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MILWAUKIE '87!

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
NOVEMBER 3, 1987**

The one thousand five hundred and thirty-ninth meeting of the Milwaukie City Council was called to order at 7:10 p.m. in the Council Chambers with the following Councilors present:

Roger Hall,
Mayor
Craig Lomnicki

William Fitzgerald
Chere' Sandusky
Michael Richmond

Also present:

Hugh H. Brown,
City Manager
Sandra Miller,
Assistant to the
City Manager
Ron Goodpaster,
Police Chief

Bill Adams,
Community Development Director
Anne Nickel,
Development Coordinator
Pat DuVal,
Executive Secretary

AUDIENCE PARTICIPATION

Police Chief Ron Goodpaster told Council of the success of the 1987 United Way Campaign giving credit to Detective Sergeant Bob McCrum.

Jim Backenstos told Council he felt it was their obligation to represent the needs of the taxpayers, and he particularly questioned the need for recent management increases.

Al Liane expressed his appreciation to the two Councilmembers who voted against the pay increases for the City Manager and the City Attorney.

Bill Hupp also expressed his concern with the tax burden and the sparseness of the Council minutes.

PUBLIC HEARING

Consider Adoption of Milwaukie Redevelopment Plan - Bill Adams, Community Development Director presented the staff report in which he cited the recommendations of the Clackamas County Board of Commissioners, the Planning Commission, and the Redevelopment Commission. He said the plan provides a broad guideline to development of the downtown, riverfront and adjacent areas.

Correspondence: Council was given correspondence from North Clackamas School District #12, Edward Wyse, and Ralph Klein stating various objections to the redevelopment plan.

Staff suggested a language addition on p. 11, paragraph #21 to "and is not a fixed arrangement of land uses and activities." It is the intent for the concept plan map to be an example at this point in time and may not be part of the final development.

Jim Backenstos asked about the location of Spring Park, and Mayor Hall pointed it out on the plan map. Mr. Backenstos asked the cost of the consultant, and City Manager Brown replied it was on a fee basis. He then expressed concern that the log dump was of real value to fisherman, and Mayor Hall replied that the present location was not found to be compatible with use in this area.

Public Testimony:

Mart Hughes, 3006 Washington, said problems exist with Elk Rock Island, Greenway Overlay, and particularly with the commercialization of the area between the river and hwy #224. He said he had contacted neighbors and found that churches, schools and homes should not be included in the urban renewal district.

Dr. Elliot Dennis, 2215 Harrison, said he had been a resident and had a practice in Milwaukie for thirty years. He expressed his opposition because of the taxes which might arise.

Dave Callentine, 10606 SE Rex, Wood Products Manager for Knappton said this plan would eliminate the log dump. Loss of this facility would result in loss of jobs. His company has looked for another location as suitable as this one, but have been unable to find one as efficient and cost effective. Mr. Callentine presented Council with a petition from truck drivers who rely on this log dump for employment.

Loren Copher, 25300 S. Metzger Rd., Caffall Bros. stated his strong opposition to the plan which would eliminate the log dump at a time when the timber industry was making a comeback. He said his company had been looking for a suitable site for relocation but had received no assistance from Benkendorf. Mr. Copher said his was a clean industry and a tourist attraction and suggested its incorporation into the plan. Other concerns were the need for a buffer for the marina, ownership of the access road to the log dump, and the preservation of historic features of the city.

Les Wilkins, Administrative Forester of Times-Mirror, said his company had not received notification of the redevelopment hearings. He said there had been an explicit understanding with Publishers Paper in the 1983 agreement the land would be for park use. Mr. Wilkins also expressed concern with the flood plain and the importance of the facility to the economy of western Oregon. He urged City Council to honor previous commitments; provide Times-Mirror with City Council minutes pertaining to City acceptance of the land from Publishers for park purposes; modify riverfront plans to retain open public space and the historical site; and audit the notice procedure of the Community Development Department.

Andrea Maxwell, 1726 SE Insley, asked that Council consider the implications of those involved through cooperation.

