

## MINUTES

### MILWAUKIE CITY COUNCIL MAY 18, 2004

#### CALL TO ORDER

**Mayor Bernard** called the 1934<sup>th</sup> meeting of the Milwaukie City Council to order at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Council President Lancaster  
Councilor Joe Loomis

Councilor Deborah Barnes  
Councilor Susan Stone

Staff present:

Mike Swanson,  
City Manager  
Gary Firestone,  
City Attorney  
Alice Rouyer,  
Community Development/Public  
Works Director  
Larry Kanzler,  
Police Chief

John Gessner,  
Planning Director  
Paul Shirey,  
Engineering Director  
Grady Wheeler,  
Information Coordinator

Jason Wachs,  
Program Coordinator

#### PLEDGE OF ALLEGIANCE

#### PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS

#### CONSENT AGENDA

It was moved by Councilor Barnes and seconded by Councilor Stone to approve the Consent Agenda that consisted of:

- A. City Council Minutes of May 4, 2004; and
- B. Resolution 8-2004 – A Resolution of the City Council of the City of Milwaukie, Oregon, Authorizing the Police Chief to Sign an Intergovernmental Agreement with the Portland Police Bureau, Beaverton Police Department, Bellevue Police Department, Clark County Sheriff's Office, Eugene Police Department, Lake Oswego Police Department, Marion County Sheriff's Department, Medford Police Department, Multnomah County Sheriff's Office, the Salem Police Department and the West Linn Police Department, and Federal Executive Agencies to Include – Federal Bureau of Investigation (FBI), Federal Trade Commission, U.S. Postal Service, U.S. Secret Service, and

**the U.S. Attorney – Department of Justice to Investigative Fraud and Identity Theft through the Formation of a Regional Economic Crime Investigation Center (RECIC).**

**Motion passed unanimously.**

### **AUDIENCE PARTICIPATION**

**Anneliese Hummel**, 2802 SE Monroe Street, Milwaukie. Hummel discussed traffic on Monroe Street and the rest of the neighborhood. Noise pollution and volumes are increasing daily. She does not want to spend time on studies as she has done that several times. The elected City Council needs to protect its citizens before any new development takes place. The neighborhoods need to be protected, and Stone has done that on her street. Dividers with plantings like those on 32<sup>nd</sup> are needed at the intersection of Monroe Street and 28<sup>th</sup> and 29<sup>th</sup> Avenues. This might slow or eliminate some of the traffic. Hummel has lived in that house for 15 years and nothing in the way traffic or repairs has been done. She has asked for new curbs on the west side of her house on 28<sup>th</sup> because they are in need of replacement. The traffic and volume are the most important and vital. She cannot stay for the Kellogg Lake hearing, but she put her vote on the record as "no." She is not opposed to public transportation and a new transit center, but this is not in her opinion the right place to put it.

Hummel urged the City Council to do something about the traffic on Monroe Street and possible Washington and Harrison. With building left and right, one section of cars has to wait for the other to pass because of parked cars. It is a daily occurrence now. There are more and more trucks using Monroe between Hwy. 224 and downtown. She described a huge truck trying to turn left on Monroe to get downtown. She saw no decrease in that type of activity.

### **PUBLIC HEARING**

**Mayor Bernard** read ground rules for the conduct of the hearing:

- Please fill out the testimony form before you come to the podium. That is the green registration card available on the information table in the hall. It ensures that we both have correct spellings for the record and have included everyone who wishes to speak;
- Please state your name and address before you begin your testimony so that they can be entered into the record--and please speak directly into the microphone;
- I will limit the presentation time for speakers to give as many people a chance to be heard as possible--10 minutes for groups and 5 minutes for individuals;
- Please make sure that your remarks are about the issues we are going to decide;
- Please avoid repetitive testimony--we want to make sure that you get to say what you want to say, but we also want to make sure that we include everyone; and

- Please do not engage in personal attacks--we are interested in hearing about the issues.
- The order of speakers was proponents, opponents, and neutral.
- Council will evaluate its progress later in the evening. If it appears there is substantial number of people yet to testify, he will call for an adjournment at approximately 9:00 p.m. Another date will be set to continue the meeting if adjourned. If he believes all have the opportunity to speak within a reasonable period of time, the hearing will continue.

### **Proposed Recommendation Regarding Transit Center Siting and Light Rail Alignment and Station Siting**

**Mayor Bernard** called the hearing to order at 6:18 p.m. The purpose of the hearing was to consider public comment on the proposed transit center siting and light rail alignment and station siting.

This is not a land use decision and is not subject to any existing land use standards or criteria. He reviewed the order of business.

### **Conflicts of Interest**

**Mayor Bernard** declared he had a potential conflict of interest and asked the city attorney to discuss it.

**Firestone** clarified the difference between a potential and actual conflict of interest. It is a potential conflict of interest if the outcome of the decision could affect the financial interest of the decision maker, anyone in the decision maker's family, or a business with which the decision maker is associated. It is an actual if the decision would affect the financial interests of the decision maker, decision maker's family, or business. The difference is between "would" and "could." The difference is essentially the certainty. If it will affect it is an actual conflict. If the interest is only potential and other things could happen and intervene, then it is potential.

**Mayor Bernard** said his potential conflict is that he is a downtown property owner. He owns about a block of land located at 21<sup>st</sup> and Washington Street, Main Street and Washington Street, and Adams Street and 21<sup>st</sup> Avenue. The transit center location is not on his property but is near his property. One could assume a potential benefit. The business on the property owned business has been there for 79 years and is an automotive repair business. It has been in that location through many changes in Milwaukie. The business is currently operating, and he intends to operate for many years to come. For the record, he does not see any potential benefit to the transit center relocation. It may offer some potential benefit in the future should light rail come by his property. According to the current plan, light rail would be on the other side of the tracks from his property. At this point any potential would be far into the future and would more likely be in increasing the potential value of his land in the future.

**Mayor Bernard** asked if there were any challenges to any Council members ability to participate in the decision.

**Councilor Lancaster** asked for clarification if the participant would have to recuse himself if there were an actual conflict of interest.

**Firestone** said that was correct. If the conflict of interest is actual, that means it would affect the business rather than could affect the business, then the decision maker must recuse himself, step down, and not participate. If it were a potential, then the decision maker can participate in the decision.

**Councilor Lancaster** asked if there were any legal guidelines where one crosses the line or is it subjective:

**Firestone** believed there were reasonable guidelines of immediacy and direct relationship. For example, a contract with the decision maker's company or spouse or self is an actual conflict of interest. Siting in the future appears to be potential particularly when there is an intervening decision as in this case. If there is an intervening decision and the only action is a recommendation, then it is typically considered potential than actual.

#### Challenges

**Jeff Kleinman**, Attorney, 1207 SW 6<sup>th</sup> Avenue, Portland. He represented Citizens for Milwaukie Greenspace who participated before the Planning Commission and consist largely of property owners and others in the Kellogg Lake area who are opposed to this application. He apologized in advance to the Mayor and other members of the Council because what he was going to do would be very uncomfortable for all concerned. This is his job, so he does it. He believed there was a conflict and that Mayor Bernard should recuse. One reason for this is that it appears it would be far less likely that the MAX line would be extended through downtown and on south unless the locally preferred alternative (LPA) for the transit center were relocated from north industrial to the proposed site on Kellogg Lake or somewhere else further south. He sees an actual conflict arising out of the fact that, as he understands it, a substantial part of his property is undeveloped. Therefore, any extension of the light rail line would result in greatly increasing the value of the property. To the extent it is already developed, there would be the potential for redeveloping the site into something more commercially valuable than the business currently operating. Third, he thought the current contemplated location of the MAX line on the far side of what is now the UP main line actually is not carved in stone. There is a real likelihood the line could move to the other side resulting in a taking of all or part of Mayor Bernard's property. This would, one would hope, result in substantial compensation for Bernard and any other owners of the property. Second, and even less comfortable from his standpoint, he understands in his current race for County Board of Commissioners that Bernard has a billboard or sign located on the Goodwill property as one enters Portland on Grand Avenue coming off the McLoughlin viaduct. He asked Mayor Bernard if that were correct.

**Mayor Bernard** responded that was correct.

**Kleinman** asked what rental was being paid to have that sign at that location.

**Mayor Bernard** responded that is information would be available on his C&E's, and no rental is being paid.

**Kleinman** said, as he understood it, the owner of that particular property is Howard Dietrich who also owns significant property at the north industrial alternative – the current locally preferred alternative or in that immediate area. According to the owners up there would be benefited by getting rid of the original alternative at Southgate and moving it south. He saw a conflict in Bernard's receiving that benefit from Dietrich, albeit over the line in Multnomah County, at a time when he has a great stake in the financial outcome of this decision. For those two major reasons, Kleinman respectfully requested the Mayor recuse himself and is not legally qualified to serve in this case.

**Mayor Bernard** discussed Kleinman's comment about "should light rail come." We are a long way from that, and it will have to be voted on. The fact is that it may never happen definitely puts it in the potential area. He understood TriMet already bought the property at Southgate and that Howard Dietrich no longer owns that property. The donation of the sign on McLoughlin Boulevard and the fact that light rail may never come and would require a vote he believes fits the definition of potential. This is not a light rail recommendation; it is a transit center relocation recommendation. He understood the fact that should light rail come is in the future. The fact that it may never happen puts it in the potential. This is not light rail it is transit center. He understands that TriMet owns that property rather than Dietrich. Based on those facts, he believes there is no actual.

