



## COUNCIL REGULAR SESSION

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

2414<sup>th</sup> Meeting

## MINUTES

NOVEMBER 19, 2024

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

<p><b>Staff Present:</b> Joseph Briglio, Assistant City Manager Ryan Burdick, Police Chief Katie Gavares, Climate &amp; Natural Resources Manager Justin Gericke, City Attorney Katherine Hopkins, Human Resources Director</p>	<p>Brett Kelter, Senior Planner Nicole Madigan, Deputy City Recorder Michael Osborne, Finance Director Peter Passarelli, Public Works Director Emma Sagor, City Manager Scott Stauffer, City Recorder Laura Weigel, Planning Manager</p>
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**Mayor Batey** called the meeting to order at 6:31 p.m.

### 1. CALL TO ORDER

**A. Pledge of Allegiance.**

**B. Native Lands Acknowledgment.**

### 2. ANNOUNCEMENTS

**Mayor Batey** announced upcoming activities, including leaf drop sessions, a Kronberg Park planting event, the annual Thanksgiving Farmers Market, a Transportation System Plan (TSP) open house, and the annual Umbrella Parade and tree lighting.

**Mayor Batey** read a government relations themed Haiku poem.

**Sagor** introduced Briglio as the city's new assistant city manager.

### 3. PROCLAMATIONS AND AWARDS

**A. Outstanding Milwaukie High School (MHS) Student – Award**

**Kim Kellogg**, MHS Principal, introduced Gustavo Barraza and Council congratulated them on their academic and extracurricular activities.

**Kellogg** provided a brief update on activities and programs at MHS. **Mayor Batey** and **Kellogg** remarked on restoration work done by local students in Kellogg Creek.

### 4. SPECIAL REPORTS

**A. None Scheduled.**

### 5. COMMUNITY COMMENTS

**Mayor Batey** reviewed the comment procedures. **Sagor** reported there was no follow-up report from the November 5 comments. No audience member wished to address Council.

### 6. CONSENT AGENDA

**Councilor Khosroabadi** noted a scrivener's error in the minutes of the October 15 regular session and **Stauffer** confirmed it would be corrected.

It was moved by Councilor Anderson and seconded by Council President Massey to approve the Consent Agenda as presented.

- A. City Council Meeting Minutes:
  - 1. October 8, 2024, study session,
  - 2. October 13, Council dinner,
  - 3. October 15, 2024, work session, and
  - 4. October 15, 2024, regular session.
- B. Resolution 61-2024: A resolution of the City Council of the City of Milwaukie, Oregon, authorizing the purchase of a replacement sewer combination truck.
- C. Approval of a collective bargaining agreement (CBA) with the American Federation of State, County, and Municipal Employees (AFSCME) – Motion.
- D. Approval of a cost-of-living adjustment (COLA) for management and on-represented employees – Motion.

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

Mayor Batey and Sagor remarked on the completion of negotiations with AFSCME and noted that the city would be trading in an older truck for a new one.

**7. BUSINESS ITEMS**

**A. Future Regional Housing Funding – Report**

Chrisine Lewis, Metro Councilor, provided an update on the implementation of the voter approved 2018 regional affordable housing bond and the 2020 supportive housing services (SHS) bond, reporting that over 4,600 homes had been built to address homelessness and how local governments had been involved in the implementation.

Andy Shaw, Metro Government Affairs Director, discussed plans for future housing funding based on feedback from local stakeholders to continue housing and services that work toward Metro’s goal that homelessness is rare, brief, and non-recurring.

Councilor Anderson, Lewis, and Shaw remarked on whether Metro will ask voters to authorize the use of bond funds for capital projects. They noted the area median income (AMI) required for Metro’s housing projects and the volatility of Oregon’s tax revenue.

Shaw reported that Metro was looking at how to extend the housing and SHS revenue rates for 20 years with a long-term sustainable governance model. Lewis remarked on the importance of providing long-term funding stability for housing services.

Mayor Batey and Lewis commented on whether Metro might provide funds directly to cities for housing services. Sagor and Batey noted that the city had just received a draft intergovernmental agreement (IGA) for the city to receive housing support funds through Clackamas County.

Councilor Khosroabadi, Lewis, and Shaw commented on how cities and Metro might build housing with three-dimensional (3-D) printing and other new technologies.

Councilor Stavenjord, Lewis, and Shaw discussed the importance of continuing to fund county service agencies with SHS bond funds. They also remarked on how future housing and SHS bonds could be structured to better predict annual tax revenues, and whether the allocation of housing funds might be managed through Metro instead of the counties.

**Council President Massey** appreciated the number of housing units built by Metro and remarked on whether the housing production rate could last. **Lewis** commented on the importance of providing consistent additional funding for housing and SHS projects.

**Councilor Anderson** and **Lewis** remarked on the involvement of Care Oregon in the implementation of the housing and SHS bonds, and how Metro tracked and worked to ensure that the jobs created by the bonds were living wage workforce jobs.

