

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
February 5, 2008**

CALL TO ORDER

Mayor Bernard called the 2023rd meeting of the Milwaukie City Council to order at 7:00 p.m. in the City Hall Council Chambers.

Present: Mayor James Bernard and Councilors Deborah Barnes, Greg Chaimov, Joe Loomis, and Susan Stone

Staff present: City Manager Mike Swanson, City Attorney Bill Monahan, and Associate Planner Susan Shanks

PLEDGE OF ALLEGIANCE**PROCLAMATIONS, COMMENDATION, SPECIAL REPORTS AND AWARDS****Parking in Historic Milwaukie Neighborhood**

Thelma Savage, 2405 SE Lewellyn, reported that emergency vehicles have difficulty on her street because of on-street parking and when workmen were on the street. It was a dead-end street in both directions. There were no problems at the end of 24th Avenue because the people living there took up all the parking. The parking beside and in front of her house and her neighbors were the problem. They were taken up every day, morning until night, by Waldorf School faculty and occasionally students. They got out of their cars and walked down and were gone for 10 hours. She tried to get a roof on her house recently, but there was no where for the roofers to park their vans and trucks. This was a problem when her other neighbors had a fire; they had to do some remodeling and hauling out burned material. The Waldorf would not give an inch or a parking space. The cars had Waldorf parking tags on their car windows. Almost all of them had Waldorf Monroe Street parking, and some of them had Waldorf bumper stickers. She also saw them walk down the street, cross Harrison, and go into the School. It was pretty evident. There were problems with students but not until the weather was nicer. They came up and smoked and threw candy wrappers on residents' lawns, but they could live with that. What they could not live with were the problems with emergency vehicles. There was a recent incident where the fire truck could not get down to the end of the street. They were sprinting up the street pulling the gurney behind them because they could not drive the truck down there. She would be old someday and would like to know the emergency people could get to her if necessary.

Councilor Barnes asked Ms. Savage if she had talked with Waldorf representatives about her concerns.

Ms. Savage replied they had called but were always told it was not Waldorf people. She had written letters. Just this last weekend the school administrator came around and asked neighbors to respond to his questionnaire. This was the first residents had heard from Waldorf in 5 years. He asked how often residents noticed cars parked there and when they came and went. The only reason he came was because she got annoyed and wrote a letter and started shaking the trees. That was why they finally decided they had better talk to the neighbors.

Councilor Stone asked if the administrator gave any indication of when a response could be expected.

CITY COUNCIL REGULAR SESSION – FEBRUARY 5, 2008

APPROVED MINUTES

Page 1 of 12

Ms. Savage replied he said people could not expect the teachers to leave their classrooms and move their cars every 2 hours. She responded by saying that was not what was expected but rather that they should park in their parking lot on Waldorf property. The administrator did not respond to that. She noted other neighbors were present.

Ms. Shanks provided background information and staff involvement with this issue. The Portland Waldorf School received approval to operate at the Harrison Street site in 2002 and approved by the Planning Commission to do so. As part of the approval to allow that operation there was a condition of approval that required a post-occupancy traffic study which Portland Waldorf School conducted. The reason for that condition was to ensure the School was operating within the parameters of how it was proposed. They looked at traffic impacts around intersections as well as parking and loading and unloading operations. The requirement in the original approval was that the Planning Commission would review post occupancy traffic study at public hearing which was done November 2007. At that hearing, the Planning Commission affirmed that the traffic study met the requirements of the original condition. The Commission made a note that the traffic impacts were within parameters. It also noted that the parking and loading impacts in terms of documentation that was provided in the traffic study were inconclusive. Because this was an unusual situation and not a new land use application the Planning Commission could not issue another decision or add more conditions to the original approval. Ms. Mangle wrote a letter on behalf of the Milwaukie Planning Commission that stated what she had outlined with the caveat that there was an ongoing condition of approval that the Portland Waldorf School had to develop a transportation demand manage plan and manage its parking and loading and unloading operations on an ongoing basis. That was an ongoing condition of approval for the Portland Waldorf School to operate at that site. That was a reminder from the Planning Commission of the existing, ongoing condition. That occurred in November 2007. The City Parking Officer, Sarah Lander, was alerted to the situation. Ms. Lander in her normal rounds took more detailed notes of license plate numbers and is continuing to issue citations when appropriate. She also added spot checks to her regular rounds to affected neighborhoods. She was hearing more from the neighbors as a result of that. The logs had been forwarded to the Portland Waldorf School. There was some disconnect in that Ms. Lander had cited people for parking too near a fire hydrant or for blocking a driveway; however, those were done through the City process through the court system. Those did not necessarily go to the Portland Waldorf School in terms of notification. That kind of information was actually being kept in a log that went to Portland Waldorf School so it had a better understanding of who was being cited for what. She also kept information on things that were not a citable offense. City staff was in the position of monitoring the situation, and Portland Waldorf School was aware this was an ongoing condition of approval that it needed to manage its parking and loading and unloading impacts. Staff was hopeful this could be resolved and believed this had to do with management of the existing parking onsite and not so much of a capacity issue. Staff had noticed on several occasions that the Monroe Street parking lot on the Portland Waldorf School campus was not full all the time if ever. Ms. Shanks felt Portland Waldorf School was trying to understand what was going on and why the lot was not being better utilized. City staff was monitoring the situation. The Planning Director could bring this issue back to the Planning Commission for review if she felt something was not being done in a reasonable amount of time to address the situation. That was not the feeling right now but could certainly change.