**Kleinman** believed Dietrich continues to own properties in that immediate area on McLoughlin Boulevard in that immediate area including the Mill End store and would prefer to see this transit center relocated to the south. His objection to the Mayor's participation does stand.

**Mayor Bernard** believes it is still a potential conflict and will participate in the hearing.

**Firestone** said the Mayor has made the necessary statements.

**Councilor Stone** commented this was news to her about who owns the property where Bernard's billboard is and the potential for this business owner to be benefited by moving the preferred alternative from the Southgate site to the Kellogg Creek site. She saw this as having a potential for being an actual conflict of interest for the Mayor in the future. For those two reasons, she agreed Mayor Bernard should recuse himself from participating in the final vote.

**Mayor Bernard** personally believes this is potential conflict and will participate.

Staff Report: **City Manager Mike Swanson** provided the initial staff report with some brief general comments. The City Council has had the staff report for a week, so he would not read that. Phil Selinger, TriMet, John Gessner, Planning Director, and Donald Hammang, Planning Commission Chair will add their comments.

The issues arose after a long journey that began with the South Corridor process.

#### Recognition of Outstanding Milwaukie High School Student

**Councilor Barnes** said the City of Milwaukie began a program several months ago to have a better connection with its high school. There is wonderful work going on at that high school along with a wonderful principal and some incredible kids and teachers. Once a month, the City Council honors a student that shows promise and is part of the community. This month Kristine Juohola is graduating this year 11<sup>th</sup> in her class with a 3.95 GPA. She is in honors classes including AP calculus and English and is a member of the National Honor Society. She has worked with incoming freshmen, participated in the Annie Ross fundraising events as well as other community outreach programs. All of this is combined with athletics that includes varsity golf and soccer. Kristine plans to go to collect and major in biology.

Swanson resumed the staff report on the proposed transit center relocation. The issue before the City Council at this meeting began with the South Corridor process that began after the defeat of the South/North Light Rail proposal. Many of Milwaukie's leaders of today emerged from that experience and determined they had changed things. A number of those people he talked to speak to two major issues. One is the alignment and its negative impact on the neighborhoods in 1998. The other is the way the decisions were made. The South Corridor process originally sought a non-light rail solution to transportation issues facing Clackamas County and the region. It resulted in a two-phase project. Phase 1 was the construction of the I-205 corridor and phase 2 in the future was the line between downtown Portland and Milwaukie.

What brought the City Council to this point was a decision that was made about phase 1 which was the relocation of the downtown Milwaukie transit center. This was provided for in the locally preferred alternative (LPA) decision. Why was that provision put in there? Those engaged in the South Corridor process felt that the City needed something tangible – a tangible success early on. Milwaukie citizens, governmental leaders, and staff were very engaged in the process. What the City sought and got was relocation of the temporary facility that was located in the early 1980's from its current site outside City Hall. That was one change. Another change was the alignment sought specifically not to impact in a negative way the neighborhoods. There was a change in the way the neighborhoods were dealt with. The neighborhoods and the leadership were engaged. Another change was the way the City does business; it attempts to engage a broad array of the public in making its decisions. Thus, the working group. The working group was a creation of TriMet, not a body that was appointed or given its charge by the City Council. The City's relationship with the north industrial area has also changed. Swanson spoke with one of the company presidents from that area a couple of years ago and was told that was the first time he had talked to anyone from

CITY COUNCIL REGULAR SESSION – MAY 18, 2004

APPROVED MINUTES

Page 6 of 32

the City in his 31 years with company. A new relationship was established. The changes that many people sought in 1998 have happened.

He thought often of President Reagan's question in the 1980 election, "Are you better off now than you were four years ago?" President Clinton said governing is really about the future. That is why the City Council was there at the meeting. Does the decision best affect the future? Can people years from now look back on what was done and say their lives were better because of what was done in 2004. It is hard work. What the City Council will hear are conflicting positions. Traffic impacts will/won't affect the neighborhood. Development will/won't occur if the City does something. The environment will/won't be degraded. Everyone is trying to predict the future. What we all bring to it is our best intentions, but none of us bring a monopoly on the ability to predict that future.

It is all about how we handle change. The City is in a unique position. It is right in the middle of a region that is constantly changing and experiencing incredible pressures. Can Milwaukie ignore the change? No. We would do that out our peril. Whatever the City does, it is about a transit center – but it is more about the future. It is about what we are leaving – the legacy – to people like the young lady from Milwaukie High School.

**Phil Selinger**, Project Planning Director, TriMet. He introduced several associates who worked with him on this effort: Alonzo Wertz (TriMet), Dave Unswerth (Metro), Bud Roberts (ODOT), Randy McCourt (DKS), and Michelle Gregory (Soapbox Enterprises). He acknowledges the excellent integration and coordination with Milwaukie staff throughout the effort. This group has been excellent to work with and will be in the future. He acknowledged how agency staff appreciated the excellent community involvement in the City of Milwaukie. The quality of that participation indicates an involved community that is concerned about its future.

His comments were contained in the May 16, 2004 memo forwarded to the City Council and represent the interagency effort. Some years ago efforts were being made to locate an off street transit center even before the South Corridor Study got underway that led to the LPA. The site once considered was the old Safeway site, but there were problems with making it work. They were appropriate and good issues. The funds that were actually designated for that site were diverted to the Southgate project. The funds were diverted to Southgate because as the LPA was emerging it would be a location where something would be happening for this work program. The LPA called for a transit center and 600 parking spaces to be located at that site.

The LPA recommendation called for a working group to be established to work out some issues that were addressed in the process of getting to the LPA recommendation. The working group that was formed in consultation with Milwaukie staff consisted of 23 members of the community including north Milwaukie industrial, downtown, and neighborhood representatives. There were also nine staff and two consultants. There were other folks from the downtown community, the various neighborhoods, and north industrial who sat in on some of those sessions. He believed the process was fairly extensive. There were six meetings over a five month period that ended in February.

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

**Page 7 of 32**

Parallel to that, there were four Milwaukie only meetings that were set to allow a community discussion in the absence of the various agencies. The working group discussion prepared 21 evaluation factors, and each option was evaluated extensively and included a wide range of factors. As the working group moved toward its recommendation, there was an open house where the output of the working group was presented to the community and comments received. This was very important in preparing the final recommendation.

He described the purpose of a transit center that could be summarized in three areas:

1. Provides connections between local and regional transit services and provides access to the system in which the region has invested;
2. Provides a visible and convenient connection for the community which are generally located in town centers and offers a collection of services to allow the maximum number of people, in this case, to get to downtown Milwaukie facilities and as more people live in downtown Milwaukie provides access to those folks as well; and
3. Provides an important operational component for the transit system itself. It is a place where routes can terminate, operators can take break, bus schedules can recover if they fall behind, and is part of the machine needed to run the system.

Adjacent but a little contrasted to a transit center is a park-and-ride lot. It is a place for people who do not live on transit service to get to that transit service using their cars. That is critical as part of the trunk line high capacity services that include light rail and some of the bus routes. TriMet tries to locate park-and-ride lots on those major services but out of town center downtowns because they do generate traffic. The purpose is to intercept trips at the park-and-ride lots before they get to town centers and core areas.

Discussions were entered into with the working group with no preconceptions other than the baseline of trying to make the Southgate LPA selection to work. There were some issues related to the recommendation that came out of the LPA.

Selinger briefly reviewed the options considered four of which were focused on getting the Southgate location to work for the transit center and park-and-ride.

- Option 1 series was what came out of South Corridor work and the Draft Environmental Impact Statement (DEIS). The issues related to the main Milport intersection is challenged because it is a compound intersection with McLoughlin Boulevard. At least in the future it would be difficult to make the intersection work effectively. The other concern with this option was the fact that light rail followed Main Street, and there were real or perceived impacts of that alignment on the businesses on that street in the north industrial area. Overall there were concerns about if and how the transit center and park-and-ride would impair truck and commerce in that district. Options to deal with that was to wrap Main Street around the transit center to create additional stacking room at the intersection and effectively separating those two intersections with the transit center in the middle of the loop. Another scenario was created with working group input that reduced business impacts by sending the alignment under Hwy. 224 at a more oblique

angle. The final scenario in this grouping put the park-and-ride over the intersection that had a more compact arrangement. Light rail was elevated in that area, but all in all this scenario was quite expensive. While these options were technically feasible, they did not address the issues primarily coming out of the north Milwaukie industrial district in the working group.

- This led to a widening of the field – or series 2 options. All of these alternatives moved the alignment from Main Street to the Tillamook Branch freight rail line. This immediately eliminated the Main Street impacts.
  - 2.1 consolidated the transit center at the planned Tacoma Street station. This would eliminate the Southgate station.
  - 2.2 placed the transit center at the ODOT property with a tight s-curve arrangement following Main Street for a short distance. It would have provided a small park-and-ride and transit center. All of these options came down to Kellogg Lake with a park-and-ride but not a transit center.
  - 2.3 located the transit center at what is now the Heiberg site to the rear of the Southgate site. This option was workable but it had very poor access that translated into safety concerns because it was far removed from the main road and any 24-hour activity. It would be isolated and difficult for emergency services to monitor the location. It would also have been difficult for busses to access.
  - 2.4 and 2.5 were somewhat similar in this grouping. 2.4 took the transit center into the south end of downtown Milwaukie at the post office site near Lake Road. It was a very compact arrangement with a walking connection to a park-and-ride lot on the Kellogg Lake site.
  - These were the options that were worked with going into the recommendation. Just prior to making the recommendation an additional option was considered which was to pull the transit center across to join the park-and-ride on the other side of Kellogg Lake. That became the recommendation of the working group.

