

MINUTES OF COUNCIL MEETING
FOR THE CITY OF MAYWOOD PARK
24 September 2018

CITY COUNCIL MEETING

The City Council Meeting was called to order at approximately 7:00 pm.

Present at the meeting were Mayor Mark Hardie, Councilman Matthew Castor, Councilman Jim Akers, and Councilman Brian Davey.

Also present: Wendy Irwin, City Treasurer; Bonnie Davey, City Recorder.

Residents present: Lisa Higgins, Nathan Montross, Michelle Montross, Daniel Veason, Sarah Carlburg, Chris Williams, Mauricio Valadrian, Brandalyn Barrath.

Approval of the August 20, 2018 City Council minutes. Approved as presented.

OLD BUSINESS

Hardie: Lt. Bevins isn't here tonight, so no Multnomah County Sheriff's update tonight. About the changes on 102nd, I think we've had a flurry of emails going back and forth between PBOT and City of Maywood Park and we're just waiting for them to tell us what they want to do.

Sarah Carlburg: I have a question about that. My question is that I've only recently clued in to what's going on on 102nd. I called Clay and they said they are waiting on you to tell them what our concerns are about diverting traffic.

Hardie: That was today? She said that today?

Carlburg: Yes, today. From my perspective, I share the concerns, I live on Shaver and have little kids and don't want more traffic as we don't have speed bumps. But I see a huge amount of potential with this bike lane and reducing the amount of cars going through there, so I'd like to hear more about that, and I'd like to know where Maywood Park is standing on this issue. I haven't been here to hear the conversation, I'd love to be caught up.

Hardie: So, what PBOT wants to do is to take 102nd from 5 lanes down to three lanes, and add a bike lane and parking. Which totally aggravates us, I think it's the most insane idea anybody could come up with.

Carlburg: I'd love to hear your rationale on that, because I understand that Parkrose is really happy with the project and many other neighborhood associations have signed on. To me, looking the idea of having bicycle accessibility, these are things that we want. I want my kids to be safe walking to school.

Hardie: I don't blame you.

Carlburg: It means, on either side, people are driving by, they're passing, and to me the plan seems cogent, it seems strategic, I feel like they are... I trust PBOT, they are experts and they are implementing this in other neighborhoods to great success. So why is our situation is so unusual? Why is Maywood park so different from these others?

Hardie: Have you ever stood on 102nd Ave and watched traffic on Friday or Saturday evening at rush hour?

Carlburg: Yes, it's absolutely terrifying.

Hardie: It's backed up forever and ever and that's with 4 lanes.

Carlburg: Yes, with 4 lanes people think they have the room to go through, and they are making a mistake. If they go down to 2 lanes with just the suicide lane in the middle, then people will start to see that this is not a through commuter alternative for them. I don't take those streets. I go looking for the streets that I know have the lanes set up that I will be able to get through them. If we reduce the number of lanes, people will know "I can't get through there, it's always blocked" and they'll stop coming.

Hardie: Then they'll cut through Maywood, and it's gonna get worse.

Carlburg: They're already cutting through Maywood! PBOT has told you that they will work with you to come up with solutions, but you have not gotten back to them about that.

Hardie: The last conversation I had with Clay was last Thursday, is okay, come meet us on a Thursday or Friday from 4-6pm and you'll see exactly what we're talking about. And that was last Thursday.

Carlburg: So I hear that you guys are going to put those rubber bands down, the traffic counters, I know you have done them before I've seen them out...

Hardie: We didn't do that.

Carlburg: Is that PBOT?

Castor: PBOT came and did a study on low traffic days in places that wouldn't actually tell you anything...

Carlburg: So, and they have not offered to come back and do that on a Thursday/Friday as you have suggested?

Castor: They have not?

Carlburg: They expressed that to me today on the phone. I don't know how we're getting such different information from them.

Hardie: They were copied on the email I sent back to Clay, so I don't know. You know it seems like we have bowed our backs pretty hard, and if you look at the neighborhoods on Glisan and Halsey, they are going through the same thing, those neighborhood associations are very against it. Ned Stanhope, which is with the Parkrose neighborhood association, my understanding is that they are very against what they are doing. Because we don't see it like you see it. When you have got a line of cars in 2 lanes, that people are going to get frustrated and start cutting East and cutting through in all directions.

