

**MINUTES  
MILWAUKIE CITY COUNCIL WORK SESSION  
MAY 17, 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 and Police Chief Bob Jordan

**City Manager's Report**

**Mr. Monahan** provided a City Manager's update.

**Mayor Ferguson** recessed the work session at 5:08 p.m. to go into executive session pursuant to ORS 192.660(2)(h) to consult with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

The work session was reconvened at 5:18 p.m.

**Photo Radar Contract**

**Mayor Ferguson** discussed his feelings on why he does not like photo radar. He had issues with the way the law was written. He talked about outreach possibilities and wanted to determine what the perception of photo radar was. He discussed the idea of a Safety Awareness Campaign.

**Mr. Monahan** reviewed deployment of the radar van in neighborhoods. Although he did not wish to commit to certain percentage of time, but it will be used in neighborhoods and in areas where there were reports of high speeds and issues of safety

**Chief Jordan** proposed over the last year to use a fixed percentage of the proceeds from photo radar for mobile signs in the neighborhoods and to target those areas with motor officers as well as the photo radar van. He asked the Public Safety Advisory Committee (PSAC) and the Neighborhood District Associations (NDA) what other traffic safety programs were wanted and needed. He discussed signage and other changes that could occur. He proposed a part of the net income from photo radar be used for traffic safety programs that are based on data and feedback from the mobile speed signs.

**Mayor Ferguson** did not recall that being part of the presentation. The majority of his issue had to do with how the money was being used.

**Chief Jordan** said a certain portion was delegated to police training, but it ended up in the general fund if not used at the end of the fiscal year. He was not opposed to marketing, but he had no expertise in that area.

**Mayor Ferguson** was thinking Grady Wheeler could assist. He liked Portland's "I Share the Road" program and bumper sticker campaign. He liked the idea of a neighborhood bumper sticker campaign to bring awareness to speed issues. He also suggested signage committed to safety.

**Don Wiley**, PSAC Chair, said the NDA's support the photo radar van and were open to an education program to get people to slow down. He would like to know how many of the tickets were issued to Milwaukie citizens. He suggested a link

on the City website that people could go to learn more about photo radar to limit calls to Council.

**Councilor Miller** was not a fan of photo radar but thought the plan could work as long as it was in conjunction of other types of neighborhood enforcement. Photo radar was impersonal and invasive. Could the length of time it takes a person to get a ticket be shortened? He was not opposed to having it in school zones. If the City developed an educational plan, with different facets of controlling speeds, he would accept photo radar as a total package. He wanted to see the money diverted to safety which would make him feel better about photo radar.

**Councilor Loomis** asked why the van can only be in a spot for 4 hours.

**Chief Jordan** replied it was statutory to prevent a speed trap. Digital signs are not permitted on highways because it is not the City's road. He can ask the Oregon Department of Transportation (ODOT), but it was up to them.

**Councilor Loomis** had a problem with the photo radar van. The data did not support that speeds were reduced. The van did not deter anything other than speeders. He believed it is an awareness issue on highways. It seemed to him it was about the money.

**Mayor Ferguson** hoped to start a public awareness campaign that would reduce photo radar revenue. The money should not just go into the general fund.

**Councilor Hedges** supported the Chief's request to not put limitations on how they used the equipment.

**Mayor Ferguson** would like to see traffic engineering harmonics.

**Mr. Monahan** said during discussions on the photo radar contract he heard commitment to work with PSAC to develop a program for higher awareness for safety within their discretion.

**Chief Jordan** queried the police report system and provided a summary of calls related to the Sunny Corner market. The owner is calling as many times as others to report accidents, vandalism, and things of that nature. The police participate in an alcohol and cigarette sting once per year using cadets, and there have been no problems.

**Councilor Hedges** was concerned that the market was selling to adults who passed on alcohol to minors.

**Chief Jordan** acknowledged there had been such calls.

**Councilor Loomis** said the person breaking the law was the adult not the store owner.

**Mr. Ramis** advised that the Council can participate by making its point known, but it was an OLCC decision.

**Councilor Miller** asked what responsibility the owner had once he sold the alcohol and it left the building.

**Mr. Ramis** said they have to have intent.

**Ms. Weaver** said there had been a beverage recalled that should have been removed, but it was still on the shelves long after the recall.

### **Monthly Neighborhood District Association Dialogue**

In attendance: Dion Shepard - Historic Milwaukie, Mary Weaver - Hector Campbell, Beth Kelland - Linwood, Linda Hedges - Hector Campbell, Ray Bryan  
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– Historic Milwaukie, JoAnne Bird - Island Station, Jeff Davis - Ardenwald, Pepi Anderson - Lewelling, Bryan Dorr - Ardenwald, Matt Rinker - Ardenwald

**Ms. Bird** was surprised the photo radar van came up as a negative issue since the NDAs had voted twice in support. She liked the LED signs, which reduced speeders from 66% to 6%. Island Station was trying to create a safe passage for kids and hoped to see the radar van continue.

**Mr. Rinker** appreciated the email from Mayor Ferguson. The worry was the perception of a speed trap and there are other ways to nurture traffic safety. He did not think they are mutually exclusive approaches. The van serves as a reminder to people, and he encouraged keeping it. People who got tickets deserve them.

**Ms. Shepard** was supportive of the photo radar van. She noticed a change in traffic behavior since it had been gone. When she drives the speed limit people pass her. The behavior needs to change again. She urged photo radar education and LED lights in school zones. Her neighborhood had talked about decoy vehicles.

**Ms. Kelland** was disappointed this issue came up again. The NDA's, PSAC, and the Chief unanimously supported it. They did not care about perception. Linwood supported keeping the van.

**Ms. Anderson** reiterated that the Lewelling Neighborhood supported continuing the van. She like the safety aspect, but the Chief should not be told how to use the tool. She noted the speed sign made a huge difference on Stanley Avenue. People watch for the van and it does not lower speeds

**Ms. Weaver** hoped the information she provided was helpful. She requested that any time Council had gotten so much feedback from citizens but changed course that they needed to go back to the public to discuss it.

**Councilor Loomis** said the point of the LED sign was to change behavior and that is what he supports. He thought it was an awareness issue and alternatives that were not punitive.

**Ms. Kelland** commented on related insurance premium increases.

**Ms. Anderson** would like a mechanism to send warnings to citizens that are habitual problems.

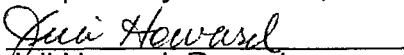
**Mr. Dorr** discussed the issue of where to park the van. Occasionally the motorcycle parked on the sidewalk because there is no place on the street.

**Councilor Hedges** added the van was on the highways which left officers free to police the neighborhoods.

**Ms. Shepard** commented the van had not been in place long enough to change behavior. She was surprised that the revenue piece is a big issue. Safety was the main issue for everyone.

**Mayor Ferguson** adjourned the work session at 6:47 p.m.

Respectfully submitted,

  
Juli Howard, Recorder

# WORK SESSION

**MILWAUKIE CITY COUNCIL  
WORK SESSION**

**MAY 17, 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.	Photo Radar Contract	Bill Monahan / Chief Bob Jordan	
3.	6:15 p.m.	Monthly Neighborhood District Association Dialogue		
4.	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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