

Rivergrove City Council Meeting Minutes
April 11, 2018

CALL TO ORDER AND ROLL CALL

The meeting was called to order at the River Grove Elementary School library at 7:02 p.m.

Present: Mayor Heather Kibbey, Council President Arne Nyberg, and Councilors Carolyn Bahrman, Brenda Ruble, and Bill Tuttle were present. City Recorder Leanne Moll declared a quorum.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

CONSENT AGENDA

1. Minutes from the March 5, 2018 Meeting

Motion: Councilor Tuttle moved to accept the March 5, 2018 meeting minutes as presented. Councilor Ruble **seconded** the motion. **It passed 5-0.**

2. March Financial Reports

Motion: Councilor Ruble moved to accept the March 2018 financials as submitted. Councilor Nyberg **seconded**. **It passed 5-0.**

OLD BUSINESS

1. Continue discussing appeal procedure and fees.

In February, Councilor Tuttle proposed a potential change to the fees for appealing a Planning Commission decision. He was concerned that if an applicant wins an appeal initiated by another party, it may not be appropriate for the original applicant to pay the actual costs of the appeal. Right now, the appellant pays a deposit and the applicant pays the rest of the actual fees incurred, even if the appeal is unfounded.

Council is wondering if the City fee schedule should include a clause that the appellant may be responsible for actual costs if the appeal is not granted.

City Attorney Bill Kabeiseman commented via email: "My concern is with 'contingent' appeal fees. We need to have someone pay the fees for an appeal and I think we can make it go either way, but I don't think we can have the fees dependent on the outcome."

The Councilors wondered if an appellant can sign a payment agreement agreeing to cover all costs of the appeal if Council dismisses the appeal.

Mayor Kibbey or City Recorder Leanne Moll will speak with Mr. Kabeiseman again and suggest an amended fee schedule.

NEW BUSINESS

None.

PLANNING COMMISSION REPORT

City Recorder Leanne Moll reported that the planning commission deemed complete an amended application for a duplex at the corner of Childs and Pilkington Roads submitted by Renaissance Homes. City Planner Carole Connell is determining which conditions from a prior approval are still relevant—road improvements, a potential right-of-way dedication, and the requirement for the applicant to reimburse the City for ditch repairs completed in 2014 are likely issues with this application.

COMMITTEE REPORTS

1. Transportation Report

Councilor Bahrman shared the preliminary cost estimate for permanent radar feedback signs on Childs Road. Clackamas County has offered two permanent radar signs and all engineering work for \$29,000. The City will pay for the construction work. Clackamas County would like to know if the City will install the radar feedback signs soon, so the City cannot wait until October 2018 when the Safe Routes to School (SRTS) grant closes. Radar signs were not the first traffic calming device choice of the Transportation Committee or the public. However, the City needs to make a decision to install the radar signs now, without knowing what other grant monies may become available later this year. Councilor Bahrman is hopeful that River Grove Elementary School will receive some SRTS funds, but she is not yet sure how the monies will be allotted.

Another concern is the location of the permanent radar signs. Councilor Bahrman would like to verify where the radar signs will be placed, preferably not by the stop sign at the intersection of Childs and Pilkington Roads and not near the crosswalks.

Mayor Kibbey stated that the City can afford to install the permanent radar feedback signs and should proceed. Mayor Kibbey believes that the City can afford the permanent radar signs, lighted crosswalks (which were the preference of the Transportation Committee, Budget Committee, and general public) and a lighted stop sign at the intersection of Childs and Sycamore.

The Councilors discussed the ineffectiveness of radar signs in long-term traffic calming. Councilor Tuttle wondered if Council had any alternative uses of the money that may go to the permanent radar signs. Councilor Bahrman and Mayor Kibbey responded that the City has been saving the money in the Highway Fund and it needs to be used.

Motion: Mayor Kibbey **moved** that the City allot \$29,000 to install two permanent radar signs on Childs Road and notify Clackamas County that the City will also be pursuing the Safe Routes for School grant option.

Councilor Nyberg **amended** the motion to thank Councilor Bahrman for her indefatigable work.

Councilor Ruble asked if the City could ask the County to bundle the engineering work of the permanent radar signs and the lighted crosswalks now or at least provide a bid amount to the City.

Councilor Bahrman explained that if the City spends its Highway Funds before the Safe Routes to School grant is disbursed, the City will not be able to take advantage of the matching grant funds. In addition, the County will not provide a bid for work that is not offered.

Councilor Nyberg **seconded** the amended motion. **It passed 5-0.**

2. Parks

Councilor Nyberg reported that the City is working with a new **mowing contractor** at Lloyd Minor Park.

He also informed Council that the Tree Advisory committee met last night and made huge progress on the draft of the tree ordinance. The Mayor has submitted her comments, and the Board is waiting to hear back from City Arborist Brian French. A public work session will be held on Monday, May 7 at 6:00 p.m.

3. Giving

Councilor Ruble shared that many new development ideas came out of the Arbor Month movie night. She reported that only eight residents attended, but there seems to be a huge shift in interest in native plants. City Planner Carole Connell, a member of the Portland Garden Club, now has a copy of the documentary and shared that the Portland Garden Club had previously hosted as a speaker Doug Tallamy, the author of *Bringing Nature Home*. The horticulturist for the Portland Rose Garden would like to borrow the DVD.

Councilor Ruble shared that she will invite a speaker for a summer presentation on the wetlands and river ecosystem of native plants.

COUNCILORS' REPORTS

Councilor Nyberg shared that Tualatin Valley Fire & Rescue owns the land next to the UHaul on McEwan Avenue and on Monday Tualatin City Council approved the conditional use for a new fire station. The new station will have a community room, and the City of Rivergrove is welcome to use the meeting room. Mayor Kibbey explained that City Council may have to adjust its regular meeting day to avoid conflict with the Tualatin City Council on the second Monday of the month.

Mayor Kibbey also shared that TVF&R do not have a fire station north of I-205 and on the east side of I-5 and it was important to build one in case of an earthquake. The station will be manned by four firefighters at all times (Lake Oswego only has three at a time), and ultimately will be manned by six firefighters.

Councilor Nyberg noted that there is an active beaver on the river and riverbank and when the water was higher a month ago, it damaged a few trees. Councilor Nyberg recently attended a conference on beavers and learned a technique to prevent tree damage by beavers: Mix tree-colored interior paint with sharp sand and paint the mixture all the way around the tree from the base to beaver height. Beavers will not chew that tree because they don't like the feeling of the sand on their teeth.

ADJOURNMENT

Motion: Councilor Nyberg moved to adjourn the meeting.

Councilor Tuttle **seconded**.

The **motion passed 5-0**.

The meeting was adjourned at 8:02 p.m.

Respectfully submitted,

Leanne Moll
City Manager/City Recorder