

**MILWAUKIE CITY COUNCIL  
WORK SESSION  
DECEMBER 3, 2001**

The work session came to order at 5:30 p.m. in the City Hall Conference Room.

City Council present: Mayor Bernard and Councilors King and Marshall.

Staff present: City Manager Swanson, Interim Community Development Director Rouyer, Acting Planning Director Gessner, Neighborhood Services Manager Gregory, and Program Specialist Herrigel.

## **Information Sharing**

### **Johnson Creek Boulevard Improvement Project**

The group discussed ongoing Ardenwald neighborhood concerns with the Johnson Creek Boulevard Project and the City of Portland's limited response to Milwaukie's issues. If Milwaukie were to pull away from the project, it would probably be responsible for reimbursing Portland for the storm sewer work and engineering costs. The Milwaukie City Council asked Portland staff to look at reasonable alternatives, but apparently Project Manager Layden is not following through on neighborhood preferences. **Swanson** said a Portland City Commissioner is probably not that vested in the project, and staff is moving forward.

**Mayor Bernard** feels it is important to get the project the way the neighbors want it. On behalf of its citizens, the City requested the curve be redesigned and straightened, but the map shows it has simply been shifted to avoid the environmental zone.

**Swanson** commented the City of Portland does not appear to understand Clackamas County is responsible for resolving the survey discrepancy issues. **Mayor Bernard** understands County Commissioner Jordan said the Lillie property can be given back after the project.

**Swanson** feels Milwaukie has gone above-and-beyond to pressure the Portland City Council, but there is only so much that can be done to influence what has been a 20-year project.

**Mayor Bernard** suggested moving the utility poles rather than widening the sidewalk to meet ADA minimum standards. The neighbors are mainly concerned that the road is taking up too much space and the curve has not been redesigned.

**Councilor King** will contact Portland Commissioner Hales about these outstanding issues.

## **Milwaukie Heritage Projects**

**Councilor Marshall** discussed Milwaukie's heritage and asked the other Councilmembers if they felt he should pursue talks with the Oregon Maritime Museum and the Regional Railroad Transportation Museum both of which are looking for new homes. He was given direction to proceed in these discussions as well as investigate potential tourism grants.

## **Centennial Committee Interview**

The City Council interviewed Kelley Howell for a position on the Centennial Committee.

## **Riverfront Board Roles**

Riverfront Board Members present: Chair Steve Loaiza; members Dave Green, Michael Martin, Mike Stacey, Paul Verbout, and Mitch Wall.

**Swanson** said the current fiscal year budget does not include any riverfront development funds. Herrigel has been working with the Board to restore order and help the group evaluate its role. It is also assessing riverfront goals and projects including the boat ramp.

**Herrigel** reviewed the Board's most recent history and its interest in taking over certain tasks. Board proposals include: reappointment of all current members to subsequent terms; inclusion of the boat ramp in the riverfront plan; removal of the Kellogg Treatment Plant; development of a mechanism to receive tax deductible contributions for elements of the riverfront plan; and inclusion of Riverfront Board review in future planning and development processes on or near the riverfront. The Board particularly noted its dissatisfaction with the McLoughlin Boulevard Project's compatibility with the downtown/riverfront plan.

**Loaiza** explained the Board feels it is important for the City Council to make a policy statement about integrating the boat ramp into future improvements. The Board also recommends staggering terms so all members do not go off at the same time.

**Councilor Marshall** suggested 1, 2, and 3 year term expirations. He discussed interest in trying to bring the Oregon Maritime Museum to Milwaukie. The sternwheeler would need a docking facility, and perhaps the City could seek Marine Board funds to further enhance the Milwaukie waterfront.

**Green** cautioned the group about the Marine Board's parking requirements.

**Councilor King** was very concerned about parking and would not support its taking over already limited downtown or waterfront area.

**Mayor Bernard** recommended including the boat ramp in riverfront planning and working with the parking issue. He noted the river is deep at the log dump and could probably accommodate something the size of the sternwheeler.

**Councilor Marshall** said he is having further conversations with the River Queen owners. The owners have a vision of converting it to 8 condos. Right now it is sitting in dry dock and is still a restaurant.