Councilor Stone asked if the parking lot was not full because it was a longer walk than it was from the street.

Ms. Shanks could not say for sure because the different buildings housed different activities and grades. She did know there was a lot of crossover between the different age groups. She felt Portland Waldorf School could answer Councilor Stone's question better. She imagined depending on where any individual was coming from might be more convenient than another depending on the final destination.

Councilor Loomis heard Ms. Savage say a fire truck could not get down that street and asked if there was any validity to that. Had measurements be taken? If a fire truck cannot get down the street because of parked cars no matter who the owner it was a problem the City needed to address.

Ms. Shanks had not heard anything from Clackamas County Fire District #1 (CCFD1) but assumed some department would have been informed of that issue. She spoke with Ms. Savage on the phone a couple of months ago, and she indicated the same concern. Ms. Shanks thought at the time it might not be so much that they could not get there because of parking. Sometimes when parking was allowed on both sides of an older street the passageway was narrow, and emergency vehicles could to actually pull into an area. She described a similar incident with the roofers that did not have a legitimate off-street parking space. An emergency vehicle would certainly be allowed to block traffic as needed to get to a fire or medical situation. She did not know what the situation was but would follow up with CCFD#1 to find out if there had been a problematic issue.

Ms. Savage said they got there on foot.

Councilor Loomis thought it would be as simple as taking measurements as there must be some standards.

Ms. Shanks replied if parking were allowed on both side and what was left over was not sufficient, then presumably staff would look at limiting parking to one side of the street. That was not something she could begin to comment upon at this time, but it was something she would look into. She could not imagine anyone was double-parked.

Mayor Bernard commented it was a very narrow street. This might be a good area to test neighborhood permitting if the neighborhood was interested. He would be happy to meet with the residents because there would be a little cost, and the neighborhood might want to discuss a test program. The Transportation System Plan (TSP) did consider a test permit program.

Ms. Shanks added that was an option for this neighborhood because of this particular problem, and Ms. Mangle was aware of that. She noted Portland Waldorf School representatives were in the audience.

CONSENT AGENDA

- A. Resolution 14-2008: A Resolution of the City Council of the City of Milwaukie, Oregon, Approving the Award of Contract for the Completion of the City's 2005 Wastewater Master Plan.**
- B. City Council Work Session Minutes of December 4, 2007**
- C. City Council Work Session Minutes of December 18, 2007**

It was moved by Councilor Barnes and seconded by Councilor Stone to adopt the consent agenda. Motion passed unanimously. [5:0]

AUDIENCE PARTICIPATION

- **Bryan Dorr, Milwaukie**

Mr. Dorr appreciated the effort in halting the Balfour Street house project. As a resident of the Ardenwald Neighborhood he greatly appreciated it. He wanted to discuss light rail. When he found out light rail was coming into Milwaukie he did some personal studies of his own. Light rail seemed to be the most inefficient means of travel than any other means of transportation. If he got on light rail from Milwaukie and went up to the Rose Garden, it would probably take longer than it would to just peddle his bike up the Springwater Corridor Trail. It was an ineffective mode of transportation plus there were other issues with it.