Carlburg: This is all conjecture. This is not data. This is just us coming up with what we think people are going to do. What we need to do is allow them do a study, and start to implement this, because they expressed to me that summer 2019 is about gathering data, it's about a test run. Then we have data on our specific data our neighborhood and whether or not this is going to solve a problem.

Castor: One of the reasons we are doing our own study is to gather data so we can have baseline information before the project. This is what our traffic study is. We're running bands to count for quantity of people coming through, cars running stop signs, following them through Maywood park. We've worked with the Sheriff's department to catch people doing those things in Maywood, issuing citations when it gets backed up.

Carlburg: I think that is very important information, but I'm saying, you are gathering data on the status quo. PBOT is offering what they think is a solution to a lot the troubles that we have. What is your solution if you aren't taking theirs?

Castor: One of the reasons that we are gathering baseline data is because Clay and her team have admitted that in other places around Portland where they have done this they have never done any traffic counts to see how their changes are affecting the neighborhoods. So when you have a lot of commuter traffic coming though we already have a problem with a lot of people diverting through Maywood park. And in no instance have they taken a look and said "Oh, after we did this project, it may have solved our problem on 102nd, but how has it affected the adjacent neighborhoods?" That's part of the reason we are doing the baseline study, so if the go ahead and move forward we can have info to see how it has affected things.

Carlburg: We are on the same about that page then. I fel like ther eis this sort of move to just say NO, and there is clearly some entrenched, and I feel like the attitude should be way more open to the possibility that this might solve some problems. Again, this is a HUGE problem, we have lots of neighbors here that live on 102nd and it's terrifying. I almost didn't buy our house because of 102nd. When I walk in I hear these cavalier attitudes about this, about PBOT, and if PBOT, those idiots, doesn't have the right solution, then what is the next steps that need to be resolved?

Castor: This is a larger problem than just PBOT and Maywood Park, a lot of it has to do with I-205 traffic coming across the bridge, and what happens is people come across 84, get backed up there and decide, Oh, well I can just bypass this and come down 102nd and they end up here.

Carlburg: We are on the same page.

Castor: So that's a much larger question at the state level, how are they...

Carlburg: They are also doing work on 205. They're trying to put the pieces together.

Castor: Even what they are trying to do honestly, is a band-aid. They need a lot more capacity.

Hardie: We don't have any issues with them wanting to do a study. Our backs got bowed when they said they were going from 5 lanes to three lanes. And it's like no, no, no, not without a fight you're not. Because they don't have a proven track record as I have seen anywhere. It's great they have put in bike lanes in other areas in Portland, but I don't think you're talking about a situation like we have here on 102nd.

Carlburg: They just sent me the last two reports from previous projects and they have been overwhelmingly positive. And they are similar situation, cutting down lanes, I can forward you the email. I can hear the frustration and I can see the sarcastic laughter, thanks for that, but I sort of feel like there is a tendency to assume before gathering the data instead of being open to the possibility.

Hardie: We haven't assumed anything; we have lived with this for the 25 years.

Castor: Another point of frustration is that PBOT came to us without demonstrating any data to us. You're talking about reports that you've received, we've been trying to engage Clay and her team and we haven't gotten those same reports.

Carlburg: I think it's strange that I could just call them and get all of this data.

Castor: I think it's strange too. Because she hasn't come in with that information. If they came in with a lot of data and this is a proven plan that is going to work and there are studies on how it affects the adjacent neighborhoods, here's what we've found... If they came in with a thorough plan that had the data to back it up we'd probably would have welcomed them with open arms. But they didn't. There are a lot of people who have lived with this problem for 10-25 years and watched it get worse, and then you have a team from Portland who have not watched it get worse for years. So yeah, there is probably some skepticism until they come in with the data to back up what they want to do.

Carlburg: Well, I appreciate that you have a plan in place to gather that information to create the baseline.

Hardie: If you're on Skidmore or Shaver and trying to get on 102nd it's impossible, if traffic is backed up, how are you going to get on to 102nd?

Carlburg: I believe that circumstances can change, with planning. I'm open to fresh new ideas, I haven't been a resident for 25 years, but I do think that that gives me the opportunity to be open to new ideas.

