MINUTES

MILWAUKIE CITY COUNCIL WORK SESSION

January 2, 2008

Mayor Bernard called the work session to order at 5:30 p.m. in the City Hall Conference Room.

Council Present: Mayor Bernard and Councilors Barnes, Chaimov, Loomis, and Stone

Staff Present: City Manager Mike Swanson, Engineering Director Gary Parkin, Community Development / Public Works Director Kenny Asher.

Harmony Road Update

Mr. Parkin was part of the Project Management Team that provided technical assistance. The Environmental Impact Study (EIS) involved quit a bit of work. So far they had looked at alternatives in the scoping process and came up with alternative street design measures to accommodate the problems of the traffic pattern at Harmony and Linwood. After the scoping process approximately 45 alternatives were generated which were screened and rated against objectives to continue forward for analysis. The team tried to narrow the 45 alternatives to a more manageable number. In addition to the Project Management Team, there was a Project Advisory Committee (PAC) made up of neighborhood members, environmentalists, and businesses. Councilor Barnes was a member of the Policy Review Committee (PRC) which had oversight and made policy-level decisions. The Scoping and Project Team filtered out a few of the 45 alternatives based on the fact that they impacted the environment. Initially there were so many different projects and even though objectives were stated to minimize environmental impacts they still came forward and were pretty easy to filter out. Several of the others were combined into alternatives that looked similar.

Mr. Parkin showed Council 2 projects that came out of the screening process that encompassed the range of potential solutions to the traffic issues at Linwood and Harmony. One was five-lane construction from 82nd Avenue to Linwood Avenue and continuing on to the on ramps at Hwy 224. The reason that project came out through the screening process was because it met the goals as far as transportation and traffic. The large impacts to the neighborhood and the adjacent environmental area were offset by the fact that it would streamline the traffic through that area. The next alternative was to get improvements on 82nd Avenue for the north-south traffic. That alternative was preferred because it lessened impacts with a narrower cross section while achieving some of the traffic goals by improving 82nd Avenue. Traffic would not have to stop at the railroad crossing because of a bridge. The third option was a no-build, which was an alternative that was always carried forward in the EIS analysis.

The PAC they did not get behind the 5-lane alternative because members felt the impacts did not outweigh the traffic improvements. That group did by a 9-6-vote carry the 82nd Avenue alternative through for further analysis. They were concerned with the effect of the bridge on the neighborhood and how that connection would work. There were some real challenges putting this through without destroying the neighborhood. They felt the need for good traffic flow and keeping most of the traffic on 82nd Avenue was most beneficial. The PAC also

added a new project with the same improvements to 82nd Avenue that would further improve the flow of traffic. They wanted to keep the corridor traffic on the main routes and off Harmony Road. With that project they were not looking at doing anything to improve the traffic at the Harmony/Linwood intersection.

Councilor Barnes said the PRC decided there was not enough detail for them to thoroughly understand the option and asked for more information.

Mayor Bernard said it looked like the biggest impact was the bridge and not the road. It looked like the bridge in both alternatives would take out a block of the neighborhood.

Councilor Barnes said it would take out the 7-11, the cleaners, the dentist office, and part of the apartment complex.

Mr. Parkin said after the PAC had its meeting in December they sent the three alternatives to the PRC and at that meeting Clackamas County, ODOT, Federal Highway Administration, and the City of Milwaukie did not want to endorse that particular alternative without more background. It did not have the screening that the other two did. In the initial stages of the 45 alternatives something similar had been put forward, but it was dropped. The project team would evaluate it in light of project objectives to determine if it was viable alternative. The project objective for the PAC meetings was to have alternatives to go into further analysis of the EIS. Those would be taken to the Milwaukie City Council and Board of County Commissioners (BCC) for concurrence. The PRC wanted more time to investigate the alternatives before being sent for concurrence, which added approximately two months to the timeline. This was an update so Mr. Parkin was not seeking Council concurrence at this time. He would probably be back before Council in two months.

Councilor Barnes provided information from the PRC. There was no formal vote, but the four people at the table, after hearing from several neighborhoods individuals and environmental groups, decided that anything going into the Cedarcrest neighborhood at all was a concern. Kids walked to school in that area and detouring traffic into the neighborhood, which one of the plans called for, was not an option. They did not want Sunnyside traffic going into Milwaukie. The traffic backed up from 82nd to Fuller Road on a regular basis during the holidays. There were a lot of times where it blocked Cedarcrest because of the timing of the signal at 82nd going east, and the trains made it that much worse. The neighborhood association made it very clear that it did not want any of the proposed alternatives. She talked extensively with Dolly Macken-Hambright who represented the neighborhood. She did not get the idea that they were against fixing things but the way the alternatives were set up it would not fix their environmental concerns. If Harmony were expanded it would take off all of the footing and ruin the environmental aspects of that area. One of the members of the group that was concerned came up with the third alternative. As they sat around table the county representative heard what was said and they did not feel it made sense to move forward.

