



## COUNCIL REGULAR SESSION

City Hall Council Chambers, 10501 SE Main Street  
& Zoom Video Conference ([www.milwaukieoregon.gov](http://www.milwaukieoregon.gov))

2403<sup>rd</sup> Meeting

## MINUTES

MAY 21, 2024

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

**Staff Present:** Joseph Briglio, Acting Assistant City Manager  
Mandy Byrd, Development Project Manager  
Ryan Dyar, Associate Planner  
Justin Gericke, City Attorney  
Peter Passarelli, Public Works Director

Emma Sagor, Acting City Manager  
Gabriela Santoyo Gutierrez, Equity & Inclusion Coordinator  
Scott Stauffer, City Recorder  
Jherica Zink, Administrative Specialist II

**Mayor Batey** called the meeting to order at 6:04 p.m.

### 1. CALL TO ORDER

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

### 2. ANNOUNCEMENTS

**Mayor Batey** noted it was election day and announced upcoming activities, including the State of the City address, the return of First Friday events, the curbside bulky waste pick-up days, and Juneteenth and Pride events.

**Mayor Batey** read a Haiku inspired by Dogwood Day and the May 21 election.

### 3. PROCLAMATIONS AND AWARDS

#### **A. Dogwood Day – Proclamation**

**Stauffer, Phyllis Hines** with the Susannah Lee Barlow Chapter Daughters of the American Revolution (DAR), and the Milwaukie Historical Society's **Steven Bennett**, remarked on Dogwood Day and announced the winner of the 2024 #milwaukiedogwood Instagram photo contest. **Mayor Batey** proclaimed May 21<sup>st</sup> to be Dogwood Day.

#### **B. Historic Preservation Month – Proclamation**

**Mayor Batey** and **Bennett** remarked on preserving historic structures and updating the city's historic homes inventory. **Batey** proclaimed May to be Historic Preservation Month.

#### **C. Memorial Day – Proclamation**

**Council President Massey** remarked on recognizing those who lost their lives in the armed services and **Mayor Batey** proclaimed May 27<sup>th</sup> to be Memorial Day.

#### **D. Asian American Pacific Islander (AAPI) Heritage Month – Proclamation**

**Councilor Khosroabadi** and Milwaukie resident **Liz Start** commented on the importance of representation and inclusion and recognizing AAPI community members and their contributions to Milwaukie. **Mayor Batey** proclaimed May to be AAPI Heritage Month.

## **E. Public Works Week – Proclamation**

**Passarelli** and **Zink** commented on the important work of public works staff in creating a safe city. **Mayor Batey** proclaimed May 19-25 to be Public Works Week.

## **4. SPECIAL REPORTS**

### **A. None Scheduled.**

## **5. COMMUNITY COMMENTS**

**Mayor Batey** reviewed the comment procedures. **Sagor** reported there was no follow-up from the May 7 comments and noted that written correspondence regarding the Israeli-Palestinian conflict, the city's tree code, and downtown parking had been submitted.

**Rod Smith**, Milwaukie resident, asked about the city's plans to care for trees along Highway 224 and suggested the city allow community members help maintain trees on public property. **Mayor Batey** noted that several community groups hold work parties to clean-up natural areas around Milwaukie. **Smith** remarked on a prior occasion when the city had ignored Smith's offer to help maintain trees on public property.

## **6. CONSENT AGENDA**

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

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

1. April 2, 2024, work session,
2. April 2, 2024, regular session,
3. April 9, 2024, study session,
4. April 16, 2024, work session, and
5. April 16, 2024, regular session.

### **B. Resolution 21-2024: A resolution of the City Council of the City of Milwaukie, Oregon, acting as the Local Contract Review Board, approving a construction contract for the 2024 slurry seal project to Black Line, Inc.**

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

## **7. BUSINESS ITEMS**

### **A. None Scheduled.**

## **8. PUBLIC HEARING**

### **A. Solar Project Contracting Authorization – Ordinance**

Call to Order: **Mayor Batey** called the public hearing on the proposed alternative contracting method, to order at 6:55 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 contracting method.

