



## COUNCIL REGULAR SESSION

City Hall Council Chambers, 10722 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

2382<sup>nd</sup> Meeting

## MINUTES

JUNE 6, 2023

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

<p><b>Staff Present:</b> Joseph Briglio, Community Development Director Jennifer Garbely, Assistant City Engineer Justin Gericke, City Attorney Brett Kolver, Senior Planner Toby LaFrance, Finance Director Ann Ober, City Manager</p>	<p>Peter Passarelli, Public Works Director Natalie Rogers, Climate &amp; Natural Resources Manager Emma Sagor, Assistant City Manager Scott Stauffer, City Recorder Laura Weigel, Planning Manager</p>
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**Mayor Batey** called the meeting to order at 6:05 p.m.

### 1. CALL TO ORDER

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

### 2. ANNOUNCEMENTS

**Ober** introduced Sagor, the city's new assistant city manager.

**Mayor Batey** announced upcoming activities including a heritage lecture and an architectural heritage walking tour, bulky waste collection days, a watershed discovery and clean-up days, and Juneteenth and Pride celebrations.

### 3. PROCLAMATIONS AND AWARDS

**A. Pride Month – Proclamation**

**Karin Power** and **Meg Elston**, Milwaukie residents, introduced the proclamation and remarked on the importance of marking Pride Month and the group discussed the community Pride event. **Mayor Batey** proclaimed June to be Pride Month in Milwaukie.

**B. Juneteenth – Proclamation**

**Council President Nicodemus** commented on the importance of Juneteenth and **Mayor Batey** proclaimed June 19, 2023, to be Juneteenth in Milwaukie.

### 4. SPECIAL REPORTS

**A. None Scheduled.**

### 5. COMMUNITY COMMENTS

**Mayor Batey** reviewed the comment procedures and **Ober** reported there was no report from the May 16 comments. No audience members wished to speak to Council.

### 6. CONSENT AGENDA

**Mayor Batey** removed item 6. C. from the consent agenda for separate consideration.

It was moved by Council President Nicodemus and seconded by Councilor Khosroabadi to approve consent agenda as presented except for item C.

- A. City Council Meeting Minutes:
  - 1. May 2, 2023, work session,
  - 2. May 2, 2023, regular session,
  - 3. May 9, 2023, study session, and
  - 4. May 16, 2023, work session.
- B. Resolution 23-2023: A resolution of the City Council of the City of Milwaukie, Oregon, making appointments to city boards and committees.
- C. ~~Adoption of an Elk Rock Island work plan.~~ (Removed from the consent agenda).
- D. Resolution 24-2023: A resolution of the City Council of the City of Milwaukie, Oregon, amending the Ledding Library Board Bylaws.
- E. Resolution 25-2023: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, authorizing a contract with Beeman Artworks for artwork creation and installation at new city hall.
- F. Resolution 26-2023: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing a public improvement contract with Technical Services Inc. (TSI) to provide construction services for the SCADA system upgrade.
- G. Resolution 27-2023: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing an engineering services contract with Tetra Tech, Inc. to provide professional services for the SCADA system upgrade.

Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]

**C. Elk Rock Island 2024 Work Plan** (Removed from the consent agenda)

**Mayor Batey** explained that members of the Island Station Neighborhood District Association (NDA) wanted to address Council regarding the island.

**Pam Denham**, Island Station NDA, commented on concerns about human waste at Spring Park and Elk Rock Island and encouraged the city to ask the North Clackamas Parks and Recreation District (NCPRD) to place a portable toilet at the park. **Denham** also relayed a neighborhood request that the city fund activities listed in the work plan.

**Mayor Batey** and **Stauffer** noted other written comments regarding the Elk Rock Island work plan that had been received.

**Batey** and **Ober** commented on how the city had worked with NCPRD to meet the requirements of the intergovernmental agreement (IGA) with the City of Portland regarding the island’s maintenance.