- **Punky Scott, Clackamas County**

Ms. Scott thought there would be some representation at this meeting from Metro and TriMet, but unfortunately they were not here. She expressed some of her thoughts about light rail. She prefaced her thoughts by saying she did not live in Milwaukie, but she grew up here. She had a business nearby. She went to high school here. Her heart was here. Because she lived close by and had a business nearby she thought what happened in Milwaukie would have some effect on all of the neighborhoods besides those actually within the City limits. Crime issues to her were still very big. Oak Grove was still suffering. She was not sure it would ever get past the point of being a much more livable community, but one of the biggest issues was crime. She knew they had talked about putting more police staffing on the facilities, but that was wishful thinking and would bring more problems into Oak Grove and even Milwaukie. If it came up to Park Avenue, then that was right at the Oak Grove back door. She definitely had some concerns about that. The City of Milwaukie was already kind of dissected by a lot of different modes of transportation. There was McLoughlin Boulevard, the Milwaukie expressway, and the railroad. Now if we put light rail through Milwaukie that would be very detrimental to traffic. Not everyone would ride light rail because there were still some who drove cars, and she was one of them. She drove a lot, so she had concerns about that. The time that it would take to install light rail. She was currently the victim of the Oregon Department of Transportation (ODOT). They were repaving McLoughlin Boulevard, and it definitely needed it. They were putting in curbs and sidewalks. They have been one month in front of her place. You cannot find a driveway. That was not the Milwaukie City Council's problem; it was ODOT's problem. She could see if the Council wanted to see businesses survive in Milwaukie, and she did not care what route it took through the City, it was going to be a big, big problem. The City would lose businesses. They cannot survive without customers. She went out to Interstate and talked with businesses. They thought they were going to do quite well, and it was going to be wonderful with light rail. Unfortunately because people cannot get to them because there were only certain intersections they could go through, they were not surviving. A lot more businesses were closing that once thought they would do extremely well. She did not want to be one of those, and she was sure a lot of Milwaukie people would not want to be victims of not only construction time and access. She was looking at everything at a business level, and that was what she did. If light rail was committed to coming into Milwaukie and obviously that was the plan she personally thought that stopping at the theater with the parking on the serious amount of land and not a lot of businesses then perhaps going out to the Milwaukie expressway where it would not be detrimental to businesses. There would still be close access to the City of Milwaukie and going to the Town Center area. That as where the growth was. Oak Grove and back you would not get the people. Eventually you would get people going through there, but that was not where the bulk of the people were. They were out on Sunnyside. She would guess picking up the light rail that came from

CITY COUNCIL REGULAR SESSION – FEBRUARY 5, 2008

APPROVED MINUTES

Page 4 of 12

Gateway and have it go all the way to Oregon City where there was also growth. It needed to come to Milwaukie and then on out there. Those were her personal feelings. She had some concerns. She was all for progress, but....

- **Ralph Rigdon, Clackamas County**

Mr. Rigdon lived in the same house for 45 years and in the Milwaukie area for over 50 years. He was married in 1955 in the old St. John's Church. So far Milwaukie had been a nice, quiet, peaceful town, and he enjoyed it. He always used Milwaukie on his return address stickers on his letters instead of Portland. He thought not going through Milwaukie with light rail should be seriously considered. Having a train coming out of town every 6 to 8 minutes would ruin a lot of people. He agreed if the City had to have it, it should stop at the old theater at Southgate and keep it out of town and away from the schools.

- **Ed Zumwalt, Milwaukie**

Mr. Zumwalt noted a letter to the editor in the December 2007 *Portland Tribune*. "Every negative letter you get on MAX is right on. We had friends in our neighborhood near Rockwood who put their home up for sale as soon as they started putting tracks on E. Burnside. When we asked why, the response was wait until it's finished and you'll see crime, low income housing, unsafe neighborhoods, etc. That was exactly what happened here. Our once-proud family neighborhood now is an area to be afraid in at night. If you do not have MAX in your area, do everything possible to keep it out. SE Portland resident."

