



COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

2396th Meeting

MINUTES

FEBRUARY 6, 2024

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

Staff Present: Justin Gericke, City Attorney
Dan Harris, Events & Emergency Management
Coordinator
Nicole Madigan, Deputy City Recorder

Ann Ober, City Manager
Peter Passarelli, Public Works Director
Emma Sagor, Assistant City Manager
Scott Stauffer, City Recorder

Mayor Batey called the meeting to order at 6:00 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities including the city's 2023 volunteer of the year award, Lunar New Year events, a hearing and development screening event for children, a community conversation event on housing, an open house on engineering and transportation projects, and park clean-up events.

Councilor Stavenjord noted opportunities to celebrate Black History Month and the availability of at-home medication disposal kits at city facilities.

Council President Massey thanked the Friends of the Ledding Library (FOLL) for their continuous efforts to raise critical funds for the library.

3. PROCLAMATIONS AND AWARDS

A. None Scheduled.

4. SPECIAL REPORTS

A. None Scheduled.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the public comment procedures. **Ober** reported that in follow-up to January 16 comments about the 29th Avenue Greenway there would be a staff report on the topic during the March 5 regular session.

Milwaukie residents **Elvis Clark**, **Sam Grunseth**, and **Beatrice MacLeod**, and Public Safety Advisory Committee (PSAC) Chair **Jay Panagos**, asked Council to direct staff to install stop signs on 29th Avenue and noted safety concerns for bicyclists and pedestrians.

Jacob Sherman, Planning Commission Chair, remarked on the neighborhood organizing activities in support of developing the 29th Avenue Greenway and encouraged Council to place stop signs on 29th Avenue using Safe Access for Everyone (SAFE) program funds.

6. CONSENT AGENDA

Mayor Batey removed item 6. A. 1. for separate consideration.

It was moved by Councilor Khosroabadi and seconded by Council President Massey to approve the Consent Agenda except for item 6. A. 1.

A. City Council Meeting Minutes:

- 1. ~~December 12, 2023, special session~~, (removed from the consent agenda)
- 2. **December 19, 2023, work session,**
- 3. **December 19, 2023, regular session,**
- 4. **January 2, 2024, work session, and**
- 5. **January 2, 2024, regular session.**

B. Resolution 5-2024: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing a contract with Paul Brothers, Inc. for the Scott, Bowman-Brae, and Balfour park projects.

C. Resolution 6-2024: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing a public improvement contract with 2KG Contractors, Inc. to provide construction services for the Public Safety Building (PSB) seismic retrofit project.

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

6. A. 1. Approval of the December 12, 2024, City Council special session minutes.

Mayor Batey noted that in response to Council request the December 12 minutes had been revised and a redline copy of the updated minutes had been provided to Council.

It was moved by Councilor Stavenjord and seconded by Councilor Khosroabadi to approve the City Council December 12, 2023, special session minutes as revised.

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

7. BUSINESS ITEMS

A. Summer Events Update – Discussion (continued)

Sagor noted previous discussions about summer events, distributed updated community engagement survey results on summer events, and summarized staff’s proposal to replace the Carefree Sunday Carefree Sunday event with an annual summer event.

Harris reviewed the survey responses and findings, reporting that survey respondents supported smaller, active transportation, all age friendly, annual events held across the city, and respondents supported moving to an annual summer festival.

Sagor remarked on the opportunity to partner with community partners like Celebrate Milwaukie, Inc. (CMI) on a summer festival and other events and the financial benefits of budgeting for annual activities. Seasonal weather and logistical risks of holding annual summer events were noted as well as staff workload capacity considerations.

Councilor Khosroabadi, Sagor, and Harris commented on the possibility of adding a downtown parade to an annual summer festival.

Councilor Stavenjord and Mark Stehn, CMI Board, discussed CMI’s willingness to partner with the city on summer events and the historical meaning and use of “Milwaukie Festival Daze.” **Stehn** suggested CMI wanted to partner with the city on summer festivals.

Councilor Stavenjord, Sagor, and Harris remarked on the status of funding available for events in the current and upcoming biennial budgets, noting which events would receive city funds and how contracted event work was billed. They discussed the proposed financial support for community events, noting the role of neighborhood district associations (NDAs) in supporting community events, and how the survey results would inform Council and staff in running events.

Council President Massey expressed appreciation for Carefree Sunday and support for changing to a new summer festival and asked for more details about a summer event.

Mayor Batey observed that the survey results suggested it was time to move away from Carefree Sunday and remarked on whether moving to an annual summer event was the right thing to do without further discussion. **Batey** proposed that the city enhance support for existing events in 2024, including First Friday and community events, and continue the conversation on moving to an annual summer event. **Council President Massey and Mayor Batey** noted that Mayor Batey was advocating for not continuing Carefree Sunday.

Councilor Khosroabadi supported bringing back a summer festival and replacing Carefree Sunday, noted concerns about the heat of summer, and suggested the city bring back a parade. **Sagor and Khosroabadi** commented on whether staff could pull off a summer event in 2024 and how the city could expand support for existing events.

Councilor Stavenjord commented on biennial budgeting and the increasing costs of putting on events and expressed support for using city event funds to support existing community events in fiscal year (FY) 2025 while continuing to discuss a larger annual event beginning in FY 2026. **Stavenjord** proposed additional outreach to gauge support for community events.

Sagor summarized that Council supported not doing Carefree Sunday and pivoting to supporting community events in FY25 and working toward an annual event starting in FY26. **Councilor Khosroabadi and Sagor** remarked on how the Arts Committee plans for and puts on events through NDA and city grant funding.