Mauricio Valadrian: I'm super new, I'm living on 102nd for a year, and I'm new to the issue altogether, and my understanding is that you have spoken to other neighborhoods where projects have been implemented. Can we see that information?

Hardie: We don't have that information, she (Carlburg) has that information.

Valadrian: You said that some other neighborhoods where similar projects have been implemented are unhappy.

Hardie: They haven't been implemented yet, they just starting to implement these projects. It's in the planning stage.

Valadrian: I'd like to see more data from neighborhoods where PBOT has implemented these changes and see what has happened. If we get an independent study it makes sense to be able to cross reference those studies from those neighborhoods. From outside of my house, on 102nd, in front of my house, there are constant crashes. It's super scary. I'm hoping there would be a way to negotiate based on data gathering and proper evidence from other neighborhoods, instead of just based on what we would imagine will happen. We might be making a misguided approach.

Castor: This is why I wanted the traffic study, so we have a baseline of information. What I see driving to work, is a lot of frustration. I asked PBOT what the effects were on neighborhoods and they don't know. What they are saying is we have solved a problem, but we have solved it by diverting it to the neighborhoods. And that's what I want to prepare us for.

Carlburg: Sure. I understand this is not an issue for some other people, but bike-ability, walk-ability, and being able to park with my kids safely on 102nd are important to me. They will improve my life and lives of people in our neighborhood. I feel like they are open to being worked with and tweaking the plan and making it right, and from my conversation today I understood that there had been a complete full stop on Maywood Park's end, What I'm hearing from you is that that's not correct. So I hope that you guys can figure out what the communication breakdown is there, move past it. I do want what was promised and I don't want the 102nd plan to just disappear because of miscommunication, or because we aren't being solutions oriented.

Valadrian: What is our timeline on the independent study?

Castor: It starts on the 28th. Friday of this week.

B: What is the process?

Castor: They gather the data and process the info for the study. The bands data is tabulated in house. The cameras tabulate license plates and that is sent to a secondary company for processing, probably several weeks.

Valadrian: This is well within the framework of a much more complex study, which would give us time to consider our data and see if this is something that makes sense, right?

Castor: Yes. What PBOT should be doing right now as well, and we aren't doing this because it isn't our jurisdiction, but PBOT should be doing the exact same study in Parkrose. And they are not. I travel through there to get to my kid's school and daycare on 102nd and the traffic is crazy, I feel for them. As we continue the dialogue with PBOT, we need to stress with them to also consider Parkrose.

Hardie: And to bring up a point, you don't have speedbumps on Shaver street, and we haven't heard from PBOT about traffic calming devices.

Castor: We are 100% about public safety. I have small children, you are raising your family here, we are all for traffic calming devices. We just want it to be a well thought out plan.

Valadrian: If you can pass along those conversations, that would be great. People coming across the bridge at Fremont, people have no measurement of speed, so accidents are happening. There is a big gap in which there is no speed reference and some nights there is racing happening. As often as I see ambulances and fire trucks, that this is not well above your average incident report number. They would be something you can relay to them.

Hardie: PBOT needs to hear from residents. They only hear from us and they see us as adversarial. They need to hear it from you.

Carlburg: That's why they are implementing this project, they have heard that and they know it's a problem. What resources does Maywood Park have if we say no to this? It behooves us to be involved because we don't have the resources to do anything about this problem without the partnership of PBOT. So we need to work with them. Do you see what I'm saying?

Hardie: Why do we want to invest our resources in this when they don't have a plan? We're here to talk, and we're waiting to hear since they have presented this to us, but they are going backwards. It's not a well thought out process in our minds.

Carlburg: So your official position is that right now you don't have an official position.

Castor: Well, we're waiting to continue the conversation with them, honestly.

Carlburg: So the agenda makes it look like you were going to finalize your official position.

Hardie: Part of the problem is that the meeting dates have been rearranged, so yes it may be a little misleading.

Bonnie: We can change that to clarify, often things listed under old business are still in development.

Hardie: Anymore comments or question?

Brandalyn Barrath: Mine is just anecdotal living on 102nd and Failing, the speeding is so bad and the racing is so bad, we joke that one day we'll get killed in our living room by a drunk driver. Or not so jokingly, why did we do this to ourselves? Why did we move here? We love our neighborhood, we love our neighbors, and that is why we cope with living on 102nd. But it's tough raising a child when we play outside and it's terrifying all times of the day. She's 2 and it's scary.