Mr. Zumwalt hoped that was not Milwaukie in 20 years. When he heard the Metro South Corridor Committee said everyone in Milwaukie wanted light rail he was stunned. That was inaccurate. In 1998 it was defeated by 24 points in Milwaukie and 11 points in Clackamas County. With the recent publicity on crime and costs, he was sure the figures would still be substantial. He heard it said everything was different now than it was 10 years ago. That was not true either. The issues in Milwaukie were the same today as in 1996, 1997, and 1998 elections. Light rail and forced density. Inviting light rail into our town and pushing for sardine-like density around the stations as Mr. Sam Adams, Portland Commissioner, demanded at a South Corridor meeting last spring the citizens were having 3 elections stolen from them. Democracy in little old river city was dead as a doornail. He had heard light rail called an economic engine, but it was more like a conduit for crime. He was sure the people from TriMet were sincere about controlling it, but in 20-plus years they have not shown the commitment necessary to sustain the system that would make the line safe despite many different approaches. Now would be no exception. In the 1996 and 1998 elections crime was a huge issue, Here we were 10 years later with no appreciable improvement. Cost of light rail had escalated from \$880 million to \$1.4 billion in less than 2 years. How high would it actually go? Even if the Feds picked up 60% of the tab, who closed the gap? The \$250 million from the legislature was not a lock. A ballot measure or urban renewal district – please don't go there. In reality matching money from the region was unconscionable when the highway infrastructure and education systems were in such dire need of financial support. Shortcomings in those 2 areas could smother the economy and turn us into a commercially blighted region. We were jeopardizing our future economic health in favor of a technology that has never proven itself. Every time Metro and TriMet came to us, they became more invasive to the neighborhoods and livability. Some of the station drawings now looked like we were in danger of becoming an extension of the Brooklyn yards. Two months ago the Council okayed in the name of livability and safety the purchase of the Balfour Street house intended as a home for the criminally insane. Light rail into Milwaukie would create more crime and problems in 1 week than that house would in 5 years. You can stop this very quickly, and it will not

cost \$240,000. Just pick up the phone and call TriMet and tell them the whole thing was off.

- **Les Poole, Clackamas County**

Mr. Poole like Ms. Scott lived just outside of town. This was a regional issue and why he had been involved in the past. He had a lot of the same concerns as Ms. Scott but at the same time understood the real problem in Milwaukie was parking. The downtown needed to be revitalized. How would you revitalize downtown without millions of dollars? There were only a few ways, and one of them was to go to the government with urban renewal through the TriMet plan. He wished 15 years ago the community could have gotten some urban renewal money without having to become salespeople for light rail. Light rail was designed with the idea that we were not going to see the technological advances we were seeing. Gas was \$3 a gallon. Mel Zucker had to file a lawsuit to get TriMet to say how few people were riding it. It was just not worth it. But having said that, Mr. Poole was not there to tell the Council not to move forward because he knew it would. He did have a few concerns about the City's moving forward. He hoped the Council would be very meticulous with the property around Kellogg Lake, Robert Kronberg Park. There was a crossing there already that was just a mess. He did not know how anyone would fix it because of the way River Road intersected with McLoughlin Boulevard. As Councilor Chaimov can attest, it was pretty problematic. One of his biggest concerns was that we were going to try to squeeze light rail in there, and he did not know how the Trolley Trail would fit safely. There was talk of 600 to 1,000 cars at Park Avenue. He hoped the City was not planning on dumping all of its parking up there. It could not fit. The neighbors would be in the Council's face. Enough said about that because the Council knew what it faced. It was ludicrous for anyone in this room to get too long-winded about the route until the final was on paper. He wanted to mention money because he was helping pay for this whether he lived in Portland or Bend. Carolyn Tomei got \$250 million lottery dollars based on a 2003 LPA bill of \$880 million. If she got \$250 million for light rail based on \$880 million and now we were up to \$1.3 or \$1.4 billion, he questioned the numbers, logic, and ethics of how we got there. 70% was the goal. Mr. Poole realized that if 70% of that money was raised then the citizens did not get a vote on this, and that was one of the goals. 70% of \$1.3 or \$1.4 billion was enough to make you get your pen out and start writing.

- **Philip Lisac, Clackamas County**

Mr. Lisac said it raised his hackles a little bit. He had been in this town more years than anyone here on the board are old. He knew Mayor Bernard's grandfather, so he went back a ways. From Hillsboro to Gresham to the Town Center the octopus tentacles of TriMet with the full intoxicating support of Metro has provided a very easy transportation style and condition which promoted the contiguous and violence and adequately provided the selection by the individual and perpetrators for the time and place that they chose. A \$1.4 billion price tag plus unmentioned overruns of how much – who knew? Like the tram that went from \$18.5 million to \$56 million this project was so obviously absurd and incongruous that it was laughable and ludicrous. If we, the common folks of the urban tri-county could look at Metro and TriMet with full disclosure we would find a symptomology of the reoccurring M&T disease identified as spending taxpayers' money. The complex study of the symptoms regarding this disease called Metroitis with its complications to the tri-octopied tinnitus with a fungus grows without local support. The local common folk had to pay for it with their tax dollars in whatever manner. The M&T disease compelled the common people to join in unison to express their distaste and feelings of repugnance towards any and all who wanted to foist the current tri-octopied tinnitus into Milwaukie. The attitude of manifest destiny projected by the M&T disease and all who were infected with it in turn came to the common folks of