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

Staff Presentation: **Passarelli** and **Byrd** provided an overview of the solar project at the city's Johnson Creek Boulevard (JCB) facility and explained why an alternative contracting design-build method, was necessary for the project.

**Councilor Abma** and **Byrd** remarked on the benefits of design-build contracting.

**Councilor Stavenjord** and **Passarelli** commented on the feasibility of building solar arrays over open spaces instead of on existing rooftops.

**Council President Massey**, **Byrd**, and **Passarelli** noted the timeline for completing the project and using the grant funds before the grant fund expiration deadlines in 2025.

**Mayor Batey** remarked on the idea of covering parking areas with solar arrays.

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

Audience Testimony: No audience member wished to address Council.

Close Public Comment: **It was moved by Councilor Khosroabadi and seconded by Council President Massey to close the public testimony part of the solar project alternative contracting method hearing. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, Stavenjord, and Mayor Batey voting “aye.” [5:0]**

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

Council Decision: **It was moved by Councilor Khosroabadi and seconded by Council President Massey to approve the resolution, acting as the Local Contract Review Board, adopting findings in support of using the design-build alternative contracting for the Johnson Creek Solar Project. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

#### **Resolution 22-2024:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, ADOPTING FINDINGS IN SUPPORT OF USING THE DESIGN-BUILD ALTERNATIVE CONTRACTING FOR THE JOHNSON CREEK SOLAR PROJECT.**

#### **B. Climate Friendly Equitable Communities (CFEC) Code Adoption – Ordinance**

Call to Order: **Mayor Batey** called the CFEC code adoption hearing to order at 7:10 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 adoption.

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

Staff Presentation: **Briglio** introduced the topic. **Dyar** provided an overview of the state mandated CFEC code amendments, including how the amendments had been incorporated into the Milwaukie Municipal Code (MMC) related to off-street parking, parking lots, and bicycle parking.

**Councilor Khosroabadi** and **Dyar** commented on when tree canopy requirements would be triggered through CFEC parking lot related actions.

**Council President Massey** and **Dyar** noted the deadline to adopt the CFEC rules.

**Mayor Batey** and **Dyar** discussed how the CFEC process works for removing or shrinking existing parking lots, encouraged shared parking lots, and how the code brought pre-existing parking lots into compliance.

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

Audience Testimony: No audience member wished to address Council.

Council Questions to Staff: **Councilor Stavenjord** appreciated how staff had incorporated the CFEC rules into the MMC.

Close Public Comment: **It was moved by Council President Massey and seconded by Councilor Stavenjord to close the public testimony part of the CFEC code adoption hearing. Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, Stavenjord, and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** closed the public comment part of the hearing at 7:33 p.m.

Council Decision: **Mayor Batey** and **Councilor Khosroabadi** expressed frustration with the CFEC rules imposed by the state on cities.

**It was moved by Councilor Stavenjord and seconded by Councilor Abma for the first and second readings by title only and adoption of the ordinance, amending Municipal Code (MMC) Title 19 Zoning Ordinance for the purpose of addressing off-street parking requirements citywide as required under Transportation Planning Rule, Oregon Administrative Rule (OAR) 660-012-0400 – 0450 and OAR 660-012-0630 (File #ZA-2022-005). Motion passed with the following vote: Councilors Abma, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

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

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

**Ordinance 2243:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE (MMC) TITLE 19 ZONING ORDINANCE FOR THE PURPOSE OF ADDRESSING OFF-STREET PARKING REQUIREMENTS CITYWIDE AS REQUIRED UNDER THE TRANSPORTATION PLANNING RULE, OREGON ADMINISTRATIVE RULES (OAR) 660-012-0400 – 0450 AND OAR 660-012-0630 (FILE #ZA-2022-005).**

## **9. COUNCIL REPORTS**

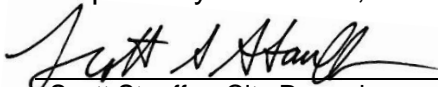
**Mayor Batey** noted that Council had given reports at the May 21, 2024, work session and **Councilor Abma** noted the time of the upcoming Pride celebration event.

## **10. ADJOURNMENT**

**It was moved by Councilor Abma and seconded by Councilor Stavenjord 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 7:40 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Scott Stauffer, City Recorder