From the agencies' standpoint the most promising options were likely 2.4 and 2.5. From the working group's standpoint, there was continuing interest up to the end of making the ODOT site work. Part of the concern of the participating agencies, mainly TriMet, was that bus operations would be impaired at the proposed transit center locations to the north at Tacoma and ODOT. There is bus service from the north along McLoughlin Boulevard, from the east to Milwaukie, and some from the south. The services from the north, once it gets to the Milwaukie town center, would come into downtown Milwaukie then have to back track and lay over to make connections to the north. That movement had extraordinary operating costs associated with it. In the case of Tacoma Street, it would be about \$800,000 annually, and ODOT would be \$600,000 annually. The alternative to those additional costs would be to truncate the service without coming into downtown Milwaukie and forcing riders from the north and northeast to other services to get to the downtown area. This was not a desirable scenario.

Selinger described the working group recommendation for Option 2.5. The first phase would be a bus only transit center on south side of Kellogg Lake. It would require reconstruction SE 22<sup>nd</sup> Avenue and River Road to provide access to the transit center.

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

Page 9 of 32

It would also establish an improved bus stop on Main Street in front of City Hall. In this scenario, the passenger movement in downtown from the bus layover function that would be contained at the south end of Kellogg Lake. The idea was to get the best of both worlds – preserve the transit center for riders and citizens but maintain the operational requirements of the system. The second phase of this option would be construction a parking structure over the transit center. Light rail would be extended over Kellogg Lake with an elevated light rail station adjacent to the parking structure. There would be a walk connection from downtown Milwaukie to the transit center and across to the Island Station Neighborhood with pedestrian connectivity to the waterfront.

Some of the issues that emerged as the recommendation came forward was the scale of the garage proposed to be 585 spaces. He believed using sensitive materials, landscaping, and stepping back the top level could mitigate the scale. There was concern about building a transit center in a landfill, and Selinger indicated conventional techniques like piling could be used. There were concerns that this option would reduce downtown bus circulation, particularly at the Planning Commission meetings. By locating a single, primary bus stop at City Hall, busses circulating through the downtown area would be eliminated. There would be no downtown layovers. The City Hall bus stop improvement could help implement the Main Street streetscape plan and help complement the work on the Safeway site. Another important consideration is how this project might coordinate with projects taking place in and around Milwaukie. These include Kellogg Creek restoration, Trolley Trail, Treatment Plant relocation, ODOT preservation project on McLoughlin Boulevard, and the McLoughlin Boulevard improvement project. All of these projects would be coordinated with the transit center.

Selinger believed the working group recommendation met the objectives going into the review. The Southgate site as mitigated in Options 1 technically does work, and the needs could be met. The working group has come up with a very attractive recommendation that perhaps better works for transit and the needs for providing connections to downtown Milwaukie.

**Planning Director John Gessner** made three points. The \$600,000 estimate of increased costs was revised downward to \$400,000. He had previously reported to City Council that the parking lot count was reduced to 525. In an effort to reduce the height, ½ of the upper deck was removed to help with the view impacts for the neighbors living on the north side of the Lake. Although the agencies to agree they can go back to the LPA as mitigated, it would be substantial conflict many of the concerns particularly relating to the loss of business and tax base. He provided highlights of the Planning Commission decision. One was in the findings had to do with the process. The Commission document the scope of work taken over by the working group, the length and inclusiveness and overall quality of the process. It showed Milwaukie how projects like this ought to be conducted, and he was proud to be a part of it. The Commission articulated 12 or 13 reasons for adopting option 2.5, and he identified the three most important:

1. It results in the timely relocation of the transit center as requested by the City Council. It does not involve property acquisition because it is already owned by the City;

2. It has the fewest impacts and most benefits to the City of the alternatives; and
3. Many of the problems identified in the LPA by the Planning Commission and City Council have been resolved.

There are still a number of concerns that were identified in the working group process that need to be resolved – traffic, environmental impacts, and views. There are means to get there. The conditions the Planning Commission forwarded include the creation of an advisory group to help guide the design of the process so that environmental, public safety, traffic, and other issues can be resolved. There are a number of additional steps that will ensure environmental and other community site development issues are addressed.

**Planning Commission Chair Donald Hammang** said the Commission realized this is a decision that on the face of it does not appear to be the best choice. However, it is the only decision that came out of the process that had neighborhood support and driven by this support that meets the needs identified time and time again. These were bringing transportation into Milwaukie without tearing up the neighborhoods, comes the closest to meeting the 14 Points articulated by the neighborhood associations in their early dealings with the return of South/North Rail. It is a product of the working group – not of any staff project. The working group was made up of the neighborhood association chairs and businesses from the City of Milwaukie which are both valid constituents in such a process. It was approved by consensus with a few dissenting votes to be the best of all the alternatives. It will help get the busses of the streets of Milwaukie which is something people have been striving to attain for years. It looks disorderly and probably impedes the healthy development of the City. Hammang said he had a background in public involvement being a recall member. The process did seem fair to him from his position although he could not be involved as a Planning Commission member. He understands it was a difficult decision, and it is important to consider “out-of-the-box” solutions. Combining the transit center and light rail site on Kellogg Lake was a result of neighborhood leaders brainstorming. It was not a staff idea. Carlotta Collette from Ardenwald and David Aschenbrenner from Hector Campbell put that process together, so it does have grass roots support.

**Councilor Stone** understood the working group was made up of people from neighborhoods and business leaders and that there were about 20 people. She asked if that were accurate.

**Hammang** believed there were 10 people from the neighborhood associations and 13 people representing businesses. He understood each neighborhood had a representative.

**Gessner** believed the final vote was about 18 to 3. Staff tallied the people attending and could better address the numbers attending.

**Councilor Stone** said when Gessner first sat down, he threw out a figure of \$400,000 instead of \$600,000. Was that the amount of money Selinger talked about?

CITY COUNCIL REGULAR SESSION – MAY 18, 2004

APPROVED MINUTES

Page 11 of 32

**Gessner** replied Selinger was talking about a \$600,000 annual cost to locate the transit center at the ODOT site. That was a preliminary number that was subsequently revised to \$400,000, and this was reported to the working group and the Commission elsewhere.

**Councilor Stone** wondered if that was an annual figure and how those numbers were arrived at.

**Selinger** said these types of calculations are done all the time to efficiently configure service. It looks at the average bus travel time on the street that is about 13-14 mph, distances, number of busses per hour, and hourly operating costs. TriMet looks at that as a differential – one location versus another. The agency is continually trying to optimize the system so money is well spent.

**Councilor Stone** was surprised there was a \$200,000 discrepancy. She wondered how Selinger was getting his figures.

**Selinger** did not do the calculations himself, so he was not sure. People in the scheduling department did the rough work, and one of his staff did the summary.

**Councilor Stone** asked if they were available.

**Selinger** said scheduling staff could be available but not at this meeting. Michael Fisher, who recently retired from TriMet, was the project lead and prepared the summary.

**Councilor Stone** asked if Selinger could get these calculations to the City Council.

**Selinger** said he would.

**Program Coordinator Jason Wachs** said the list of people invited to the group at its inception included 10 Neighborhood District Association (NDA) leaders, 13 north industrial representatives, 9 local and regional staff, and 2 consultants. As various options came up, new members were recruited. As of January there was a list of those involved in one way or another. At that time, about 13 downtown interest holders, 5 more NDA leaders and other citizens, and 5 more north industrial representatives. Updates were provided during the process. Others have come into the process as Planning Commission meetings took place.

**Mayor Bernard** understood the actual voters were the original committee.

**Wachs** said that was correct.

**Councilor Stone** understood this process went for about 5-6 months. In the course of this process, were some of these members kind of coming sometimes and not coming at other times, or was there a pretty solid group in terms of numbers at each meeting?

CITY COUNCIL REGULAR SESSION – MAY 18, 2004

APPROVED MINUTES

Page 12 of 32

**Wachs** replied there was a solid group. There was definitely consistent attendance. There were two process taking place at the same time: the working group and the Milwaukie only group that opened up the process even more particularly to those in the downtown and Kellogg Lake areas. More or less, the attendance was consistent. The Milwaukie only group was everyone on the working group but without regional staff. City of Milwaukie staff was there.

**Councilor Stone** understood Wachs to say there were 9 local and regional staff, 2 consultants, 13 downtown business leaders, 5 NDA leaders, and 5 people from the north industrial land.

**Wachs** said the initial group was 10 NDA leaders. Over the 5 months there was a lot more outreach to find more participants particularly in the downtown and Kellogg Lake area.

**Councilor Stone** understood there were roughly 10.

**Wachs** said overall the NDA and citizen participants totaled 15.

**Councilor Barnes** requested the names of those involved with this decision be read into the record.

**Michelle Gregory**, Soapbox Enterprises, read the list of people from Milwaukie:

1. Gary Hunt
2. Keith Bell
3. Mark Hendricks
4. Norm Unrein
5. Bill Munson
6. Brian Heiberg
7. George Anderson
8. Chuck Willie
9. Howard Dietrich
10. David Aschenbrenner
11. Dolly Macken-Hambrigh
12. Peter Koonce
13. Ed Zumwalt
14. Roger Cornell

**Councilor Stone** was trying to clarify the actual citizens living in Milwaukie versus the business owner versus staff. The list just read was a combination of citizens living here and business owners. Of that list, there were more business owners listed than residents.