Mr. Parkin said one of the problems was that people wanted a better idea of what it would look like. The next step would be to do a better analysis to identify the impacts. He and Councilor Chaimov attended the Linwood Neighborhood meeting, and attendees were skeptical of jumping into bed with Clackamas County before having any idea of what the impacts were. His role was to see that Milwaukie's interests were addressed and to get a better idea of how the project might look. At this time it was not known if the concerns could be balanced. The process needed to continue in order to progress to a solution.

There was a real need for improvements in that area, and people recognized it as a problem intersection. Maybe routing traffic around that area was the best solution, but they needed to start looking at it more in depth and using the County resources to see what the project really does look like.

Councilor Barnes agreed with Mr. Parkin. Part of the process was the concern about setting up a route for people living on the other side of 82nd and bringing them into Milwaukie. They should be on the highway and not routed into the neighborhoods. Once they got onto Railroad they would either go to Harmony or to Lake Road. The concern of the folks going to the meetings was that they didn't want to direct traffic to Milwaukie, but to find a route acceptable by the County and City using major thoroughfares. A solution had to be found, but do we send traffic through Milwaukie or do we use an alternative that sends them to the expressway?

Mayor Bernard said this was not an innovative solution; it was the same one they started with in 2001 when he was running for Mayor. He had always thought they needed to figure out some way to extend Sunnybrook. They needed to figure out a way to use Sunnybrook or get 84th Avenue to I-205. It seemed like building a bridge would be a temporary fix with a huge impact. The only advantage he saw was the quiet zone, but people would rather have the trains and the cars.

Mr. Parkin said it was obvious that the at-grade crossing on a busy street was not good and should be alleviated in the future.

Mayor Bernard asked if a cheaper solution was to raise the track.

Mr. Parkin said that was discussed quite a bit and could be an alternative. The train had to go up a slow grade so it would be a much more massive structure rather than cars that can come up at a 15% grade.

Mayor Bernard noted this was a very environmentally sensitive area, and there may be high-speed rail in the future. It might be a cheaper solution to go over the streams and wetlands.

Councilor Barnes commented that they were told that high-speed rail would not happen for 20 years.

Mr. Parkin said there were plans but not in the foreseeable future because of the costs.

Councilor Loomis traveled that road daily. He felt it would improve the traffic flow. He gets backed up behind people using Lake Road. The traffic counts from what he saw were people going home not people from Clackamas going into Milwaukie. It was local traffic. He did not see that it was encouraging people to use that route. Wasn't the goal to improve the intersection?

Mr. Parkin replied one of the goals was to remove the at-grade crossing to make a better, safer intersection. He would anticipate when he came back to Council that he would have at least 2 and possibly 3 alternatives. The idea coming from the project team was that Option 1 was the same look as 2001. Option 2 was a little different look and really was quite a change from 2001. Option 3 was a brand new one, which did touch the intersection. They had 45 alternatives where people came up with ideas at various public meetings. There was some very innovative thinking, but when the issue was getting traffic across the intersection there were not that many ways to do it. There were a lot of options that went through the wetland, which were good from a traffic standpoint. At some time in the screening process the FHA did not support that project because of

environmental concerns. Another of the 45 alternatives was improving Railroad Avenue with a bridge crossing at 37th. There were even more negative impacts to the neighborhoods and that option got filtered out.

Mayor Bernard said he would think you could build a Sunnybrook expansion if there was money to build over the wetlands, and this was a cheaper version.

Mr. Parkin said if the whole objective was to come up with a bridge they could do that, but it would not fit the scale of the project and would not be considered a viable option.

Councilor Loomis asked about the negative impacts on the neighborhood, were they all the same? Would they just take out the businesses or would it impact homes?

Mr. Parkin said with the five-lane option it would be hard to see the cross-section not impacting houses on north side, and if they moved to south it would impact the environmental area. There might be a trade-off where you could push it into the environmental area and save some houses, but then they are living next to a five-lane road, which would have some dramatic impacts on the neighborhood. With the three-lane depending on the cross-section it would not impact as dramatically as the five-lane would.

Councilor Loomis said when he went home he was stacked up behind people turning onto Lake Road.

Mr. Parkin said that is what they would look at the three-lane alternative. He could understand the neighborhood concerns with the bridge and potential for vagrancy and other issues. The PAC supported the three-lane project because they realized the impacts were lessened. He would come back with the County and ask for the City of Milwaukie's concurrence to move forward in studying 3 alternatives that would forward for analysis.

