

WEST LINN CITY COUNCIL MEETING MINUTES March 8, 2010

Council Present:

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

Council Absent:

None

Staff Present:

Chris Jordan, City Manager, Kirsten Wyatt, Assistant to the City Manager; Zach Peltz, Planning Department; John Sonnen, Planning Director; City Attorney Tim Ramis; and Shirley Richardson, Minute Taker

Call to Order/Pledge of Allegiance:

Mayor Galle called the meeting to order at 6:42 p.m. and led the flag salute.

Approval of Agenda

Mayor Galle announced Agenda Bill 2010-03-08D, Awarding of Auditing Contract for FY 2010 through FY 2014 will be moved to the first item addressed under the Business Meeting.

Council President Kovash moved to approve removing Agenda Bill 2010-03-08 from the Consent Agenda and hearing it as the first item under the Business meeting. Councilor Burgess seconded the motion.

Ayes: Kovash, Burgess, Carson, Cummings, Galle

Nays: None

The motion carried 5-0.

Proclamations, Recognitions and Presentations: None.

Community Comments:

Lynn Fox, submitted a copy of a Complaint she had filed with the Oregon Government Ethics Division. As a former neighborhood president and long-time resident, she was disappointed at the March 1, 2010 Council work session when she heard a discussion about a councilor (Carson) voicing her code change requests that would suit her property for convenience of financial gain. This is a violation of ORS-244, "...An elected official may not (1) use public office for financial gain; (2) engage in conflicts of interest; or (3) make statements of economic interest." It is not enough that this Councilor recuses herself from voting on the Chapter 25 revisions; by Council rules the City Charter is state law and the Councilor is not allowed to be part of the discussion. She feels the initiated changes to the CDC specifically benefit Councilor Carson.

Bob Thomas, 2563 Pimlico Drive submitted to Council a rebuttal and complaint about the transcript he made of Police Chief Timeus to show that much of what he said was not correct. The testimony given by Arnold Cogan is also incorrect.

Tonight he is here to say that he feels the Council majority (Burgess, Carson, Kovash) engaged in unacceptable conduct when they broke Council rules for utilizing staff assistance to secretly compose critical untrue statements against fellow Councilors (Galle and Cummings). He also feels they failed to follow the rule that requires a legal review of ordinances and resolutions prior to adoption. Mr. Thomas also wonders why this issue was placed on the agenda when the analysis had not yet been completed.

Consent Agenda:

- a. Agenda Bill 2010-03-08E Draft Minutes for Approval – January 25, 2010
- b. Agenda Bill 2010-03-08F Draft Minutes for Approval – February 8, 2010

Council President Kovash moved to approve the Consent Agenda consisting of Agenda Bill 2010-03-08E, Approval of City Council Meeting Minutes of January 25, 2010 as amended and Agenda Bill 2010-03-08F, Approval of City Council Meeting Minutes of February 8, 2010 as amended.

Councilor Burgess seconded the motion.

Ayes: Burgess, Carson, Kovash, Galle

Nays: None

Abstentions: Cummings

The motion carried 4-0-1.

Report from the City Manager

Chris Jordan reported that Tina Lynch and Kirsten Wyatt have been meeting with a company that provides software which allows for live web-streaming of Council and Planning Commission meetings. After the meeting, this system has the ability for citizens to click on a selected section of a meeting, get a copy of the minutes from that selection, and then link directly to the same section of the video recording. When the agreement goes through, this system should be onboard in the next month or so. This will provide good, accurate and quick information to the community.

Business from the City Council

Councilor Cummings stated in response to Mr. Thomas' testimony, she didn't break any rules. It is any councilor's right to ask the City Manager questions at any time and get clarification; and that is what she and Mayor Galle did. They wanted to know why there was a discrepancy between the email stating the necessary analysis was completed and Mr. Green's statement that the analysis had not been done. They were concerned because this issue was on the agenda with a recommendation for approval without completed analysis.

Councilor Cummings stated her nor Mayor Galle demanded a complete overhaul of the Water Master Plan. They did ask if it would be possible to have an outside professional engineer look at the processes for how capital improvement plans are recommended. The City Manager has the authority to hire consultants up to \$25,000 without Council approval.

Councilor Burgess stated he was not at the meeting referred to in Ms. Fox's testimony regarding a Councilor's comments Chapter 25 changes. However, he was in a similar situation when major steps were being taken to amend Chapter 32 of the code.

