

2398th Meeting**COUNCIL REGULAR SESSION****MINUTES**

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

MARCH 5, 2024

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

Staff Present: Brandon Boutros, Civil Engineer
Joseph Briglio, Community Development Director
Jennifer Garbely, City Engineer
Justin Gericke, City Attorney
Ann Ober, City Manager

Scott Stauffer, City Recorder
Jeff Tolentino, Assistant City Engineer
Jason Wachs, Community Engagement
Coordinator

Mayor Batey called the meeting to order at 6:02 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance.

B. Native Lands Acknowledgment.

2. ANNOUNCEMENTS

Mayor Batey announced upcoming activities, including a neighborhood parks construction kick-off event, Ledding Library events, a repair fair, a state transportation projects open house, and natural area clean-up events.

Ober announced that Police Chief Luke Strait would retire in early April, and Police Captain Ryan Burdick had been named the new chief.

Mayor Batey introduced a new part of regular session meetings, the reading of a Haiku poem, and invited the community to submit poems. **Batey** read a self-written Haiku.

3. PROCLAMATIONS AND AWARDS

A. Women's History Month – Proclamation (removed from the agenda)

Mayor Batey noted the proclamation had been rescheduled to the March 19 regular session.

4. SPECIAL REPORTS

A. 2023 Volunteer of the Year Award Selection

Wachs reviewed the award's history, nomination process and criteria, and noted how award recipients were recognized.

Council introduced the nominees and commended the nominees for their service. The nominees were Robby Bricker-Voyles, Christi Cawood, Pam Denham, Terri Geier-Bridell and Pam Denham, Heather Hobson, Charlotte Navarre, Stephanie Pino-Hess, Samantha Swindler, Dennis Ward, and Steven Watkins.

Council participated in an online ranked choice voting process. **Mayor Batey** announced that Samantha Swindler was the 2023 Volunteer of the Year award recipient and **Wachs** noted when Swindler would be recognized.

B. 29th Avenue Greenway – Report

Garbely provided an overview of the history of the 29th Avenue Greenway including a 2022 technical study conducted by Kittelson & Associates.

Boutros and **Garbely** discussed the city’s use of the Manual of Uniform Traffic Control Devices (MUTCD) criteria for street projects like the 29th Avenue Greenway, noting staff’s evaluation of 29th Avenue’s need for stop signs and the number of crash incidents reported on all Milwaukie greenways. They remarked on existing conditions on 29th Avenue and what signage was called for based on the city’s Transportation System Plan (TSP) street type designation. They reported that staff had concluded the 29th Avenue Greenway was functioning as it should, and no further signage was necessary. They reviewed other safety solutions such as revising the TSP to call for infrastructure on greenways or using the city’s Spot program to fund enhancements on 29th Avenue.

Council President Massey asked if traffic speed had been measured on the streets that cross 29th Avenue. **Jamestaun Kraupp**, engineering consultant with Kittleson & Associates, reported that most traffic speeds taken for the study had been on 29th Avenue. **Massey** remarked that the side street traffic speed might be the issue.

Councilor Khosroabadi and **Garbely** remarked on whether the city could install stop signs on 29th Avenue regardless of what the MUTCD called for. **Garbely** stated that stop signs would require an engineering study to document the need for a sign.

Mayor Batey remarked on what a shared roadway versus a greenway designation meant for priority travel given to cyclists. **Garbely** and **Batey** commented on whether street designation supported the installation of stop signs. **Councilor Khosroabadi** and **Garbely** noted that a greenway designation did not require a stop sign being installed.

Mayor Batey announced that Council would take public comment.

Milwaukie residents **Ramona and Danielle Franding** and **Caroline Sherman** asked the city to install stop signs along the 29th Avenue Greenway to address safety concerns.

Jacob Sherman, Bike Milwaukie, remarked on the intent of cities designating greenways, noted infrastructure that could come with a greenway designation, and encouraged Council to direct staff to install stop signs along the 29th Avenue Greenway.