**Gregory** said that was the initial list. It is important to stress, that as part of both the Milwaukie only process and the working group process as things moved forward and new options considered there was an effort to expand and include more people. There

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

Page 13 of 32

are other who did participate at other working group meetings as well as Milwaukie only meetings, and those people were either business owners in the downtown area or residents of Milwaukie who were concerned about the downtown area. There were residents of the Island Station and Lake Road neighborhoods that came occasionally. A comprehensive list could be compiled from the sign-in sheets.

**Mayor Bernard** understood these were business owners, property taxpayers, and residents.

**Gregory** said the staff did its best to get a balance.

**Councilor Loomis** asked for a description of the voting process, and who was eligible to vote. It was 18 – 3; was that the original committee or whoever was there.

**Gregory** said the vote for the recommendation was taken at the last working group meeting. That meeting was attended by staff resourcing the project all along, the original members of the working group, some additional citizens and interested business owners who started coming to the meetings at the end of the process. The effort was made to expand the number of people for input. When the actual vote was taken, staff and paid resource people literally backed away from the table. Anyone who was a member of the community as a stakeholder, business and resident, was part of that vote. At the time there were 18 plus 3 of those individual.

**Councilor Loomis** asked if this was the only option voted upon during the entire working group process.

**Gregory** said throughout the process there were periodic rankings to get a consensus of direction. That was the only official vote the working group took. She believed there was some straw polling in the Milwaukie only process.

**Gessner** said there was a deliberate narrowing process. By the time the group was midway through the process there were 8 separate alternatives that were contending against each other. There were a lot of different values expressed about the different options – what impacts might affect different people differently. The working group was brought to the process of reducing the options. It was a non-vote process, but it was collaborative and consensus based process of selecting options 2.4 and 2.5 for final consideration. The next meeting resulted in the final decision to go to 2.5 in preparation of the working group's final recommendation that the City Council has in its packet. He referred to the February 4, 2004 recommendation from the working group to the Planning Commission. He wanted to respond to some of the concerns about stakeholder involvement and processes by getting the names of all the participants to construct how that process went and forward the information to the City Council.

**Councilor Lancaster** asked for clarification if there were members who were not part of the working group that were part of that vote.

**Gessner** did not believe there was ever an eligibility criteria for the working group. It was a pretty organic group, and the membership would change depending on who was able to attend the meetings. It became a little bit fuzzy when the Milwaukie only group was created. That was in part due to the working group's strong desire to do problem solving without the agencies being present. Secondly, as indicated by Gregory and Wachs, as the downtown locations were identified as prospects a lot of effort went into getting additional stakeholders in. The working group was a loose term for a large group of persons who were involved at one point or another. He used a liberal interpretation when reporting to the Planning Commission. Basically, if you show up at the meeting, you are a working group member. Not everyone was there for the vote. The number of people he identified as attending at least one meeting was as high as 30. He will provide more information.

**Mayor Bernard** attended several meetings but did not vote at the last meeting. Often one person from a business could not attend, so someone attended for him/her.

**Councilor Loomis** asked if everyone comfortable with that process of voting, talking, and coming in.

**Gessner** indicated he had a very strong sense that the working group was comfortable with that. He did not recall any discussion about discomfort in the way it was being managed.

#### Public Testimony -- Proponents

**Debbie Cronk**, 11863 SE 28<sup>th</sup> Avenue, Milwaukie. She owns multiple properties in the City of Milwaukie and has for many years. The thought of having light rail in Milwaukie was very exciting for her. Having the downtown revitalized and having the building in the Safeway area is wonderful. The 2.5 area, to her makes the most sense. It leaves the downtown for further redevelopment. She understands the corridor for the bus will be very nice and much like downtown Portland. The housing at the other end of Main Street will make it very interesting. She also has worked with the Trolley Trail group, and the bridge to the waterfront to connect to the Trolley Trail so people can take their bikes on light rail. One of the big things for the City is that there will be no loss of tax base with this site, which she believes is very important. Many people are concerned about the Kellogg Lake area. It was never a lake in the very beginning; it was a creek. She thought people like the Master Gardeners and the Corps of Engineers could turn it into a very beautiful park area with foot and bike paths as well as a better wildlife area. The fish ladder has not moved fish through there for quite a long time. She supported the 2.5 option and liked the idea of being able to take light rail to the airport.

**Lisa Batey**, 11912 SE 19<sup>th</sup> Avenue, Milwaukie. She has been a resident for two years. Although she is a relative newcomer, she is excited about the transit center option on Kellogg Lake from a couple of perspectives. As a potential transit rider, she find the current set up confusing, and she finds it does not make her feel safe. Having a consolidated stop on Main Street where all the busses stop, people would not have to worry about being at the wrong stop and missing their bus. The critical mass of people

CITY COUNCIL REGULAR SESSION – MAY 18, 2004

APPROVED MINUTES

Page 15 of 32

waiting makes for a more user-friendly system. More importantly, as a member of the Island Station neighborhood where she has been involved in the NDA for the past two years, she knows improvements to the intersection of River Road and McLoughlin Boulevard have been a target of the neighborhood for over a decade. It has worked with ODOT to get improved sidewalks and crossing. She did not know how many people had been killed trying to get across McLoughlin Boulevard. The NDA voted readily to support this option when it was presented. Lastly as someone who has been active in her NDA and member of the Citizens Utility Advisory Board, she said this was a process that engaged everybody and all had the opportunity to participate. It was announce in The Pilot and was not a closed-door, hidden process. It was open and Batey hoped the City Council would respect the process. It would send a poor message to those contemplating participation in civic life if the process were not respected. She encouraged the City Council to endorse the option.

**Councilor Lancaster** asked Batey if she was currently a transit rider.

**Batey** said she did not as she works from home.

**Jeanne Searls**, works at 4120 SE International Way and lives on King Road, Milwaukie, read a written statement into the record.

*"Her family has had a Milwaukie address since 1955. I live and work in the Milwaukie area as do many of my children, including three grandchildren attending Milwaukie High School. I, also, spent much of my career participating, organizing, and staffing voluntary citizens' committees.*

*I support the recommendations of the Working Group and the Planning Commission.*

*During the past 49 years, I saw the City of Milwaukie lose much of its identity to inevitable growth. However, during recent years there is new energy and vision. With the waterfront construction and the relocation of the transit center to the Kellogg Lake location, the City can **redefine itself as vibrant city and an oasis** from the hustle bustle of commuters, traffic, and shopping malls.*

*I attended the presentation of the options under consideration by the very broad-based Working Group. The backup data, which was available, demonstrated the obvious painstaking hours of the staff and citizen's work and deliberation. Each option showed, not only the effects for the Milwaukie community but how it fit into the planning for the whole of North Clackamas.*

*After review and testimony, the Planning Commission adopted the Kellogg Lake site. It is obvious that no choice will please everyone.*

*Now it is your decision whether to have the courage to be leaders with vision or reactionaries, whether to support recommendations of **your** volunteer citizen groups and staff or to react to individual complainants. Please continue with vision. Don't lose the energy."*

**James Stilwell**, Comptroller for Harder Mechanical Contractors, 2148 NE Martin Luther King, Jr. Boulevard, Portland, Oregon 97212. The building is located on Hanna Harvester Drive. He provided background on the company's situation. The building was purchased in 2000. During negotiations, Harder inquired about the potential of light rail coming to Milwaukie. The realtor showed a plan of light rail coming down McLoughlin Boulevard, so Harder determined it would be fine and would probably add to the value of the property. Some time ago, he got a phone call that a new route had been chosen and would go right through the middle of the Harder building. The company has spent 1-1/2 years renovating an old building and spent a lot of money. The building is about 46,000 square feet. Harder installed a pipe fabrication shop and a clean room fabrication area used for high tech businesses such as Intel and computer companies. Harder has about 4,500 square feet of Class 10 clean room which is probably the largest facility of its kind in Oregon and Washington. The company invested a lot of time, effort and money, and the building turned out well for Harder. It is in an industrial area, so there are no problems with neighborhoods. There are currently 43 full time employees that are mostly in the Pipe Fitter's Union. The average hourly wage is \$33.00, and fringe benefits are an additional \$14.27 an hour. Obviously these are fairly high-paying jobs with considerable overtime. The average weekly gross pay is about \$1,800 with another \$700 in fringe benefits. The total payroll at that location is about \$70,000 per week and \$4 million annually. Harder paid \$24,733 in property taxes last year. TriMet tax is about \$25,000 a year from that location. Harder is one of the 100 largest privately held companies in Oregon with about 650 employees total with another company in Vancouver. Harder originally moved the shop from Vancouver to Milwaukie. If light rail goes through the building, the company would probably conservatively cost Harder about \$1 million. It would be a difficult operation to move because of the ongoing work with tight schedules. Harder would have to create a brand new building because it would have to move equipment. The company has a lot to lose. If it must move, Harder has property in Vancouver, WA where its other company is located. If these jobs are lost, they will not only be lost to the City of Milwaukie and the County, but also the state. He thought there were a couple of things the City Council should consider. If the City is going to have light rail, use must be maximized by the people. One needs to look at the overall effect on the area. If light rail is built, there will be less traffic. Some are against this option for various reasons and may be looking at the top of a parking garage. On the other hand, if Harder moves, 43 jobs will be lost along with the tax money. He did not see a lot of people in opposition and urged the City Council to chose this option. Without jobs, the quality of life will not be that good.