There is some question in Oregon Land Use Law in terms of legislative versus quasi-Judicial hearings in terms of "conflict." When staff is developing codes and present their recommendations, you don't know something is going to affect your property until you hear what changes are being made. It is difficult to take oneself out of the discussion because you think you have something to add and it doesn't affect only your property but it does or could affect it.

On another matter raised by Councilor Burgess, he stated he was involved in the resolution. There was an allegation that staff created the resolution. He spent time working on the resolution and Councilors Kovash and Carson worked on it as well. It was not given to staff to work on. It was an unusual situation.

The pipe issue came up in a work session, and it was reasonable to question whether adequate analysis was done. Councilors asked for additional information and remanded back to staff for review and comment. Concerning the request to evaluate the master plan (consultant's recommendation); the City Manager stated the Council would have to vote on it. There have been several issues regarding requests, demands, and speaking to the City Manager without Council approval not continuing.

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Council President Kovash stated he was present at the work session where Councilor Carson discussed property issues. He feels it was Councilor Carson's right to ask the city planner's opinion. Councilor Carson is not only a councilor, but a citizen who owns property in the City. There are transcripts of the work session. He will leave it to the city attorney to determine if this was an offense.

Asking questions is not the issue in this situation; all of the councilors ask questions of staff on a routine basis and they get answers. The issue is how the questions were presented, what was said, and how it was said to the City Manager. The incident is well documented and anyone who wants to see what transpired in that meeting can certainly get that documentation. He encouraged the citizens to do so.

Councilor Carson stated she does not feel she acted improperly at the work session. She was concerned about the wording in sections of the code on two issues. Unfortunately in an effort to provide clarity, it appeared that her property might be the only one affected. She wanted the citizens to know up front that there were other properties that would not be affected. It turned out, after further research from staff that hers wasn't the only property affected. She did not want the code changed only for her benefit. She will be recusing herself from the vote; she stated that at the work session. Clearly Council can vote any way they want to.

Councilor Cummings stated she has not seen documentation regarding her demands of staff. According to council rules, all written information, materials requested by councilors and the mayor should be submitted by staff to the entire council with a notation indicating which councilor requested information. She asked that she receive a copy of that information. She stated this has been an ongoing problem and she hopes it does not continue in the future.

Obviously a large group of people were aware the resolution regarding the Mayor was being drawn up but two of the councilors weren't. In terms of working together, this doesn't meet the criteria. She hopes the Council does better. She is offended by what was written and Mayor Galle is too. She doesn't see any factual information that substantiates the allegations. She had asked the attorney if he had reviewed the resolution as to form and that hadn't been done. Several rules are not being adhered to by Council and she would like to see it stopped. Making mistakes is part of life; it is how you deal with them that matters the most. She has been accused of harassment and breaking the rules and she asked that this resolution be repealed and the Council go back to working together.

Mayor Galle read from the complaint filed by Ms. Fox, "...the supporting documents show that the changes that were made to the code support what she was asking for her property..." and asked the City Attorney to review the document and give his opinion at the work session next week. Mr. Ramis, City Attorney, noted the complaint has been filed and is in the jurisdiction of the State at this point. He suggested letting the State process proceed.

Mayor Galle stated she doesn't feel she harassed and it would make Councilor Cummings and herself more comfortable if Council would repeal those accusations. All five councilors should be involved on resolutions and information.

Councilor Cumming stated in reviewing the minutes of January 11, 2010, the City Attorney made a suggestion regarding the July 27, 2009 executive session consensus to ask for a motion for final action. The Public Meetings Manual speaks to making a vote versus coming to a consensus.

Point of Order was raised by Councilor Burgess; this issue was discussed in executive session. There have been at least two conversations on this issue and he doesn't believe Councilor Cumming's statements are correct. The Attorney has written a memo on his opinion on this issue and found nothing at fault. He was in attendance at the council meeting when it came up and at the executive session. He asked that the council get on with the rest of the meeting.

Councilor Cummings moved for Council to take final action on the discussion in the July 27, 2010 meeting where three councilors gave Chris Jordan guarantee that his contract was no longer on the table. Mayor Galle seconded the motion.

Councilor Burgess stated this issue was included in the aforementioned resolution wherein this Council indicated they support the continued employment of Chris Jordan, the City Manager. It was a 3-0 vote. He feels the issue is over; action was taken.

Council President Kovash stated he objected to the wording of the motion because he does not agree with Councilor Cummings recollection as it is incorrect. To take final action on something that wasn't actionable is inappropriate.