Hardie: The squeaky wheel gets the grease. Call the police, call. Let them know what's going on. It's going to take a lot of verbalization to get action.

Valadrian: What are the most efficient ways to do that? I'm all for it, but I'm not sure what to do.

Hardie: For sure involve Clay in what's going on, but you can work your way up with PBOT. Look online for emails and just start emailing them.

Castor: And Clay has openly requested comments from residents, you can email.

Valadrian: Maybe you can get a survey of people who live on 102nd and send it to them all at once.

Nathan Montross: We had open meetings with PBOT, 2 of them, where nobody came. That was frustrating.

Carlburg: We all share the same concerns. I apologize for hijacking your regular Monday night meeting.

Hardie: The good news is we have time to work on it, they aren't about to start paving right now. We appreciate you all voicing your concerns, that is what meetings are for. We did hear from residents after they announced it and the residents we heard from were dead set against it.

Bonnie: Do you want to adjust the business item to be worded differently?

Hardie: No. More comments on 102nd avenue?

Hardie: Cable Franchise Matt?

Castor: A little background, I had been working with Mark Ferrar back in April about the cable franchise, I sent him some messages and never hear back. I found him online and saw that he changed jobs and have now been in touch with his replacement. They have a draft and are working on it with their lawyer, and am waiting to hear back about that in a week or two. We did talk about raising franchise fees awhile back from 5 to 7 % and there are FCC rules about capping it at 5.49% so they are going to raise it to that rate. They are revising to a 10 year at 5.49% and we will have that draft soon. Also, traffic counts are happening Friday. Any questions on traffic counts?

Carlburg: What are happening with traffic counts?

Castor: As we've been experiencing cut through traffic it became apparent that it wasn't just one things causing the problem. A number of residents complain about stop sign running. The contractor doing the counts suggested a 3 phase approach. Bands to count volume and speed, cameras at stop signs to record people running the stop signs, not to issue citations but just to count. OD study, getting license plates and looking at what traffic is diverting and passing through to exit Maywood, or which cars are residents. That's the data we are gathering.

Res: Matt, when the cameras get put up, and they going to count the illegal U-turns at Maywood Place and 102nd?

Castor: We discussed that and there isn't a great way to account for that, it would cost an extra \$2700 for separate cameras. We had also discussed about doing a secondary study where we might close off Maywood Place to do counts to see how that effects the traffic temporarily. But solving one issue might cause another.

Hardie: Jim, tree trimming ordinance, still developing?

Akers: Yes, still in progress.

Hardie: Have you heard from Art on zoning ordinances, he's in Greece?

Bonnie: I haven't heard anything back from him on that yet.

Hardie: Davey, update on lighting?

Davey: I got a quote from a vendor that may be more cost effective, it would be 2 flood lights with a sensor, runs at 30% power until it detects motion and then runs at 90% power. They

suggested putting it on the existing light pole there, which would involve some tree trimming on our end. There may be an issue as the sensor can't see through the trees, so some areas may be blocked, creating blind spots. We could still add a light pole in the back, but running the wire will be a lot more expensive.

Castor: Do you know where the street light is? Could we put a sensor on that pole or is it off limits because its PP&L?

Hardie: It's by Jeff's place.

Akers: That pole at the park or by Jeff's is owned by Century Link, we might have to get permission.

Castor: If it is that would solve our line of sight problem, I can talk with them and see about adding a sensor. Is that too much weight?

Bonnie: It's 14 lbs.

Davey: The sensor would cover 240 degrees.

Castor: Have we heard from residents about after dark activity there?

Carlburg: There are still problems, I heard from Stacy.

Davey: One options, just to get things up and running, one could mount one on the light pole for under \$1000 and that would get it started. If we still have issues we could talk about getting another pole up.

Castor: Sounds like the concern there is the sensors don't reach to the back.

Davey: Yes. There would always be light in the area, but the sensor would bring it up to brighter with motion detection.

Hardie: What do we have for that in the Commons Budget?

Irwin: It would be in the Capital account, we don't have any money in that budget for this year. We have \$5000 in contingency we could move that that.

