



Memorandum

Date: April 6, 2012

To: John Kovash, Mayor
Members, West Linn City Council

From: Chris Jordan, City Manager *ef*

Subject: Additional information for April 9 Meeting

Attached is some additional information for the Council's April 9 meeting:

National Library Week Proclamation – staff from the West Linn Public Library will be present to provide a brief overview of some of our programs.

March 12 Minutes. Attached are the minutes that reflect Councilor Carson's recommended edit.

Temporary Use Permit. Attached is one additional e-mail from a neighbor that we have received regarding that application. Also attached is the script for that hearing.

Attachment

PROCLAMATION

West Linn, Oregon

WHEREAS, National Library Week is a national observance sponsored by the American Library Association and libraries across the country; and

WHEREAS, the West Linn Public Library appreciates the community's support and wants to thank the residents for their commitment for a better Library; and

WHEREAS, the Friends of the West Linn Library, West Linn Library Foundation, and Library Advisory Board work together to strengthen the West Linn Public Library's strategic initiatives; and

WHEREAS, during this week, the Library will offer activities to highlight the various services it offers to residents ranging from Music in the Stacks, Terrific Tuesday, story times, E-Reader specialist, and a computer basic class; and

WHEREAS, staff will be in the community handing out thank you buttons at surprise locations to honor our residents in the continued support of the Library; and

WHEREAS, the theme is "You Belong@ your library" with emphasis to increase public awareness and support the libraries and librarians for the key role they play in our lives.

NOW, THEREFORE, BE IT PROCLAIMED BY THE WEST LINN CITY COUNCIL that the week of April 8, 2012, is "NATIONAL LIBRARY WEEK" in West Linn, Oregon, and call upon all residents of this great city to join me in supporting the mission and vision and heightening the awareness of the importance of our libraries.

DATED THIS 9TH DAY OF APRIL, 2012

JOHN KOVASH, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER



CITY OF

West Linn

22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

WEST LINN CITY COUNCIL MEETING MINUTES March 12, 2012

Call to Order & Pledge of Allegiance

Council Present:

Mayor John Kovash, Council President Jenni Tan, Councilor Jody Carson, Councilor Teri Cummings, and Councilor Mike Jones.

Staff Present:

City Manager Chris Jordan, City Recorder Kathy Mollusky, Public Works Director Ken Worcester, City Engineer Dennis Wright, and City Attorney Tim Ramis.

Approval of Agenda

Council President Jenni Tan moved to approve the agenda with the addition of the executive session per ORS 192.660(2)(i) to be held after the work session. Councilor Jody Carson seconded the motion.

Ayes: Mayor John Kovash, Council President Jenni Tan, Councilor Jody Carson, Councilor Teri Cummings, and Councilor Mike Jones.

Nays: None.

The motion carried 5 - 0

Proclamations, Recognitions, and Presentations

Arbor Week Proclamation

Proclamation

Mayor John Kovash read the Arbor Week Proclamation.

Councilor Jody Carson listed the planned Arbor Week events that will be occurring throughout the City.

Arbor Week Events

Consent Agenda

Agenda Bill 2012-03-12-01: February 13, 2012 Council Meeting Minutes

Draft Minutes

Council President Jenni Tan moved to approve the Consent Agenda for the March 12, 2012 West Linn City Council Meeting which includes the February 13, 2012 Council Meeting Minutes to include the proposed changes. Councilor Jody Carson seconded the motion.

Ayes: Mayor John Kovash, Council President Jenni Tan, Councilor Jody Carson, Councilor Teri Cummings, and Councilor Mike Jones.

Nays: None.

The motion carried 5 - 0

Community Comments

Bob Thomas submitted a letter regarding Highway 43 ownership, rehabilitation, and maintenance. He thinks the visioning process is due to future growth in West Linn.

Bob Thomas letter

Report from the City Manager

City Manager Chris Jordan has nothing to report tonight.

