

**SMILE BOARD MEETING**  
**WEDNESDAY, SEPTEMBER 19, 2012**  
SMILE Station

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**OFFICERS PRESENT:** Pat Hainley, Treasurer; Eric Norberg,  
Secretary

**BOARD MEMBERS PRESENT:** Nate Maki, Ellen Burr, Michael Hayes,  
Gerri Sue Lent, Nancy Walsh, Tom Ramsey, Bradley Heintz

In the absence of President Mat Millenbach, who was on vacation, and of Vice President Paul Notti, who was unavailable, Treasurer Pat Hainley called the meeting to order at 7:32 pm.

Pat began by asking for a review of the minutes of the August Board meeting. After the review, Nate Maki moved the minutes be approved as presented, and Michael Hayes seconded. The motion carried unanimously.

Dana Beck arose to acquaint the Board with the progress of selling historic neighborhood calendars, as a fundraiser for the SMILE History Committee. \$500 worth were sold at Sundae in the Park, and they are for sale at Wallace Books, Schondecken Coffee, and several other local businesses. He passed around the calendar for those who had not yet seen it, and sold a couple more in the process. He also passed around a map of the community issued by MapClicks, which included a written contribution from the History Committee about the neighborhood. 300 calendars remain of the 500 printed, and Dana said he expects to sell most of them, if not all of them.

Gerri Sue Lent was next to speak, bringing up the "Coal Train issue". She said she didn't know how the City Hall resolution today turned out; Ellen Burr said that it passed. Gerri Sue Lent said she was glad to hear it, and said she feel the promoters are Australian and dissembling. She feels ads running in the Oregonian on the subject are biased. SMILE has not taken an official position on the issue.

Ellen Burr presented a Land Use Committee update. The City Hall session earlier this week on the subject of apartment houses being built on commercially-zoned land without any on-site parking "went very well". SMILE has expressed concern, buy has not taken an official position on the issue. She cited various comments in the press. The newest issue for the neighborhood is the announced intention by the same developer, "Remmers" -- who seeks to build a four story, 100-unit apartment of this type a block north of the post office -- now also seeks to build a four story, 46-unit apartment house with no on-site parking on an empty lot just east of the new 7-Eleven store at S.E. 17th and Tacoma. We will hear more about this at the October General

Public Meeting. She went on to touch on other land use matters coming into view. After her presentation on these subjects, a general discussion followed, with no action taken.

Pat Hainley then presented a preliminary budget for the SMILE fiscal year, which begins shortly. Eric Norberg offered to move for its adoption, but Pat said he there would be time enough to do that at the next Board meeting, and he wanted to allow the Board some time to examine the preliminary budget, and offer any changes desired prior to the formal adoption of the budget.

The final matter on the agenda was a discussion of the settlement of our 55-year-old lawsuit and injunction, together with the Eastmoreland Neighborhood Association and the City of Portland, against the Southern Pacific Railroad -- now, against its successor, the Union Pacific Railroad -- in the chambers of Judge Michael Hogan. The settlement is complete, and Judge Hogan has allowed a joint press release to be distributed to the media.

Some of what was to be discussed was reserved for an Executive Session at the end of this Board meeting, since it involved confidential legal matters involving SMILE, but at this point the parts of the settlement which were a matter of public record were discussed in open session by our longtime negotiator, former SMILE President Kevin Downing, and by attorney Nate Maki, currently a SMILE Board member.

Kevin was present and said he and Nate had spent March 31 downtown in the courthouse with Judge Michael Hogan and a Union Pacific representative. All parties were in good agreement then. The judge waited until last week to finalize and announce the settlement. The public press release contained the only information the judge ruled would be made public in the settlement. As announced, by September of 2013, four switch engines in the Brooklyn Yard are to be replaced by three Tier 2 locomotives, for a 60% reduction in switch engine pollutants. Also, a "slug" engine will be used with the switch engines to provide needed traction while reducing the number of engines. Four Brooklyn Yard cranes will be fitted with controls by February of 2013 to reduce their emissions by 95%. Any equipment replacement in the Brooklyn Yard is to be emission-neutral or better. The public outcome was fully described in the press release. "It was a unique legal situation, with a unique settlement outcome. The situation cannot be reproduced anywhere else in the country." The pollution reduction brought about from the railyard will be 33-40%, thinks Kevin.

-----EXECUTIVE SESSION DECLARED AT 8:22 PM; ROOM CLEARED-----

---EXECUTIVE SESSION ENDED AT 8:58 PM; OPEN SESSION RESUMED---

Gerri Sue Lent made a motion that SMILE officially give its thanks to Kevin Downing and Nate Maki for their "outstanding hard work and diligence in obtaining this satisfactory judgement". Bradley Heintz seconded the motion, which passed unanimously. Nate Maki made it clear that SMILE is extremely pleased with the outcome of the settlement, and that SMILE encourages the Sellwood and Westmoreland community to celebrate, and not disparage, both the outcome and the parties involved.

Nancy Walsh brought up the matter of the "street flowerpots" now being handled by the Sellwood Westmoreland Business Alliance. The SWBA is running short of merchant donations sufficient to keep the flowerpots watered and alive through the last month. Is SMILE in a position to help a little with that? (SMILE originated the project years ago, till SWBA took it over, and Nancy was the originator and chair of the project till then. She has contributed this year to help with the flowerpots.)

Some discussion followed. Nancy will check with SWBA President Tom Brown to find out the degree of the shortfall, and will e-mail the information to the Board.

Nancy Walsh then moved the meeting be adjourned, and Nate Maki seconded the motion. The motion passed with apparent unanimity at 9:10 pm.