Steve Janik, 101 SW Main, representing Knappton, told Council this plan forced his client to a defensive position, and they should seek a broader base of consensus. Mr. Janik cited several areas in which he considered the Plan to be in nonconformance with ORS 457. He stated public did not have adequate time to study the October 20, 1987 draft of the Plan. He said the Plan neither stated the use and proposed maximum density, nor did it establish guidelines for the method of relocation. Mr. Janik there was a need for an analysis of fiscal impact. He said the Plan did not consider Comp Plan objectives regarding employment. He asked the feasibility of obtaining permits and recognizing LCDC goals. Mr. Janik said Council should not adopt a plan that injures a major industry of the City and hoped there would be accommodation before a LUBA appeal was necessary.

Bill Hupp stated park space is more valuable to residents than hotels and offices.

Alonzo Wertz of the Tri-Met planning staff expressed his support for the downtown area because it integrates light rail into the fabric. He said Tri-Met and Milwaukie have a service commitment, and the Plan would be enhanced by availability of public transportation.

Patsy Lindsay, 12025 SE 22nd asked Council for unanimous endorsement because the concept is sound and critical to the future. The Knappton facility is incompatible with the plan, but the City should work with businesses. She stated that developers gain confidence from demonstrated leadership.

Ron Kinsella said continuance with this Plan was necessary for the City's future. He questioned the School District's concern when they had endorsed the Clackamas Town Center and the Schurgin Development.

Rod Adams, 4500 SW Hall Blvd., represented riverfront property owner Jim Cobb. He said the plan was not acceptable because for the past 15-years the city had discouraged commercial development along the river in favor of parks. He said his client should be allowed to develop his property, and if not successful, the city could still retain the option. Mr. Adams stated efforts to compromise with Knappton and Cobb should continue.

Tom Chambers, 12414 SE Oatfield, urged that Council not depart from its plan through vested interests and negative opinions because piecemeal planning had to become a thing of the past. He said many residents were receptive to the Plan and endorsed unanimous adoption.

Roberta Mills, 9651 SE 37th, told Council residents are not proud of the downtown area as it is now. She said she enjoyed the river now, but

development would enhance that enjoyment.

Jim Backenstos said he saw this as a big business takeover, and said that Cobb's proposal should have been given more consideration. He asked how the City could afford condemnation and expressed concern with destroying the historical log dump.

Mrs. J. Earl Jones, 10363 SE 24th, asked why certain properties were included in the urban renewal district--would she have to sell the house to the City. Mayor Hall replied that she would not. Mrs. Jones suggested the City try to find a way that the log dump could co-exist with the development, and she suggested the logging trucks use the sewer treatment road.

Linda Hamilton, a member of the Riverfront Citizen Advisory Committee, said adoption of the Plan would have a favorable impact on the City, and problems with such things as parking, boat ramp, and log dump could be dealt with as the Plan continues.

Staff Comments:

Bill Adams spoke regarding the questions raised during public testimony. Zoning of occupied property within the district will not be changed. The boundaries identified areas which needed public improvements to enhance development potential of the 224 site and Harrison St. Adams said the proposals which had been made by Mr. Cobb were not part of a cohesive plan. Regarding the log dump, Adams said there needed to be communication, but staff had been told it was incompatible with the Plan. He said he regretted that Times-Mirror had not received notification and would look into the process. Responding to Mr. Janik's statement regarding permits, Mr. Adams stated the city was aware of standards and requirements. He said community unanimity in a project such as this was not possible and ample opportunity for comment had been provided. Regarding the statements that park space was more beneficial to residents, Mr. Adams said time had changed these concepts to a blend of public and private use because large open spaces were too costly to maintain as parks. Notice given to Publishers Paper and Knappton had apparently not been passed along to Times-Mirror.

Oliver Norville, speaking as counsel to the City of Milwaukie, said the plan met statutory requirements.

Al Benkendorf, consultant, told Council to remember that 90% of the response at the Redevelopment Commission hearing were positive. People are generally in favor of the plan, and other are willing to work with the city. He agreed the implementation of the Plan would require dialogue with property owners on the riverfront.

Councilmember Sandusky asked if forest protection would be an issue, and **Adams** replied that it would not because LCDC had approved this type of proposal in 1979.

