

WEST LINN CITY COUNCIL MEETING MINUTES MARCH 23, 2009

Council Present:

Mayor Patti Galle, Council President Jody Carson, Councilor Teri Cummings and Councilor John Kovash

Councilor Absent:

Councilor Scott Burgess

Staff Present:

Kirsten Wyatt, Assistant to the City Manager; Richard Seals, Finance Director; City Attorney Bill Monahan; and Shirley Richardson, Minute Taker

Call to Order/Pledge of Allegiance

Mayor Galle called the meeting to order at 6:35 p.m. and Midge Pierce led the flag salute.

Proclamations, Recognitions and Presentations

Mayor Galle read the proclamation of City Council that the first full week of April each year will be Arbor Week for West Linn, Oregon and calling upon its citizens and civic organizations to celebrate trees by planting, maintaining, studying, hugging and enjoying trees in the community. The City will celebrate Arbor Week with many events focused towards the maintenance of existing trees and the planting of new trees.

Mayor Galle read the schedule of activities planned for Arbor Week in West Linn.

- Monday: Tree and shrub planting at the McLain House
Tree removal at Mary S. Young Park
- Tuesday: West Linn School Ecology Class
Native plantings in Midhill Park
- Wednesday: West Linn School Ecology Class

- Thursday: Tree planting in Willamette Park
Plant sale at West Linn Community Center
Shrub planting and construction of wood duck nesting boxes by Primary school students
- Friday: Plant sale at Adult Center
10 a.m. – 2 p.m. pruning demonstration at West Linn Community Center

Community Comments

Midge Pierce, 1785 Britlon Street, stated she was here tonight to speak on the Transportation System Plan. She acknowledged the hard work of the Transportation System Board and the 10th Street Task Force in addressing very difficult issues. Recently she and her neighbors heard the opening of 8th Avenue at Dollar Street may be eminent. Dennis Wright, City Engineer, assured her this morning that he will be speaking to the Willamette Neighborhood Association before any work is to begin on that issue.

Ms. Pierce and her neighbors petition the City to keep 8th Avenue at Dollar Street closed for the following reasons:

- This plan causes a traffic flow change that will have negative ripple affects throughout the Willamette District, primarily the West Willamette District. It will also have the same affect in the Eastern District as well.
- Additional traffic stress on Dollar Street creates a danger to the many children who use Dollar Street as a major route to school. This will present a safety hazard for scores of pedestrians who use the Dollar Street sidewalk to get to shops, restaurants, schools, parks, churches and community functions.
- The Plan undermines efforts of people to create friendly pedestrian routes, the revitalization of commercial areas and other interests that many of the residents are trying to pursue.
- This Plan creates three difficult left-hand turns that will be hazardous to cars, pedestrians and fire trucks: 8th Avenue to Dollar, left on Willamette Falls, left onto 10th Street.
- The Plan surrounds neighborhoods with high traffic corridors making driveways and sidewalks extremely difficult to enter and exit safely. Slicing and dicing neighborhoods in this way isolates, blocks and creates asphalt islands. The consequences are what planners call dead-locks; crime and police implications follow.
- This plan lowers the quality of life in Willamette and suppresses property values. It would choke off a neighborhood already hard hit by foreclosures and falling property values.
- This Plan does not solve the major problem of reducing through traffic on I-205. This can be done more efficiently or effectively through traffic calming measures and traffic lights in strategic places.

All the residents are stakeholders in keeping neighborhoods healthy. If you hear one neighborhood, you hear all of the neighborhoods. The 10th Street projections indicate growth by 2030.

Ms. Pierce states she hopes this is all rumor and bad dreams. It undermines the safety of the citizens and creates a grid pattern that chokes off the livability of the town. She doesn't think this is what West Linn wants. The City needs to look at ways to help West Linn; people should be the priority and not cars.

Alice Richmond, 3939 Parker Road, thanked the City for putting on the adult training session to educate the residents on how the City functions. The session was very informative and she suggested the audience attend the next session offered.

Consent Agenda

1. Agenda Bill 09-03-23A Approval of Council Meeting Minutes of January 12, 2009
2. Agenda Bill 09-03-23B Approval of Council Meeting Minutes of February 23, 2009
3. Agenda Bill 09-03-23C Approval of Council Meeting Minutes of March 3, 2009

Council President Carson moved to approve the Consent Agenda consisting of Agenda Bill 09-03-23A, Council Meeting Minutes of January 12, 2009 as amended; Agenda Bill 09-03-23B, Council Meeting Minutes of February 23, 2009 as amended; and Agenda Bill 09-03-23C, Council Meeting Minutes of March 3, 2009 as presented. Councilor Kovash seconded the motion.

