

Rivergrove City Council Minutes
Nov 8, 2023, 7:00 PM

Call to order and attendance (Mayor, Councilors, and Guests)

Present: Mayor J Williams, Council President B Ruble, Councilors Barhyte, Tuttle and McLean.

Interim City Manager Analeis Weidlich present

Guests Mike Salch, Landon and Jude, Joan Joyce, Janice and Bob, and Roger Knight

Presentations for Outside Agencies and Guests: none

Standing Items:

1. Ask if any member of the public wishes to speak on an agenda item or a non-agenda item. Please limit your speech to 3 minutes

Mike Salch stated that about six months ago he understood there would be a park advisory committee formed per City code. So far nothing has happened.

Dave Pierce stated that Councilor McLain made a comment that he (Pierce) was adamant about the boat ramp be labeled the Stark Community boat ramp. That is not true, it was a compromise on the subject. He was adamant that there be a sign indicating the expectations for the ramps safe and equitable use. All adjacent parks have such signs.

Mr Pierce then commented that neighbors having access to the park through an alleyway. In his 35 years of experience in park planning and operation I have never seen such a situation. Furthermore, it seems illogical and opens up the potential for all sorts of liability issues.

Landon Gentry thanked the City Manager for updating the website with the latest city council minutes. He is concerned about the lack of a Rivergrove report being published. He is also concerned about the Planning Commission and City Council agendas not being published on the city signs. He was also concerned about Social Media items that seem to be used for City positions on matters. Finally, he was upset about lack of erosion control on the boat ramp.

Carolyn Bahrman said she had seen a surveyor on Sycamore and wondered what was going on.

2. Approval of minutes from previous meeting(s)

Councilor Barhyte moved to approve the minutes with the minor correction submitted by Mayor Williams. The motion was seconded by Mayor Williams. The minutes were approved by a vote of 5-0.

3. Discussion and approval of city financials

Councilor Barhyte moved to approve the financials as submitted. Councilor McLain seconded. Motion passed 5-0.

Planning Commission Report: Representative from the Planning Commission

The City Manager reported that the application for 4810 Dogwood has been continued until the next meeting (Dec 4) to allow the applicant to provide some more information. The 100-day clock has been stopped.

Public Comment on Agenda Items Unfinished Business:

1. Update on restoring Minor Park-Councilor Barhyte.

The park benches are here, the contractor is planning on installing them in the next week or so. The control box for the sprinkler system will be buried at the same time. The part to fix the slide has arrived. There are instructions on how to install it, but we do not yet have a contractor to do it. There is also a pole on the swing set that is loose, so we need to pull back the bark chips and concrete it.

2. Boat Ramp-incl Design update- Councilor Barhyte.

We have not done any planting for erosion control yet because we do not have final plans. The project leader needs an elevation survey in order for us to meet requirements and not have a "hump" on the ramp. The engineer is in contact with the state agencies, and they are very aware of the project.

Mayor J Williams mentioned that there is a shed roof that overhangs the east side of the boat ramp that contributes to the erosion when it rains. He will reach out to the property owners to correct the issue.

3. Request for alleyway restoration from Childs to Minor Park

Mayor Williams had a discussion with the City Attorney about what we can and can not do. Councilor Barhyte made the point we are not considering extending the alleyway through the park. Mayor Williams stated that the City Attorney said, looking at the plat map, it looks as if it is a dedicated right a way and the City has the authority to close it. This is provided no properties become land locked.

Mayor Williams stated he has received a number of comments on this, and he said it is safe to say the majority of inputs that have come in object to allowing vehicle traffic to come through the park.

Councilor Tuttle put forth a motion that based on the Mayor's findings and discussions the we block the entrance from the alleyway to the park so vehicles can not drive from that alleyway to Dogwood. The motion was seconded by Mayor Williams.

Councilor McLain stated that you have to keep in mind that when the entire neighborhood was put in in 1961 that there is a document that says the alleyway were all dedicated as open right of way, and they were to be kept that way forever. He also stated that part of the Oregon State statutes provides a reason to keep it open if all the affected properties want it open. It is going to be used again, but infrequently, and with care.

Council President Ruble stated that on the deeds of the citizens whose property borders the alley, it is on their deeds this is a right that is given to them. She advocates for a park committee and have them look at it and say how do we find a win-win.

Councilor Barhyte asked the City Attorney to look at these 4 lots and see if we can vacate the alley. He is trying to understand what is legally possible.

Mayor William's pointed out we are not restricting the use of the alleyway, only restricting vehicles to exit south through the park or enter the alleyway from the park.

Councilor Tuttle restated his motion that "we close access to Lloyd Minor Park from the alleyway between Tualamere and Marlin." Mayor Williams clarified that the alleyway remains open from Childs, it just ends at the southern property lines of those last 2 homes prior to Lloyd Minor Park. Mayor Williams then seconded the motion.

Motion 2 ayes (Tuttle & Williams) two nos (Ruble and McLain) and one abstention (Barhyte). Motion does not pass.

Mayor Williams stated we will continue to gather information on this matter from the City Attorney. [OPEN]

4. Metro Grant funding

Councilor Barhytes stated that once we get the ramp down, we were going to pursue funding from Metro.

New Business: none

Council Reports:

1. Council President Ruble

She stated she has moved out of the area and is resigning.

2. Councilor McLean

The straw wattles were put in place on the side of the boat-ramp.

Cutting down two red oaks in Heritage Park still needs to be done.

The water fountains have been turned off.

3. Councilor Barhyte

Thanks to the City Manager for the financial reports in the new format. Nothing further.

4. Councilor Tuttle

Nothing else to report.

5. Mayor's Report

Stated that the Park's committee will get done. [OPEN]

Agrees that we need signage at the boat ramp and park. Not a dead issue, just paused because of consideration of the wording. [OPEN]

We need to get the Rivergrove report going again. [OPEN]

Going to meet with someone to fill Brenda's position. [OPEN]

City Manager Report:

Ben Scholenberger is our new City Planner.

The template for city reports is basically broken, so she, the Mayor, and Marissa (webmaster) will work on it.

The property at 19777 Sycamore has been sold, so to get flood insurance, they needed a survey.

FEMA now no longer requires the flood elevation certificates, but you will be paying a lot more money for insurance if you don't have one.

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

Not needed