Milwaukie as an imperialistic expansion defined as necessary and benevolent. Further projects considering the symptoms by infecting some individuals with the M&T disease of patronizing and being superior in their planning. At the station for pick-up and drop-off as well as enroute will the violence, fights, muggings, and beatings with bats have a cure if the M&T disease migrated into Milwaukie? Most likely not. Will it have committed security and how many officers to enforce it? Nobody knew. Private property would be graffitied – yes. Property crimes will increase – absolutely. Beatings and rape of the old and the young are very likely to happen for sure. Gangs commuting to Milwaukie will come at their will and leave at their choice. Confiscation of private property to enhance the rail and put it in position will absolutely take place. He urged all who were against the M&T disease to join together and be the individuals to write the prescription to put a strong stopping cure to the M&T fungus. A fungus was characterized chiefly by absence of chlorophyll. Chlorophyll was green just like money. Substituting subsistence on other matters living or dead us taxpayers.

- **Nancy Dietrich, Milwaukie business owner**

Ms. Dietrich worked at the Mill End Store on McLoughlin Boulevard and Milport. She came to hear the plans for light rail and was fortunate they were not here to expand on it. She was very impressed with what she had heard from the people here. She was very concerned about the traffic and how it would impact getting back and forth on McLoughlin Boulevard. She hoped the City would take a serious look at having light rail go through the town.

- **Cyndia Ashkar, Oregon City**

Ms. Ashkar served on the Light Rail Safety and Security Task Force which just had its last meeting. The needs for safety and security and open visibility were in direct opposition to the needs for protecting the learning environment for the students at Portland Waldorf School. She had promised Councilor Barnes to share something to gain more insight into that need for protection for the learning environment. There was a government article on line called *General Health Effects of Transportation Noise*. It talked about the cardiovascular system and such. There was also a book by a man named Daniel Goldman; he might be a psychiatrist but she could not remember. It might be Golman. It was called *Emotional Intelligence* that talked about the fight or flight response which she was in right now because she did not regularly speak to City Councils. Noise caused that in children and put them in a state where they could not receive what the teachers were wishing to give to them. There was an incident in Denver where the light rail train was derailed by the freight train by coal going onto the tracks. There was documentation of the Federal Railroad Administration citing the inadvisability of having light rail vehicles in the same corridor as freight trains. She knew that things were being done to help lessen danger in that kind of setting. It was being looked at and questioned. Sometimes she wished we could look down the road at what we wished we had or had not done. One of the things bringing light rail because it was so expensive was that money could not be given to bus routes. She knew more riders of buses could be there if the buses came close enough to their houses. Ms. Ashkar lived in the country and was 1.7 miles away so was not a good option for her 16-year old to walk that far. She went to one of the transportation meetings in the Public Safety Building where people were saying buses did not come close enough for people to use public transportation. She was concerned about that. The amount of room for light rail in Milwaukie was a big question. There was lots of room along the Milwaukie 212/224 expressway. She had been told by citizens of Milwaukie that was voted down and maybe another something might have been voted down. She was aware that the downtown Milwaukie had not had an opportunity to express that in the way of a vote. There were other nations looking at the quality of

children's lives. In Australia they were dead ending streets and slowing traffic on the streets to help protect children and their connection with nature because that was a learning environment for children as well.