**Mayor Bernard** reminded the group to keep in mind the goal of decommissioning the treatment plant in 5 years.

**Swanson** will talk to the city attorney about a mechanism for collecting riverfront improvement contributions. **Mayor Bernard** said the 501C(3) formed for the Jr. High is paid for and could probably be modified to include riverfront project contributions.

**Herrigel** said the Milwaukie High School Langford Team is developing funding options for phase 1 riverfront improvements.

Board members indicated they were not interested in fundraising for the project. **Councilor Marshall** suggested the Board act as a clearinghouse and identify uses for the contributions.

**Loaiza** said the Board also wants to re-affirm its original purpose. It had no input to the McLoughlin Boulevard Project and downtown development and wants to be part of the process. Connecting with the downtown is key to riverfront development.

**Green** asked that staff spend time bringing the Board up to speed.

**Verbout** is concerned the McLoughlin Boulevard Project design be sensitive to the riverfront particularly regarding noise and access. The link to the riverfront is very important.

**Swanson** said there is still a lot of public process and design work, so the McLoughlin Boulevard Project is still evolving.

**Loaiza** thought the current proposed design made boat ramp access difficult. He acknowledged Herrigel for her work with the Board as well as the continued interest by the Olson family and Gary Klein.

## **Consider Request to Allow Pergolas in Yards**

**Gessner** explained a property owner is asking the City Council to revise the current zoning ordinance standards relating to pergolas and other accessory structures. The intent is to allow the structure currently in question to remain as

well as adopting regulations for future construction. Staff identified several options for City Council: reject the request and proceed with code enforcement activities; initiate a zoning amendment; or advise the property owner to apply for a variance.

**Mayor Bernard** recommended the Zoning Ordinance amendment option. It is documented the property owners received the wrong information and were told they did not need a permit to build the pergola. Zoning issues arose after a neighbor complained.

**Swanson** said there is some discretion, but staff does follow up on complaints. The appropriate venue may be to amend the ordinance, and, if adopted, this case could become moot

**Councilor Marshall** and **Mayor Bernard** did not support creating an ordinance allowing this one pergola to meet new standards. Councilor Marshall believed there was language in Section 700 to deal with this incident having to do with additions to single family residences or attached garages that would allow a Type 2 administrative review.

**Swanson** said code language would not be developed to particularly exempt this structure. He suggested allowing a week to review the code section Councilor Marshall cited.

### **Proposed Revisions to Subdivision Ordinance**

**Gessner** identified 2 sections to the project: updating application procedures and improving lot and flaglot design standards. The purpose of the revisions is to adhere to state laws and generally refine the process.

The 5 actions requiring city review are: lot consolidation, property line adjustment, partition, subdivision, and replat. Staff recommends lot consolidations and property line adjustments follow a Type 1 administrative approval. It does not recommend any changes to the partition, subdivision, or replat process. The City wishes to assure it follows the same rules as the county surveyor and provide the public with adequate time to review applications. **Gessner** discussed the feasibility of customizing the review process to make minor changes administratively.

The group discussed the importance of notification and concerns with raising neighbor expectations for control. **Councilor Marshall** felt the applicant should absorb any notification costs. **Swanson** pointed out some processes are as simple as a building permit, so some boundaries need to be identified.

**Gessner** will provide options in his subsequent report. The next step in the revision process will be code drafting for Planning Commission review and eventual Council consideration at a public hearing.

## **Other**

**Councilor Marshall** suggested a section of each edition of *The Pilot* to explain code related issues. He urged embarking on an incentive program to instill community pride and encourage residents to upgrade their properties to increase the values. He suggested a communication channel with all the appointed advisory boards similar to that of the Neighborhood District Association (NDA) for a quick turnaround of information. Councilor Marshall asked if the police department was ticketing trucks using residential streets, and **Swanson** said Capt. Colt reported the officers have issued some tickets.

**Councilor King** advocated for a beautification award.

**Swanson** announced an executive session to discuss pursuant to ORS 192.660.

## **Adjournment**

**Mayor Bernard** adjourned the work session at 7:25 p.m.

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Pat DuVal, Recorder