for the North Main project. The proposed resolution suspended PARs 18 months. It gave the business

owners a break and the City time to rewrite the PAR to better fit downtown standards. Gresham, Troutdale, Fairview, and Wood Village have done away with PARs and reduced building fees to attract new businesses into their towns. He was concerned Milwaukie would not be competitive.

Councilor Hedges commented on an instance where someone was being asked to make improvements that will make it look better, but were not necessary. In this economic climate he thought the PAR needed be looked at and some discretion allowed in certain instances when the changes are cosmetic and not safety related. Of greatest importance was a safe infrastructure. Where he comes from the public paid for the public areas. It seemed strange to him that he was responsible for the sidewalk repairs in front of his house. People have expressed a concern the City was helping the downtown and not giving residents the same advantage.

Councilor Loomis asked if there was a moratorium would the PAR still need to be done?

Ms. Mangle said it would shift responsibility from the property owner to the City.

Mr. Monahan said it would suspend the requirement of the property owner for 18 months, and the responsibility would rest with the City.


Councilor Loomis said he was hearing that this was about one business and asked if issues can be addressed on a case-by-case basis instead of opening it up to everyone. He had always felt the PAR had hindered businesses. He would not support the resolution as written, but he was more interested in addressing issues case-by-case.

Mr. Asher said that was more in line with fiscal policies and the cost and public benefit. The finance department would help determine the cost and risk.

Mr. Monahan said suggested the City might create an application process to suspend requirements on a case-by-case that the City Council could review.

Mayor Ferguson adjourned the work session at 6:55 p.m.

Respectfully submitted,



Juli Howard, Deputy City Recorder

WORK SESSION

**MILWAUKIE CITY COUNCIL
WORK SESSION
APRIL 5, 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.	Purple Glove Video	Beth Ragel	
2.	5:15 p.m.	City Manager's Report 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.	Bill Monahan / Cynthia Trosino	
3.	5:30 p.m.	Attorney General's Government Transparency Initiative	Pat DuVal	
4.	5:50 p.m.	Annual Joint Meeting with the Riverfront Board	JoAnn Herrigel & Board Members	
5.	6:20 p.m.	Public Area Requirements	Community Development Staff	
6.	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.
- 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.