- **Jerry Foy, Clackamas County**

Mr. Foy had been before the City Council 3 or 4 times talking about light rail. His issues had not changed. His major concern was safety for the children attending Portland Waldorf School, St. John's, Milwaukie High School, and Milwaukie Elementary. He was also a member of the light rail Security Task Force as was Ms. Ashkar. At the last meeting, the Milwaukie police chief was there, and Mr. Foy spend about 10 minutes talking with him after the meeting. He was very much concerned about the potential for gangs and crime and assaults and rapes and whatever. It was not a big question now. There had been enough proof from the existing lines that it happened. It did not appear that TriMet or Metro was willing to fund the 150 police officers that the Milwaukie police chief said were necessary. Right now they had something like 32 enforcement officers. Mr. Foy understood that included the people who collected the tickets which by the way was not happening. It did remain a vehicle that the undesirables can move about quickly on through the various cities and towns. Likely they would not be caught. Cameras were great, but as we just witnessed on McLoughlin Boulevard they did not have a clue who the guy was that murdered the station attendant. There were cameras there. His concern was that we needed police. His real concern was that light rail was not needed period. People were saying stop it at the theaters. That was a lot better than coming past the schools. If it was a definite fact that we would have light rail, he would say stop it at the theater. There was a big question of how this thing would be funded. When you think about \$1.4 billion, 40% of that was \$670 million. Where was that money going to come from? There was \$250 million, but the check has not been written. The concern even from the Feds was if it was worth the money. When you added the money and the danger and the amount of people it was going to move, it was an absolute 'no.' It was insane to be promoting this thing without giving it further study. At least ask questions and find out the bottom line before making a commitment.

- **Ann Stangle, Milwaukie**

Ms. Stangle asked why the Mayor had let Milwaukie get to this point. We used to have a nice City when Bernard's grandfather was here. What was happening now was too much garbage. She just wanted to know why Mayor Bernard let that happen.

Mayor Bernard asked Ms. Stangle if she felt the City was full of garbage now.

Ms. Stangle said it was full of a lot of people who were not working for the City and the people. They were working for what they felt would be a monetary gain. Money was not the only goal in life although everyone seemed to think that. You cannot eat it, you cannot drink it, or take it with you. Why worry about money. We should worry about what was good for every body.

- **Robert Cseko, Portland Waldorf School**

Mr. Cseko distributed some literature. He was the Director of Administration for the Portland Waldorf School in Milwaukie located at 2300 SE Harrison. He talked about the parking and the ongoing efforts the Council could see in the literature. The School recognized that parking could be an issue for the neighbors to the north. However, currently as it was delineated, it was public parking. Since the Portland Waldorf School moved here more than 40 families have moved into the City of Milwaukie. When the President talked about an economic stimulus package he believed the Portland Waldorf School was one for Milwaukie. As such he did continue to present efforts in working with the neighbors to the north. Information that was received after the November

CITY COUNCIL REGULAR SESSION – FEBRUARY 5, 2008

APPROVED MINUTES

Page 8 of 12

meeting from Ms. Mangle was that the School was encouraged to investigate and actively work with its northern neighbors to resolve any parking issues. It was not a demand. It was not anything the School was obligated to do; it was just encouraged to do so. The School had done that. In today's environment where everyone wanted immediate answers and immediate gratification sometimes the process did not fulfill all the needs. The information before the Council would show there was a process that was in place, and that Portland Waldorf School took the education of its community members around parking very seriously and would continue to do so. They would continue to work with the neighbors to the north in finding common ground so that parking did not become such a dynamic issue that would resolve in Councilmembers using important time on items of this nature. He did concur with Councilor Loomis. He believed from his own observations of Lewellyn Street would indicate if there were parking on both sides of the street that it would be very difficult for emergency vehicles to respond in a timely way to the house at the furthest end of the street. That should be reviewed and looked at.

Mayor Bernard encouraged continuing to work with the neighborhood.

- **Mark Gamba, Milwaukie**

Mr. Gamba lived 2 doors north of Ms. Savage and was a Waldorf parent. He moved to Milwaukie for the Portland Waldorf School. He knew a few people from the School parked on 24th and Lewellyn. He also knew there were a number of people for park-and-ride there for the bus. That was determined because there was a crucial space at the end of 24th that kept getting parked in and causing a lot of near accidents when people tried to turn left on 24th and someone else was coming out on Harrison. There was no room for 3 cars. There were 2 or 3 cars habitually parking there, and they looked into that. They talked to the police about it. It turned out to be folks who were park-and-riding. All of the cars parked in the neighborhood were not Portland Waldorf School cars for starters. Secondly, it was public parking. Some of the Portland Waldorf School cars parked in the neighborhood were coming to visit his home. They were not necessarily going to the School. If a car was parked there for 10 hours it was highly unlikely it was a Waldorf person because school started at 8:30 and ended at 3:30. That was not 10 hours. The people who were there for 10 hours were park-and-riding and going downtown and working. He lived in that neighborhood and walked up and down that street 4 times a day because his business was downtown. It was not problematic typically. He understood Ms. Savage's issue when she was trying to get the roofing truck in. He agreed all of the streets were very narrow. If a fire truck had to get down to his end of the block 9 times out of 10 he would not be able to do it. Those were people who lived on the street and parked across from each other. Portland Waldorf School was being picked on for a problem that was really not its problem. It was public parking, and the people parking there were members of the public.

