



COUNCIL WORK SESSION

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

MINUTES

OCTOBER 15, 2024

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

Council Absent: Councilor Rebecca Stavenjord

Staff Present: Katie Gavares, Climate & Natural Resources Manager
Justin Gericke, City Attorney
Vera Koliass, Senior Planner
Peter Passarelli, Public Works Director
Emma Sagor, City Manager
Scott Stauffer, City Recorder
Laura Weigel, Planning Manager

Mayor Batey called the meeting to order at 4:05 p.m.

1. Stormwater Code Amendments – Discussion

Passarelli reviewed the proposed erosion control and stormwater code amendments, explaining that the changes were required by modifications to the city’s National Pollutant Discharge Elimination System (NPDES) permit. **Council President Massey, Passarelli, and Mayor Batey** remarked on how staff would enforce the new code requirements, noting how erosion control code violations would be reported.

Councilor Anderson, Passarelli, and Mayor Batey discussed the proposed changes to the definition of “permeable pavement” in the stormwater and erosion control part of the code and whether the new definitions would impact other parts of the code.

Mayor Batey and Passarelli noted unclear references to “manager,” violations deemed a nuisance section, and how violation fees were calculated. The group remarked on how the city and local watershed councils inform the public about the health risks of using pesticides, and how the city’s Bee City USA designation would support that outreach.

Mayor Batey and Passarelli discussed how the code could encourage green bioswales in commercial and residential parking lots and noted an ongoing investigation into foaming that had occurred in Johnson Creek.

The group discussed the requirement that a developer or contractor keep a printed physical copy of an approved permit on site during a construction project.

Council President Massey, Passarelli, and Mayor Batey noted the recent work of the North Clackamas Watersheds Council (NCWC) to adopt new watershed plans and monitor a toxic chemical applied to vehicle tires that had been detected in local creeks.

Passarelli summarized that an ordinance to adopt the code changes would be prepared.

2. Oregon Senate Bill (SB) 1537 Compliance – Discussion

Koliass provided an overview of the housing supply and affordability requirements established by SB1537, including a requirement that cities grant specific design standard variances for certain housing types. The group remarked on the variance appeal process.

Koliass and Weigel explained that SB1537 provided an exemption process that the city would be eligible for except for one existing code requirement related to maximum

housing density. Staff recommended that density maximum be removed from the city's code, and that the city seek the SB1537 exemption once the code was revised.

The group remarked on what type of housing could be allowed if the current density prohibition were removed and whether removing the density prohibition would impact rental rates. Staff noted the city had granted all the density variances to date even with the prohibition in place. The group remarked on the impacts of SB1537 on communities across the state and why a sunset clause had been included in the bill.

Councilor Anderson wondered if there were other changes to make to the housing density part of the code right now. **Weigel** suggested it would be best to focus on the current proposed SB1537-related code changes. **Kolias** noted there were other processes to bring housing density code changes at a later date.

Councilor Khosroabadi was concerned about the lack of opportunity for public comment in the variance appeal process. The group commented on how few appeals the city had in recent years and how SB1537 had been revised based on input from cities and developers.

Mayor Batey and **Weigel** summarized there was Council consensus to move forward with the code change as recommended by staff.

Council Reports

Mayor Batey noted that the scheduled executive session had been canceled.

Council President Massey reported on Regional Water Providers Consortium activities, noting the City of Newberg was leaving the consortium. **Mayor Batey** remarked on the coming-and-going of cities from the consortium. The group commented on how some water providers generate electricity off their pressurized water system.

Mayor Batey reported on a Metro transit study, Metro's community transformation grant program, that the city may receive funds from Metro for the Kellogg Dam removal project, and Clackamas County's plans to study the urban growth boundary (UGB) and purchase a North Clackamas Parks and Recreation District (NCPRD) site for a recovery center.

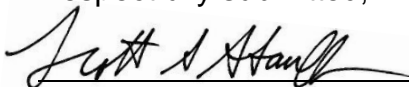
Mayor Batey and **Sagor** reported on recent communications with NCPRD on changes to the district's zone-based parks funding and completing Milwaukie Bay Park. The group discussed next steps in communicating with the NCPRD Board about funding and completing Milwaukie Bay Park. **Sagor** summarized that there was Council consensus to draft a letter to the NCPRD Board.

Councilor Khosroabadi noted that the Clackamas County Community Action Board (CAB) strategic plan would be included in the Council meeting record.

3. Adjourn

Mayor Batey adjourned the meeting at 5:53 p.m.

Respectfully submitted,



 Scott Stauffer, City Recorder