**Mayor Bernard** asked Stilwell how much was invested in the remodel.

**Stilwell** responded Harder spent about \$1.4 million and has no intentions of leaving Milwaukie.

**Dave Green**, 5431 SE Willow Street, Milwaukie. Those who know him and the property he owns know that he is a Greenspace advocate and is here in support of the Kellogg Lake site. In his day job, he does water and wastewater planning work, and he frequently looks forward 20, 40, 50 years. He asked that the Mayor and Council to do the same when it considers the transit center. It sets the stage for what happens in

CITY COUNCIL REGULAR SESSION – MAY 18, 2004

APPROVED MINUTES

Page 17 of 32

Milwaukie's downtown for a long time to come. Green is a current member of the Milwaukie Riverfront Board but spoke as an individual. With this transit center, he believed Milwaukie had a great opportunity to work with the region to return some vitality to the downtown. He was involved from the Riverfront Board's perspective in helping move the downtown plan forward. This transit center will help make that vision a reality. A downtown transit facility is critical to a healthy, thriving downtown and will bring in people and businesses to help provide some resurgence to what he thinks is a dying downtown. In addition to the benefits to downtown, the Kellogg Lake location provides a great opportunity to relocate some parking out of the riverfront park and allow users to have not only replacement but also additional parking. Another big service to the riverfront is that the transit center with its crosswalk will provide some additional connectivity between the park and the downtown. Connectivity to the riverfront park has been a big priority for those who have set through all the board meetings. Lastly, the mitigation for the environmental impacts coming out of the construction can be used to enhance Kellogg Creek and return it more to its original condition. He also sees opportunity for those mitigation funds to be used to enhance the natural areas that are currently in the plan for the Milwaukie riverfront. He noted the Planning Commission recommended that funds from the sale of the property for the transit center could be used at least in part for the Riverfront Park. He certainly supported that. He asked the City Council to look with a long term vision and urged support of the transit center at the Kellogg Lake site.

**David Aschenbrenner** 11505 SE Home Avenue, Milwaukie. He wears several different hats. He is chair of the Hector Campbell NDA, and the group voted in favor of option 2.5. He spoke representing the neighborhood, himself, and the working group. The NDA voted in favor of this option. It had several meetings and discussions, and several members of the NDA were involved with the open houses and working group. As a member of the working group he thanked the City staff, TriMet and Metro for getting citizen involvement and hopefully listening. This is a unique opportunity for citizens to get involved and look at the issues in depth. After looking at the technical data, the working group agreed the option 1.0 series would not work for Milwaukie in the future. That is what we are looking at – the future. City Council heard that the parking facility could be used for more than just park-and-ride. It can be used for riverfront events and provide connectivity to the riverfront. He thought this was nice and discussed the lack of parking at last summer's fireworks event. The city manager and staff provided an excellent report that contains a lot of information. This has been going on for a while. He was involved with this back when the other light rail option was on the table. He voted against it because of what it did to the neighborhoods and because there was no citizen involvement in the process. This was a complete turnaround with a lot of citizen involvement. It has options he feels are best for Milwaukie in the long term and in the vision for the future. By putting the one block transit center in the downtown and realigning the current parking lot, the size of the Farmers' Market could almost double by closing Jackson Street on those days. There is also the potential for fixing the brown water drainage issues for the vendors as well as fixing the electrical outlets. During the Centennial, there were all kinds of issues related to rain and power. This is another chance to fix those little problems. There will have to be mitigation on a lot of different levels. Planting trees on the site to camouflage the parking structure as well as

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

**Page 18 of 32**

providing wildlife habitat that is not there now. Conditions may be added to this recommendation such as a walkway, a viewing platform that extends out over the lake to make the site, and picnic tables to make that site more user friendly in the future. He left it with the staff recommendation, the Planning Commission report, and the working group report. This is visionary and looks into the future. It does not solve things overnight, and it will not happen overnight. This is a long process. There will be a vote. The site has to be studied and mitigation issues laid out. This is just one of the first steps on the process. It is a recommendation that says, "go take a look at this site – tell us if it is feasible – tell us if it will work – here are our concerns, can you address them in the process?" Then bring it back to the City for the planning, zoning, and Comprehensive Plan, and building permit processes. That all has to happen. This is just a recommendation.

**Carolyn Tomei**, 11909 SE 19<sup>th</sup> Avenue, Milwaukie, State Representative for the citizens of Milwaukie. Tonight the City Council has an awesome responsibility ahead of it. This is a difficult decision and may be the hardest one people make while on Council. Tonight Council will hear a lot of testimony both for and against the study to move the transit center to the McLoughlin/Kellogg site. She encouraged the Council to vote "yes." As a past member of the Milwaukie Downtown Development Association (MDDA), a City Councilor and Mayor, she continues to bring businesses into Milwaukie. She worked for that for years. When she moved to Milwaukie 38 years ago, the City had a thriving business community. That has changed over the years just as it has in most small cities throughout the country. Now we must work to retain the businesses we do have and recruit new business. The City Council heard from a business owner tonight who has wonderful, family wage jobs and pays a lot of property taxes. We need to do this to maintain the City's viability. Without new business revenue, without increasing value and tax receipts through new development and redevelopment and family wage jobs, this City will have difficult time, if not impossible, to continue the services now being provided to its citizens. Recent Budget Committee meetings are likely convincing the City Council of that. Milwaukie has a reputation in the development community and the region for being inconsistent, unpredictable, and difficult to work with. The City needs to re-establish its credibility. The City Council asked to relocate the transit center – not to remove it. Milwaukie needs to demonstrate to its regional partners including not just TriMet and Metro but also Oregon City, Portland, Clackamas County and Multnomah County and the development community that the City will keep its commitments. If we do not keep our commitments, why would investors in the City expect anything different? When you set up the working group to study the re-siting of the transit center, the expectation was that after five months and hundreds of hours of deliberation and information gathering in a process that was open to all who expressed an interest. The recommendation dictated by the neighborhood members was to be given a great deal of weight in the process. The development community and regional partners are watching closely. The City needs to let the development community and federal, state, and regional partners know that Milwaukie is open for business and is willing to work with them. We are going to retain our industrial tax base and encourage new industries and businesses. Our City has changed since Tomei moved here in 1966, and it will continue to change. We have an opportunity here tonight to help design and direct change that change. The Downtown and Riverfront Plan developed

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

Page 19 of 32

while she was mayor called for improvements along Milwaukie's bay and riverfront. She has been working for over 20 years to get rid of the sewage treatment plant. Location of the transit center in close proximity of that plant and the potential for a bridge over McLoughlin Boulevard to the riverfront provides yet another argument for the removal of "Old Stinky." We need to show our regional partners we need to support us that in the endeavor to remove the Kellogg Treatment Plant that Milwaukie is and will continue to be good and credible and reliable partners. The City also needs to ensure that all those affected by the transit center move will be involved in the mitigation of any negative effects the move will have on their properties.

**Chuck Willie**, WW Metal Fab, 2200 SE Mailwell, Milwaukie. The company employs up to 100 people when business is good and is located in the north industrial area. He was a member of the committee, and in the course of five months examined a significant number of alternatives. Many of these alternatives were creations of the group. With the help of TriMet, ODOT, and City of Milwaukie, the committee examined all the aspects, impacts and possible mitigating factors relating to these options. This was done, in his opinion, while holding the highest banner of what was best for Milwaukie in the long term. Each subgroup had the opportunity to delineate the effects on their represented parties and vote on which alternatives moved forward. He was quite surprised and pleased that this group could grapple successfully with a difficult and complex array of alternatives and issues without disintegrating into factions that could never achieve a conclusion or recommendation. He commended City staff on keeping focus and for maintaining the necessary time constraints. Milwaukie has a tremendous commercial and industrial area. Many of these businesses have been here for years. They contribute significantly to tax base and require relatively little in services. There are some retail businesses but in the main provide transportation, manufacturing, warehousing, construction and community support services to not only Milwaukie but also the region and the nation. These companies provide a lot of very good jobs to workers who live for the most part in the southeast area from Portland to Canby. These companies may not be glamorous nor do they toot their horn, but they are the financial heart and blood of the City. Willie believed they were also the City's future. When these jobs are lost, they do not just go down the street. They are usually lost to the entire state and sometimes to the nation. Several of the alternatives examined presented the potential for significant damage to businesses in the north industrial area. For example, most of these businesses require egress with truck and trailer combos up to 53-feet in length multiple times an hour. Turning radiuses and intersection crossings are a major concern. Cross traffic, light rail, and car volumes are a major deterrent to the long-term success of these businesses. Egress to the north industrial area is already somewhat compromised with the current Hwy. 224/McLoughlin Boulevard juncture at Milport and Ochoco. Light rail down Main Street just exacerbates the situation and eliminates businesses, parking, and increases car traffic across these intersections. That is why no alternative with the Main Street alignment was acceptable. The whole group concurred after studying the alternatives and possible mitigations. What has been put before the City Council represents, in his opinion, the best solution this group could offer. It is an opportunity for this City to achieve a major objective – namely moving the transit center out of the middle of town quickly and positions to City to take full advantage of light rail or commuter rail in the future. All this without

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

**Page 20 of 32**

compromising the development of other projects such as the Trolley Trail, moving the treatment, or development of the waterfront. If light rail comes, its path through Milwaukie will not solve many of the issues that face City planners and decision makers. One should expect development in an urban area to make life more complex and contentious, but the City needs to be engaged and make the best possible choices for the City. He heartily endorsed the plan before the City Council and judged the City Council should do also.