Mayor Bernard agreed he had seen some people parking and getting on the bus.

Mr. Gamba was not necessarily for a permit system and did not see how people could be asked not to park there who were members of the public. Limiting parking to 1 side of the street was not a bad idea if there was concern about emergency vehicles. He noted the trash trucks did not have any problems and could not imagine they were narrower than an ambulance.

- **Scott Churchill, Milwaukie**

Mr. Churchill appreciated Jerry Johnson's January report as he had great insight to downtown Milwaukie development. It was helpful to hear his thoughts and his perspective on the 2040 Plan. Quoting from the tape, Mr. Johnson said that was often times pie in the sky and we really needed to look closely at building amenities to the

downtown. As Councilor Barnes pointed out was it a chicken or egg issue or not. It could be but amenities would really help drive this. There had been a lot of concern about developers pulling out of downtown, and it was good to get some perspective about where that was really coming from. Mr. Churchill consulted with a number of developers in Portland as well as Seattle, and the condo market was suffering greatly. That was a much bigger driving factor in pulling out of a condo development in cities such as Milwaukie rather than comments from Councilmen or staff or the public about concerns about the downtown project. As Mr. Johnson said, one needed to look at economics first. If there was enough margin a smart developer would come in. If there was not enough margin everyone should pass on it and step back. He discussed the promotion of retail that would be followed by housing. He suggested re-looking at the Southgate site in a different way. Look at it as a transportation hub. The City of Emeryville, CA was a much bigger city but had some scale features about transportation links that made for a successful growth pattern. He encouraged the City Council to look closely at it as a transportation corridor model that had a reuse of industrial to office conversion. Certainly Holman Transfer and others might have other thoughts, but in the long run a re-look would benefit both the landowners and tenants as well and provide an expanded area. Councilor Stone mentioned the downtown area was so compact with only so many blocks and so many streets to deal with, so we wanted to be careful how this was done. If light rail had to come to the downtown or to Milwaukie consider stopping at Southgate and consider expanding the downtown and making it a node that tied it to downtown. The walking link under Hwy 224 could be enhanced, and the downtown could be expanded for jobs and housing and transportation but not necessarily bringing it through the downtown as people had referred to problems associated with schools and a tight corridor for transportation along the Tillamook line. He also supported it because of the rising project costs. Certainly urban development funds would be one way to do it, but another way would be to stop it at that point to help the funding overall. He encourage the Council to look at the Southgate site and consider it as a park-and-ride hub if indeed it had to come that far at all.

- **Greg Flynn, Milwaukie property owner**

Mr. Flynn had not moved to Milwaukie yet but owned a house on 27th Avenue next to the grade school. He had a parking problem too but knew that when he bought a house next to a grade school. There was a high school down the street, and you expect those kinds of things. The one thing we would find in the future was when you had to add density around the light rail a lot of the developments Metro would tell you, and you see this in his neighborhood in Gateway, there was 1 development that had zero parking. He got a tax break for building it close to light rail with zero parking. It was not built out yet, so he was not having a problem yet. When they do finish building out in that area, this property would have a lot of problems. There was a property on the old DMV site where they allowed .5 parking space per unit. This was what we were going to see when light rail came to Milwaukie. You will have to put in development that do not have enough parking. Parking problems would be rampant. He was not going to talk about parking but since it started out that way he could not help himself. He was moving away from the Gateway Neighborhood not because light rail caused crime but it attracted people who used it that tended to be involved in crime. It did not happen very fast. He grew up in Parkrose. The Rockwood area, Centennial, David Douglas – those were his stomping grounds. He lived there most of his 50 years. He did not want to live in the Parkrose Neighborhood any more because the crime and problems of light rail had moved all the way to his house. It happened slowly. Slowly the good people moved away because they did not want to deal with it. Other people moved in the neighborhood because for some reason they did not have a driver's license. They cannot afford a car. It was a way for them to get around. They push away the good

