



## COUNCIL REGULAR SESSION

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

2385<sup>th</sup> Meeting

## MINUTES

August 1, 2023

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

**Council Absent:** Council President Desi Nicodemus

**Staff Present:** Ryan Dyar, Assistant Planner  
Justin Gericke, City Attorney  
Vera Koliass, Senior Planner  
Toby LaFrance, Finance Director

Nicole Madigan, Deputy City Recorder  
Ann Ober, City Manager  
Peter Passarelli, Public Works Director  
Laura Weigel, Planning Manager

**Mayor Batey** called the meeting to order at 6:01 p.m. and noted that Council President Nicodemus had been excused from the meeting.

### 1. CALL TO ORDER

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

### 2. ANNOUNCEMENTS

**Mayor Batey** announced upcoming activities, including neighborhood park concerts, a picnic, and the August First Friday event.

### 3. PROCLAMATIONS AND AWARDS

**A. National Farmers Market Week Proclamation**

**Melanie Bennett**, Celebrate Milwaukie, Inc. (CMI) Board President, thanked Council for recognizing the market, noted it was the market's 25<sup>th</sup> season, and commented on the value of the market for the community. **Mayor Batey** proclaimed national farmers week.

### 4. SPECIAL REPORTS

**A. Parks Governance Check-In**

**Ober** explained that Council would discuss parks governance at a future meeting and the group briefly discussed the format of the next parks discussion item.

### 5. COMMUNITY COMMENTS

**Mayor Batey** reviewed the public comment procedures and **Ober** reported there was no follow-up report from the July 18 community comments.

**Greg Hemer**, Milwaukie Historical Society, encouraged the city to name the community room in the new city hall building after Dorothy and Hurtis Hadley, owners of the first Black-owned bakery in Oregon. **Hemer** remarked on the historical society's work with city staff and the Equity Steering Committee (ESC) on the naming proposal.

**Philip Moen**, Milwaukie resident, remarked on the city's environment-related policies and suggested the city had levied excessive fines for climate-related code violations and that residents would regret not having natural gas to use when the power goes out.

## **6. CONSENT AGENDA**

Mayor Batey removed Consent Agenda item 6. B. for separation consideration.

It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord to approve the Consent Agenda items A, C, D, E, and F.

### **A. City Council Meeting Minutes:**

#### **1. July 11, 2023, special session**

~~**B. Authorization of revised fees and charges and updated consolidated fee schedule for fiscal year 2024.**~~

**C. Resolution 39-2023: authorizing the city manager to approve a professional services contract with Water Systems Consulting, inc. (WSC) in the amount of \$349,512 to provide professional services related to the development of a stormwater system plan.**

**D. Resolution 40-2023: A resolution, acting as the Local Contract Review Board, approving the award of a contract for construction of 2023 Surface Streets Maintenance Program (SSMP) improvements (CIP-2023-S28) to Knife River Corporation - Northwest.**

**E. Resolution 41-2023: A resolution acting as the Local Contract Review Board, reinstating a personal services agreement with General Code, LLC for codification services.**

**F. Resolution 42-2023: A resolution authorizing a public improvements contract with Stantec Consulting Services Inc. for a not to exceed amount of \$840,090 for the Waverly Heights Sewer Reconfiguration Project (CIP-2023-X41)**

**Motion passed with the following vote: Councilors Stavenjord, Khosroabadi, Massey, and Mayor Batey voting “aye.” [4:0]**

~~**B. Authorization of revised fees and charges and updated consolidated fee schedule for fiscal year 2024. (Removed from the Consent Agenda)**~~

Mayor Batey and Ober explained a proposed wording change to the item resolution that clarified that only certain sections of the fee schedule were attached to resolution.

