

## **STANDING ITEMS**

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

*Present were Mayor Williams, Council President Pierce, and Councilors Barhyte, Lahsene, and Tuttle.*

*City Manager (CM) Kibbey was present.*

*Guests were J Joyce, D Shafer, M Hawkins, L Merlo-Flores, Landon and Jude, M Salch, B Kibbey, C Nyberg, C Bahrman, D McLean, Lynn Hingston, Jennifer's 6, Chuck Thompson, Coleen and Arne Nyberg, Jerry Anderson, Jason Donaldson, Ellen Lane, Kristy Reilly, Mark Simmons, Kellen, Cale Thompson, and Paul and Olga Amato.*

### **2. Review of minutes from previous meeting(s)**

*The review of the minutes from the July meeting was postponed.*

### **3. Review of financials**

*Mayor Williams and Councilor Lahsene found the August financials acceptable. Council President Pierce and Councilor Tuttle found the July financials acceptable. Mayor Williams moved and Councilor President Pierce seconded that July and August financials be approved. Motion passed 5-0.*

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

*There were no comments*

## **UNFINISHED BUSINESS**

### **1. Continuing Discussion of Matters associated with Operation and Use of the City Stark Boat Ramp.**

*Council President Pierce thought it might be worthwhile to address some of the common misperceptions that seem to continue and that have cropped up several times now. He prepared a synopsis of these and presented it before deliberation on the specific issues.*

**A. Parking is often congested, causing limited access and blocked streets and driveways, particularly summers and weekends. There is concern for emergency vehicle access.**

*D McLean, as a citizen comment stated according to his measurements there was about 13 feet of roadway available when vehicles are parked on both sides of the street. He also has observed that people will wait if the roadway is too crowded.*

*Counselor Lahsene gave her report on the matter. She stated she had talked to the Clackamas County traffic engineer who stated that the County requires 18 feet of traffic way available. If this is not available, we are in a position to limit parking, but the entire street has to agree to it. Councilor Barhyte stated the state guidelines are a width of 27-28 feet for residential streets.*

*The City has three options as follows: 1. Do nothing. 2. Limit parking on one side. 3. Pass an ordinance and put-up informational signs. Note that limiting parking on one side of the street might be accomplished by signage stating residential parking only.*

*Counselor Lahsene has spoken with the neighbors and took a survey of their opinions of the options available.*

*The neighbors want a parking plan that we can use as a basis for change.*

*Councilor Lahsene moved that we convene a committee to develop a parking plan for Dogwood and the Park that accounts for the options discussed.*

*Counselor Tuttle seconded. It was suggested that Counselor Lahsene chair that committee, that the plan consist of no more than 6 members and that it include neighbors affected (i.e. citizens living on Dogwood, Dogwood Court, Marlin and Tualamere). The motion, with the suggestions stated above, was approved 5-0. [OPEN] Lead Individual: Councilor Lahsene*

**B. Fishing, picnicking, and swimming users sometimes block boat ramp access for others and/or create conflicts.**

*The Council decided to discuss each of these individually.*

*There has been concern expressed about safety with people fishing (e.g. lures in dangerous places). That is balanced by the benefits of fishing for citizens and specifically children. Councilor Pierce stated that fishing could be prohibited provided certain state requirements were met. If we decide to ban fishing, we will have petition the state. Councilor Pierce will investigate this.*

*The issue with picnicking seems to be citizens taking over the ramp, using tables and grills. There has been an opinion that citizens can picnic in the park. However, there was also an opinion that it is nice to be able to sit, eat and enjoy the river. This is especially true for those without waterfront lots.*

*There were no issues raised with allowing swimming.*

*The Mayor stated that the crux of the issue is these items coexisting simultaneously while being respectful of citizens launching or retrieving watercraft.*

*Concluding, the Council had no issue with swimming, seemed to believe picnicking was ok as long as there were no grills or tables, and needed clarification on the issues with fishing.*

*Councilor Tuttle suggested that when new signage is installed it have a sentence that reads something like "This ramp is in the middle of a residential area, please be respectful of those residents". [OPEN] Lead Individual: Councilor Pierce.*

**C. Gates are not being closed by users, creating a water safety hazard for younger playground users**

*Counselor Lahsene said she received an opinion in an email from CIS, the insurances company that provides our legal representation in liability cases. "I strongly recommend that at a minimum the gate remain closed when not in use"*