Milwaukie resident **Luke Johnson**, Ardenwald-Johnson Creek Neighborhood District Association (NDA) Chair **Chris Holle-Bailey**, and Milwaukie residents **Pam Denham, Elvis Clark, Will Anderson, Erik Yowshaw, Lisa Gunion-Rinker, Taylor Pasquariello, Beatrice MacLeod, Eric Fosgard, Ana Tijerina Esquino, Avarie Fitzgerald, JP Brock, Diana Gregg,** and **Maitri Dirmeyer**, remarked on cyclist and pedestrian safety concerns and traffic infrastructure requirements, and encouraged the city to install greenway markers, stop signs, and traffic calming devices along the 29th Avenue Greenway.

Councilor Abma left the meeting at 8:01 p.m. and returned at 8:03 p.m.

Mayor Batey recessed the meeting at 8:05 p.m. and reconvened at 8:16 p.m.

B. 29th Avenue Greenway – Report (continued)

Ober reviewed traffic safety projects the city had done, noted staff’s personal commitment to making Milwaukie safer, and observed that Council could direct staff to prioritize projects.

Garbely agreed that infrastructure improvements could be done on the 29th Avenue Greenway, reiterated staff's concerns about installing stop signs, and suggested there were other traffic calming devices to employ before stop signs.

Councilor Abma, Garbely, and Kraupp commented on unintended consequences of installing stop signs and noted that installing a sign did not mean drivers would pay attention to it. **Abma** and **Kraupp** remarked on how the traffic study had analyzed the use of stop signs at two-way or four-way intersections. The group discussed whether the installation of stop signs would create a false sense of safety that would encourage drivers to speed between stop signs and accelerate unsafely. They remarked on the available data regarding greenway and side street vehicle traffic.

Councilor Khosroabadi and Garbely commented on the desirability of having a neighborhood street see 1,500 vehicles per day as suggested in the 29th Avenue traffic study and the MUTCD standards. **Ober** and **Khosroabadi** remarked on housing density decisions made by Council and the Planning Commission that would impact the number of vehicles traveling on greenways.

Councilor Khosroabadi asked if the city could decide to include stop signs in greenway standards. **Kraupp** reported that the MUTCD and other transportation guidance documents allowed cities to make local decisions. **Mayor Batey** asked if other guidance documents could help determine what to do on 29th Avenue Greenway and **Kraupp** suggested staff would need to look for those documents.

Councilor Khosroabadi asked about the city's legal liability if stop signs were installed on a greenway. **Gericke** observed that a stop sign installed without the concurrence of the city engineer could create an insurance and liability risk. **Garbely** noted that the TSP was a planning document that did not necessarily consider engineering analysis.

Councilor Stavenjord appreciated the community members who had commented and suggested that staff and the community wanted the same thing: traffic safety on greenways, although there were disagreements about what signage or infrastructure to install. **Stavenjord** suggested the city find solutions to the shared safety concerns.

Mayor Batey remarked on the MUTCD's use of "should" and "shall" in providing guidance for traffic infrastructure and observed that the city's existing street infrastructure improvement programs did not include all needed projects and that the city's risk of being sued after an incident happens on 29th Avenue had increased because of the present conversation. **Batey** agreed the TSP was a planning document and that Council may need to adopt an ordinance to affect traffic changes.

Councilor Abma agreed with Councilor Stavenjord's comments and remarked on whether stop signs should be installed on the 29th Avenue Greenway or if it would be appropriate to better mark the street as a greenway. **Abma** expressed uncertainty about using Spot program funding for 29th Avenue over other needed safety improvements.

Ober reported that staff had not yet defined the Spot program but would be working on it with the city's Public Safety Advisory Committee (PSAC). The group discussed how funding from the Spot program should be used and noted the status of safety improvements installed at the Harvey Street and 40th Avenue intersection.

Council President Massey believed the city should put stop signs on 29th Avenue with additional signage that indicates it was a greenway as a short-term pilot trial. **Mayor Batey** agreed with Massey but was concerned about going against the city engineer's professional opinion. **Massey** and **Councilor Abma** remarked on whether the city was

required to follow the MUTCD’s standards. **Abma** and **Batey** were interested in a short-term stop sign trial and were concerned about going against the staff recommendation.

Councilor Stavenjord was concerned about signs being put up and taken down and expressed support for installing less technical signs that would inform a driver they were on a greenway. **Garbely** and **Ober** observed that stop signs alone wouldn’t make 29th Avenue feel like a greenway and that once installed it was rare to take down a stop sign.

