

WEST LINN CITY COUNCIL MEETING MINUTES March 09, 2009

Council Present: Mayor Patti Galle, Council President Jody Carson;
Councilor Scott Burgess, Councilor Teri Cummings and
Councilor John Kovash

Council Absent: None

Staff Present: Chris Jordan, City Manager; City Attorney Tim Ramis;
and Shirley Richardson, Minute Taker

Call to Order/Pledge of Allegiance

Mayor Galle called the meeting to order at 6:30 p.m. and Council President Carson led the flag salute.

Mayor Galle announced that Agenda Bill 09-03-09C, Public Hearing of Planning Commission decision for the Holiday Inn Express, will be continued to March 30, 2009.

Proclamations, Recognitions and Presentations -- None

Community Comments

Roberta Schwarz, 2206 Tanler Drive thanked the Council for the White Oaks Savannah Resolution. The Grant application has been completed and is in the appropriations process. In talking with the Senators staff, she was told there will be a lot of pavement going down, a lot of asphalt in the country. There are 13 different appropriations committees and they will try to find the appropriate home for this particular project in the overall stimulus package.

There is great promise in this project because it can be an eco tourism location. It will be wonderful to have the whole 20 acres. Boys Scouts and other groups have called and want to help. Donations have been coming in and most of those funds will go towards helping to rid the White Oaks Savannah of the non-native invasive Himalayan Blackberry. The federal funds, if received, will pay for the purchase of the 5.65 acres and a portion will be used to put in foot paths and make it accessible to the general public.

Lynn Fox, P.O. Box 236 Marylhurst, OR stated she is here tonight on behalf of the Hidden Springs Neighborhood Association. She submitted a packet of information regarding concerns on the process of the step one annexation hearing held on January 26, 2009 for ANX-08-01.

According to City policy in Chapter 81.030 and 99.080(C) of the Community Development Code (CDC), Hidden Springs Neighborhood Association's president should have been notified of the pre-annexation, pre-application meeting that was being held on October 16, 2008 but was not. A copy of Chris Kerr's March 4, 2009 email confirming City policy and the fact that the impacted neighborhood association was not contacted is included in the submitted material. The applicant and/or City staff should have provided a copy of the staff report recommending R-20 zoning to the NA president and members at the January 20, 2009 Hidden Springs Neighborhood meeting. That did not occur. A copy of the video tape of that meeting can be made available if requested.

At the January 26th step one hearing the acting mayor and chair refused to allow the official representative of the affected neighborhood association to present information necessary for the deciding body to make an informed decision about all the issues before that body regarding the proposed application. An unedited copy of the January 2009 ANX-08-01 hearing will demonstrate this fact as will the testimony from those who were present. The West Linn/Wilsonville representative at that meeting erroneously advised the Council that Ken Worcester had arranged several meetings with Hidden Springs Neighborhood Association. Included in the packet is a copy of Mr. Worcester's February 10, 2009 email stating the statement by the West Linn/Wilsonville representative was a miss-statement of the fact. There were no meetings arranged between the NA and the West Linn/Wilsonville School District.

Council discussed the specifics of future development which is not part of the step one process at the January 26, 2009 meeting. The Council did not discuss the fact if the property is not developed as a school and sold to a developer as the Dollar Street property was, the cost to existing residents for unreimbursed infrastructure. The cost would be over \$7 million for 91 homes on the 21-acre site. According to a Metro representative at a the Hamlet meeting last fall West Linn staff advised her current cost to West Linn's citizens for each home that is built is between \$77,000 and \$95,000 per house. Therefore, costs to existing residents would range from \$7-8 million. Since Council chose to discuss possible development on the site at the

January 26th meeting, then all possible development and impact on citizens should have been discussed at that public meeting.

As president of the impacted NA she is bringing these possible violations/defects in the process to the attention of Council for their review and attention.

Gary Hitesman, 2188 Clubhouse Drive, stated he is not anti-growth but feels there should be a strategy on how growth is managed that works in the best interest of business and residents alike. The City alone cannot perform all the tasks; there are many volunteers and well-meaning people but no leaders with expertise currently on staff.