Council President Massey and Councilor Stavenjord remarked on the direction Council was giving to end Carefree Sunday and Council's recognition that it would not micromanage staff event planning. **Sagor** commented on staff's intentions to support events in the current year. **Councilors Stavenjord and Massey, and Mayor Batey** agreed to not micromanage staff's events work.

8. PUBLIC HEARING

A. Business Registration Code Amendments – Ordinance

Call to Order: **Mayor Batey** called the public hearing on the proposed business registration code amendments, to order at 7:22 p.m.

Purpose: **Mayor Batey** announced that the purpose of the hearing was to hear the staff report and take public comment on the proposed code amendments.

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

Staff Presentation: **Sagor** provided an overview of the year-long conversation about whether vendors at certain community events would be required to register with the city and pay a business registration fee. Based on feedback from community stakeholder groups, staff, and Council the proposed ordinance would exempt businesses that operate at city-permitted events and block parties.

Correspondence: No correspondence on the hearing topic had been received.

Audience Testimony: No audience member wished to address Council.

Council Questions to Staff: **Councilor Khosroabadi** thanked **Ober** for waiving the business registration fee for vendors impacted by the issue in 2023.

Close Public Comment: **It was moved by Councilor Khosroabadi and seconded by Councilor Stavenjord to close the public testimony part of the business registration code amendments 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 7:30 p.m.

Council Decision: **It was moved by Councilor Stavenjord and seconded by Council President Massey for the first and second readings by title only and adoption of the ordinance, amending Municipal Code 5.08.110 Exclusions to exempt vendors at city-permitted events and block parties from needing to obtain a business license. Motion passed with the following vote: Councilors Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [4:0]**

Ober read the ordinance two times by title only.

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

Ordinance 2239:

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE 5.08.110 EXCLUSIONS TO EXEMPT VENDORS AT CITY-PERMITTED EVENTS AND BLOCK PARTIES FROM NEEDING TO OBTAIN A BUSINESS LICENSE.

9. COUNCIL REPORTS

A. First Fish Herons Agreement – Update

Stauffer provided an overview of the proposal made by the Confederated Tribes of the Grand Ronde (CTGR) to seasonally place First Fish Heron artworks in Milwaukie Bay Park. An intergovernmental agreement (IGA) was being worked on and staff had anticipated having a draft for Council to consider approving soon. **Ober** noted that the North Clackamas Parks and Recreation District (NCPRD) had also reviewed the draft IGA.

Mayor Batey, Ober, and Stauffer noted that the location of the artworks in the park had been factored into the park’s Phase III design plan.

B. Clackamas Cities Association (CCA) Dinner – Discussion (continued)

Mayor Batey and Ober reported that the Clackamas County Sheriff Office’s 23-hour stabilization center in the North Milwaukie Innovation Area (NMIA) would not work as a location for this year’s CCA dinner.

Stauffer provided a brief overview of what CCA dinners are and asked for Council feedback on where to host the dinner in June 2024. The group remarked on rental costs and layouts of private venues and the average attendance of CCA dinners.

Ober suggested the dinner topic could be houselessness, social support services, and displacement issues. The group noted a tour of the new city hall could be part of dinner.

C. Council Dinners – Discussion

Mayor Batey remarked that in the past Council had eaten together between work and regular sessions and proposed that Council look at bringing that practice back. **Ober** asked that Council meals be ordered from restaurants on Main Street and noted that warm food would be left out toward the end of work sessions might get cold. **Stauffer** noted the improved dining facilities at new city hall.

The group noted the restaurants available on Main Street. **Councilor Stavenjord** expressed concern about using public money for Council dinners and supported giving Council time to be together. **Mayor Batey** and **Ober** proposed that staff order pizza once a month for Council to see how dining together works out.

It was Council consensus to have pizza ordered once a month for Council meals.

D. Interim Council Interview Questions – Discussion (continued)

Stauffer reviewed the process to fill vacant Council position 3, which included interviews on February 13, and presented questions Council had expressed interest in asking the applicants. **Ober** noted how much time Council would have to interview each applicant.

The group reviewed and edited the proposed interview questions and Council came to consensus on four questions.

E. Legislative and Regional Issues – Discussion

Stauffer provided an update on legislation the city had been tracking during the 2024 session of the state legislature. The group discussed bills addressing Measure 110 drug re-illegalization, housing, recreational immunity, behavioral health, transportation, and emergency services response times.

Ober and **Councilors Khosroabadi and Stavenjord** remarked on a pod village for houseless community members run by Do Good Multnomah that would be opened in unincorporated Clackamas County, just outside Milwaukie city limits. There was Council consensus to invite Do Good Multnomah to provide an update on the village to Council.

Council Reports

Councilor Stavenjord reported on a community meeting with behavioral health specialists and groups and US Representative Lori Chavez-Deremer.

Council President Massey reported on North Clackamas Watershed Council (NCWC) activities, including the development of a strategic plan and budget, and the Kellogg Dam removal project. **Ober** noted that the staff person assigned to the dam removal project would change.

Councilor Stavenjord provided updates on recent meetings and work of the city's Transportation System Plan Advisory Committee (TSPAC), Milwaukie Redevelopment Commission Community Advisory Committee (MRCCAC), and the Clackamas County Coordinating Committee (C4). **Mayor Batey** and **Councilor Stavenjord** remarked on transit service updates TriMet was looking at adding around Milwaukie.

10. ADJOURNMENT

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

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

Respectfully submitted,



Scott Stauffer, City Recorder