**Mayor Bernard** understood there were 100 ± employees and asked the wages. He recalled this was an old warehouse before Willie's company moved in and asked how much was spent to renovate the building.

**Willie** said these were good paying jobs for the most part with a wide range of wages. The company spent close to \$1 million renovating and moving into that building. The average hourly salary is \$10 - \$20. When business is good, employees have the opportunity to work as much overtime as they can handle. Over the past few years, the business has had to be restructured to some extent because high tech customers have disappeared.

**Councilor Lancaster** asked if the truck traffic Willie mentioned truck traffic 50-feet and greater three times an hour. He asked if that was an average.

**Willie** believed he said multiple times per hour. The traffic consultant can speak to that more accurately, but he knows standing in front of his building there is a significant amount of truck trips per hour down Mailwell. He spoke in terms of daylight hours. He was referring to traffic in general not just his business.

**Mayor Bernard** added should some of those currently empty buildings have more jobs in trucking, that intersection would be substantially impacted.

**Willie** said there were significant questions whether long truck and trailer combos could make the turn if light rail was aligned down Main Street in the area of Mailwell and other intersecting streets.

**Mayor Bernard** said trucks back up to a door at WW Metal Fab then goes across Main Street at that point. If light rail goes that way, the company would have to shift the trucking to another side of the building.

**Willie** said the company would lose all the parking on that side of the building as well as the egress out that door.

**Dorothy Snowhill**, 10218 SE 36<sup>th</sup> Avenue, Milwaukie. Ms. Snowhill had to leave the meeting, so Mary King read her written testimony into the record.

*"I have been following this only by what I read in the papers. However, I know that a committee has been working long and hard to come to a consensus. It would seem appropriate to accept their decision."*

*I wonder whether the Uniform Land Acquisition and Relocation Assistance Act (PL 91-646) has been addressed in the various site analyses. Whenever Federal Funds are involved in any phase of a project, this law applies. Oregon has a similar law which applies to funding by state and local agencies.*

*My problem is, and yours should be also, the net cost of the various proposals when relocation of a business or home is involved, costs and time escalate dramatically. The appraisal comes first, and is frequently deemed too low by the owner. Unless compensation can be increased considerably, litigation (condemnation/eminent domain) is the recourse. Leaving this up to a jury is pretty "chancy" for the agency, and the juries usually allow more monies than the appraisal has indicated. This also creates a time element with today's crowded court dockets.*

*To conform to the Federal regulations, interviews must be conducted and documented of all parties in the proposed taking. For a business, this means finding another location with all the amenities of their present location, including floor space, parking, customer availability, traffic patterns, access to the railroad, and any thing that has made the business flourish at that location. After [an] agreeable location is found, you will have to move the business at your expense. All existing codes must be met, even if the business has been grandfathered in its current location. The acquiring agency will need to spearhead this also, getting bids and making certain that the move goes well.*

*For taking a residence, the same applies, but is even more detailed with regard to accessibility of jobs, schools, churches, shopping, transportation, number of bedrooms, etc. A Decent, Safe, and Sanitary replacement home must be provided, even if the old one was not up to standard. All of the owner's needs must be met. All relocation costs must be paid by the displacing agency, also including all costs associated with purchasing a new home, obtaining a loan, modifying the home to meet owner's needs, and moving costs.*

*If you don't have a qualified Relocation Agent on the staff, a professional must be hired. This is costly, but would avoid some of the pit falls. The current cost would approach \$75 an hour. This would include hours of interviews, market research for replacement business locations or housing for the owners to consider until an agreeable solution is secured. Relocation Assistance for a simple, uncomplicated residence move involves at least 80 hours of relocation time and rarely costs less than \$10,000. A more complex move involving the disabled, elderly, tenants with pets, tenants who smoke, low income, credit risks, etc., can quickly reach \$50,000 per displacement.*

*Relocation can double the costs of any residential acquisition, and can far exceed the site costs in the case of a business. Although the law required that any environmental assessment include a relocation plan documenting these estimated costs, there is no real way to ascertain the exact cost until displacement is at hand.*

*Another consideration if businesses are to be displaced is the fact that businesses can (and often do) move to another city, county, or state in an effort*

*to improve their situation. Not only would the displacing agency have to pay for the move, but the city, county, state would suffer a reduced tax base as well.*

*Using the vacant land owned by the City for Option 2.5, the transition is almost pain free, and is quick to resolve. No matter what the objection is to this location, the Option 2.5 is economically prudent. We don't need extra taxes at this juncture. It gives us a solution now when we need it the most, instead of 5 to 10 years from now with a bond issue to pass to pay for the other locations.*

*Please stick to Option 2.5 to save years of possible litigation over money we don't need to spend and don't have either. Thank you."*

**Peter George**, President Holman Distribution 2300 SE Beta Street, Milwaukie. The company has been in business in Milwaukie for 45 years and for the last 20 years has been the headquarters. He got involved in the process of the working group because of light rail concerns. The initial work of the working group was quickly in their benefit. The neighborhood people he got to know during the process were remarkably considerate of the situation and recognized those things being discussed as impediments to continuing business if the light rail were aligned along Main Street. For many that was almost the end of the necessity of being involved, but they got caught up in it. There was an investment of time and interest that carried over and for many to a point of looking at what was best for the City even though they were past what was best for the businesses. He thought it was important to consider the validity of the process and how the City intends to do things like this in the future. This will send a message to those who come after of either validation or frustration. What has happened during all the working group deliberations, all of the Milwaukie only deliberations, the Planning Commission which did an excellent job in conducting its hearings has been impressive so far. George understood there were people who are disappointed in the outcome. That is inevitable, but they had every opportunity to participate. The staff and City of Milwaukie went out of their way to contact people to try to get them involved and let them know what was going on. No one was ever turned away from participation. This is a great situation and potentially as good an outcome as could be hoped for. He encouraged the City Council to acknowledge the validity of the process and looked forward to participating in the future.

The City Council hearing recessed for 5 minutes.

**Mark Hendricks** (testifying via speaker phone from Atlanta, GA), Rudie Wilhelm Warehouse Company, 2400 SE Mailwell, Milwaukie. He was a member of transit center working group. He brought attention to part of his written testimony where he described how his company and the others in the north industrial district got involved. They felt as though they had been blindsided by the original LPA because it would have made a mess of the Milport/Main/99E intersection. It would have harmed those businesses. At the working group level they took the time to explain how their businesses operate. Virtually everything one sees in a major grocery store such as Safeway or Albertson's spends a little bit of time in our neighborhood. Every bottle of liquor in Oregon is there, and a lot of it goes through that 99E and Milport intersection. Pendleton has a distribution center there also. What was gratifying to him was that he felt that the

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

**Page 23 of 32**

planners, neighborhood representatives and city officials understood and wanted to help the businesses in this process. The businesses reciprocated by staying involved and trying to find alternatives. Several of those were okay with the businesses but not with other interests such as the high school with option 2.4. He had a lot of respect for those involved in the process, but he had to praise the process itself. The group came up with options, debated them, put them out for public scrutiny, and did what the City asked. He hoped the Council was proud of the results. He hoped those who find fault with the conclusion would act in the spirit of the north industrial folks. Don't just say "no." Don't hide behind that word, because north industrial did not. Tell us what you would do. If anyone prefers the Southgate site and an eventual light rail line down Main Street, you have to know the damage that will result to the industrial and jobs base. He hoped someone in the group has gone into detail on that and noted he had done so in his written testimony. As for Kellogg Creek, he thought a transit center can be constructed there that can be more visually appealing and environmentally desirable than what exists now. He appreciated the City Council for taking his testimony from Atlanta and also allowing him to participate in the process. He was proud to have done it and would answer any questions the City Council might have.

**Councilor Barnes** noted both she and Hendricks were in the media at about the same time. She saw he moved on and so had she. She asked how many jobs are at his business and what kind of wages are they paid.

**Hendricks** said Rudie Wilhelm directly employs about 50 people in the company's three buildings in that area. There is about 7 acres behind the Southgate and another one across Milport near Waverley Golf Course. There are a lot of others who derive income because his company contracts with various trucking companies and vendors to move the merchandise that comes to Rudie Wilhelm throughout the region. Did you know that every Tootsie Roll that comes into the region all the way from Anchorage, AK south to northern California spends time in Milwaukie? Every Junior Mint sits about 20 yards from his office. That 50 is kind of a soft number, and Hendricks wished he could provide a better number in terms of all the economic impact. He has heard somewhere in the neighborhood of 1,300 jobs. The warehouse employs Teamsters, as does the trucking company Wilhelm uses, so these are family wage jobs employed at the site.