Ayes: Carson, Kovash, Cummings, Galle

Nays: None

The motion carried 4-0.

Report from the City Manager

Kirsten Wyatt, Acting City Manager reported the City Engineer will be present at the upcoming Willamette Neighborhood Association meeting to talk about the 8th Street issues and the Transportation System Plan. Staff will provide a briefing about the policy issues related to the opening of that street and the Transportation System Plan. The City wants citizens to have input, involvement and an understanding of the process. Work on this issue will not begin until these steps have been taken; citizen involvement and citizen input is very important to the City.

Business from the City Council

Council President Carson announced there will be an MPAC meeting this Wednesday, March 25, 2009 from 5:00 p.m. to 7:00 p.m. in Metro Council Chambers. Agendas are posted on Metro's website. She invited all who are interested to attend.

Mayor Galle opened the meeting to discussion of Agenda Bill 09-03-23D, Adoption of City Council Goals at 6:51 p.m. She asked for a staff report.

Kirsten Wyatt reported Council met on March 6 - 7 to develop goals for 2009. Council identified priority areas that will be addressed by staff during the year. Staff will periodically report to the Council on the status of these goals and status updates will be made available to the public on the City's website. A copy of the proposed goals has been submitted to Council. Ms. Wyatt explained there were minor changes made by staff and those changes were read:

- Parks & Recreation Capital Plan - Changed the word "Review" to "Approve;" "Approve a five-year capital plan..."
- Parks & Recreation Capital Plan - Add the statement, "Complete the first two years of the plan."
- Sustainability - additional bullet regarding a community education outreach plan to educate staff and the community about sustainability issues.
- Council Priorities-Administrative Professionalism - Add a bullet to ensure the effectiveness of the community development function by implementing a Continuous Improvement Program.
- Council Priority: Community Relations - Outreach - The City Council will provide some assistance and coordination to neighborhood associations and citizen advisory groups.

Councilor Cummings suggested combining the last two bullets under Neighborhood Associations into one comment.

Council President Carson thanked staff for preparing a document which reflects their discussions and future goals set at their worksession. She is in support of all the changes detailed tonight and supports Councilor Cummings suggestion regarding Neighborhood Associations.

Council President Carson moved to approve the proposed City Council Goals for 2009 per Agenda Bill 09-03-23D, with the changes suggested tonight by staff and Councilor Cummings. Councilor Kovash seconded the motion.

Mayor Galle asked staff to make a copy of Ms. Decker's CD available to the public upon request. She too agrees with the proposed goals and the changes proposed tonight.

Ayes: Cummings, Carson, Kovash, Galle

Nays: None

The motion carried 4-0.

Business Meeting

2. Agenda Bill 09-03-23E Resolution No. 09-05 - Opposition to urbanizing the Stafford Area

Mayor Galle opened discussions on the issue of urbanizing the Stafford area at 6:55 p.m. She asked for a staff report.

Kirsten Wyatt reported Council requested staff to develop this resolution reaffirming the City's desire that the Stafford area not be included in the expansion of the urban growth boundary and that it should be designated as "rural reserve."

The City of West Linn has long been opposed to urban level development in the Stafford area. As Clackamas County and Metro again consider potential urban growth expansion, it seems an appropriate time to reaffirm the City's position on urban development in this area. This resolution states the City's position regarding possible urban growth expansion and requests that the area receive a designation of "rural reserve" which will curtail urban level development for the next 50 years. Staff recommends approval of this resolution.

Councilor Cummings asked if community comment would be allowed on this issue. Mr. Monahan, City Attorney, explained that Council has the discretion on whether to take public comment.

Alice Richmond, 3939 Parker Road, stated she ran into documents at home dating back to 2002 and they were on this same issue only it was called Area 37 back then. This area is not the Stafford area, it has been designated the Stafford Hamlet. This area is a beautiful, peaceful place and a Hamlet has been formed. It is no longer an orphan and no longer up for grabs. She is opposed to the manipulation of this area and she would like Metro to respect the fact that it is a Hamlet and leave it alone.

Dave Adams, 19621 Hazlehurst Lane, stated he lives in the Stafford Hamlet. He has spent the last 15 years trying to preserve Stafford's rural legacy. Even though he is the chief petitioner and on the board of the Stafford Hamlet, he is here tonight speaking as a private citizen.