Business from the City Council

Councilor Jody Carson reported on the Clackamas County Coordinating Committee (C4). They are exploring potential methodologies to get funding for countywide transportation needs.

Councilor Mike Jones mentioned that Highway 213 at Interstate 205 and Washington Street in Oregon City is going to be closed March 22 to March 27. He urges everyone to avoid this area during this time.

Mayor John Kovash delivered the State of the City message at the Chamber of Commerce meeting. The City finances are solid right now; in the long run, all cities are facing financing issues due to Measures 5 and 50. City Council and Staff are working well together and getting a

lot done. Council met last month and established five goals. The first goal is Economic Development. The visioning process for Willamette Falls Drive took place last year, over 250 citizens participated. If we can do Economic Development, it will be based on the visioning process and other items that will come forth. The City is doing as well as or better than other cities. One of our difficulties is the transportation network. We have strict limitations on the amount of money we can spend to fix roads. Highway 43 is owned by the Oregon Department of Transportation (ODOT) and ODOT is downsizing. They also own the 10th street intersection which is failing. Virtually everything we could do in the future is limited by transportation issues. The other issue we have is our water infrastructure. We have a \$20 million backlog of maintenance issues. We have a 100 year old water reservoir that needs to be replaced. There is \$10 million in back maintenance needed for pipes to maintain our water system. We have to figure out what we are going to do with our water infrastructure and how we are going to maintain it. The State of City in is the papers, learn all you can about your City and participate in some of our solutions.

[Mayor's State of the City](#)

Business Meeting

Agenda Bill 2012-03-12-02: Redesignate Summit Property

Summit Property Information

Public Works Director Ken Worcester Staff Report.

Councilor Cummings inquired if Sunset neighborhood was involved.

Public Work Director Worcester stated the neighborhood was previously involved. They were looking at doing a pocket park at this location. It was cost prohibitive due to the size of the property and they would have to take out trees to add the sidewalks.

Councilor Cummings asked if he had a record of how much money the City purchased the property for.

Public Works Director Worcester said we do not, it was purchased around 100 years ago.

Councilor Cummings asked if he knew if it was a state law or ordinance to have segregated property at that time.

Public Works Director Worcester does not know what the law was 100 years ago.

Councilor Cummings would rather see this tabled until after May election for Chapter 11. It is less than a month before we put it to a vote

Councilor Jones stated this has been discussed for many months and when Council approved

the ballot measure, it was discussed that this would have to be redesignated prior to placing on the ballot. This is not a last minute move.

Councilor Cummings is talking about the principle of the situation, not the length of time.

Councilor Tan knew when Council voted to put this on the May ballot that Council would redesignate a few properties prior to the ballot measure.

Councilor Jody Carson moved to adopt Resolution 2012-05 redesignating Summit Street Property to City owned property. Council President Jenni Tan seconded the motion.

Ayes: Mayor John Kovash, Council President Jenni Tan, Councilor Jody Carson, and Councilor Mike Jones.

Nays: Councilor Teri Cummings.

The motion carried 4 - 1

[Agenda Bill 2012-03-12-03: Resolution 2012-06 Creating a Water Infrastructure Task Force](#)

[Water Infrastructure Task Force Information](#)

City Manager Chris Jordan Staff Report.

Councilor Cummings stated these changes were discussed in the work session. She would hope this would be an inclusive process and would like to be involved in this process. She is opposed to leaving it up to a Staff member to make appointments.

Councilor Carson thinks this resolution is a key in getting funding needed for the water infrastructure. She is comfortable with the City Manager making appointments. City Council, Utility Advisory Board, Staff, and others will be making recommendations. The City Manager has appointed task forces in the past and it has been successful.

Mayor Kovash echoed Councilor Carson's comments.

Council President Jenni Tan moved to adopt Resolution 2012-06 creating a Water Infrastructure Task Force. Councilor Mike Jones seconded the motion.

Ayes: Mayor John Kovash, Council President Jenni Tan, Councilor Jody Carson, and Councilor Mike Jones.

Nays: Councilor Teri Cummings.