The group discussed the proposed changes to the work plan and how to address the human waste issue. It was Council consensus to send a letter to NCPRD requesting that a portable toilet be placed at the park.

It was moved by Council President Nicodemus and seconded by Councilor Stavenjord to approve the resolution adopting a 2024 work plan for Elk Rock Island. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]

**Resolution 28-2023:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING A 2024 WORK PLAN FOR ELK ROCK ISLAND.**

**Mayor Batey** announced that Council would proceed to public hearing items 8. A. and 8. B. before business item 7. A.

## **8. PUBLIC HEARING**

### **A. Supplemental Budget Adjustment – Resolution**

Call to Order: **Mayor Batey** called the public hearing on the proposed supplemental budget adjustment to order at 6:47 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to take public comment and consider adoption of the proposed supplemental budget adjustment.

Conflict of Interest: no Council member declared a conflict of interest.

Staff Presentation: **LaFrance** provided an overview of the proposed budget changes, noting that the changes had been presented to the Budget Committee and that an additional change related to construction excise tax (CET) funds had been added.

**Mayor Batey** and **LaFrance** discussed and clarified the intent of changes related to the CET funds, police department staffing, and the C800 emergency radio system. They also commented on budget changes requested for the new city hall project and **Ober** added that new city hall project cost increases had been previously reported by staff.

Correspondence: no correspondence had been received about the budget changes.

Testimony: no audience member wished to speak to Council about the budget changes.

Close Public Comment: **It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord to close the public comment part of the supplemental budget adjustment hearing. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** closed the public hearing at 7:00 p.m.

Council Decision: **It was moved by Councilor Khosroabadi and seconded by Council President Nicodemus to approve the resolution authorizing a budget supplemental for the 2023-2024 biennium. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

#### **Resolution 29-2023:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING BUDGET SUPPLEMENTAL FOR THE 2023-2024 BIENNIUM.**

### **B. Housing Capacity Analysis (HCA) / Housing Production Strategies (HPS) Adoption – Ordinance and Resolution**

Call to Order: **Mayor Batey** called the public hearing on the proposed adoption of the HCA and HPS, file #CPA-2023-001, to order at 7:01 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to open the hearing, take public comment, and consider adoption of the HCA and HPS.

Conflict of Interest: no Council member declared a conflict of interest.

Staff Presentation: **Briglio** and **Weigel** provided an overview of the HCA and HPS process including state requirements, Planning Commission and Council discussions, the work of the Housing Capacity Technical Committee (HCTC), and staff and consultant engagement work. **Weigel** reviewed Council's decision-making options.

**Mayor Batey** and **Weigel** noted that there had been no substantive changes to the HCA or HPS document since Council had last seen them.

Correspondence: no correspondence had been received on the HCA or HPS.

Testimony: no audience member wished to speak to Council about the HCA or HPS.

Close Public Comment: **It was moved by Councilor Khosroabadi and seconded by Council President Nicodemus to close the public comment part of the HCA / HPS adoption hearing. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting "aye."** [5:0]

**Mayor Batey** closed the public hearing at 7:09 p.m.

Council Decision: **It was moved by Council President Nicodemus and seconded by Councilor Khosroabadi for the first and second readings by title only and adoption of the ordinance amending the Comprehensive Plan by adding the Housing Capacity Analysis, an ancillary document, to maintain compliance with state requirements (File #CPA-2023-001). Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting "aye."** [5:0]

**Ober** read the ordinance two times by title only.

**Stauffer** polled the Council with Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting "aye." [5:0]

**Ordinance 2230:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE COMPREHENSIVE PLAN BY ADDING THE HOUSING CAPACITY ANALYSIS, AN ANCILLARY DOCUMENT, TO MAINTAIN COMPLIANCE WITH STATE REQUIREMENTS (FILE #CPA-2023-001).**

**It was moved by Council President Nicodemus and seconded by Councilor Khosroabadi to approve the resolution adopting a housing production strategy. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting "aye."** [5:0]

**Resolution 30-2023:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ADOPTING A HOUSING PRODUCTION STRATEGY.**

## **7. BUSINESS ITEMS**

### **A. Design and Landmarks Committee (DLC) – Update**

**Weigel** provided an overview of the DLC's history and work and suggested it was time to retire the committee as its development application review and historic resources functions were covered by staff processes and the Planning Commission. **Weigel** explained how the DLC's function would be shifted if it was dissolved.