He is asking Council for enlightened leadership and a proper stewardship for land use issues. He suggested these ideas:

- Hire a Planning Director, it appears ill-conceived to let go a veteran of the City who is responsible for overseeing the planning of many high profile projects of immense impact
- Hire a Planning Director that can best represent the Council's desire to keep Stafford designated rural
- Hire a Planning Director to oversee tasks assigned to the newly hired planning consultant
- The City is at a below minimum critical mass to effectively manage all that a planning department should do
- The Council must redact the words "eager" and "utilization" of Stafford Road as a connector from the aspiration letter sent to Metro immediately. This should be done today.
- Abandon contentions that a rural urban reserve debate is a public process discussion only. If left to Metro and Clackamas County the pledge of supporting rural reserves in the Stafford Basin is a false hope
- Tom Coffee's reputation as a skilled planner is currently not being fully realized. Rather than question why the city is paying a former city planner to go to public meetings and eat cookies, the question should be how can Tom Coffee best serve the Council desire to keep Stafford rural, not urban, not unmitigated, but rural and only rural.

Mr. Hitesman pleaded with Council to draft and complete an Intergovernmental Agreement (IGA) with Clackamas County and Metro on a process that allows the Council and West Linn citizens a seat at the table; immediately sign a revised Memorandum of Understanding (MOU) between West Linn and the Hamlet; and engage Metro and Clackamas County now. The current direction of allowing the public process to continue without abatement only provides false hope.

Mayor Galle asked Mr. Hitesman if he knew what the proposed MOU between the City and the Hamlet consisted of. Mr. Hitesman stated there is an existing MOU with the Hamlet and he thinks it would be a good idea to establish a formal way to

communicate with the Hamlet. He feels it would be good to have communication between both the Lake Oswego and Tualatin Hamlets and the County. He submitted a copy of his statement tonight.

Consent Agenda

Council President Carson moved to adopt the consent agenda consisting of Agenda Bill 09-03-09B, Approval of Council Meeting Minutes of January 26, 2009 as amended. Councilor Burgess seconded the motion.

Ayes: Cummings, Burgess, Carson, Kovash, Galle

Nays: None

The motion to approve the consent agenda carried 5-0.

Report from the City Manager - None

Business from the City Council

Councilor Cummings announced there will be a Metro Reserves meeting on March 16, 2009 from 9:00 a.m. to 12 noon at the Metro Building on Grand Avenue. There will be discussions on the mapping for rural reserves. She encouraged the public to attend and participate in the meeting.

Councilor Cummings reported she attended a Policy Advisory Committee meeting on March 3, 2009 with the Clackamas Commissioners. At that meeting, preliminary mapping showed the Stafford Hamlet area as potentially needing to be studied for urban reserves. This is in conflict with the City's recommendation to see that area be considered for a rural reserve. She asked the public to get involved in this process so the residents of West Linn have input on decisions for this area.

Council President Carson reported she attended an MPAC meeting. There were discussions on the economic conditions around the Metro area. This information will be fed into the overall assessment of what areas will be considered for future urban designation. The next MPAC meeting will be the 4th Wednesday of the month at 5:00 p.m.

Councilor Burgess reported the Council and the City Manager met to develop Council goals. He looks forward to seeing a final copy of the proposed goals.

Councilor Burgess asked staff to review the statements and information provided by Ms. Fox's testimony tonight and get back to Council on the findings.

Councilor Cummings is also interested in the results of staff's review of Ms. Fox's information. At Council's worksession there were discussions of making the pre-applications open to the public as an opportunity to learn about what is going on and how the process works. There still would be no public opportunity for input or

testimony during the hearing. There were discussions about the possibility of reducing the \$2,500 appeal fee to \$400.

Councilor Cummings announced a Metro meeting on March 19, 2009 at West Linn City Hall Chambers from 6:30 p.m. to 8:30 p.m. Chris Jordan stated all the details of the meeting will be on the City's website.

Councilor Cummings asked staff to comment on the status of finding a Planning Director and an update on the Stafford Road letter to Metro. City Manager Chris Jordan stated the letter to Metro can be revised; he will talk to the interim planning director on changing the language. Metro and Clackamas County can be invited to meet with West Linn; however, the process that has been established is Metro's process and part of it is outlined specifically in State law. There certainly can be a discussion but he doesn't see them doing anything different with West Linn than they are doing with every other city and agency in this area.

Business Meeting

1. Agenda Bill 09-03-09C Public Hearing – Planning Commission decision for the Holiday Inn Express

Mayor Galle announced this item would not be heard tonight.

Council President Carson moved to continue the hearing for the Planning Commission decision on Holiday Inn Express to March 30, 2009. Councilor Kovash seconded the motion.

Ayes: Burgess, Carson, Kovash, Cummings, Galle

Nays: None

The motion carried 5-0.

Adjournment

The March 9, 2009 West Linn City Council meeting adjourned at 7:01 p.m.

RESPECTFULLY SUBMITTED,

Tina Lynch /s/

Tina Lynch
City Recorder

APPROVED BY THE CITY COUNCIL
ON APRIL 27, 2009

Patti Galle /s/

Patti Galle, Mayor