City Manager Brown stated that this Plan would prevent unsuitable development of the riverfront.

Jim Backenstos asked staff if money were available for condemnation and litigation and demanded to know how much the City counsel was paid per hour. **Adams** responded the legal contingency fund was 15% of the project. Responding to the question of the hourly fee of the counsel, Adams said lawyers were charging \$80 - 125 per hour.

Rod Adams urged Council to continue consideration until the next meeting to provide an opportunity to give and take.

The public hearing was closed at 9:48 p.m.

Council Discussion

Councilmember Richmond expressed the belief that the Plan must progress, and adoption of the Plan does not mean the end of talks with property owners. He also questioned the additional language to item #21, page 11.

Mayor Hall said he felt this additional language made it clear the concept plan was not set in concrete.

Councilmember Lomnicki said if the concept plan map is just an example, more examples should be included.

Councilmember Lomnicki said this plan should also be considered. He said the concept plan map was valid, but it must not seem as if City Council were endorsing it as the only option.

Councilmember Sandusky said legal counsel if a concept plan was required at all.

Councilmember Richmond said that financial information indicated this to be the most feasible plan.

Councilmember Lomnicki said that an additional year to a 19-year plan was not that critical.

Councilmember Richmond asked what changes could be made to allow flexibility. **City Manager Brown** replied objectives provide the real guidance, and the added language suggests usage.

Councilmember Lomnicki said he was opposed to office space on the westside because it uses up potential public recreational areas.

Brown suggested leaving out the specific geographical location (riverfront) and referring more generally to District #1.

Councilmember Lomnicki said he felt there was public support for his concern. He said if this were not a fixed plan, it should not be necessary to include it.

Councilmember Fitzgerald recommended removing the concept plan map.

Mayor Hall said it was time to ask what kind of city we want. It would be ideal if the entire riverfront were park, but that is not feasible. The plan creates a variety of reasons for residents to go to the waterfront/downtown area. He stated it is more important to consider functions, aesthetics and economic vitality of the city.

Al Benkendorf said Council could choose to be less specific about the use of District #1 and decide in the future what "commercial" is.

It was moved by **Councilmember Sandusky** and seconded by **Councilmember Lomnicki** to remove the concept plan map from the Plan. Motion passed 4 - 1 with **Councilmember Richmond** voting against.

It was moved by **Councilmember Lomnicki** and seconded by **Councilmember Richmond** to read to ordinance adopting the Milwaukie Redevelopment Plan for the first time by title only. Motion passed 5 - 0. The ordinance was read the first time. The second reading of the ordinance will be scheduled for November 17, 1987.

OTHER BUSINESS

Authorize Development Incentives for Enterprise Zone. **Anne Nickel** presented the staff report in which she told Council this was an economic development tool utilizing incentives to new or expanding businesses. This concept was endorsed by the Planning Commission and Precision Castparts, the only business in the city affected. The City has opted to join with the City of Portland and Clackamas County to set up an enterprise zone along Johnson Creek Blvd., south to King Rd., and north past the County line into Portland.

It was moved by **Councilmember Richmond** and seconded by **Councilmember Fitzgerald** to approve Local Incentives to be applied to qualified business projects within the Enterprise Zone and to authorize the Mayor to sign a letter committing the City implement the incentives should the Governor designate the area as an Enterprise Zone. Motion passed 5 - 0.

Brookside Sanitary Sewer Rehabilitation, Phase I. It was moved by **Councilmember Lomnicki** and seconded by **Councilmember Sandusky** to accept the utility improvements and authorize final payment in the amount of \$47,695.16. Motion passed 5 - 0.

CONSENT AGENDA

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It was moved by **Councilmember Sandusky** and seconded by **Councilmember Richmond** to adopt the City Council minutes of October 20, 1987. Motion passed 5 - 0.

ADJOURNMENT

The meeting was adjourned at 10:50 p.m.

Pat DuVal

Pat DuVal
Executive Secretary



1. The first part of the document discusses the importance of maintaining accurate records of all transactions.

2. It also highlights the need for regular audits to ensure the integrity of the data.

3. Finally, it emphasizes the role of technology in streamlining these processes.

