

BIKEWAYS AND WALKWAYS COMMITTEE
Meeting Minutes – July 13, 2021 at 12:00 PM
Council Chambers

Member Attendance:

Keith Yoho (Chair)
Bob Lange (Vice Chair)
Lesley Orr
Chip Dennerlein
Cliff Kuhlman
Dana Christensen
Craig Rodenmayer - Absent
Melissa Pingree
Eric Parrinello - Absent

City/Staff/Council Liaisons:

Brian De La Grange (City Council)
Darin Fowler (County Commissioner) - Absent
Wade Elliott (Public Works Assistant Director)
Rob Brandes (Jo Co Public Works)
Jenna Stanke Marmon (ODOT) - Absent

Public:

Vickie Malmstrom, Steve Katchka, Mike Mallory, Maryann Mallory, Ruben Peterson, Jeff Hurst, Brent Shannon, Tracy Shannon, Patti Cook, John Hosford, Breck Cook, Laurie Appling, Mike Appling, David Oehling, Bob Bonner, Becky Bonner, Ron Slater, Susan Curry, Mike Martin, Kathy Capps, Terry Ferrol, Dory Jones

1. Roll Call:

- Chair Yoho opened the meeting and took roll.

2. Introductions:

- None.

3. Public Comment:

- Brent Shannon – 1303 SE Bluebird Drive. Speaking for those residents whose properties back up to the Rogue River with access from SE Elm Lane, SE Rogue Drive, and SE Belle Aire Drive. Noted the article from the May 23 Daily Courier. This easement issue was opened up by one individual from the BLM. Mr. Shannon asked if any member of this committee is employed by the BLM or knows this employee and noted there could be a conflict of interest. Wade and Member Orr stated this issue was brought forward by more than one person. Member Dennerlein asked if there could be a ruling on if this would be considered a conflict of interest? Chair Yoho said the definition of conflict of interest is if you have something financially to gain so no one here would have to recuse themselves. He also reminded those speaking that public comment is not for back and forth dialog. Vice Chair Lange said he wanted to be sure there is no perception of impropriety and said he is employed by the BLM but doesn't feel it is appropriate (for the public) to make the distinction of impropriety. Mr. Shannon noted he provided a packet for this committee. Wade will provide it to all members. Mr. Shannon talked about key elements of liability and responsibility. He mentioned people leave trash, have fires on the beach, sit in their yards, etc., and they don't want it in their neighborhood. He believes navigability should not be part of this issue and there is plenty of access to the river via parks, so they won't camp or party in their neighborhood.
- Jeff Hurst – 1015 SE Belle Aire Drive. Had a packet for each member. Wanted to address the issue of accessibility to the walkways between 1078 and 1072 SE Belle Aire Drive only. Noted there is a petition that has been signed by the residents of SE Belle Aire Drive stating they would like access. Many have used the access for decades. He gathered signatures from 23 of the 29 houses. Thirty-five residents have signed and were enthusiastic to see that walkway opened and three of those houses are riverfront property. There was a closure sign on the walkway currently

and feels it is due to the actions of the renters at 1072 due to drug activity, but back in 2012 there was a sign that gave access. He talked about Miss Hazel Campbell, a resident of 1039 SE Belle Air Drive, resident of 50 years, first petitioned the City to put the walkway in. She could not attend this meeting due to health issues. Lee Beaumont and his son of 1075 SE Belle Aire Drive, resident of 21 years cut back the shrubbery from along the trail and they don't know who is responsible for the upkeep. He himself is a resident of over 2 years mentioned the real estate flyer for his home, included in the packet, that mentioned private river access for residents. He read from a letter from 2008 from Grants Pass Code Enforcement Officer Sandy Ross along with a plat map, stating the easement is publicly owned and every citizen is entitled to use that easement for river access and no part of the river in this area is privately owned from the riverbank out and therefore using that portion of the river would not be considered trespassing. Even though he mentioned only a few residents by name he notes that all the residents want the access to remain open. He feels strongly that if it is determined that the access be closed that access remain for residents be granted with a locked gate and a code for the residents.

