

Rivergrove City Council Meeting Minutes Jan 11, 2021, 7 pm

Swearing in of new councilors:

Mayor Williams stated he had sworn in elected new councilors Chris Barhyte and Susie Lahsene.

Election of Mayor and President of City Council:

Councilor Lahsene nominated W Williams to be Mayor. It was seconded by Councilor Barhyte, W Williams was voted in 4-1 with Councilor Pierce voting nay.

Councilor Lahsene nominated D Pierce to be Council President. Councilor Tuttle seconded. Councilor Pierce was voted in at 4-0-1 with Councilor Pierce abstaining.

STANDING ITEMS

1. Call to order and attendance (Mayor, Councilors and Guests):

Present were Mayor Williams, Councilors Barhyte, Lahsene, Pierce and Tuttle. City Manager Kibbey was present.

Guests were B Ruble, J Williams, M Salch, R Knight, D Shafer, M Hawkins and E Storlie

2. Review of minutes from previous meeting(s):

Councilor Tuttle had sent a draft of the December minutes to councilors in late December. He included comments by Councilors Pierce and Ruble. Those were included in another draft sent out by the City Manager (CM). Those minutes were approved 5-0 by the previous City Council.

3. Review of financials *These were not done*

PUBLIC COMMENT ON NON-AGENDA ITEMS

During this portion of the meeting, citizens are encouraged to present matters of concern not on the meeting agenda. There will be no discussion of these concerns at the meeting, and no interaction between the citizen and the City Council regarding them, unless clarification is needed. Comments are limited to 3 minutes in length. The City Council may, at their discretion, include any of the items on a future City Council meeting agenda for further discussion.

UNFINISHED BUSINESS

1. Paving of Childs Road west of 65th:

Mayor Williams stated there was a depression in the road from repaving an area where a resident connected to sewer. We own the road, and he will try to determine responsibility including talking to Washington County. [OPEN]

Mayor Williams is having a contractor coming out on the 18th to bid on pothole repair. [OPEN]

2. Boat Ramp Issues:

Councilor Pierce provided an overview of the document he and former Councilor Ruble prepared. He stated that the document provided what regulations do and do not allow along with could or could not be done with the facility. It also addresses the feasibility of recommendations that have been put forth by residents.

The Tualatin is likely a navigable river and as such the public has a right to use it for recreational purposes using public access.

Councilor Pierce also reviewed the history of the boat ramp including actions that the City has taken over the years.

We must be careful about what we propose because some actions could incur legal action we cannot afford.

Councilor Pierce then proposed a multi part motion as follows:

- 1. The council set aside three meetings to deliberate the report.*
- 2. That the report be accepted (not adopted).*
- 3. That the report be posted on the City website.*
- 4. The council discusses the report at a first meeting.*
- 5. That the Council take public written comment and discuss it at a second meeting.*
- 6. That at a third meeting deliberate and take action (if any).*

It was moved by Councilor Tuttle and seconded by Councilor Barhyte to have a work session on Tuesday Jan 19th beginning at 7:00 PM to discuss Councilor Pierce's motion and the issue. Motion passed 5-0. [OPEN]

3. Tree Cutting Code: Lead Individual: Councilor Pierce

Councilor Pierce stated that it was not clear that an applicant for a tree cutting permit was responsible for obtaining and directly paying for an arborist's report for a mitigation plan. It was decided to update the resolution addressing this. The revised resolution will be considered at the next meeting. [OPEN]

4. Inspection for Compliance with Development Condition Permits: Lead Individual: Mayor Williams

Mayor Williams said the City of Tualatin is ready to go, but before finalizing a contract they want to look at our code. Mayor Williams will meet with them on the 18th of January. For the benefit of the new Councilors, we explained that Clackamas County inspects to their codes, not to ours or our statement of conditions. This has been problematic in the past. [OPEN]

5. Mechanisms for Citizens to Comment on Agenda Items: Lead Individual: Counselor Pierce

Councilor Pierce stated he surveyed most of Clackamas County jurisdictions and found the majority did not allow public comment on agenda items. Those that did had a limited amount of time allotted. Using this data, his experience with the way our City operates, and a League of Oregon Cities document, he drafted a proposed policy. After some discussion it was decided to table this to the next meeting and include it in the Jan 18th work session. [OPEN]

6. Implementation of Town Halls: Lead Individual: Councilor Tuttle

The Council decided to have a town hall on March 15th. Future town halls will be based on the outcome of this one. [OPEN]

NEW BUSINESS

1. 2021 City Goals

City Manager (CM) Kibbey reviewed the prior City Goals and the Council updated them reflecting the current Council membership and their thinking. The updated City Goals are included as attachment 1. CM Kibbey will help with transitioning the new Councilors to their assignments. [closed]

PLANNING COMMISSION REPORT

The Planning Commission has yet to meet for January. There was concern by Council that Renaissance Woods was considering removing about 14 maple street trees.

COUNCIL REPORTS

1. Councilor J Williams: *Councilor Lahsene will take over the transportation report. Until briefed by CM Kibbey, there is nothing to report.*
2. Councilor Pierce: *Councilor Pierce presented the boat ramp report earlier. There is still some brush to haul away from the tree planting which may call for another volunteer turnout*
3. Councilor Ruble: *Councilor Barhyte will now oversee the giving program. Until briefed by CM Kibbey, there is nothing to report*

4. Councilor Tuttle: *Councilor Tuttle reported that it had come to his attention that properties west of Benfield and south of Childs, as well as those around Lloyd Minor Park can not be connected to sewer. This is because, although we have an intergovernmental for sewer with Lake Oswego, they will not provide service until we agree to their master plan or submit an alternative. He will provide an overview of the issue, including references, at the next meeting. [OPEN]*

Councilor Tuttle noted that the City's Charter is about 46 years old and, in his opinion, needs to be updated. Since it needs to be voted on, it becomes a long-range project with the goal of being on the November 2022 ballot.

In the opinion of the previous City Council, the City is in need of a set of Administrative Rules. Councilor Tuttle will work on adapting the League of Oregon Cities template for the Council to consider. This will likely take several months.

5. Mayor: *The Mayor reported that he had several engagements coming up over the next several months. These include MLK day activities, homeless council, Police reform, student unions, and women's rights.*

CITY MANAGER REPORT: *Tualatin Fire and Rescue will make a presentation at the next meeting.*

The Tree City application has been sent off and should be approved. Although there is a fee, we get a monetary credit for money spent and for labor performed in support of trees for the city. The monetary credit came to about \$13/person which is way more than the 2\$/person needed.

Mayor Williams moved to adjourn, Councilor Pierce seconded, approved 5-0.

EXECUTIVE SESSION (Council and staff may adjourn to Executive Session pursuant to Oregon Revised Statutes 192.660: As needed (appropriate subsection shall be cited)

No session was convened.