Stafford has been in and out of the urban boundary two times. Every five years when the review comes up Stafford get thrown into the fire. The Hamlet was formed to give the residents in the area a voice and seat at the table when these conversations came up. The term "rural reserve" has been coming out of these discussions for some time and this time it is more defined. The majority of residents have indicated they want Stafford to stay rural. The Hamlet passed an important milestone this weekend by ratifying their value statement and they are now working

on the vision statement. There are six areas of agreement that make up the vision statement. The only area that urbanization has been part of the conversation is regarding the Borland area. They are no longer the triangle, they are a Hamlet. It is time for West Linn to become pro-active; he is glad to see the Council on board by taking a stand on this issue.

There was an article in the *Tidings* there is no point in preserving agriculture because the soils are no good. This has been farm land for decades and there are extremely successful vineyards and gardens. With the help of West Linn, Lake Oswego, and Clackamas County the residents in the Stafford area can see their Stafford Hamlet vision come true. Water is the key for this area; the City will be asked for water all along the fringe of the city. Once one person is allowed water others will want water too.

Councilor Cummings asked Mr. Adams to tell Council the six areas of agreement. Mr. Adams stated he did not have the document with him; however, the value statement (which was submitted tonight) is the back bone of the vision statement. This Statement will be used to evaluate any proposal that comes before this area. The vision statement speaks to the Stafford character which is the rural character and rural legacy. The whole concept of the Stafford character is the six points in the vision statement. The residents voted overwhelmingly on the Stafford character.

Councilor Cummings noted that many of the residents support urbanization; however 85% support semi-agricultural. She asked what was meant by semi-agricultural. Mr. Adams stated there were some residents that weren't happy with the survey. A high percentage of the residents wanted to have the development that was in harmony with agriculture. Lake Oswego has been proactive about buying land in the Stafford area; West Linn has done nothing. Some of the development (community gardens) could be used a model for things West Linn and other cities could do.

Councilor Kovash stated the County and Metro are looking for interest from the Hamlet on rural reserves. The vote did not give direction. Mr. Adams stated that the Stafford Board has not taken a position. There are other issues involved in this process that have been too hot to touch. There is a forum scheduled in April and the residents that show up will be polled. Whether the designation is urban, rural or undesignated, none of them will allow the vision described tonight. It will take negotiations and memorandum of understandings to make it happen. He is most hopeful for a designation of rural or undesignated.

Mayor Galle read the resolution to the audience.

Council President Carson moved to approve Resolution No. 09-05, A Resolution of the West Linn City Council Reaffirming the City's Longstanding Opposition to the Urbanization for the Stafford Area and its Opposition to the

Designation for the Area for Urban Reserves per Agenda Bill 09-03-23E. Councilor Cummings seconded the motion.

Councilor Cummings suggested changing the language under Section 1 to acknowledge the City is open to the concept of urbanization in the areas adjacent to 205 (Borland area).

Council President Carson agrees to the language change; however, feels there should be a specific area identified, "The City of West Linn would be willing to participate in discussions of an alternative designation for the area surrounding the intersection of I-205 and Borland Road."

Councilor Kovash agrees the area should be designated and would like to have input from surrounding areas to get their opinions. He doesn't feel this resolution needs to include the additional language. If there should be a different designation in the future it would involve a different process.

Mayor Galle stated that in her opinion, based on her experience of going to Metro and taking a firm stand on this issue, she is uncomfortable with the fact the community had been voicing their need for a rural designation and it comes up urban. She believes the City is dealing with an incorrect process to achieve the Stafford Hamlet Vision Statement which includes mixed uses, different areas suited to different purposes, planned and predicted change, stability, legal rights for development or preservation, fair compensation if private land is used for public good, and entitlement of the city's own unique vision as of their future as expressed by their residents and taxpayers and that for West Linn is a livable and sustainable community within its present City limits.

The process from Metro does not allow any acknowledgement of being able to do those things; it has pitted the City against urban or rural. There is no definition of either of those categories. Metro should release population numbers so the cities know how many people are involved. Secondly, infill numbers should be provided and figures on how they rate against the population expectation. She would like to know if Metro has polled to see what cities want to expand; those should be considered first. If projection numbers still are not met, Metro should then begin a process that allows each city to have a vision for their communities that will help Metro meet their needs. Development is not the bad word; it is the process that is flawed. She feels cities have lost their ability to develop their own communities.