**Councilor Anderson, Lewis,** and **Shaw** commented on what the city could do to continue to support Metro’s housing and SHS work.

**Mayor Batey** and **Lewis** discussed the challenges of tracking how local, regional, and state rent assistance funds are used and whether bond funds could be used to retrofit existing structures for affordable housing and support community enhancement projects.

## **B. Stormwater and Erosion Control Code Amendments Adoption – Ordinance**

**Passarelli** explained that the code changes were required for the city’s National Pollutant Discharge Elimination System (NPDES) permit. **Gavares** reviewed previous discussions about the code amendments, noting changes made in response to Council feedback.

**Mayor Batey** noted questions sent to staff before the meeting. **Gericke** and **Passarelli** explained federal and state legal backgrounds of the terms in the code changes and noted that the city’s stormwater program had been successfully implemented since the 1990s.

**It was moved by Councilor Anderson and seconded by Council President Massey for the first and second readings by title only and adoption of the ordinance amending Municipal Code (MMC) Chapters 13.14 Stormwater Management and 16.28 Erosion Control by adding requirements related to escalating enforcement. Motion passed with the following vote: Councilors Anderson, 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 Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

### **Ordinance 2246:**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE (MMC) CHAPTERS 13.14 STORMWATER MANAGEMENT AND 16.28 EROSION CONTROL BY ADDING REQUIREMENTS RELATED TO ESCALATING ENFORCEMENT.**

## **C. Federal Emergency Management Administration (FEMA) Flood Control Code Amendments - Discussion**

**Kelver** explained why the city needed to amend the flood control code, reviewed flood hazard areas in the city, and noted that this part of the code allowed the city to participate in the National Flood Insurance Program (NFIP). **Kelver** reviewed three Pre-Implementation Compliance Measures (PICMs) options, one of which the city needed to select by December 1, 2024, with the expectation that code changes would be adopted by February 5, 2025.

**Kelver** and **Mayor Batey** remarked on the status of applications in the flood before the code is revised in February.

The group remarked on whether the new flood code and map would impact the city's Coho Point at Kellogg Creek development project. **Briglio** thanked Kelter for serving as the city's flood plan manager.

**Council President Massey** and **Kelter** noted that the city and residents would remain in the NFIP while the code was being revised.

**Mayor Batey**, **Kelter**, and **Weigel** discussed why staff had chosen not to recommend the permit-by-permit PICM option and how the staff's recommendation to have applicants show no net loss would take a permit-by-permit like approach.

**Kelter** summarized that Council agreed with the staff recommendation.

**Mayor Batey** recessed the meeting at 8:30 p.m. and reconvened at 8:40 p.m.

**D. Milwaukie Police Department (MPD) Leadership – Update**

**Sagor** and **Burdick** provided an overview of the police department's culture of service and core values, noting leadership changes, and the department's goals of earning community trust and maintaining open dialogue. They reviewed MPD's recruitment practices, training programs, partnerships and outreach work, and commitment to policy accountability and data transparency.

**Burdick** and **Sagor** presented MPD use of force and state Statistical Transparency of Policing (STOPS) data from 2020-2024.

**Councilor Khosroabadi** appreciated MPD's efforts to be transparent. **Burdick** and **Khosroabadi** remarked on the department's morale.

**Councilor Anderson** remarked on the evolution of law enforcement since 2020, recent incidents in Milwaukie, and the work of MPD to engage the community. **Burdick** and **Sagor** remarked on balancing the department's work, goals, and the reality of police work.

**Council President Massey** remarked on the detail of STOPS data collected and appreciated MPD's ongoing outreach effort.

**Mayor Batey** noted that the community had long supported MPD and appreciated MPD's outreach work. **Sagor** noted MPD's presence at all city events.

**Councilor Stavenjord** commented on the importance of public engagement and appreciated the department's continued community work even as recent tragic incidents had occurred. **Sagor** and **Burdick** remarked on when MPD's use of force policies are reviewed and how the public would be asked to engage in that review. **Stavenjord** suggested MPD should publicly state when it will review policies, encouraged the department to develop a community law enforcement academy, and wondered if MPD officers could afford to live in Milwaukie.

**Sagor** reported that staff would follow up with Council's suggestions.

**8. PUBLIC HEARING**

**A. None Scheduled.**

**9. COUNCIL REPORTS** (moved to the November 19, 2024, work session)

**10. ADJOURNMENT**

**Mayor Batey** announced that after the meeting 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 Councilor Anderson and seconded by Council President Massey to adjourn the Regular Session. Motion passed with the following vote: Councilors Anderson, Khosroabadi, Massey, and Stavenjord and Mayor Batey voting “aye.” [5:0]**

**Mayor Batey** adjourned the meeting at 9:23 p.m.

Respectfully submitted,

  
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Scott Stauffer, City Recorder

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