



COUNCIL WORK SESSION

City Hall Council Chambers, 10722 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

FEBRUARY 7, 2023

Council Present: Councilors Adam Khosroabadi, Robert Massey, and Rebecca Stavenjord, Council President Desi Nicodemus, and Mayor Lisa Batey

Staff Present:	Justin Gericke, City Attorney	Peter Passarelli, Public Works Director
	Nicole Madigan, Deputy City Recorder	Scott Stauffer, City Recorder
	Ann Ober, City Manager	Luke Strait, Police Chief
	Tim Salyers, Code Compliance Coordinator	

Mayor Batey called the meeting to order at 4:04 p.m.

1. Fireworks Ban – Discussion

Salyers reminded Council of the Nov. 15, 2022, work session where Clackamas Fire District 1 (CFD1) has presented fireworks ban information. **Salyers** stated what the new ordinance would prohibit, and which fireworks were already prohibited as well as the current fine for using illegal fireworks. **Salyers** provided some citation issuing history for the use of illegal display fireworks within the city as well as when Council enacted an emergency ban on all fireworks in June of 2021. **Salyers** listed which cities have firework bans in place and what type of bans they have opted for. **Mayor Batey** and **Salyers** discussed the ban in Grants Pass, Oregon.

Salyers stated there would not be any foreseen financial and workload impacts and touched on the environmental impacts approving the ban.

Mayor Batey, **Salyers**, and **Gericke** discussed the permitting process for public fireworks displays and whether citation fines for the proposed ban should be adjusted.

Councilor Khosroabadi asked about the effectiveness in compliance with a limited ban versus a complete ban and **Chief Strait** responded with the Milwaukie Police Department's (MPD) hope in generating voluntary compliance and the department's staffing ability to enforce.

Council President Nicodemus shared a pros and cons list for enacting a firework ban. **Mayor Batey** added a pro and pointed out that cities in Washington had added bans.

The group discussed the citation issuing process including confiscation.

Councilor Stavenjord asked if any contact had been made with fireworks vendors, and **Salyers** replied that contact had been made and shared a conversation that was had with a vendor outside of the city limits. **Mayor Batey** made note of the timing of enacting a ban now to get ahead of vendor's investments. **Councilor Stavenjord** commented on the possibility of confusion in certain areas of the city based on the patchwork of city boundaries and **Salyers** acknowledged confusion that had arisen due to city boundaries.

Councilor Massey and **Mayor Batey** discussed the fire department's presentation regarding risks and, commented on past emergency bans and **Councilor Massey** expressed a general observation that simplicity would be preferred for community participation and enforcement.

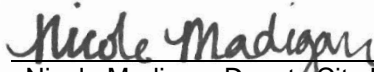
The group discussed what more would be needed to decide whether to move forward with a ban, and different citing scenarios. Council decided to place the topic of a ban on the February 21 regular session as a public hearing.

2. Adjourn

Mayor Batey announced that after the work session Council will meet in executive session pursuant to Oregon Revised Statute (ORS) 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Mayor Batey adjourned the meeting at 4:55 p.m.

Respectfully submitted,

A handwritten signature in dark ink, reading "Nicole Madigan", is written over a horizontal line.

Nicole Madigan, Deputy City Recorder