Councilor Burgess stated he would not be voting in favor of this motion. An executive session was held to review the performance of the executive officer. He is not going to talk about what went on in executive session because it was executive session. By voting on this motion he feels that words are being put in his mouth that are not true.

Point of Order raised by Councilor Carson that this issue has been discussed multiple times and she asked to suspend the discussion.

Councilor Cummings noted ORS-192.6606, "...if you reach a consensus and the members know of that consensus, the purpose of the final decision requirement is to allow the public to know the results of that discussion..."

Councilor Burgess called the Question

Councilor Cummings withdrew her previous motion and moved to affirm that Council took final action on the City Manager's review on July 27, 2009 to secure the City Manager's contract. Mayor Galle seconded the motion.

Councilor Burgess stated he will be voting against the motion because it is asking him to affirm that he took action and he didn't.

Mayor Galle recused herself from the vote because she was not present. She called for the vote:

Ayes: Cummings

Nays: Carson, Kovash, Burgess

The motion failed 3-1.

Councilor Burgess moved to affirm the Council supports the continued employment of Chris Jordan as the City Manager of the City of West Linn. Councilor Carson seconded the motion.

Councilor Cummings stated she will not be voting in favor of this motion. She feels there needs to be an evaluation and discussion of this position.

Councilor Burgess called the question

Ayes: Kovash, Burgess, Carson, Galle

Nays: Cummings

The motion carried 4-1.

Business Meeting

1. Agenda Bill 2010-03-08D Award of Auditing Contract for FY 2010 through FY 2014

Mayor Galle opened the meeting to discussion of the auditing contract at 7:37 p.m.

Chris Jordan reported this proposal is for an award of the auditing contract for fiscal year 2010 through fiscal year 2014. This is in accordance with state law, a requirement that the City hire independent auditors to review annual financial statements.

Staff is recommending Council award Talbert, Kolvola and Warwick, LLT this contract. The Audit Committee has reviewed the three submitted proposals and also recommends the same. The price of the contract is \$65,000 for the first year and indexed for inflation thereafter.

Council President Kovash moved to approve the Award for Auditing Contract for FY 2010 through FY 2014, which awards a five-year contract for auditing services to TKW for FY 2010 through FY 2014 per Agenda Bill 210-03-08D. Councilor Carson seconded the motion.

Ayes: Kovash, Burgess, Carson, Cummings, Galle

Nays: None

The motion carried 5-0.

2. Agenda Bill 2010-03-08A Resolution No. 2010-10, Transportation and Growth Management Planning Grant

Mayor Galle opened the meeting to discussion of the Transportation and Growth Management Planning Grant.

Zah Peltz, Planner reported the proposal is to identify deficiencies in the existing bike and pedestrian network; to improve walk-ability and bike-ability; and improving on-street connections and transit stops. The project would identify programs that improve safety and increase bike and pedestrian and wheelchair throughout the City and help reduce congestion for short trips.

The budget estimate for this project is \$85,000 which includes one full-time staff and intern for approximately nine months (GIS support and mapping). TMG grant requires a local match of 11% or \$9,500 which can be in the form of cash, staff time or a combination of the two.

Council Cummings noted the "10-minute Neighborhood Concept" is difficult for West Linn. The terrain does not accommodate being able to get to services within 10 minutes by foot or bike. Mr. Peltz stated this proposal will involve a combination of demand management of reducing the need to make trips and providing more convenient services within closer proximity to residences to allow people to walk or bike.

Councilor Carson moved to approve Resolution 2010-10, A Resolution Of The West Linn City Council Indicating Its Support For The Development Of A Pedestrian, Bicycle and Transit Enhancement Plan per Agenda Bill 2010-03-08A. Council President Kovash seconded the motion.

Ayes: Burgess, Carson, Cummings, Kovash, Galle

Nays: None

The motion carried 5-0.

3. Agenda Bill 2010-03-08B

Resolution 2010-11, Economic Development
Committee

Mayor Galle opened the meeting to discussion of the Economic Development Committee at 7:52 p.m.

Kirsten Wyatt reported this proposal would create an Economic Development Committee; a standing committee comprised of 10 members with two-year terms representing the five business sectors in West Linn as well as five at-large members. It is specified in the resolution that this group is to work very closely with neighborhood associations and the Chamber of Commerce.

This group is designed to build on the recommendations of the Economic Development Taskforce made to the City in 2009. If this resolution is passed, staff will immediately begin recruiting to fill the 10 spots on the standing committee. At that time they will also go out with a Request for Proposal (RFP) to find the professional technical staff support to assist this committee with their work.