Councilor Stone asked if we had any data that supported the amount of traffic that congested that intersection in terms of their destination? Were they going home through Lake Road or Linwood Avenue?

Mr. Parkin replied the peak analysis indicated that 61% was through traffic from a zone that was out of this area.

Councilor Stone asked where the actual study was done.

Mr. Parkin responded it was the anticipated traffic based on modeling, and they did not do any analysis of where the trips were coming from. It was a more abstract view based on the model. When they go there and do the study they will view it with a camera and collect data just at the Linwood/Harmony Road intersection for 24 hours a day for 3 days, and then they look at the peak hours. They could not tell the destination from that analysis. Modeling was done with Metro input. They hadn't looked at where they were going, but could possibly with a license plate analysis.

Councilor Stone asked if they would do that in more depth when they were studying the options. From a neighborhood perspective people were a lot more comfortable in knowing that the traffic was from your own neighborhood rather than cut through traffic that should be on the highways.

Mr. Parkin said that was why the three-lane option was promoted because of that reason to try to improve 82nd Ave so people will stay there and not travel on Harmony to get to Hwy 224.

Councilor Stone said that was a good idea. She asked if the County was the lead agency?

Mr. Parkin replied it was.

Councilor Barnes said after the 9-6 vote some of the people that voted yes had come back and said they changed their minds. The vote would not be the same if taken again. Even Wilda Parks was not sure what she was voting for.

Mr. Parkin commented they tried to make it as clear as possible as to what people were voting for. The vote was given less than wholeheartedly. There were some people that did not vote for various reasons. The largest group was citizens with most of them from about a 2-mile radius.

Councilor Barnes named key people the City Council would know.

Councilor Stone asked if we were deciding today to go forward with studying would it be to study options 1 and 2 and the no build, but not the third option. What had to happen to determine if the option 3 would be studied? What needed to happen between now and when Mr. Parkin came back in two months to determine whether or not that will be studied?

Mr. Parkin said the PRC asked the design team to look at how that alternative met the goals of the project. That was the screening the other alternatives went through. They also asked for some traffic analysis work that would have been done as the next step, and he believed they would apply that analysis to the other 2 alternatives to a certain extent to help the PRC make a recommendation.

Mayor Bernard would tend not to consider Option 1. He was not comfortable with Option 2 but would like to look at Option 3. He had an opportunity to speak to some County people and they were spending a lot more money then they wanted to, and he got the impression that they might pull the project and focus on some kind of 82nd Avenue solution. Do we want to make it easier for more people to travel through and increase traffic problems in the future? The better alternative was to find a better solution around it. He felt the focus should be on 82nd Avenue and/or 84th Avenue options. We want traffic to be smooth but we don't want to increase Milwaukie's traffic problems in the future.

Mr. Parkin responded from a purely engineering view Option 1 was the best, but the crux of the issue was adverse impacts to the neighborhood. He would like to see all of them studied.

Councilor Loomis said that there would be negative impacts from all options, and he would like to see them all studied.

Mr. Parkin said he would be back in the next couple of the months with the County after the PRC acted on some of the issues.

Councilor Stone said the 3rd option came about because people were not happy with the first 2 options. When there was that much public outcry about not liking what they saw Option 3 should be considered for its viability and less negative impact. We need to ask if degradation of the neighborhood and environment was really a good thing. If solved on 82nd Avenue we still needed to solve the congestion problems at that intersection during peak hours. She really paid attention when people said they did not like something.

Councilor Barnes noted the County contracted with OTAK for this work.

Wastewater Master Plan

Mr. Parkin said staff re-advertise and got 4 proposals, which would be before the Council in February.

County Library Information Campaign Proposal

Mr. Swanson said Clackamas County asked each city had been to come up with $10,000 to fund an information campaign. The BCC made the decision to put a countywide library district proposal on November 2008 ballot. The purpose of the district would be to return money to the cities. Right now the County gave the cities money to operate their libraries because of a levy that passed in the early 1990's. With the impending loss of the ONC funds of approximately $12 million the BCC made the decision to reduce the payments to cities for library funding to zero over time. That was $480,000 annually that Milwaukie now used to fund library services. In order to create another option they wanted to form a countywide district with the BCC being the governing body. The purpose was to fund a library system and return funds back to cities that provide library services. They would also look at redefining service areas. The County suggested it would close its libraries in the unincorporated areas but would fund a Damascus/Happy Valley library until it got on its feet. His recommendation at this time was to not provide the $10,000 as suggested. His memo did not say that he didn't support a countywide library district and it did not say that a library district would be a bad idea. It did suggest he did not have high hopes for a district proposal passing at $.39 per $1,000. To him that translated to giving it a try, but Milwaukie could be out $480,000 annually. His preference was for the County to be responsible for funding the information campaign and making it pass. It was the County's decision to redirect priorities and not fund libraries. If it went down to defeat the cities would lose, and the County would solve its problems. That was the reason for his recommendation. The city managers would meet next week to discuss the matter. In its work session the BCC said it would send out intergovernmental agreements (IGA) for cities to consider. He suggested holding the decision in abeyance to find out what the BCC was proposing. Mr. Mantay made it clear to him that Clackamas County would not come up with library funding. He was hoping to get a sense of what other communities were doing and would like to review the proposed agreements. That did not indicate, however, that he was backing down. He would report back at the next Council meeting.

