

**Rivergrove City Council Meeting Minutes  
February 6, 2019**

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**CALL TO ORDER AND ROLL CALL**

The meeting was called to order at River Grove Elementary School at 7:31 p.m.

Present: Mayor Walt Williams, Council President Brenda Ruble, and Councilors Dave Pierce, Bill Tuttle, and Jeff Williams were present. City Planner Matt Straite and Planner Lauren Scott were also present. City Recorder Leanne Moll declared a quorum.

**Planner Lauren Scott (MIG)**

City Planner Matt Straite introduced his colleague Planner Lauren Scott, who will cover for him occasionally when he is unable to attend City of Rivergrove Planning Commission meetings.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Mike Salch, 5255 Childs Rd., Rivergrove, Oregon presented a document about Rivergrove's sustainability. Mayor Williams asked if Mr. Salch's petition to LCDC, which has cost the City a considerable amount of money, was a model of sustainability.

**CONSENT AGENDA**

**1. Minutes from the January 14, 2019 City Council Meeting**

**Motion:** Councilor Williams moved to accept the November 14, 2018 minutes with the following amendments. Councilor Tuttle **seconded** the motion. **It passed 5-0.**

1. Page 2, Planning Commission Report, fifth sentence to read, "...received several tree removal permits."
2. Page 2, Councilors and City Manager's Reports, first sentence to read, "...received a letter from three residents...."

**2. Financials – December 2018**

**Motion:** Councilor Tuttle moved to accept the December 2018 financials as presented. Councilor Ruble **seconded** the motion. **It passed 5-0.**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**1. Review election results and determine 2- and 4-year terms for Mayor Williams and Councilor Pierce.**

Mayor Williams and Councilor Pierce received the same number of votes in both Clackamas and Washington Counties. The City Charter suggests that a tie may be broken by "drawing straws" or another tie breaker that Council finds appropriate.

At Council's request, City Recorder Leanne Moll tossed a coin. Mayor Williams won the coin toss.

**Motion:** Councilor Ruble **moved** to grant Mayor Williams a 4-year term and Councilor Pierce a 2-year term. The motion was **seconded** by Councilor Tuttle. **Motion passed 5-0.**

## **2. Determine City Council goals for 2019.**

Council postponed their discussion of the 2019 Council Goals until the March 11, 2019 Council meeting. Councilors will send their revised goals to City Recorder Leanne Moll prior to the meeting.

### **NEW BUSINESS**

#### **1. Draft response to citizen petition regarding Citizen Involvement and process of Tree Ordinance 89-2018.**

City Planner Matt Straite introduced a draft response that city staff prepared to respond to a citizen petition intended for the Land Conservation and Development Commission (LCDC). Mr. Straite explained that the City has sixty (60) days to respond to the residents. He also explained that unlike a Land Use Board of Appeal (LUBA) appeal, which would undo the Ordinance in question, an enforcement petition leads to the LCDC board making potential corrective actions. If the petitioners are not satisfied by the City's response, they can continue to present their concerns to LCDC. In response, LCDC may decide to take an action, hold a hearing, or direct the City to make corrective actions. LCDC may also dismiss the petition.

Councilor Ruble noted that she is in an ongoing conversation with many people in the community about getting involved. She explained there were many opportunities to write the tree ordinance or become a tree ordinance committee member. She urged the public to take responsibility and move away from the victim mentality.

Mayor Williams agreed. He said we gave multiple notices that shared information and allowed the public to speak. It was clearly not a priority for the community because people did not show up.

Councilor Ruble reminded her colleagues that the Tree Ordinance originated from a former Planning Commission who were frustrated with the lack of guidance for tree mitigation and managing tree removals in the flood hazard zone. Since then, the Planning Commission has had many turnovers and changes. The Planning Commission begged City Council to get them something with more guidelines for tree removal in these sensitive areas and tree removal by developers.

Councilor Tuttle suggested that City staff add a sentence that states: "We have involved the community as evidenced by the meetings and comments in the following Tables." Then, there should be a 1) Table of Meetings; 2) Table of Comments; 3) Table of Public Notices, etc.