*Counsel President Pierce stated he believes that opinion is incorrect because ORS 105.682 provides the City with recreational immunity. There was discussion about what the city needs to do to provide itself discretionary immunity for enforcing or not enforcing rules on signs. Council President Pierce stated that from our City's liability insurance company's website, "A best practice is to have elected officials make a policy decision not to attempt to enforce sign warnings to provide the discretionary immunity defense." Councilor Pierce will seek clarification on this matter regarding what actions Council should take concerning enforcement actions.*

**[OPEN]** Lead Individual: [Council President Pierce](#)

**D. Boat ramp users are being challenged, harassed, and threatened by neighbors.**

*Mayor Williams stated that this behavior is not acceptable either by neighbors or by citizens using the ramp. Councilor Lahsene stated the Clackamas County has mediation services available for citizens. The Council will not pursue this item any further, but will if a situation calls for it. [closed]*

**2. Discussion Regarding responsibilities for maintenance of Childs Road and sidewalks west of 65th. Informational meeting item.:**

*Councilor Lahsene stated she had no progress to report. [OPEN] Lead Individual: Councilor Lahsene*

**3. Update on I-205 Tolling Project and possible construction at Stafford and Childs.**

*Councilor Lahsene reported the following on the Stafford-Childs intersection. She will send Commissioners (and have it posted on the website) the link to the*

*Clackamas County Stafford Road improvements website. It presents the three options with the ability to comment. There are three options as follows: 1, A signal light 2. A one lane roundabout 3. A two-lane roundabout (note that their engineering says it is not necessary). This item to be moved to Counselor report unless Council action is needed. [closed]*

#### **4. Hiring new City Planner**

*Council President Pierce stated that the interview panel recommended Kirk Fatland. Although he may not have had the breadth of experience of the other two candidates, he was found to be well qualified, had the skill set to do the job, had experience working with small cities and significantly less expensive. Councilor Pierce moved to offer him the position, Mayor Williams seconded, and the motion was approved 5-0. [closed]*

### **NEW BUSINESS**

#### **1. Consideration of a quarterly financial audit**

*Funded and to be implemented this Fall. [closed]*

### **PLANNING COMMISSION REPORT**

*Planning Commissioner Chair Lisa Merlo Flores stated there was no Planning Commission meeting last month.*

*She also stated that she requested to hold a special Planning Commission meeting but was denied that request. She stated that procedural issues have come up and would like the City Council (CC) and Planning Commission (PC) to meet to resolve issues. This led to a discussion of the relationship between the PC and CC. ~~as defined by our ordinances, bylaws, and charter.~~*

### **COUNCIL REPORTS**

#### **1. Councilor Lahsene: Transportation report (recurring) and any other matters**

*Councilor Lahsene discussed the apparently abandoned house on Marlin that appears to be a fire hazard and a haven for varmints. The Fire Marshall says they have no authority. Clackamas County could identify it as possibly dangerous property, but without a City Ordinance, they can not act. Councilor Lashene said she would pull together some sample ordinances.*

#### **2. Councilor Pierce: Parks report (recurring) and any other matters**

*Councilor Pierce reported that both park water fountains work and that vegetation around the newly planted trees need cutting back.*

#### **3. Councilor Barhyte: Giving Program (recurring) and any other matters**

*No report, COVID prevents us from scheduling any events for the public.*

**4. Councilor Tuttle: City Code (recurring) and any other matters**

*Because an updating of the City Charter is badly needed and requires a vote (Nov 2022) we need to start addressing this issue to insure proper public involvement.*

**5. Mayor: Mayor's Report**

*The Mayor thanked the Council for its' work and stated he had nothing else to present.*

**CITY MANAGER REPORT**

*The City Manager reported we have received an \$82,000 grant that has very specific spending goals. One of these is sewer infrastructure. She will provide details about the grant to the Council.*

**PENDING ITEMS (to be discussed at a later date, but kept on the agenda)**

**1. Status of Contracting out City Development Code Inspection Services:  
Lead *Individual: Mayor Williams***

*City must have new Development Code to proceed.*

**2. Discussion Regarding How Sewer might be Brought to Unserved Properties, Exploring the Issues. Lead *Individual: Councilor Tuttle*  
*Council needs to deal with other issues first***

**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 executive session was needed.*

**ADJOURNMENT**

*Councilor Lahsene moved and Mayor William seconded that we adjourn this 3.5 hour meeting. Motion passed 5-0.*