



COUNCIL WORK SESSION

City Hall Council Chambers, 10722 SE Main Street
& Zoom Video Conference (www.milwaukieoregon.gov)

MINUTES

APRIL 4, 2023

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

Staff Present: Justin Gericke, City Attorney
Ann Ober, City Manager
Nicole Madigan, Deputy City Recorder
Peter Passarelli, Public Works Director
Natalie Rogers, Climate & Natural Resources Manager
Scott Stauffer, City Recorder
Courtney Wilson, Urban Forester

Mayor Batey called the meeting to order at 4:02 p.m.

1. Bertman House – Discussion

Passarelli provided a brief history of the Bertman House and noted the purpose of the purchase in 1968 was to develop a new well. **Passarelli** stated that the house had served as several different city office uses but was currently rented to the New Century Players who were using it as storage. **Passarelli** noted that the lease with the New Century Players generates about \$3,000 a year and will expire in April 2024.

Passarelli presented an aerial view of the property as it is today. Staff had discussed what to do with the property, but because of the well, redevelopment was difficult. In 2007 the city determined that the house did not meet the criteria to be on the city's historic register and was removed from the historic property list.

Passarelli explained the current condition of the house and estimated it would cost \$200,000 to \$250,000 to restore and meet the city's building requirements, or it could cost around \$100,000 or more for demolition depending on whether the city reclaimed resources from the house. **Passarelli** advised that the city had a \$35,000 budget for Bertman House repairs. **Mayor Batey** asked about the condition of the roof and **Passarelli** responded that the roof was old but intact. The windows and doors are leaking due to wood rot.

David Aschenbrenner and **Steve Bennett** with the Milwaukie Historical Society stated the historical society was indifferent to the removal of the house but were interested in providing input on how the space could be used. **Bennett** shared a bit of the house's history, how the Bertman's settled in Milwaukie, and advised that the historical society could not take on the house.

Mayor Batey asked if the Milwaukie Historical Society had spoken with other historic preservations organizations regarding the house and **Bennett** replied no.

Bennett shared the historical society's proposed idea for how they would like the space to be utilized if the house were demolished.

The group discussed how the Milwaukie Museum currently hosts performances and how they would utilize the proposed new space, the benefits of having a community space on the eastside and so close to the new Seven Acres housing development, whether there had been conversations with community partners and how the museum and society are willing and interested in having those conversations, and the protections that would be put in place should the house be demolished. **Passarelli** noted a future need for space to be able to make upgrades to the well. **Aschenbrenner** shared that

the museum has interest in planting flowers and native vegetation in the proposed community space.

Mayor Batey expressed concerns around rushing to demolish the Bertman House. The group discussed how staff had previously attempted to work with outside agencies to consider converting the house to a single resident occupancy (SRO) dwelling and the inability to partition the property due to the proximity to the well, what it would entail to convert the house to an SRO, the value of a community space in that location, whether the property needed to be reevaluated as a historic home, utilizing the house as offices for nonprofits, and for staff to assess decommissioning the house over demolition. **Councilor Stavenjord** agreed to work with Ober to check in with the Clackamas County Housing Authority.

Passarelli and **Mayor Batey** commented on lease agreements in connection with maintenance responsibility.

2. Tree Code Amendments – Discussion

Rogers provided an overview of the different types of tree permits and shared how many had been permits had been submitted, approved, and denied. **Councilor Khosroabadi** asked for clarification regarding the type of development that was occurring in situations where the private development tree permits were issued. **Rogers** clarified it was for residential developments.

Mayor Batey asked if staff believed residents were aware of the tree code and **Rogers** replied that more residents were contacting the city aware of the changes so instances of large trees being removed were down. **Rogers** provided examples of where compliance issues were arising. **Council President Nicodemus** asked if six Type II permits were included in the nine Type I denials. **Rogers** believed they were not.

Rogers and **Passarelli** shared what staff had learned since the roll out of the tree code such as the amount of time spent providing information to residents and the tools needed to process permits. **Rogers** presented recommended code changes. **Mayor Batey, Rogers, and Passarelli** discussed pollarding trees, changes to the requirements related to replanting when removing dying trees, and removal of dead trees along the river.

Rogers shared next steps. **Passarelli** and **Rogers** noted staff were considering adjusting the tree appraisal portion of the bonding requirement for development tree permits.

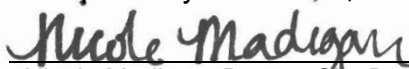
Councilor Khosroabadi, Passarelli, and Rogers discussed the amount of tree fees the city had collected since adopting the tree code, what the funds are used for, when and what types of fees are applicable, and when the commercial tree code will be implemented.

3. Adjourn

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.

Mayor Batey adjourned the meeting at 5:34 p.m.

Respectfully submitted,



Nicole Madigan, Deputy City Recorder