Councilor Pierce commented that he is concerned about the seeming lack of community participation and wondered how the City gets the community involved without knocking on doors. On citizen involvement, Mr. Pierce noted that our residents need to realize that the City functions because of volunteers. Our taxes are low because of volunteers. People take the City government for granted. If you choose to be a part of the community you should step up and do your fair share.

**Motion:** Councilor Ruble **moves** to write and mail the response based on the sentence and table as discussed. Motion **seconded** by Councilor Tuttle. Motion **passed 5-0**.

#### **2. Discuss signage and boulder at Stark Boat Ramp.**

Councilor Ruble noted that the City had made a motion in September to place parking signs on either side of the boat ramp and to place boulders in the part that would prevent larger boats from driving on the park grass. In addition, the City was to host a clean-up and native planting day. Former Councilor Arne Nyberg agreed to be in charge, but the events never happened.

Mayor Williams asked what changes are necessary. He questioned whether or not the City should install signs and the cost to the City. Councilor Ruble explained that the signs would be very inexpensive – around \$65 per sign.

J. Williams explained that he would like more communication with residents before moving forward. He gave the example of one Rivergrove resident who launches his boat from the ramp twice a year. A boulder at the park will prevent him from using the boat ramp the way he always has. The City should investigate more and notice the resident.

Councilor Pierce agreed that the issue needs more public notice. The boat ramp hours were a very sensitive issue and caused hurt feelings.

Councilor Ruble noted that the City should move forward with the signage. Clackamas County will install two “no parking” signs around the boat ramp and easterly property. The City should reopen the conversation on the boulders only.

### **3. Update Records Request Resolution**

Council decided to continue this item to March in order to allow time to consult with the City Attorney.

### **PLANNING COMMISSION REPORT**

City Recorder Leanne Moll noted that City Planner Matt Straite will provide a comprehensive Planning Commissioner training at the Monday, February 11, 2019 Planning Commission meeting. Ms. Moll will photocopy training materials for all Councilors and has advertised the event to the general public.

### **PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

### **COMMITTEE REPORTS**

#### **1. Transportation**

City Recorder Leanne Moll reported that the City of Rivergrove was not chosen to receive the Safe Routes to School Grant. City Recorder Leanne Moll spoke with LeeAnn Ferguson the state facilitator, to get feedback on how to improve our application in the second round. River Grove Elementary did not receive any funding through any jurisdiction (Rivergrove, Tualatin, Clackamas County, or Lake Oswego). Clackamas County rated the Childs Road crossings in Rivergrove as a “low priority” for the River Grove Elementary School neighborhood. The schools and communities that received funding met more of the grant criteria in terms of road hazard and size, Title I (poverty) status, and intergovernmental support.

Councilor Williams gave an update on the radar sign project. Both Mayor Williams and Councilor Williams met with Clackamas County transportation representatives to gain a better understanding of the project. They viewed sampling of the recordings that have been made from the radar trailers. Mayor Williams and Councilor Williams asked where else in Clackamas County are these signs installed. Are they effective? Are they durable? The County told them that there are only two existing signs in all of Clackamas County. Rivergrove is doubling the number of signs. Of the two surveys Councilor Williams received, 69 MPH was the highest speed. The radar signs had 33-3600 recordings. Of those, between 34% and 43% of the cars are driving 30MPH or faster. When they asked about the effectiveness of having these signs, the County responded that they are 31% effective when coupled with enforcement. There is no data to show how effective they are without police enforcement.

Since the inception of the project, the price has raised. Now, the cost of the radar speed signs is 85% of current Highway Funds.

Councilor Williams noted that he cannot recommend moving forward with the radar signs. He explained that there are several concerns, including the cost to maintain them and the huge price difference. A year ago, the cost was half of what the County is expecting today. When Councilor Williams asked what happened to make the cost double in year, the County explained that it was the cost of labor and materials.

