

**Rivergrove City Council Meeting Minutes  
March 14, 2018**

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**CALL TO ORDER AND ROLL CALL**

The meeting was called to order at the River Grove Elementary School library at 7:00 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 December 11, 2017 Meeting**

**Motion:** Councilor Tuttle moved to accept the December 11, 2017 meeting minutes as presented. Councilor Nyberg **seconded** the motion. **It passed 5-0.**

**2. Minutes from the January 8, 2018 Meeting**

**Motion:** Mayor Kibbey moved to accept the January 8, 2018 meeting minutes as presented. Councilor Bahrman **seconded** the motion. **It passed 5-0.**

**3. Minutes from the January 22, 2018 Meetings**

**Motion:** Councilor Bahrman moved to accept the January 22, 2018 meeting minutes with the following amendments. Councilor Nyberg **seconded** the motion. **It passed 3-0.** Mayor Kibbey and Councilor Ruble abstained.

- Page 1, item 1 to read, "...Larry Todd (the owner and appellant)...."
- Page 1, under Larry Todd, Applicant, to read, "...Councilor Nyberg and members of the public viewed the new site plans to view the new front setback, the adjusted footprint of the home, and the eight trees in the floodplain that were to be spared."

**4. Minutes from the February 11, 2018 Meeting**

**Motion:** Councilor Tuttle moved to accept the November 13, 2017 meeting minutes with the following amendment. Councilor Bahrman **seconded** the motion. **It passed 3-0.** Mayor Kibbey and Councilor Nyberg abstained.

- Page 1, item 1 to read, "....decision for the Amendments to the Comprehensive Plan...."

**2. February Financials**

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

**OLD BUSINESS**

None.

**NEW BUSINESS**

**1. Discuss Appeal Procedures and Fees**

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 the deposit and the applicant pays the rest of the actual fees incurred. Including a clause that the appellant may be responsible for actual costs would deter frivolous appeals.

City Recorder Leanne Moll shared a chart with an overview of the appeal fees of several nearby cities. The Land Use Board of Appeals can require an appellant to pay the costs of the appeal if they do not win their case.

Council would like to ask City Attorney Bill Kabeiseman for a legal opinion before revising the procedure or fees for an appeal.

## **2. Discuss City Council goals for 2018.**

### **1. Rivergrove Land Development and Municipal Ordinances**

Councilor Tuttle noted that the Planning Commission will be taking on some of the revisions needed in the ordinances. He explained that the Comprehensive Plan must be included in any updated ordinances. According to the City Attorney Bill Kabeiseman, just because a goal is in the Comprehensive Plan, it does not give the Planning Commission or City Council a reason for accepting or rejecting criteria for a limited land use decision. Mayor Kibbey explained that the City could place the Comprehensive Plan into the RLDO compilation, already written by City Attorney Bill Kabeiseman. Then all ordinances could be voided and the Planning Commission and City Council could vote in the compilation. Mayor Kibbey noted that the Comprehensive Plan must be revised by 2021, assuming the City receives Census data.

City Recorder Leanne Moll suggested that she and City Planner Carole Connell could work together to update the compilation and then it could be reviewed by Bill Kabeiseman. This would cut costs.

### **2. Transportation & Road Issues:**

Updated to read, "Address the City's specific design and safety plans for the roads within its city limits. Continue to work toward a safer route to and from River Grove School where appropriate."

### **3. Emergency Preparedness:**

Council resolved to make Emergency Preparedness a focus of the September Ice Cream social. City staff will contact Clackamas County and Tualatin Valley Fire & Rescue to find out what resources are available to Rivergrove residents. Linn Hingson's name was removed from the goals document.

### **4. Parks Development:**

Councilor Nyberg noted that the toddler swing in Lloyd Minor Park was completed. Councilor Bahrman asked where are the 10-year plans for the parks? She noted that Heritage Park is now regularly used as a dog park and commented that there was no need for a children's structure there.

### **5. Rivergrove Giving Program:**

No changes necessary.

### **6. History & Archives:**

No changes necessary to the goal but Roger Knight's name was removed. This goal needs to be accomplished urgently.

### **7. Explore Creative Visions for a Better Rivergrove:**

The goal is acceptable as written.

### **8. Celebrate Rivergrove:**

No changes necessary.

### **9. Public Service:**

The goal is acceptable as written.

### **10. Tree Preservation and Enhancement:**

Councilor Nyberg noted that the Tree Board would have its first work session in May. Mayor Kibbey reminded Councilor Nyberg of the requirements set forth by the Tree City, USA program, including the presence of a Tree Board and a tree ordinance that accounts for the care of public and street trees.

Councilor Nyberg **moved** to adopt the City Council Goals for 2018. Councilor Bahrman **seconded**. The **motion passed 5-0**.

### **3. Plan for Arbor Month Celebration**

Councilor Ruble shared that she has obtained the documentary *Hometown Habitat: Stories of Bringing Nature Home* and would like to show the movie at her home and distribute copies of the coordinating text *Bringing Nature Home: How You Can Sustain Wildlife with Native Plants*. Texts of *Bringing Nature Home* will be distributed to the three Free Little Libraries in Rivergrove as well. The film will be shown at Brenda Ruble's home at 6:30 p.m. (movie begins at 7:00 p.m.).

The City will also hold a ceremonial tree planting and honor the Tree Board on Saturday, April 7 at 2:00 p.m. Residents can pick up free seedlings and books and enjoy cookies. Children can plant pussywillow in the savanna.

## **PLANNING COMMISSION REPORT**

City Recorder Leanne Moll reported that Commissioner Jennifer Crock resigned due to health concerns. The Planning Commission is looking to propose a permitting process for Airbnbs and other "transient lodgings", per RLDO 5.120.

## **COMMITTEE REPORTS**

### **1. Transportation Report**

Councilor Bahrman attended the Clackamas County Safe Routes to School Walk Audit for River Grove Elementary School and met Clackamas County Transportation Engineers Mallory McDowell and Christen Snuffen. Rivergrove's transportation goals were discussed with the engineers. A permanent speed radar device will be installed on Childs Road, but it's not clear who will foot the bill. The Safe Routes to School program will possibly help Rivergrove to pay for the traffic calming device if the City is required to pay for it. The City can't authorize to spend any funds until we receive the funding from the Safe Routes to School grant. Councilor Bahrman will attend another Safe Routes to School Meeting on March 20, 2018.

### **2. Parks**

Councilor Nyberg reported that City Arborist Brian French limbed a birch tree and pine tree on Monday, March 12 for \$400. He will also check a cable in a tree in Heritage Park. Mayor Kibbey **moved** to allot \$300 towards checking the cable in the tree plus the \$400 for limbing the trees. Councilor Tuttle **seconded**. **The motion passed 5-0**.

Councilor Nyberg noted that Jennifer Crock will spread the wood chips in Heritage Park.

### **3. Giving**

None.

**COUNCILORS' REPORTS**

Councilor Tuttle reported that there was a recent break-in at a garage on the corner of Maree Court. He also noted that the former Nelson property on 65<sup>th</sup> Avenue will become a five-lot subdivision. Neighbors continue to have concerns about the proposed bus barn on Lakeview Avenue.

**ADJOURNMENT**

**Motion:** Councilor Nyberg moved to adjourn the meeting.

Councilor Ruble **seconded**.

The **motion passed 5-0**.

The meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Leanne Moll  
City Manager/City Recorder