**Brian Newman**, Metro Councilor, 600 NE Grand Avenue, Portland 97232. He did not envy the position the City Council is in and the difficult decision before it and realized it is often caught between conflicting advise from the neighborhood and stakeholder business groups. It is often a thankless job with no pay. Being someone formerly in Council's shoes he had the utmost respect for the process and appreciated seeing democracy in action in Milwaukie. He is a member of the Metro Council representing most of urban Clackamas County, a Milwaukie resident, former member of the Milwaukie City Council, and Chair of the South Corridor Policy Committee. He testified in support of the working group recommendation. This is not an easy decision. If it were easy, it would have been made 20 years ago. In fact moving the transit center has been discussed for almost 20 years. There are no easy alternatives, and there are no decisions that will not have impacts. If there were not impacts, the decision would have been made to put it at the Safeway site. That decision was changed when the impacts

CITY COUNCIL REGULAR SESSION – MAY 18, 2004

APPROVED MINUTES

Page 24 of 32

to the Masonic Lodge and Ledding Library surfaced. The Council is learning about the impacts to the north industrial area with more being learned from tonight's testimony. There are no easy choices, and Newman will respect whatever choice the City Council needs to make. He supported the working group recommendation because when he looks at all the alternatives, it has the least impacts and those can be mitigated. It will not be easy, and he would look to the City Council for direction and insights on how to further mitigate the impacts if the working group recommendation is selected. He was not there to talk about the details of option 2.5; there are people who know it better than he. He was not a member of the working group because he wanted to respect the process by not adding more politicians in the room during deliberations. He did want to discuss some of the larger issues and dispel some myths he hears from those opposed to the recommendation. It is patently false that Metro and TriMet are directing the process. Those involved with the history of the process know that. When the Milwaukie City Council adopted its downtown plan, the transit center was identified at the Safeway site. Although probably flawed, it was the original decision. As a matter of fact, there was a ceremony on the Safeway site with U.S. Senator Gordon Smith because TriMet and Metro, taking instruction from the Milwaukie City Council, got \$3.5 million in federal funds. Just about every mayor in the region was in that parking lot when Smith showed up with a giant check for the City. Within a month, that decision was changed. TriMet and Metro followed Milwaukie's lead and went out and got the money. When the neighborhood leaders first came up with the 14 Points even before Southgate, the location they identified was at Milwaukie Jr. High, now the Waldorf School site. No one at Metro or TriMet said, "you're crazy" or "no, we're not going to do it." A councilor at the time, Newman walked by the site when 5 – 6 Metro and TriMet employees were taking measurements and making drawings to figure out how to make it work. That decision never had to be made because the School District sold the property to the Waldorf School. When that happened, neighborhood leaders said, "let's move it to Southgate." No one at Metro and TriMet complained. TriMet went so far as to condemn the site, and now TriMet owns the site. It can ultimately be used as a park-and-ride, so that is not really a problem. He wanted to impress upon the City Council that Metro and TriMet have at every step followed the City's lead and listened to what the City Council had to say. That will continue in the future. This recommendation for Kellogg Lake did not come from Metro – he first read about it in the newspaper from one of the citizen leaders. No one laughed – no one said "no." People got busy and did the schematics for a design Newman thought worked and mitigated some of the impacts people were concerned about. It is not perfect, but there are no easy alternatives. The worst-case scenario from his perspective is that nothing is done with the transit center staying exactly where it is. That is what Newman is afraid of if consensus is not reached. We are committed to making South Corridor work. Some people say this will never happen, so why bother. The fact is that since the City Council adopted the LPA, there has been polling, focus groups, and business roundtables on how to fund phase 2 of the South Corridor. The finishing touches are being put on the phase 1 financing plan. He was absolutely confident that given a good year or two, phase 2 financing will be there. This is a reality and is moving forward. He did not want the City Council to think Milwaukie has been forgotten. He spends almost every day in a meeting talking about how to make this work and finance implementation of the vision.

**Councilor Barnes** said some of the strongest opponents of this proposal come from Newman's neighborhood. She asked him to explain this since he has been a neighborhood leader.

**Newman** and his wife decided to purchase their house in Historic Milwaukie. They own one car and do so consciously because on most days they can take transit. One of the reasons they like the location of their home is that they can walk to the existing service. The light rail line goes right behind his house and when he looks out his window while washing dishes and see the train go by every 15 minutes. He realizes this is best for Milwaukie, and he has no idea what the impact will be on his property. He does support this decision because it takes the transit center out of the downtown and avoids some of the biggest impacts. It is not so far from the downtown that it does not support the vision of business growth, residential growth, and all the things Milwaukie wants to see downtown. That is why he supports the proposal. He respects those on the other side, but that is how democracy works. This process adds value and there will be a better decision at the end.

**Mary King**, 9877 SE 33<sup>rd</sup> Avenue, Milwaukie. She was a former City Council member for almost five years. She was not going to say anything about why she felt the City Council should support this location because that was in her letter. King spoke of her disappointment in the demeaning of the public process that has gone on to get us to this point. When she was elected to Council it was at a very fractious time in the City. That Council spent all the years she was on Council shoring up and shaping up the public process to ensure citizens were heard. She knew this Council felt the same way. She knew the public process the Council gave to the citizens has been done impeccably and to the highest standards. When she hears the public process was flawed it makes her sad because we cannot get anywhere in this City if we go through six months of public process that is very well done and then turn it on its nose and say "no it was flawed so now we have to start all over again." We have struggled in the City of Milwaukie to move forward because of this kind of thing. She asked the City Council to have faith in the public process and the Planning Commission. She wanted to say to the citizens who were not supporting 2.5 that she knew this City Council will listen to them and take their ideas for how to mitigate any environmental or traffic impacts. In ten years this will be a fabulous project for all of the people in Milwaukie. The City Council should not turn its back on the members of the Committee who put in so many hours of their personal time. She knew the City Council would not turn its back on the concerns of the Milwaukie neighbors who will be impacted. She hoped the City Council would not turn its back on the future of the City.

**Art Ball**, 4960 SE Harvey Street, Milwaukie. He was a member of the working group since its initiation. He started about four years ago when light rail discussions began. From light rail, discussion went to the working group and into the transit center to move the busses out of the City. Although this was discussed many times at the Lewelling Neighborhood meeting, Ball was speaking for himself. He read written comments from Jean Michel into the record.

*"Honorable Mayor and Council Members,*

*I regret I am unable to address you in person and thank Art for delivering my thoughts to you.*

*As a representative of the Lewelling Neighborhood I served as alternate to the Milwaukie Transit Center Working Group. As such I participated in the Milwaukie only sessions and represented the Lewelling neighborhood in the voting at the final group meeting. As representative of our neighborhood I voted in favor of option 2.5. I maintain that position. I was very pleased that the process supported the mandate of the MILWAUKIE NEIGHBORHOODS 14 POINTS, that is: Preserve our neighborhoods and help us to grow the way we want to. Plan for future projects and extensions of projects so they don't take Milwaukie down in the process of achieving regional transportation objectives. Acknowledge Milwaukie's situation as an inevitable transportation hub and help achieve the things we cannot do on our own.*

*The 2.5 Option can bring to us the funds and the opportunity to deal with several of our needs: Traffic Calming in the Historic Neighborhood, Realignment of the River Road and 22<sup>nd</sup> Avenue intersections with McLoughlin Blvd, and funds for the Riverfront Park to name a few.*

*I realize change brings a down side also. We must be able to minimize the negative impacts to those affected. We can do it if we work together.*

Ball then read his statement into the record:

*"The 2.5 alternative recommendation that's before you tonight for your approval was not arrived at in haste. The Advisory Group composed of Metro staff, Tri-Met staff, Milwaukie City staff, representatives from the Industrial area and community Leaders spent countless hours studying, evaluating and discussing numerous alternatives before concluding the 2.5 was by far the best choice. The process consumed thousands of hours with each alternative receiving maximum consideration.*

*It should also be noted that included in this process and prior to presentation of the recommendations an open house was held for the public to review and comment on all the options. Residents of Milwaukie who were interested were there to view and discuss all the alternatives, comment and register their vote for the option they favored. The 2.5 option received overwhelming approval. Why? Because after discussing all the pro's and con's of each option it was apparent to them the 2.5 had the least detrimental affect on the City and the entire community. One thing that must be mentioned is, with each alternative considered it was always done with one thought in mind – WE MUST DO WHAT'S BEST FOR THE CITY OF MILWAUKIE!!*

*The Kellogg Lake site being proposed provides many advantages to the City of Milwaukie. Its location assures quick and easy access to the business section of*

*town and yet doesn't intrude on the business community or the North industrial area. It seems to be a perfectly good use for this parcel of undeveloped property without having to invest in developed land to build a transit center. Also, included in this plan, which is a plus will be the reconfiguration of the intersection at River Road and McLoughlin Blvd., what is now a very dangerous intersection. Adverse affects to the immediate neighborhood, if any, should be negligible.*

*Approval of this recommendation would be an asset to the City of Milwaukie and a positive step in the right direction."*

Ball encouraged the City Council to vote in favor of the 2.5 recommendation.