- Vickie Malmstrom – 1054 SE Belle Aire drive, resident for 30 years and has used the access all that time. There is trash but she cleans up the walkway and the riverbank. She hardly ever sees anyone else down there, so it's not used that frequently to her knowledge. That walkway has never been closed and noted a photo in the packet. Urges that it be kept open.
- Mike Martin – 1355 SE Elm Lane. He has been a resident of 32 years. He has had many negative issues including theft, needles, threats and more. Feels that it's been hell until that easement was shut off. He respectfully asked that it not be allowed to continue.
- Bob Bonner – 1311 SE Bluebird Drive. Has been a resident for 34 years. There were no houses on the river when he purchased his property. Once the homes were put in no one knew there was access to the river. The culture has changed and doesn't want to see it become like the Medford bike path with fires and camping. Stated there is no room for a walkway down there in case that is being considered and there is no room for parking in their cul-de-sac. He is speaking of the access on SE Rogue Drive.
- Mike Mallory – 1068 SE Belle Aire Drive right next to the Bell Aire access. His question is if anyone knows if the accesses are open or closed? Wade answered they are officially closed. Mr. Mallory added they are being used and doesn't believe having a (gate) code to access will work because the code will be shared. He asked who is liable for the activity and noted he doesn't want to be liable. Wade suggested they may be able to get a representative from law enforcement to attend to answer these types of questions.
- Maryann Mallory – 1068 SE Belle Aire Drive. Resident for 5 years. Notes that there are good neighbors but one, that would be able to have a code, took a chain saw and cut her Photinia plant to make a skateboard park removing all her privacy. She doesn't believe a gate code will work because it will be given to friends. Stated that recently there was an issue with a man that accessed the river that was screaming and yelling so she had to run in the house with her 5-year-old grandson. The man then continued east through people's yards.
- Vickie Malmstrom – She wanted to add that the people at 1072 that are renting will be leaving in another week.

- Mike Appling – 1461 Rogue Drive. They live on the low bank side along about a quarter of a mile or so stretch between the accesses that opens it up to everybody along the river. Has lived at this location since 2008. Noted that years ago the access was closed due to health reasons due to defecation along the tree line and they leave their trash since the only trashcan is too far of a walk to Portola Park. A recent family of five picked up their trash but then dumped it right along the trees. He yelled at them, but their answer was they were leaving it for the bum that lives there. He asked what has changed other than the increase in homelessness? He said when development occurred around Applebee's and Dutch Bros., it ran out the panhandling, but they came down to Elm Lane to set up and sleep there. It became problematic. He challenges this committee, or whomever wants to open the access back up, to adopt Baker Park for a year to show proof of concept that you can clean this stuff up. I will offer any of you a ride in my boat up to Tussing Park or Baker Park to give you an idea of the trash and tarps that are left just outside the public view. He noted that he doesn't see anyone cleaning that stuff up. He doesn't want to see it turned into the Medford Greenway.
- Ron Slater – No address given. He wanted to stress safety and fire protection which are ignored currently. People don't care. They don't want to be involved or take care of themselves. There is a total disrespect. There were over 80 people at one time at a party on their beach and that has happened many times and they leave a lot of trash.
- Terry Ferral – 1345 SE Elm Lane. Said he could only speak only about Elm Lane and he moved in about 6 years ago. Elm is very quiet and only has one in or out. He mentioned that emergency access as difficult with no other way in if the road is blocked and there is no parking on either side of the street. Where would people park to access? This is his biggest concern. Traffic has risen in their neighborhood and since the article (in the paper) came out they are coming down just to look to see if it is open. He doesn't want to be quarantined for the rest of his life because he can't get out of his own property.
- Breck Cook – No address given. Recently purchased a property at 1445 SE Rogue Drive and in-laws live in the house next door. He has seen the ups and downs of the access to the river for 25 years. His kids were quite small but there was trash and needles plus people passed out drunk or fornicating and defecating in the bushes. His concern is about the disrespectful people or the mean dogs not on a leash which is all a recipe for disaster. He believes if it opened up again it will be insane. Law enforcement doesn't want to deal with it and won't show up. It will go from bad to worse.

End of public comment.

Chair Yoho thanked everyone for their statements and noted there are a lot of similar problems that have been mentioned along with the local neighbors that want to retain some of their access. From himself personally, he would like to survey more along the riverbank and see what's going on to give a more insightful opinion. He would like to reach out to the Department of Public Safety and see if there is a particular officer to provide more input since that is one of the main issues.