Councilor Burgess asked staff to comment on the funding of this committee. Mr. Jordan stated if this resolution is approved, staff will start soliciting committee members and start an RFP process soliciting consultant services to help staff organize this committee. There is \$20,000 budgeted for this purpose. City Council will appoint the committee members and staff will make a

recommendation or decision as to who the consultant will be. The consultant will report to the City Manager or designee.

Council President Kovash stated he wants to see the community get involved. Mr. Jordan stated there is no staff expertise on economic development. The idea is to have expertise to help the committee and then the committee can help make recommendations to the City as to how to continue funding in the future.

Councilor Burgess moved to approve Resolution 2010-11, A Resolution Of The West Linn City Council Creating The Economic Development Committee per Agenda Bill 2010-03-08B with the following changes:

- **1st Whereas, delete, "...for all businesses..." to read, "...and thriving business environment, present and future."**
- **Now, therefore, be it resolved, Section 1, (a) Membership, "...one representative from each of the five business areas (Willamette, Bolton, Robinwood, Cascade Summit, and home-base businesses), one representative from the Chamber of Commerce, and four members appointed at large by the Mayor and approved by the City Council."**
- **Section 2, end of sentence to read, "...West Linn Chamber of Commerce, Neighborhood Associations and general public."**
- **Section 3, Purpose (a), end of sentence to read, "...Economic Development Plan and its updates in accordance with the Comprehensive Plan and Community Development Code;"**
- **Section 3, Purpose (b), delete the words "its" to read, "...in promoting a pro-business environment..."**

Councilor Carson seconded the motion.

Councilor Carson stated she will be voting in support of this resolution. This is something that is very important for the City at this time. There are many empty buildings and storefronts (critical to get them filled), support current businesses to be successful and to look at areas where they want to redevelop and redefine areas. She is pleased to see this resolution come before the Council.

Mayor Galle thanked Danny Crossman for all of his work and patience on this project.

Ayes: Carson, Cummings, Kovash, Burgess, Galle

Nays: None

The motion carried 5-0.

Councilor Carson left the meeting at this time as she recused herself from Agenda Bill 2010-03-08C, Amending CDC Chapter 25, Modifying Design Standards in the Willamette Historic District.

Recess was taken at 8:00 p.m. and the meeting reconvened at 8:10 p.m.

Modifying design standards in the Willamette Historic District

Mayor Galle opened the meeting to discussion of the Willamette Historic District at 8:01 p.m.

John Sonnen, Planning Department reviewed the staff report with the Council. The purpose of this ordinance is to make proposed amendments to Chapter 25 of the Community Development Code pertaining to the Willamette Historic District. The updated Chapter 25 is intended to take place in two phases. More refinement to the Code will be done during the second phase.

Mr. Sonnen reviewed some of the proposed changes:

- Infill housing and accessory dwelling units to make sure such development is done in a way that maintains the historic character of the district
- Limits on the size of infill houses
- New structures no more than 125% of the size of adjacent or existing house or 1,200 sf whichever is greater
- Height limit of 28-feet. There are height limits and size limits proposed for accessory dwelling units (Page 24)
- Front yard setbacks are proposed to be changed for structures from 15 feet to the average of the adjacent residences
- Side yard setbacks for any use to be enlarged from 5-feet to 15-feet under the proposed regulations.
- Limits to window replacement and repair
- Partitions of property

Included in the packets tonight are the proposed additions Council suggested is incorporated for consideration. Staff is asking for an additional change that will replace the language on Page 32, Section 25.110, Petitions and Subdivisions, of the proposed code recommended by the Planning Commission requiring rectangular lots. This proposed change will allow an exception where a street would form an irregular lot.

Councilor Burgess asked staff to comment on the square footage per story of one-story (600 sf) and two-story (500 sf) houses. Mr. Sonnen stated the increase is to encourage single-story use.

Mayor Galle voiced concern about the language in Section G was included at the request of Councilor Carson or if the changes were made for the good of the Historic District. Mr. Sonnen reported the changed language in G provides for 900 sf is new language subsequent to March 1st. It was initiated at Council's work session. After staff reviewed the suggestions, they felt the points were valid. The language recommended by the Planning Commission made appropriate accommodation for the irregular lots that already existed due to a street alignment on one boundary. This was an oversight at the Planning Commission level.