The motion carried 4 - 1

[Adjourn](#)

Call to Order Work Session

Dennis Wright introduced Paul Wigowsky, Capitol Asset & Pavement Services.

Paul Wigowsky PowerPoint presentation.

[Pavement Management Condition Report](#)

Roadway Maintenance Status Report

Adjourn Work Session

City Attorney

Council reconvened at 8:23 p.m.

Mayor Kovash stated the City Council discussed the City Attorney options in executive session. Councilor Cummings declined to join Council during the return to open session.

Councilor Mike Jones moved to authorize the City Manager to recruit, hire, and supervise an in-house attorney. This City Council will retain the services of Jordan, Ramis as the City Attorney. Council President Jenni Tan seconded the motion.

Ayes: Mayor John Kovash, Council President Jenni Tan, Councilor Jody Carson, and Councilor Mike Jones.

Nays: None.

The motion carried 4 - 0

Adjourn

Mollusky, Kathy

Subject: FW: J. T. Smith Companies temporary use permit request for a construction trailer/notice-MISC-12-05

From: Livengood, Bart C 052 [<mailto:Livengood.Bart@pdx.sysco.com>]

Sent: Thursday, March 29, 2012 6:45 AM

To: Soppe, Tom

Subject: J. T. Smith Companies temporary use permit request for a construction trailer/notice-MISC-12-05

Hello Mr. Soppe,

We are one of the several homeowners within the 500' circle around the proposed trailer site requested by J.T. Smith Companies. I am not sure what the proper way is to submit written testimony, if this message suffices that is great.

The entire Vineyard development project has been conducted and constructed in the most friendly and professional way possible. Many of our neighbors are in awe as we are that this is the case. Every aspect of this development has gone as smoothly or even more smoothly than we were told they would by Mr. Smith and his Associates. This could not be easy to pull off and we are quite thrilled with the value this entire project is bringing to West Linn and all of its improvements.

We are fully in favor of the construction trailer and would not mind if the request was for more than one such trailer. Everything associated with this project has been done tastefully and we are sure any future project will be handled in the same fashion.

Thank you,

Peggy & Bart Livengood
2610 Coeur D'Alene Drive
West Linn, Oregon 97068

**HEARING OF AN APPLICATION (MISC. 12-05) FOR A ONE-YEAR
TEMPORARY USE PERMIT FOR A CONSTRUCTION OFFICE TRAILER AND
ASSOCIATED PARKING AREA AT TERESA'S VINEYARD SUBDIVISION
LOCATED AT 3138 COEUR D'ALENE DRIVE**

MAYOR

I call to order the public hearing for the Council to consider the application of the temporary use permit for a construction office trailer and associated parking area at Teresa's Vineyard subdivision located at 3138 Coeur D'Alene Drive .

This hearing is before the City Council as the approval authority under the provisions of Community Development Code Section 35.030C that allows the City Council to review and issue temporary use permits that will terminate between six months and one year.

The record in this case will include all testimony and written submissions received before the close of the hearing or record by the City Council. Anyone may testify who completes a testimony form and submits it to the City Recorder.

CITY ATTORNEY

All persons wishing to speak must be recognized by the Mayor before speaking. For the deliberations tonight the applicable criteria are found in the Community Development Code, Chapter 11 Single-Family Residential Detached and Chapter 35 Temporary Structures and Uses. These are the criteria the City Council must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Comprehensive Plan or other land use regulations which the person testifying believes apply to the decision.

The application before the City Council this evening must be decided based on these criteria. Despite the importance of other issues that may be raised during the public hearing, the authority of the Council is limited only to those issues that address compliance with the applicable criteria. The applicant has the burden of proving that the application complies with all relevant criteria.

The testimony and arguments heard will be used by the City Council in coming to a decision on the application. Audience demonstrations or other disruptive behavior will not be tolerated. The City Council is here to listen to testimony and come to the best possible decision.