Councilor Khosroabadi supported installing greenway signs first to see if they have an impact and then revisit if stop signs were needed, and remarked on the purpose of the TSP and how the city should address greenway concerns in a way that builds community and staff trust.

Council President Massey acknowledged concerns about putting up stop signs and suggested the city start with greenway signs. **Garbely** and **Ober** agreed with putting greenway signs up and noted other infrastructure devices staff could look at installing.

Mayor Batey and **Ober** noted that Council would revisit the 29th Avenue Greenway and Spot program conversations. **Councilor Stavenjord** and **Ober** noted how the upcoming budget process and end of the current fiscal year would impact Spot program funding.

Councilor Abma encouraged staff to bring proposals for the Greenway that could be acted on quickly. **Garbely** suggested staff would bring options that could be done quickly.

5. COMMUNITY COMMENTS

Mayor Batey reviewed the comment procedures and noted that no audience member wished to speak to Council. **Stauffer** reported that written correspondence had been received from Milwaukie resident David Chitsazan regarding the Israeli-Palestinian conflict. **Ober** reported that Council members were drafting a resolution regarding the conflict that would likely be scheduled for a meeting in April.

6. CONSENT AGENDA

It was moved by **Councilor Stavenjord** and seconded by **Councilor Abma** to approve the Consent Agenda as presented.

- A. City Council Meeting Minutes:
 - 1. February 6, 2024, work session,
 - 2. February 6, 2024, regular session, and
 - 3. February 8, 2024, special session.
- B. Resolution 8-2024: A resolution of the City Council of the City of Milwaukie, Oregon, making an appointment to the Planning Commission.
- C. Resolution 9-2024: A resolution of the City Council of the City of Milwaukie, Oregon, making an appointment to the Transportation System Plan Advisory Committee (TSPAC).
- D. Resolution 10-2024: A resolution of the City Council of the City of Milwaukie, Oregon, granting an exemption from property taxes under ORS 307.540 to ORS 307.548 for a 28-unit low-income housing development owned and operated by Northwest Housing Alternatives, Inc.

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

7. BUSINESS ITEMS

A. Milwaukie Bay Park Parking – Discussion

Ober reported on a staff meeting with the Oregon State Marine Board (OSMB) about adjustments that could be made to improve available parking at the park, noting that OSMB was open to changing the stalls on the south end of the park near the Clackamas County Water Environment Services (WES) facility. **Ober** also reported that OSMB would allow the city to distribute parking passes to residents and charge non-residents for parking, and that OSMB was now funded by motorboat users and kayakers which would change what the city could do regarding parking.

Council President Massey supported the proposed ideas and commented on the feasibility of distributing a parking permit to residents. The group remarked on whether distributing passes would end up generating more interest in parking at the park.

Mayor Batey believed the city should charge everyone or no one until the parks district discussion was resolved. **Batey** and **Ober** commented on how the improved parking stalls would work and what a charging program would take to implement.

Councilor Khosroabadi supported letting residents have free parking at the park while charging non-residents. **Mayor Batey**, **Khosroabadi**, and **Ober** commented on the implementation and use of parking permits at the park.

Ober summarized that Council supported staff looking into the parking options that OSMB supported and how much revenue parking programs could generate. **Briglio** and **Ober** noted that OSMB had declined to let the city buy the state out of the intergovernmental agreement (IGA) that the city and OSMB had signed to complete the park in 2015.

8. PUBLIC HEARING

A. None Scheduled.

Stauffer noted the time and that the Milwaukie Municipal Code (MMC) required Council to vote to extend the regular session past 10:00 p.m. if necessary.

9. COUNCIL REPORTS

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

Stauffer asked for Council feedback on what topic should be presented at the CCA dinner. The group discussed topics for the dinner presentation, including housing, childcare, the Clackamas County Sheriff's Office 23-hour stabilization center, and giving tours of the new city hall building. It was Council consensus that the CCA dinner in June, hosted by Milwaukie, would include a city staff led report on middle housing projects and development incentives.

B. Legislative and Regional Issues – Discussion

The group noted that the state legislature's 2024 session was on track to adjourn early.

Council Reports

Mayor Batey and **Councilor Abma** noted they would be absent from the April 16, 2024, meetings.

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10. ADJOURNMENT

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

Mayor Batey adjourned the meeting at 9:57 p.m.

Respectfully submitted,



Scott Stauffer, City Recorder