Councilor Stone said that if the ballot went down in defeat the funding would go away whether or not the proposal passes, was that right?

Mr. Swanson said if the proposal passed the City's funding would be in the neighborhood of $1.2 million. His concern was that the average citizen would look at $480,000 under the general fund contribution versus the $1.2 million from the district picked up by the taxpayers. The last levy that closed the County libraries would make up some of that difference. He did not want to pin all hopes on the district. The real concern for the County was losing $12 million, some of which was dedicated to roads. The last library ballot measure that failed was a couple of years ago because of a double majority issue. Since the last successful levy in the early 1990's the County had continued to share the money with the cities but did not have to do so. That was the part of the general fund in which they had some discretion. Over a year ago the BCC made the commitment that unless impacted by the loss of timber money the County would continue to be supportive and do all it could for libraries. Milwaukie would have a $480,000 problem if the district proposal failed. The BCC made it clear that over time they would eliminate those payments. Prior to this event Clackamas County

was very good about supporting city libraries. The levy that passed in the 1990's was $.35 per thousand. Milwaukie would get more revenue because it would be picking up a portion of the service for the unincorporated libraries. He was uncomfortable pinning all hopes on a district. He would love to replace $480,000 with $1.2 million, but he was not sure people would agree.

Councilor Stone asked if the County had explained any other funding options.

Mr. Swanson said the County discussed using a portion of its general fund to consider some kind of a contribution but decided against it. It was losing a significant portion of money from its general fund.

Mayor Bernard asked about the last levy's failing. When was that and how much did it fail by?

Mr. Swanson said it passed but did not have 50% voter turnout. The last successful levy was in the early 1990's. Measures 49 and 50 made the levy a part of the county general fund. A year ago the BCC made a commitment that as long as they did not lose the timber monies it would continue with the library funding. The County had been very supportive and had done everything it could for the libraries. Milwaukie would be out $480,000 if the district did not pass, and he did not know how it could be made up. He didn't question what the County was doing.

Councilor Chaimov asked what the citizens of Milwaukie would need to do to make up the shortfall and maintain its library.

Mr. Swanson would provide that information at the next meeting. The issue would be if the district failed and if the City could pass a levy that restored the $480,000. He discussed how the residents of the unincorporated area depended on the Ledding Library. There was support for the Ledding Library, but there were some other issues that the City would be facing. The Mix program could be a thing of the past.

Mayor Bernard suggested $.15 per $1,000 countywide.

Mr. Swanson replied $.39 per $1,000 was based on the state librarian standards for basic services such as hours open to the public, staff, and size of collection. At one time the desire was to go to the highest level of service, which was $.75 per $1,000. The ONC funds would be reduced over a 5-year period. The County would also look at library reductions over a 5-year period of time.

Wastewater Issues

Mr. Swanson provided an update on wastewater issues and the BCC meeting. A new citizens group had been planned for some time to look at more long-term issues. They were looking at doing two groups; one would be an elected representative from each jurisdiction that also included Lake Oswego. There would be a couple of citizens and a member of the current Citizens Advisory Council (CAC) from Oak Lodge. At the next work session he will probably bring a request for an elected official nominee for the committee. They were going to look at longer-term options and Greg Degrazio would chair that group, and city managers would serve on a Technical Advisory Committee (TAC). He would be asking Council at the next meeting to come up with someone to serve as the County wanted to get started as soon as possible. They also received information today from the CAC and one of the issues was a new plant. The Site Selection Committee worked hard to come up with a number of different sites. What they found was that the new rate impact would be between a $125-$150

per month. That was not a recommendation that they would be bringing forward. They were on track and they just moved another step forward at their work session this morning.

Mayor Bernard noted Councilor Barnes had expressed an interest in being on that committee.

Mr. Swanson would put that matter on the next work session agenda.

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

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Pat DuVal, City Recorder