Hardie: So if it took \$1000 to add the sensors on the pole on Failing St, would it take another \$1000 to run power to the back?

Davey: It depends on if you dig a trench a used a pole, that's the expensive part.

Castor: Knowing the sensors can be repurposed, I say we do that and then reassess as we say if it is helping make a difference.

Hardie: Okay with that?

All: Yes.

Irwin: We do have \$2500 in the City Streetlamps Protection, that's not in the Commons budget.

Davey: Do we have an electrician we use for that?

Hardie: We have used Christensen Electric in the past, reach out to them and see.
Bonnie, August bank reconciliation?

Bonnie: It's done. Chris, so I posted the draft resolution...

Chris: I reached out to Cascade Locks and haven't heard anything back, I can reach out again. There was also a resident in Maywood who has helped with social media policies and data retention for city of Portland, but I haven't heard back from her either.

Bonnie: The policy was Cascade Locks' and I edited it with our name and info and put it out there as a draft. Do we want to keep it out there?

Chris: I haven't heard back from them at all, we thought this might be simpler, but we found out there are a lot of data retention involved and we have to approach it from a position where we know what we're getting into. It would be great if she could help (Kelly), so we can be in compliance.

Castor: Was the issue less about social media policy but more about data retention laws?

Chris: it's one of those we don't know what we don't know kind of things. The policy from Cascade Locks might be what we need, there is stuff about data retention in there, we just don't know yet.

Castor: Is it a pressing issue?

Bonnie: There is an issue with the Maywood Park page, people are commenting and we have to know if we need to record all of those comments or not. We had talked about making the page have a disclaimer about no comments. It would be better to move through this sooner than later so we have something in place.

Hardie: If the hiccup is the retention laws, do we want to establish the policy and then add info on the retention laws?

Bonnie: Well, the policy is regarding the retention laws.

Castor: What is the policy on recording those thing? Are you having to create separate documents to record that?

Bonnie: I'm still learning all of that, but it's broken into categories. If it's about public meeting law, I take a snapshot and put it in a file that is the schedule for the amount of time it has to be retained.

Castor: Is there a way to tag the posts to do that automatically?

Chris: That is what we were hoping, and I'm trying to work on that. But we could also just do everything for the maximum, we could just store everything for 15 years.

Hardie: Why don't we just do that, hold it all for 15 years?

Bonnie: Well, you're supposed to have a documented reason why you are keeping things past the retention date.

Hardie: It's better to do something than nothing.

Bonnie: Well, that's what I'm working on.

Castor: Can we store it digitally, or does it have to be printed? There is probably a plug in we can us to just file things electronically.

Bonnie: I think just electronically, and I'm learning. We can throw the social media policy I adapted from Cascade Locks out there, and we can adjust after that.

Res: Are you managing with the Facebook API?

Chris: We are working on that. That was my plan, that if something was posted it would immediately get backed up. And then also create a record if it was deleted, you also need a record of deletion. So yes, I would go the API route, same with Twitter. It's not just text, if someone posted an image, everything, that complicates it a bit, and we don't know enough yet to solve the problem correctly. That is what I was hoping Kelly could help with. We don't want to have to do it manually, so I'm hoping to get it done since our scale is small, I can probably do it in a weekend.

Castor: So it sounds like no extreme urgency, just keep working on it. Thanks Chris.

Wendy: Internal controls for accounting is in progress. We can move to the Treasurer's report. I have the report for August. We need a decision on the CD's coming due at Umpqua.

Castor: Do we stay with 2 years?

Irwin: Yes, I suggest not going further than 2 years, my expectation is that interest rates will be going up. One year at 1.95% is my recommendation, and then leave most of the amount in the storm drain fund, currently we have \$126,000 now, so I'd say \$125,000 at 1.95% for 1 year and then leave the \$25,808 in the Money Market fund, Our budget for the storm drain is \$25,000. For Maywood Commons, I recommend a 1 year CD at \$80,000, currently we have \$62,000, and leave \$8000 in the Umpqua Money Market and \$2000 in the OnPoint Money Market.

Hardie: First the storm drain fund, motion for 1 year for \$125,000 at 1.95%.

Motion to move the storm drain fund for \$125,000 for 1 year at 1.95% approved unanimously.

Hardie: Maywood Commons CD at 1 year?