In further discussion there was a request for more clarification from Wade regarding the three access points and who owns them or if they were terminated. Wade

confirmed they are easements over private property that have not been terminated. One is considered right of way that goes down to the road. There was a suggestion that if they make any recommendation that it should be site specific. They requested that Wade research if there are different levels of public access and maintenance or if facilities are required since this is different than a park. Wade indicated he would check on the issue since the state owns the river and there are other jurisdictions and issues to consider. It was mentioned that since there are multiple issues in larger cities with tents and homelessness, and human sanitation. There needs to be education, engineering, and enforcement and this could occur more in the future. It has to be managed with places to put trash. The entire Oregon coast has access but there are trashcans and restrooms at each location. Health and human safety issues have to be dealt with. They discussed that there may be other sites they may not be aware of. Wade will research. It was noted that these places shouldn't be viewed as equal to a park. They should not think about big things such as parking and other development and perhaps Council could direct them on what these easements and such are for. There needs to be a plan in place. This was brought up by someone in the neighborhood that came to this committee noting that the signs were changing, and they didn't know what the ruling was at the time. Wade will ask an officer to be at the next meeting to speak on the record about the issues at these access locations as well as the Parks Department on their availability to maintain those easements. He can see if it would be possible to build a parking facility. They discussed possibly having a meeting at these places so they could visualize the issues and the meeting could be posted so it would be legal according to public meeting law. They would like to wait until Wade comes back with further information at the next meeting. They discussed volunteering options that may be available. There are a few options through RVCOG or Stream Smart. Volunteering for the Parks Department may be an option once they have time to put something together.

4. Approval of Minutes

- Approval of minutes from May 11, 2021

Member Orr moved, and Member Christensen seconded the motion to approve the minutes from May 11, 2021. The vote resulted as follows: "AYES": Chair Yoho, Vice Chair Lange, Members Orr, Kuhlman, Christensen, Dennerlein, and Pingree. "NAYS": None. Abstain: None. Absent: Members Rodenmayer and Parrinello. The motion passed.

5. Action Items:

- Review Committee applications (if applicable)
 - a. Not discussed.
- Update on changing policy and procedures for committees.
 - a. Not discussed.

6. Matters from Committee Members and Staff:

- Updates from local jurisdictions –
 - a. Rob mentioned there will be chip sealing out in district 5 in the Illinois Valley. Roadway paint is going through supply chain issues. Fort Vannoy school has an onsite development plan for changes to their parking lot and the School Zone signs will be removed for the summer so they can get some traffic

counts. They are putting in three flashing lights in the intersection for Williams School. Beacon Drive is having some issues with fiber and gas lines. ODOT has the section of 199 from Tussing to Dowell on the short list for \$12 million in funding for Right of Way acquisition and engineering but the South Y did not make it. This should help the traffic flow, but the Y may never get the funding.

- b. Wade mentioned the City is working on the Safe Routes to School grant for Lincoln Elementary for \$1.4 million which is in the survey of the intersections stage. B Street sidewalks is about half complete and is looking really good. Cleanup at the site for the water treatment plant moving along. In progress is the storm drain installation from Mill and J Streets and the digging of the stormwater detention pond. Allen Creek Road is getting close to the design phase. Schroeder Lane has a test trench for a storm drain that will be put in and then watched to see if it would fall in and it has not. RFPs will be going out soon. Dollar Mountain Trailhead up on Crescent has been designed but they are waiting on an agreement from a Federal agency. They have quite a few projects that are fully designed but they are waiting for better pricing and availability on materials. Member Orr asked Wade about the off-road access that had at one time been part of the plan at the Water Treatment site and Wade confirmed it is still part of the plan and they are working with a consultant on that.
- c. Council Liaison DeLaGrange suggested this committee consider extending meeting times to an hour and a half if they are interested.

- Sub-Committee Updates
 - a. There were none.

7. Future Agenda Building for Next Meeting

- Continuation of Public Access to the Rogue River.

8. Adjournment

- Chair Yoho adjourned the meeting at 1:08 pm

Next meeting date: August 10, 2021 at 12:00 pm in the Ridge Room 108.

Minutes prepared by Donna Anderson, City Public Works Department.