Mayor Galle noted there was no provision for the changes to be reviewed by someone with historical expertise. The complaint was that the changes were done for the benefit of Councilor Carson. Councilor Burgess stated he felt it was appropriate for councilors to talk with staff; he

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himself has submitted written suggestions. Mr. Sonnen stated that the last changes had nothing to do with the Councilor's suggestions.

Discussions followed on square footage restrictions on one-story and two-story residences; accessory dwelling units; and window limitations. Mayor Galle asked that in the future when dealing with land use issues there is some historical or planning expertise used to make sure the change is compatible for the entire community.

Councilor Burgess asked staff to explain what changes were made since the Planning Commission recommendations. Mr. Sonnen reported the changes made at the March Council work session included:

- Bottom of Page 8, add, "No site visits will be required to verify the classification of the structures."
- Page 14, Item 6, strike the words "unlike the rest of West Linn" from first sentence.
- Page 14, Item 6, last line, strike, "underlying zone e.g. R-5 lot coverage shall not apply"
- Page 20, Item 2, omit, "unless they were the original materials"
- Page 22, K(2), "no cedar shingles are used and/or permitted"
- Page 25, G, new language added dealing with accessory dwelling units and large structures (suggested from Planning Commission and some words suggested to be stricken at the March 1st work session)
- Page 33, C (2), add, "...rectangular or approximately the shape of traditional lots elsewhere in the district."

Public Comment

Charles Awalt, 1847 5th Avenue stated in terms of aluminum windows there are two structures with aluminum windows. The 1960's and 70's were aluminum window periods and there are two fine structures with aluminum windows. It would be a travesty to ask the owners to put in wooden windows. Every historic house has to go before the historic review board before it can be remodeled. In reference to cedar shingles, if someone can afford the shakes and can find them they should be able to use them.

Councilor Burgess asked for the distinction between detached or attached structures when dealing with these code changes. Mr. Awalt stated most of the changes refer to detached dwellings. The detached building should look the same as the main structure. New detached construction requires meeting the new changes to the code. If a detached structure already exists, and you want to remodel, convert, or want to add a second story, Section F kicks in and you have to meet the current code requirements. It is no longer an existing building, it is a new structure. It is critical the lot size is included to prevent lot sizes that are not consistent with the character of the neighborhood. Consistency and authenticity are the main goal.

Alice Richmond, 3939 Parker Road, stated at the work session Councilor Carson only gave her property as an example for all citizens in the city with the same situation. She was at the work session; she has lived in West Linn for a long time and understands this situation. The Mayor was on the telephone communication system during this work session. She lived in this area long before Councilor Carson and she remembers the origin of the barn. The house is in the corner on the lot so

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it depends on which side of the street you are on whether you call it the front yard or back yard. She's lived in this area since 1959.

Mayor Galle clarified that she didn't phone in until after the discussion about Councilor Carson's testimony. Mayor Galle asked the audience if they knew when the barn was moved.

Tom Neff, 671 Marylhurst Circle stated he couldn't give the exact year, possibly 1990's. The barn was on a property that fronted on Dollar Street that was going to be subdivided. The Carson's had the barn moved to their property after the Field's house was demolished during the purchase by the School Board. The Carson's removed what was remaining of the Field's house and stored it in that barn.

Ruth Offer, 1831 5th Avenue submitted information to Council. She has been involved in the historic district for a while. She is a part of the subcommittee of the Willamette Neighborhood Association and was voted as the representative from the Neighborhood Association to go to the Planning Commission. She was part of the subcommittee for the Historic Review Advisory Board and did the contract review for the district houses for historic preservation.

Ms. Offer stated the recession has provided them a welcome break from the pressures of development. The information submitted is the work done by Peter dealing with specific things that have been a problem for their district. There are properties that are currently for sale, and as they are sold they will again experience development pressure and the things that are most important to them are included in some of these changes.

Now there is a new planner whose focus will be the historic district and rewrite of the entire code is what's needed. What they need is full scale change and need to have these current code changes approved.

Councilor Burgess asked if this information was presented to the Planning Commission. Ms. Offer stated what was submitted to the Planning Commission was a smaller document. Tonight she submitted a significantly larger proposal which reflects work that was done after the Planning Commission meeting. What was submitted went through the process of the Planning Commission. She supports the changes that are before Council tonight.

Ms. Offer asked for additional time.

Council President Kovash moved to allow Ms. Offer five additional minutes. Councilor Cummings seconded the motion.