Councilor Williams then explained that the majority of the community is in favor of road cushions. The barrier with road cushions is that the members of the Clackamas County maintenance division are opposed to having them. That's our bigger debate. McEwan and Lakeview already have the cushions, but those roads are in the jurisdiction of City of Lake Oswego.

Councilor Williams explained that the cost of the humps are about \$5000 each, which is considerably more affordable than the radar signs. However, it will be a prolonged fight to get the speed humps installed. Councilor Williams wondered if the Rivergrove could approach the City of Lake Oswego to expand enforcement.

Councilor Ruble explained that we attempted that approach without any results. She noted that in the City Charter, it explains that we will have a judge and an enforcement officer. We do not currently have that. She wondered if we could team up with someone for enforcement.

Councilor Williams explained that the enforcement with the signs could happen, but Rivergrove would have to pay for those fees. If the City makes the fines steep enough, it could become revenue.

The idea of visual deterrents was also raised. Could the City park an unused police car on the road to deter speeding? The City needs to speak more with Lake Oswego and discuss contracting with the county to have the sheriff enforce traffic on Childs Road.

## **2. Parks**

Councilor Pierce explained that eleven corkscrew willows are dying and dangerous and need to immediately be removed. One has already fallen on a fence and home and damaged property. He recommends Council take immediate action to remove the trees. The City Arborist Brian French has also recommended removal unless Council can come up with a plan to maintain the trees so they are safer.. In Councilor Pierce's experience, these trees are trash trees that don't last very long. They fall over and cause hazards. Council can choose to pour money into trees we will eventually need to take down, or just remove them now. The trees are very old and are beginning to get rot. City Arborist Brian French and Councilor Pierce recommend to remove them immediately and then mitigate with hardier, more reliable trees.

City Manager Leanne Moll will begin working on receiving bids from companies.

Councilor Tuttle provided some of the history. A company would prune the trees for free because they wanted the corkscrew branches for floral arrangements. City Recorder Leanne Moll has the contact information of this company and will invite them to prune the trees and bid on the removal.

Councilor Pierce explained that If we mitigate the trees in the same location, we should put in something native and deciduous. An evergreen will affect the microclimate in the neighbor's yards by blocking the sun. He expressed the desire to reach out to neighbors to make a plan.

City Recorder Leanne Moll noted that with the new tree ordinance, the City will need to apply to the Planning Commission.

Councilor Pierce explained that there is a small tree down at the boat ramp. Council briefly spoke about whether or not it should be removed.

He noted that he saw the sign for “keep voices down,” installed by a neighbor, but it was hidden away and could be more visible. There is a sign there that a neighbor put up. Hidden away and could be more visible.

Councilor Pierce asked if the ramp was locked at the closed hours on the sign. Councilor Ruble explained that we don’t lock the gate because it presents a liability issue. City Recorder Leanne Moll explained that in the past, neighbors bought their own lock and locked the gate without providing a key to the City. Council decided that the loop for a lock could be removed to prevent this problem.

### **3. Giving**

Councilor Ruble explained the changes she envisions for the Giving Program in 2019. Research shows that happiness increases giving. When people are happy, they give more. She explained she would like to celebrate Rivergrove, possibly on the weekend before or after July 4<sup>th</sup>. That weekend always poses a problem because of the increased traffic, boaters, heat, and drinking around the boat ramp. Councilor Ruble explained that it’s harder to create a disturbance or problem when City staff are present. Perhaps Rivergrove could have a parade of boats, a picnic, or a bike parade. Councilor Ruble wants to cultivate relationships in the community.

### **COUNCILORS’ AND CITY MANAGER’S REPORTS**

Councilor Tuttle asked if Arne Nyberg is still the City of Rivergrove’s Metropolitan Area Communications Commission (MACC) representative. City Recorder Leanne Moll and others responded that he was.

### **ADJOURNMENT**

**Motion:** Councilor Williams moved to adjourn the meeting. **Seconded** by Councilor Ruble.

The **motion passed 5-0**.

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Leanne Moll  
City Manager/City Recorder