It was moved by Councilor Stavenjord and seconded by Councilor Massey to approve the resolution authorizing a revision of the fees and charges and updating sections of 7, 11, 14, and 17 of the consolidated fee schedule for Fiscal Year 2024. Motion passed with the following vote: Councilors Stavenjord, Khosroabadi, Massey, and Mayor Batey voting “aye.” [4:0]

#### **Resolution 38-2023:**

**A RESOLUTION AUTHORIZING REVISION OF FEES AND CHARGES AND UPDATING THE CONSOLIDATED FEE SCHEDULE FOR FISCAL YEAR 2024.**

## **7. BUSINESS ITEMS**

### **A. Annexation of 9931 SE Hollywood Avenue – Ordinance**

Dyar asked if Council had questions about the annexation and it was noted that no Council member had any questions for staff regarding the annexation.

It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord for the first and second readings by title only and adoption of the ordinance annexing a tract of land identified as Tax Lot 1S2E30DD04900 and located at 9931 SE Hollywood Avenue into the city limits of the City of Milwaukie (File #A-2023-004).

Ober read the ordinance two times by title only.

Madigan polled the Council with Councilors Stavenjord, Khosroabadi, Massey, and Mayor Batey voting “aye.” [4:0]

Ordinance 2233:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, ANNEXING A TRACT OF LAND IDENTIFIED AS TAX LOT 1S2E30DD04900 AND LOCATED AT 9931 SE HOLLYWOOD AVE INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE (FILE #A-2023-004).

## **8. PUBLIC HEARING**

### **A. Psilocybin Code Adoption – Ordinance**

Call to Order: **Mayor Batey** called the public hearing on the proposed code adoption, file #ZA-2023-003, to order at 6:31 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to take public comment on the proposed psilocybin code adoption.

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

Staff Presentation: **Kolias** provided of an overview of the proposed psilocybin code amendments, reviewed the applicable state laws, and noted staff work, Council discussions, and Planning Commission hearings on the amendments.

**Councilor Khosroabadi** asked about the psilocybin facility applications that had been received while the city had been working on the code amendments and **Kolias** reported on the status of the two applications the city had received.

**Mayor Batey** and **Kolias** noted that the Oregon Health Authority (OHA) was the state governing body for psilocybin. They remarked on regulatory and reporting differences between marijuana and psilocybin production facilities.

Correspondence: No correspondence on the code adoption had been received.

Audience Testimony: No audience member addressed Council on the adoption.

Close Public Comment: **It was moved by Councilor Khosroabadi and seconded by Councilor Massey to close the public testimony part of the psilocybin code adoption hearing. Motion passed with the following vote: Councilors Stavenjord, Khosroabadi, Massey, and Mayor Batey voting “aye.” [4:0]**

**Mayor Batey** closed the public comment part of the hearing at 6:42 p.m.

Council Decision: **It was moved by Councilor Khosroabadi and seconded by Councilor Massey for the first and second readings by title only and adoption of the ordinance amending Milwaukie Municipal Code (MMC) Title 19 zoning to make changes to select sections for the purpose of regulating psilocybin facilities (file #ZA-2023-003).**

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

**Madigan** polled the Council with Councilors Stavenjord, Khosroabadi, Massey, and Mayor Batey voting “aye.” [4:0]

**Ordinance 2234:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE TITLE 19 ZONING TO MAKE CHANGES TO SELECT SECTIONS FOR THE PURPOSE OF REGULATING PSILOCYBIN FACILITIES (FILE #ZA-2023-003).**

## **9. COUNCIL REPORTS**

**Ober** noted a state-led affordable housing conversation that Council would be looped into soon.

## **10. ADJOURNMENT**

It was moved by Councilor Massey and seconded by Councilor Stavenjord to adjourn the Regular Session. Motion passed with the following vote: Councilors Stavenjord, Khosroabadi, Massey, and Mayor Batey voting “aye.” [4:0]

**Mayor Batey** adjourned the meeting at 6:47 p.m.

Respectfully submitted,

  
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Scott Stauffer, City Recorder