A meeting will be scheduled between West Linn, the County Commissioners, planners and other cities to discuss how to make this fair and equitable for cities to manage their visions and maintain rural character.

Council President Carson stated she feels the resolution should go forward. She is comfortable passing the resolution as presented tonight. Without this resolution and

if there is no change in the process, West Linn will not be on the record as wanting a rural reserve.

Councilor Cummings stated she attended a meeting and was given a Great Communities Report which was commissioned by the Division of Land Conservation and Development (DLCD) in 2006. When she attended Metro meetings they talked about a screening process and how everyone would be at the table; however, at a recent meeting Metro displayed a map showing the entire Stafford area designated as urban even though West Linn had submitted a statement that they were interested in a rural designation.

The mayor of Lake Oswego is concerned about who will provide water and pay for the pipes needed for that water. He is also concerned about the assumption that water supply is not an issue as he has heard differently from water entities and thinks this issue needs to be addressed. Both West Linn and Lake Oswego have weighed in with some serious reservations about urbanizing Stafford and yet Metro has put urban on the map.

The March 19th Metro Urban and Rural Reserves Study Area map only shows a portion of the Stafford area as even being open for consideration for rural. The area next to West Linn (Area Q/37) is still left only as an urban designation. She feels Metro is completely ignoring the wishes of the cities.

Councilor Cummings stated she feels there needs to be a resolution so it is very clear that urban alone is not appropriate for this area.

Mayor Galle called for the vote:

Ayes: Carson, Kovash, Cummings, Galle

Nays: None

The motion carried 4-0.

3. Agenda Bill 09-03-23F Resolution 09-06, Amending Land Use Appeals Fees in the Master Fees and Charges Document

Mayor Galle opened the meeting to discuss land use appeal fees at 7:31 p.m. She asked for a staff report.

Kirsten Wyatt reported this resolution would modify the master fee schedule. Staff has submitted a copy of Page 22 of Attachment A to the Master Fee Schedule because the issue at hand tonight is amending the land use appeal fees in that document.

At Council's request, this proposed resolution would decrease the fee for land use appeals. A fee of \$400 has been recommended by staff; however, it is Council's decision to approve this dollar amount and/or approve the resolution to amend the Master Fee Schedule.

Questions from the Council to Staff -- None.

Councilor Cummings moved to approve Resolution 09-06, Amending Land Use Appeals Fees in the Master Fees and Charges Document to reflect a \$400 fee for Land Use Appeals per Agenda Bill 09-03-23F. Councilor Kovash seconded the motion.

Ayes: Kovash, Cummings, Carson, Galle

Nays: None

The motion carried 4-0.

4. Agenda Bill 09-03-23G Resolution 09-07,

Mayor Galle opened the meeting to discuss bi-annual budgets at 7:35 p.m. She asked for a staff report.

Richard Seals, Finance Director, reported Council discussion bi-annual budgets at their last work session. Local Budget Law now allows all Oregon agencies to prepare budgets on a one-year or two-year basis which aligns with how the State prepares its budget. It was unanimous that the longer range financial planning focus was worth pursuing.

This resolution directs staff to start preparing biannual budgets effective for the biennium beginning July 1, 2009. Staff recommends adoption of this resolution.

Councilor Carson asked if there was any input from the Budget Committee. Mr. Seals stated he sent out the draft resolution to the Budget Committee members; there was no response. Ms. Wyatt stated that at the November meeting, the Budget Committee response was very positive because of the long-term financial planning aspects they support.

Mayor Galle asked if the state does biennium budgeting. Mr. Seals said yes, they have always been on two-year budgeting. This type of budgeting will allow a lot of West Linn's financial items to align with the State.

Mayor Galle asked staff to comment on the consequences of two-year budgeting. Mr. Seals stated the City is still committed to having periodic citizen budget committee meeting, annual meetings, presentations of annual budget estimates to actual, annual tax rate certification, etc. The annual reporting will remain similar as it is currently done. The budget will be presented in such a way where each fiscal

year totals can be seen and annually there will be a comparison which will show two years represented next to each other.

Council President Carson moved to approve Resolution No. 09-07, Biennial Budgeting per Agenda Bill 09-03-23G. Councilor Kovash seconded the motion.

Ayes: Cummings, Carson, Kovash, Galle

Nays: None

The motion carried 4-0.

Adjournment

Mayor Galle adjourned the meeting at approximately 7:39p.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