**Carlotta Collette**, 3905 SE Johnson Creek Boulevard, Milwaukie. She has been a resident for 12 years. She is president of the Ardenwald-Johnson Creek NDA. Since that group has not voted, she spoke on behalf of herself. Her response to everything that has been said is, "thank you." She appreciated that people have taken so much time to participate in the process. She has heard some of the criticisms, so she responded to those. There was a lot of response tonight to the criticism that the process was flawed, so she did not feel she needed to address that. People gave willingly huge amounts of time and explored options that were very difficult and complex. They worked terrifically as a team. There were times when the group was so excited by the process and how creative things felt to discredit that process and those engaged in it was really a shame and does the City a disfavor. This City should be proud of processes like that. She was not one of the first working group members. Peter Koonce was because of his knowledge in transportation, but she offered to be there. She ended up covering the last half or two-thirds of the meetings. Another criticism the City Council will hear is that the mandate was merely to mitigate for the LPA; not come up with a new alternative. The group worked really hard to just mitigate in place for the bad consequences for the industrial community. The group could not do it. There was no way to put a transit and light rail through the heart of the north industrial community without damaging no matter what alternative they came up with. The group went outside the box and got creative and came up with option 2.5. It is not just the least damaging of the alternative; it is a really creative option. She thinks the City has the opportunity to gain a lot from putting a transit center and eventually in many years light rail and a park-and-ride at that site. She provided a copy of here thoughts about what could be done with the site. She believed it could be terrific with pedestrian bridges over the road that serve as gateways to Milwaukie, integrated design at the bus stops, and a lot of really exciting positive things. Option 2.5 gives the City safe, convenient ways to reduce traffic on our streets. That is ultimately what we are about. Whether we live in Hector Campbell, Ardenwald, Historic Milwaukie, we are trying to reduce traffic in our community. The only successful way to do that is with public transportation and alternative modes like bikes and pedestrians. 2.5 gives this City safe, convenient ways to reduce traffic on our streets. It provides money from a number of sources including the sale of the Kellogg site to help us move forward with revitalizing our City. It creates the opportunity to restore Kellogg Creek and purchase and restore additional high quality open space for our community. One of her neighbors called her this week out of the blue and said he had two acres – one acre on which the neighbor

wanted to build a house and might be willing to donate the other acre. It turns out that acre is a wetlands and connects to Roswell Pond. Milwaukie has high quality open space that is available if it can get some money from the sale of the Kellogg site to buy it, or in this case donated. The land is out there; this is not the only piece of open space in Milwaukie. Option 2.5 also helps design and create an attractive gateway for the City in terms of walking bridges over McLoughlin. 2.5 does all this faster and cheaper than any of the alternatives and with the fewest impacts to our neighborhoods - all of our neighborhoods. For a long time Milwaukie has neglected its industrial neighborhood. No businesses and no homes would be lost with option 2.5. We lose no jobs, no tax revenues with option 2.5. What we gain is opportunity; local, state, and federal partners with whom to grow our community to be the town we want it to be. She hoped the Council decision helps us move forward, because there is still a lot of work to do to make our dreams come true.

**Gary Hunt**, Chief Financial Officer, Oregon Transfer, 9304 SE Main, Milwaukie. As an active participant in the Milwaukie Transit Center Working Group, he continued to feel that the recommendations reached by the group and supported by City staff and advisors from other public agencies present the best solution in meeting the City's and region's transit needs. He felt it was important it was a super majority of this working group to endorse that proposal. He discussed Oregon Transfer, the process, and the option. Oregon Transfer has been a corporate citizen of Milwaukie for over 40 years. It operates in excess of 300,000 square feet of warehouse space in the North Industrial area serving local and regional distribution needs. As Mark Hendricks of Rudie Wilhelm mentioned, many things you find in your grocery store come through these Milwaukie facilities such as Sun Maid raisins, C&H sugar, Hershey bars, Dole fruit cups, and Henry Weinhart products. Oregon Transfer provides about 100 family wage jobs directly in the Portland metropolitan area with over half of the employees working and headquartered in Milwaukie. Approximately 30 employees live in Clackamas County. Oregon Transfer pays almost \$150,000 in property taxes, and in the last year invested over \$200,000 in its Milwaukie facility. The company began its participation in the working group only in opposition to what was presented in terms of where the transit center would be and the light rail alignment. The concern was the exacerbation of already problematic intersections at McLoughlin and Milport and Mailwell and Main and the potential for additional Main Street traffic and the loss of business property and employee parking. The safety issues regarding train, truck, bus, auto, and pedestrian mobility all in one place was of great concern. What started out as an anti-position did turn into a positive desire to assist in trying to find the best solution for the area. The process that lead to the conclusions outline was extensive, exhaustive and inclusive. The system was organic and seemed to grow with each meeting. Hunt was one of the original members and attended all of the meetings. Each time a new stakeholder was involved representatives from that area were invited to participate. A tremendous amount of time was spent by various individuals and groups in this process. Compromises and refinements were a part of the continuing process. In fact, balancing the competing interests and conflicting objectives was the reason for the existence of the group. He provided examples to illustrate that. Option 2.4 was gaining a lot of interest. There was a visit from some of the Milwaukie High administrators and some people from the downtown business area and neighborhoods. They presented their

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004**

**APPROVED MINUTES**

**Page 29 of 32**

concerns, and the working group listened carefully and ultimately rejected that option. By same token, not everything is perfect in the north industrial area with option 2.5. There is one person who had a business in that area for many years, whose business will in fact be impacted. He voted for the proposal because he realized that it was the best option for the City. At the time, at least, even those who voted against the proposal said they could "live with it" under certain mitigating factors. He re-emphasized, if similar issues are to be resolved by similar processes in the future honoring the credibility of this group's deliberations and decisions is very important. All the time and energy that has been expended, and if a relatively few loud voices undo the thoughtful and careful considerations of the working group it will be challenging for many to justify providing resources to this kind of a project again. Finally, no siting or plan would be perfect. However, the 2.5 option seems to provide the greatest good for the greatest number.

**Councilor Barnes** understood Hunt said he attended all the working group meetings. She asked Hunt if he would be available to come back if there were additional questions.

**Hunt** did attend all the working group meetings and would be available to come back.

Carlotta Collette read **Bill Monson's** testimony into the record. She explained he wanted to attend but is on-call that evening.

*"Dear Mayor and City Council of Milwaukie,*

*I am a land owner on the north side industrial district and active participant in the working group that recommended the 2.5 plan. It is an excellent plan, the product of many hours of cooperative work between the neighborhoods, businesses, City of Milwaukie, TriMet, and Metro. The process was respectful and inclusive. We will not be able to duplicate this process nor should we have to. This is as good as it gets. This mass transit plan will take Milwaukie into the next century. We are proud of this intelligent urban plan. I was stunned to hear of recent dissent from neighborhood participants who were involved in the working group. Had concerns been voiced during our meetings, they would have been respectfully addressed. To object now after the fact destroys the good faith and trust all the participants placed in the process. Such objections should be viewed in this light. The LPA was deeply flawed, detrimental to north side businesses and the City of Milwaukie. It is not a workable plan and will meet strong-willed opposition if it is once again advanced. In my opinion, we either back 2.5 or Milwaukie will have no light rail. Of course the process will need to remain open to modification as unforeseen circumstances dictate and further opportunities for sensitive development arise. But the basic structure of 2.5 is sound. It accomplished many worthy goals with a minimal footprint. I urge you to support 2.5 for the greater good of all.*

*William Monson  
Owner Iridio Property"*

**Howard Steward** read his comments into the record:

**CITY COUNCIL REGULAR SESSION – MAY 18, 2004  
APPROVED MINUTES  
Page 30 of 32**

*Along with Jeanne Searls, over the past decade, I have established and operated Bio-Safe Skin Products at 4120 SE International Way, Milwaukie. I also am the business rep on the Milwaukie Planning Commission.*

*In recent months, your Planning Commission has heard nine hours of public testimony on three separate nights from Milwaukie residents plus a couple, three business people. We were provided copies of the minutes of the study group's meetings, which were well worth reading. He got a good feel of what was happening by reading those minutes. In the last part of the Seventies and throughout the Eighties, Ms. Searls and I owned a hands on community relations firm. Throughout those years, we provided consultative services to corporate clients, several of whom were Fortune 500 companies, in 37 U.S. communities.*

*I mention that background to affirm that never have I seen a purer community listening process than that which your staff designed and conducted throughout the six months which were required for the working group to come to consensus.*

*Additionally, under the balanced hand of Donald Hammang following the Planning Commission's listing to the testimony of citizens relative to the Milwaukie Working Group's 18 – 3 vote in favor of the Kellogg site for a transit center, your Planning Commission voted 6 - 1 to recommend the Kellogg site to you – our Council.*

*In all my nearly 40 years of working toward a decision with citizen groups, I don't recall a single time when there was a cleaner decision than that of the Milwaukie working group and/or your Planning Commission. In my opinion you have every right to feel proud of your staff, of the citizens who worked so steadfastly to reach consensus, and of your Planning Commission Chair if not the rest of the Commission. We hope against hope that you will adopt the Planning Commission recommendation for the Lake Kellogg Site."*

**Mayor Bernard** said that finished the list of all those wishing to speak in support, and no one else present indicated a desire to speak. He asked if City Council wanted to continue this evening or set a continuance date in the near future.

#### Neutral Testimony

The City Council agreed to hear those three who had requested time to speak from a neutral position or to ask questions. He called upon Stan Link, Matthew Bristow, and Les Poole; however, they had apparently left the meeting.

The group concurred this would be a good break point.

Firestone said the City Council could pick a date and let everyone present know. The minimum notice for a special meeting is 24 hours.

**The group agreed to continue the hearing at a special meeting on May 25, 2004 at 6:00 p.m. at City Hall.**

There were none present who wished to testify that could not attend the May 25 special meeting.

**OTHER BUSINESS**

**Board and Commission Appointments**

**Mayor Bernard**, with concurrence from the Council members, re-appointed Tom Hogan to Library Board. The group agreed to interview Joan Staley and Sharon Phillips for re-appointment to the Center/Community Advisory Board.

**ADJOURNMENT**

**It was moved by Councilor Barnes and seconded by Councilor Stone to adjourn the meeting. Motion passed unanimously.**

**Mayor Bernard** adjourned the regular session at 9:12 p.m.

*Pat DuVal*

Pat DuVal, Recorder