Irwin: Increasing the CD to get the maximum interest. It would still leave almost \$1000 liquid.

Motion to invest 1 year CD at 1.95% for \$80,000 for the Failing St. property development fund approved unanimously.

August Treasurer's Report was approved as presented with a cash balance of \$381,627.18.

Irwin: I contacted Polly Rogers about starting our Audit and have not heard back, so I think the person in charge of our account is gone, so hopefully I can find out and get that underway shortly.

Castor: Can we get Century Link instead of Comcast for internet and phone for the office?

Hardie: We can find out.

NEW BUSINESS

Hardie: Matt, want to talk about NW Natural Franchise Agreement?

Castor: Yes, minimal change in Language, we upped their franchise to 5.49%, there is the draft and draft with comments but I didn't see any issues with it.

Davey: I had no issues with it.

Akers: I was glad to see that when they come in to do excavation they will replace the road to the state which it was in.

NW Natural Franchise agreement was approved as presented in DRAFT form.

Irwin: We need to remove Dave Snodgrass from our Umpqua and OnPoint accounts and Add Matt Castor, and update the signature cards.

Hardie: How do we update the signature cards?

Irwin: At OnPoint we have to go there, Umpqua is all done electronically.

Hardie: Motion to approve?

Resolution 263 – New Bank Signers was approved unanimously as presented.

Hardie: Wastewater system update?

Castor: I talked with FCS and Pace on Friday, FCS still needs numbers and it is going slowly, hopefully within the next few weeks we will have a draft and PACE can incorporate their piece and we will have one complete study.

Hardie: Realistically we won't have anything to present to the residents until middle of November.

Castor: We would present the overall information to residents before it goes to DEQ but it may change a bit after that.

Hardie: We want as many people from the city to hear what is going on but doing it near the holidays I worry we won't get enough input from residents, by having multiple meetings, etc.

Castor: I agree, I want to get to it quickly but we have limited meetings during that time. Realistically it would likely be January.

Carlburg: What's the overview of this situation?

Castor: We are at a crossroads because EPA banned cesspools in 2000 but 280 of our 300 homes have cess pools. If your cess fails you have to get a septic, but space to put them in is an issue. We've been exploring different sewer options as an alternative. We've been doing data collection, engineering and finance, and collecting info on our options and detailing out estimates. We want to give out information so we can all collectively make that decision.

Irwin: When would a vote happen? Spring?

Castor: It's a moving target at this point. Part of the challenge is the policy conversation with City of Portland, they've agreed to accept waste and treat it if we were to sewer, but the question is what are the rates? What will the charges be, will we be treated the same as Portland residents? We were hoping to have a bond measure on the November ballot but the conversation with them has been so slow that it isn't going to happen, we may do a special

election in May 2019 so things don't drag out. Flow from a home is based on number of bedrooms, and they are telling us they don't have the room for a lot of flow. This means building permits may be denied if adding a bedroom would increase the flow and you don't have the room on your system for that flow.

There was a county sanitarian in place that provided regulation, but she has left and the new person operates to the letter of the law and she is contradicting things we were told based on the law.

Hardie: We had a water line put in at Maywood Commons and a sprinkler so next summer watering will be easier.

Carlburg: Why can't we have a playground there?

Castor: Long term plan is to have a city hall on that site. We may lose this site at the college because they are considering tearing it down and we will have no space. The plan was a small city hall building with a small sheriff's satellite office with a meeting room and common use space. We are trying to be thoughtful about where we put things.

We also talked about summertime movie at the commons for next summer.

Hardie: Chili cook-off is on October 20th at the Commons.

As you may have seen the bike path is being repaired, adding ADA ramps and tearing up and repairing sections damaged by tree roots. They do it in sections and they won't put the center strip in until next spring due to weather. They have a contractor meeting every two weeks and we asked to be invited to the meetings and so far it's been good and we haven't heard complaints from cyclists or residents. Hope is the first part of construction will be done by early November. Have they cut the North end ramp yet?

Resident: No. Will they do the sidewalk on campaign? (Yes)

Public Safety

Akers: I will ask the Sheriff for a presence for Halloween, and more of a presence for package theft at holidays.

Hardie: Any further comments?

Meeting was adjourned at 8:40 PM

Respectfully submitted by Lisa Higgins.