Failure to address a criterion or issue with sufficient specificity to allow the parties and the City Council to respond precludes an appeal to the Land Use Board of Appeals based on that criterion or issue.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Planning Commission to respond to the issue precludes an action for damages in circuit court.

The Mayor will now describe how the hearing will be conducted.

MAYOR

Conduct of Hearing

The public hearing this evening will be conducted as follows:

First, the staff will give its report

Next, the staff will submit any additional written correspondence to be entered into the record

Then the applicant, Teresa's Vineyard subdivision, will be granted up to 20 minutes to present its application.

Then the public will testify and each speaker may have up to 3 minutes of time.

Then the applicant will be granted up to 10 minutes for a final rebuttal.

Next the Council will direct any final questions to staff, after which, the public hearing will be closed.

Finally, the Council will deliberate and make a decision on the application.

A decision may be made by the City Council at the close of the hearing or the matter may be continued to a time and date certain in the future. If the matter is continued to a time and date certain in the future, this will be the only notice of that date you receive.

If you wish to speak during the appropriate portion of this hearing, please fill out a testimony form and give it to the City Recorder. When you come to the podium, please state your name and address for the record. If you are here but do not wish to speak, please fill out a testimony form and indicate on the form that you do not wish to speak. This will be our record that you were in attendance at this hearing, and will preserve your rights to participate in any further review of this application by the State Land Use Board of Appeals.

If additional documents or evidence are provided by any party, the City Council may, if requested, allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Evidence means facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standard believed by the proponent to be relevant to the decision.

Conflicts of Interest and Site Visits

Has any member of the City Council visited the site?

Does any member of the City Council wish to announce any ex-parte contacts or any potential conflicts of interest?

(If ex-parte contacts have occurred, the Council member must describe the substance of the contact. The Chair must then announce the right of interested persons to dispute the substance of the communication.)

Does any member of the audience wish to make any challenge to any Council member's impartiality or ability to participate in this decision?

(If there are challenges to a member of the Council, the Council member will be given an opportunity to respond. The challenged Councilor must decide if they are going to participate in the hearing. If the Council does not concur with the Councilor's decision regarding participation, the Council must deal with the challenge by motion.)

Jurisdictional Issues

I will now entertain any objections to the Council's jurisdiction to consider this matter.

Hearing no objections to the Council's jurisdiction, let's proceed to the staff introduction of the case.

HEARING

Staff Introduction

Correspondence

Have we received any correspondence on this matter, other than those items included in the packet?

Staff will provide copies of new correspondence to the City Council and make copies available to the public. Staff may summarize the contents of the correspondence.

Applicant's Presentation

The Applicant may make a presentation. You have up to 20 minutes for your presentation.

Are there questions from the Council?

Other Testimony

Does anyone wish to speak regarding this application? You may have up to 3 minutes to make your presentation.

Are there questions from the Council?

Applicant's Rebuttal

Does the Applicant have any final rebuttal? You may have up to 10 minutes to present rebuttal arguments.

Are there questions from the Council?

Final Staff Comments

Will staff please present any final comments or response to the public testimony?

Questions from City Council to Staff

Does any member of the City Council have any information that they would like to have clarified by the staff?

Closure of Public Hearing

(NOTE - CLOSURE OF THE PUBLIC HEARING MAY NEED TO BE POSTPONED IF THE HEARING IS CONTINUED)

Hearing no further questions from Council and no further response from staff, I now close the public hearing.

(No further testimony unless the public hearing is reopened.)

Council Discussion

Is the City Council ready for discussion?

Decision by Council

EITHER: If the City Council has NOT made a final decision, but only a TENTATIVE decision:

The City Council will entertain a motion for a tentative decision and instructions to staff.

OR: If the City Council has made a FINAL decision:

The Chair will entertain a motion.

Roll Call Vote

Closing Statement (if any)

LUBA Appeal Information

Any party with standing may appeal the decision of the City Council to the State Land Use Board of Appeals according to the rules adopted by that Board. The written decision will contain an explanation of the appeal rights. If you have questions please call the Planning Department staff.