CITY COUNCIL REGULAR SESSION – FEBRUARY 5, 2008

APPROVED MINUTES

Page 10 of 12

people. It will not happen overnight in Milwaukie either. He was still going to move here because he figured he had 10 years until the problems started to get really thick. Then he would talk his wife into moving again. Right now he was moving away from the problems of light rail. In one of the handouts it talked about all the promises. These were the promises he found online. There were probably a lot more news articles. Back in 1989 we all knew about the governor putting the police on the light rail. There was a reason why that story started going around. He started e-mailing it to everyone when he found it. He had forgotten all about that. He looked at the year after year of promises. There was one here now where Police Lt. Rosie Sizer was assigned to TriMet. She was now the Portland Police Chief. This was back in 1996, and she was saying cameras would be part of the solution. It went on to say they wanted to head this off before the problem got bad. 20 years later they still were not solving the problem. Light rail costs so much to operate. Jerry Milner, a PSU professor, wrote an article if they did not build the Interstate line that money could have been used to double the bus service on every single bus route in the Portland metro area. We were going to spend \$1.4 billion for light rail to Milwaukie to replace a perfectly good bus line. Maybe to make it nicer like light rail buy a couple of luxury buses and run them at certain times of day. It would cost a lot less than \$1.4 billion. He discussed the problems on BART. The whole line needed to be rebuilt. It was old enough now that everything needed to be replaced. They had to come up with \$11.4 billion. You build the light rail; it is not the end. The upkeep just kept coming. You had to rebuild crosswalks and intersections. His neighborhood was told if you build it you would not have to do all the replacement you do with buses. But look at BART. You needed to start planning for that. There was an article where downtown Portland was assessing condo owners to rebuild the mall. Was Milwaukie ready to start assessing people? Was that part of the plan when there was not enough money for amenities around light rail? Steve Buckstein wrote an article years ago. If we were doing this to create jobs, then just build a pyramid because at least there would be no operating costs once it was done.

Mayor Bernard said the Council received letters from Ann Favorite and Beth Wasko reiterating much of what was heard tonight.

PUBLIC HEARING

None scheduled.

OTHER BUSINESS

A. Interpretation of Milwaukie Municipal Code (MMC) Chapter 3.15 Addressing the Sale of City-owned Property

Mr. Monahan reported on Chapter 3.15 of the Milwaukie Municipal Code (MMC) which had to do with real property. The issue was raised in relationship to the Town Center project. He recalled the issue was whether or not the potential sale of land for the Town Center property would fit within the process allowed in Chapter 3.15. It allowed for the sale of 4 different types of property: substandard undeveloped property, standard undeveloped property, developed property, and special case property. He understood the sale of the Town Center property would not take place. As he looked at the potential sale, he identified the sale of the gas station purchased with Metro funds as well as the City of Milwaukie definitely fell under the special case property. That was property that was acquired by the City subject to an agreement that spelled out the manner in which the property would be disposed. Mr. Monahan thought the property that was now the present City parking lot could in fact qualify for special case property if certain steps were taken before the sale of that property. He thought with action to make clear that there was a public process to identify the property as special case, it

CITY COUNCIL REGULAR SESSION – FEBRUARY 5, 2008

APPROVED MINUTES

Page 11 of 12

could have in fact been sold. However, since there was sufficient time now that a sale was not pending, he believed it was appropriate to take another look at Chapter 3.15 and actually enhance that section of the code to take into account the potential sale of property that could be used for public-private partnerships. The Code language as presently written did not take into account the possibility of selling property that had been under City ownership which then might be designated as appropriate for a public-private partnership. He would like to take some time over the next few months in developing some Code language to bring back for consideration to suit the purposes the Council had in mind for the Town Center property and also to enhance the opportunities should the City in the future wish to engage in public-private partnerships. His office would work with the city manager and community development staff to do so if the Council directed.

B. Council Reports

Councilor Loomis attended North Clackamas Visioning Progress Report that focused on the District's direction to meet the needs of its students.

Councilor Chaimov attended the same visioning session and felt City Council might emulate the process.

Councilor Stone planned to attend the debate between Greg Chaimov and David Miller who were vying for Council Position #1 in the March special election and the Milwaukie Poetry Series reading on February 13.

Mayor Bernard attended the Harmony Road Visioning session. He and Councilor Loomis met with County representatives to discuss the Campus visioning. He attended a Joint Policy Advisory Committee on Transportation (JPAT) retreat and a dinner meeting of the Urban Land Institute where transportation funding was discussed.

Mayor Bernard announced the City Council would meet in executive session pursuant to ORS 192.660(2)(i) performance evaluations of public officers.

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 8:17 p.m.

Pat DuVal

Pat DuVal, Recorder