

**Rivergrove City Council Minutes**  
**June 12, 2023, 6:30 PM**

*Note: {xx:xx} refers to the approximate time on the Zoom recording the items was discussed*

**Standing Items**

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

*Present were Mayor J Williams, Council President B Ruble, Councilors Barhyte, Tuttle and McLean*

*Acting City Manager Lisa Merlo-Flores was present.*

*Guests were Mike Salch, Joe Buck, N Tompuiles (Bartlett Tree Service), J Joyce, Landon and Jude, Coleen Nyberg, Andrew Herbert, B Cottingham, Kelli Grover (City Engineer), Jamie Howsley, Roger Knight, Carolyn Bahrman, John Taylor, Candice White, Burke Burge, and Bill Kabeisman (City Attorney)*

*Rosewood Neighborhood Association: President Grant Howell*

**Presentations for Outside Agencies and Guests**

*{10:00} Grant Howell, Rosewood Neighborhood Assosiation said Bus Barn appeal is pending review by LUBA.*

**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

*{2:43} Carolyn Bahrman-the park and boat ramp have been discussed to death for several years. A few homeowners are not interested in what most people have said i.e., we need to clean up the ramp and refurbish the park. Applauds the action taken so far, it looks good.*

*{4:21} Andrew Herbert-Agrees the work looks good but believes the Planning Commission should have reviewed it and the City should have applied for a development permit. He was the one that stopped the work.*

*Councilor McLean inquired as to specifically what ordinances Mr Herbert was referring to. He believes the only permits needed are work are for work in the water, the rest of the work is landscape maintenance.*

2. Approval of minutes from previous meetings

*Councilor Barhyte moved to approve the April and May meeting minutes as amended by Mayor J Williams. Seconded by Mayor J Williams. Motion approved 3-0 with Council President Rubles unable to respond and Councilor Tuttle not yet joined. [closed]*

3. Discussion and approval of city financials *postponed*.

**Planning Commission Report:** *no report*

**Public Hearing:** Appeal of Planning Commission approval of a development permit for a home at 4810 Dogwood.

*{41:30} Council President Ruble and Councilor Barhyte recused themselves per ordinance requirements. After some discussion, the matter was remanded back to the Planning Commission by a 3-0 vote. Because of time requirements, including noticing, a special session will be necessary. Although numerous people were present it was decided not to take testimony, but for those wishing to testify to do so at the special session. People present wishing to testify were encouraged to submit written testimony to facilitate the process for both the Planning Commission and the Applicant. It was noted that the recused Council Members can testify as citizens and that oral testimony cannot be excluded from the special session. After discussion with the City Attorney, it was not recommended the councilors testify at the special session but could provide their findings and recommendations to the Planning Commission. Those findings and recommendations are as follows:*

1. *Ensure the property survey submitted is certified. Recall a recent case where because of an improper survey, an applicant cut down a tree that was not actually on their property. The survey also needs to delineate the boundaries of the flood way as well as elevation lines for the ordinary high-water mark, 10 year and 100-year flood plain (if applicable).*
2. *If part of the development is int the floodway and is designed to break away in a floodway event, ensure that it does not take out portions of a structure not in the floodway.*
3. *Consider a variance to place the A/C and Generator units at the side of the house if it would reduce noise to adjacent properties.*
4. *Carefully consider the findings of the complete arborist report and implement and/or at least specifically address them all. This includes the following: a. Delineate the tree protection zone. b. Specify the location and species of the replacement trees-perhaps with advice from the City Arborist. c. Minimize the need to cut roots of adjacent trees as well as those remaining on the property.*

5. *In line with the contents of the arborist report consider the following: a. posting a bond in case the adjacent large fir (dbh 58 in) is (on or before 5 years after construction begins) is demonstrated to be dead or dying. b. Consider other locations for the power, water, and gas to minimize root cutting. Perhaps in the old locations, adjusting the driveway, or under the driveway. [closed]*

**Unfinished Business:**

1. Update on project for the restoration of the boat ramp, ADA Ramp, and Lloyd Minor Park restoration

*{16:30} Councilor Barhyte spoke to all the Corona Virus approved projects. The City spent \$1,000 on Blue Creek Tree, and \$3,000 on Hogue(?) tree care. The ADA ramp was installed for \$2,000. There was a down payment of \$10,000 for the Lloyd Minor Park restoration. Work for this will begin tentatively at the end of June. He has had conversation with the Oregon Marine Board (OMB) regarding work done in the water. They are ok with it if we are just restoring the ramp to its' original condition. We do need to apply to the Core of Engineers, and that is happening. He does not see a need to apply to the Planning Commission for what he sees as landscaping maintenance for the portion of the ramp not in the water. [OPEN]*

*He did ask that we obtain a certified survey of the ramp and moved to spend \$1,600 to do that. Motion seconded by Mayor J Williams and approved 5-0.*

2. Council Goals – postponed [OPEN]
3. Marlin-Dogwood-Tualamere Paving Project

*{25:00} The City Manager had no update. [OPEN]*

4. Rivergrove Roster Update

*{25:11} The City Manager stated it is still work in progress, but progress is being made. [OPEN]*

**New Business:**

1. Tree Limbing in Lloyd Minor Park

*There was no discussion. [OPEN]*

2. Request for assistance with Canal Road Maintenance (City Manager)

*{26:20} The City Manager is in discussion with the City of Lake Oswego. The problem is it is now basically a through street. Republic Services will not use it in its' present condition.*

*Lake Oswego needs to know that it was destroyed by the Lake Corp, and they should be held responsible. [OPEN]*

3. Heritage Park Stewardship Committee Park Clean up days.

*{32:40} Council President Ruble stated we had a great clean up, lot of people showed up. People were so excited about progress, so they asked when the next one was going to be. [closed]*

**Council Reports:** *none given because of time constraints.*

1. Council President Ruble
2. Councilor McLean
3. Councilor Barhyte
4. Councilor Tuttle
5. Mayor's Report

### **City Manager Report**

- Budget Hearings

*We have had two budget committee meetings; the work is going fine.*

- Call for Planning Commissioners

*We are down one member, looking for a replacement.*

- Call for Lloyd Minor Park Stewardship Committee

*Putting out a call for anyone interested.*

**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.*

*Meeting Adjourned by the Mayor.*