The group commented on the state's certified local government (CLG) program related to state preservation rules and noted that the city had previously participated in the CLG program and had received funding for preservation projects.

**Lauren Loosveldt**, Planning Commissioner and former DLC member, remarked on the DLC's challenges and suggested giving a committee more authority could help. **Loosveldt** commented on the risk of losing the historic preservation viewpoint as new development occurs.

**Council President Nicodemus** expressed concern about the lack of preservation of Black and Indigenous people's landmarks. The group discussed how historical preservation efforts had often resulted in upholding White history and institutions. They discussed reconsidering what cultural heritage and historic preservation meant and how the CLG program could help promote Black and Indigenous businesses.

**Mayor Batey**, **Weigel**, and **Ober** discussed whether to keep the DLC to work with the Milwaukie Historical Society on a historic resource inventory or utilize an ad hoc task force for inventory type projects and to review development applications.

**Mayor Batey** and **Kelver** acknowledged that two DLC members had just been reappointed and that the DLC was aware of the proposal to dissolve the committee.

It was noted that a majority of Council supported disbanding the DLC. **Weigel** observed that Council would like staff to look for opportunities to have an historic resources conversation in the future.

**Mayor Batey** and **Kelver** noted who on the DLC had architectural experience and **Weigel** noted the need to recruit architectural experts to fill future Planning Commission vacancies. Staff noted that the code changes to dissolve the DLC would be presented to Council in the coming months.

**Mayor Batey** recessed the meeting at 7:55 p.m. and reconvened at 8:01 p.m.

## **9. COUNCIL REPORTS**

### **A. Legislative and Regional Issues – Discussion**

**Stauffer** provided an update on bills the city had been tracking. The group discussed the status of bills and noted that most legislative activity had stopped due to the walk out of Republican senators.

**Council President Nicodemus** and **Mayor Batey** provided an update on recent city Park and Recreation Board (PARB) and NCPRD District Advisory Committee (DAC) meetings. The group commented on a park design engagement event and noted that the city may receive additional funding for neighborhood park projects.

**Councilor Massey** and **Mayor Batey** reported on the North Clackamas Watershed Council's (NCWCs) work on the Kellogg Dam removal project.

**Councilor Khosroabadi** noted an upcoming community advisory board meeting.

**Councilor Stavenjord** provided an update on the Clackamas County Coordinating Committee (C4) retreat that covered housing and transportation issues. The group remarked on local and state efforts to encourage residents of manufactured homes to become property owners.

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**Stavenjord** noted an opportunity for residents to become local inclement weather reporters.

**Mayor Batey** reported attending part of the C4 retreat and noted a conversation with the county and TriMet about the lack of transit access to a new county health clinic site.

**Councilor Stavenjord** presented the Milwaukie community Pride poster and the group remarked on the upcoming Pride event.

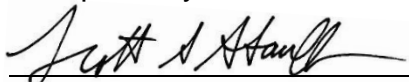
## **10. ADJOURNMENT**

**Mayor Batey** announced that after the regular session Council would 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.

**It was moved by Council President Nicodemus and seconded by Councilor Khosroabadi to adjourn the Regular Session. Motion passed with the following vote: Councilors Khosroabadi, Massey, Nicodemus, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** adjourned the meeting at 8:30 p.m.

Respectfully submitted,



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Scott Stauffer, City Recorder