Ayes: Cummings, Kovash, Burgess

Nays: Galle

The motion carried 3-1.

Ms. Offer stated she hadn't seen Section G before; however, Code 34, "...existing accessory structures, such as large workshops, offices, garages before January 2000 can exceed dimensions of ADUs up to 1,000 sf." Existing structures are allowed to be up to 1,000 sf. She appreciates there was

the addition of structures needing to be classified. She submitted a map and would like to see it possibly replace the current map in the code.

As a matter of point, she was there to help tear down the barn and move it in 1990's. She had a map of the subject property which shown the location of the barn in the rear, behind the denominate face of the structure. She has a 1906 map which shows a barn on the property that had burned down at one point.

She has been involved in these changes and likes what she sees so far. She would like to see these restrictions put in place so they don't have issues of stopping construction because of limitations.

Beth Kieres, 1852 4th Avenue stated she was designated by Todd Swanson who lives on 4th Avenue as well. He was here earlier to make a statement that he had received an incomplete notice in the mail. She receives a lot of mailings because she represents the Neighborhood Association; but he did not get full notice. Possibly there are others who did not get notice also.

Mr. Ramis stated correct notice was sent prior to Planning Commission hearing on this issue. This notice provided notice there was a hearing and if you knew about the hearing there is no prejudice.

Tom Neff, 671 Marylhurst Circle stated since his previous statement this evening he has been advised that was not the only barn on the property ever. This is based on his statement that he never seen a barn on that property since that one, which was accurate; however Alice Richmond was accurate too. There have been two barns on that property.

Mr. Neff stated Peter Spir has done a lot of work on the Willamette Neighborhood. When he was on Planning Commission and City Council he was impressed with Mr. Spir.

Lynn Fox, Post Office Box 236, Marylhurst, OR 97036 stated there are so many problems that she has seen in this process. If there is going to be an increase in density in this area will the City receive System Development Charges (SDC) credits from more development of these properties, more children in schools, more cars on streets, more police protection will be required and all the citizens of the City will have to pay for that. When will the City be required to pay for these expenses or will developers be required to pay.

Mayor Galle voiced concern that this was a special case and any other citizen would not be given the same consideration. She would like this sent back to the Planning Commission for their consideration before review by the Council. She closed the public testimony portion of the hearing and opened it to discussion of the Council.

Mayor Galle moved to send this issue back to the Planning Commission to be reviewed by a historic planner and the public. Councilor Cummings seconded the motion.

Council Cummings stated she is not sure if she can support this motion. She is hearing a concern about wanting to get most of these changes adopted for the sake of preserving the character of that area. These are big changes that may or may not have been properly addressed. Rather see it continued and heard at a later date by the Council. She appreciates the district as a whole; they

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have gone through a great deal of effort to protect, preserve and maintain the character of their district.

Councilor Burgess stated he will be voting against this motion. This issue was before the Council before, it was heard by the Planning Commission twice and now it is back again. Ultimately, it will be the Council's decision. He is willing to continue this issue to their next meeting. He has other issues he would like staff address about these changes and will get that information to staff.

Mayor Galle withdrew her motion. Councilor Cummings, the second, agreed.

Councilor Burgess moved to continue Agenda Bill 2010 ... to March 22, 2010 and allow public testimony at that time. Council President Kovash seconded the motion.

Ayes: Burgess, Cummings, Kovash, Galle

Nays: None

The motion carried 4-0.

Councilor Burgess asked that any questions from the councilors be made to staff by the end of the week. He would like to hear those questions answered by a staff explanation and recommendation.

Mayor Galle asked Mr. Ramis his opinion of the Complaint filed by Ms. Fox. Mr. Ramis stated this is a state issue now. There will be a state review of the facts and a determination of the facts. The process will take time.

Councilor Cummings moved to extend the meeting ten minutes to discuss any further questions on this issue. Mayor Galle seconded the motion.

Councilor Burgess stated he will be voting against this motion because he would like to get questions in writing to staff so they have all the information to review and be prepared to address.

Councilor Cummings called the question:

Ayes: Cummings, Galle

Nays: Kovash, Burgess,

The motion failed 2-2.

Adjournment of Meeting

The West Linn City Council Meeting adjourned at 10:03 p.m.

RESPECTFULLY SUBMITTED,

Tina Lynch /s/

Tina Lynch
City Recorder

APPROVED BY THE CITY COUNCIL

ON APRIL 12, 2010

Patti Galle /s/

Patti Galle, Mayor