Memorandum

Date: April 6, 2012

To: John Kovash, Mayor
Members, West Linn City Council

From: Chris Jordan, City Manager *CJ*

Subject: Two Items

Public Works Capital Projects Update

Attached is a brief status report from Public Works regarding projects that are currently underway. Along with it is a map showing the various locations of all the projects. This information is also available on the City's website.

Blue Heron Status Report

Staff met this week with Clackamas County staff. The former Blue Heron property in West Linn will soon become the property of the County. County staff indicated that the closing date will be in mid-June, following a process with the Department of Environmental Quality that will lead to a negotiated agreement between the County and DEQ regarding site remediation. A public meeting will likely occur in May where this agreement will be discussed and shared with the public.

We also discussed the process that will lead to master planning of the site. I have asked Planning Director John Sonnen to lead our planning efforts.

Attachment



CITY OF West Linn

PUBLIC WORKS WEEKLY UPDATE

April 5, 2012

Capital Improvement Projects

PW1014 Bland Pump Station and Intertie

Owner of one of the necessary waterline easements is in discussions with the City Manager and the Public Works Director. Planning Commission decided to leave the hearing open for additional written and verbal testimony and continued to April, 25th.

PW1201 PGE Undergrounding on Salamo

PGE is working the site.

PW1202 Tualatin Avenue Improvements [\(No change\)](#)

Project awarded to GT Excavating for \$49,242. Construction will commence after school is out and complete before school recommences.

PW1203 2012 Crack Sealing Project

Contractor desires to accomplish work before school is out. Meeting scheduled with Pavement Maintenance, LLC for April 12th at 10 AM.

PW1204 2012 Slurry Seal Project [\(No change\)](#)

Openly advertised for bid; bids close April 10th at 2:00 PM. Planned for summer construction.

PW1205 2012 Pavement Project [\(No change\)](#)

Openly advertised for bid; bids close April 10th at 2:00 PM. Project includes overlay/repair of Rosemont Road from Hidden Springs to Furlong. Also included are five small streets (Pine, Maple, Hemlock, Falls View, and Munger). Planned for summer construction.

PW1206 Sunset/Hemlock Waterline Replacement

Water staff expects to contract for a pipe line repair Job Order (or Work Order) contract as the utility has had in previous years. The scope of this project would fit within such a contract scope and the contracting mechanism would allow for quick action on other projects water crew is unable to accomplish. Staff will reconfigure the contract under new templates for advertisement. Pressure Relief Valve Vault originally included in the project has been estimated to cost \$30K and the vault will be postponed until next fiscal year; no impact to the



City of West Linn

remainder of the waterline work or paving project as the vault will be located in River View Avenue. Planned for construction as soon as awarded.

PW1207 PW-OPS Fuel Tank Expansion (No change)

Openly advertised for proposal; proposals due April 18th at 2:00 PM. Project is a performance specification and solicited as a Request for Proposals. Proposals will be evaluated by a technical review committee to see which proposal provides a complete and usable system that best meets the City's needs.

PW1208 Rosemont Water Reservoir Utility Improvements (No change)

Staff has been coordinating with T-Mobile regarding installation of a utilidor into the site that is currently crowded with individual underground utilities. We have received a design from PGE for vault and transformer relocation. We are awaiting a cost estimate (and cost share) from T-Mobile's representative in order to check available funding before committing.

PW1211 2012 Sidewalk Infill (No change)

Salamo Road sidewalk infill planned for this summer, currently performing pre-design field work. In conjunction with this project staff may propose cleaning up the rights-of-way (ROW) from old Salamo and work with adjacent property owner to coordinate vacated ROW in one location for additional ROW in another area to facilitate sidewalk and planter strip placement.

PW1214 Sanitary Sewer Rehabilitation Project Phase 3

Next phase of Cured In Place Pipe (CIPP) sanitary sewer lining project. In pre-design phase.

PW1215 Marylhurst Stormline Replacement

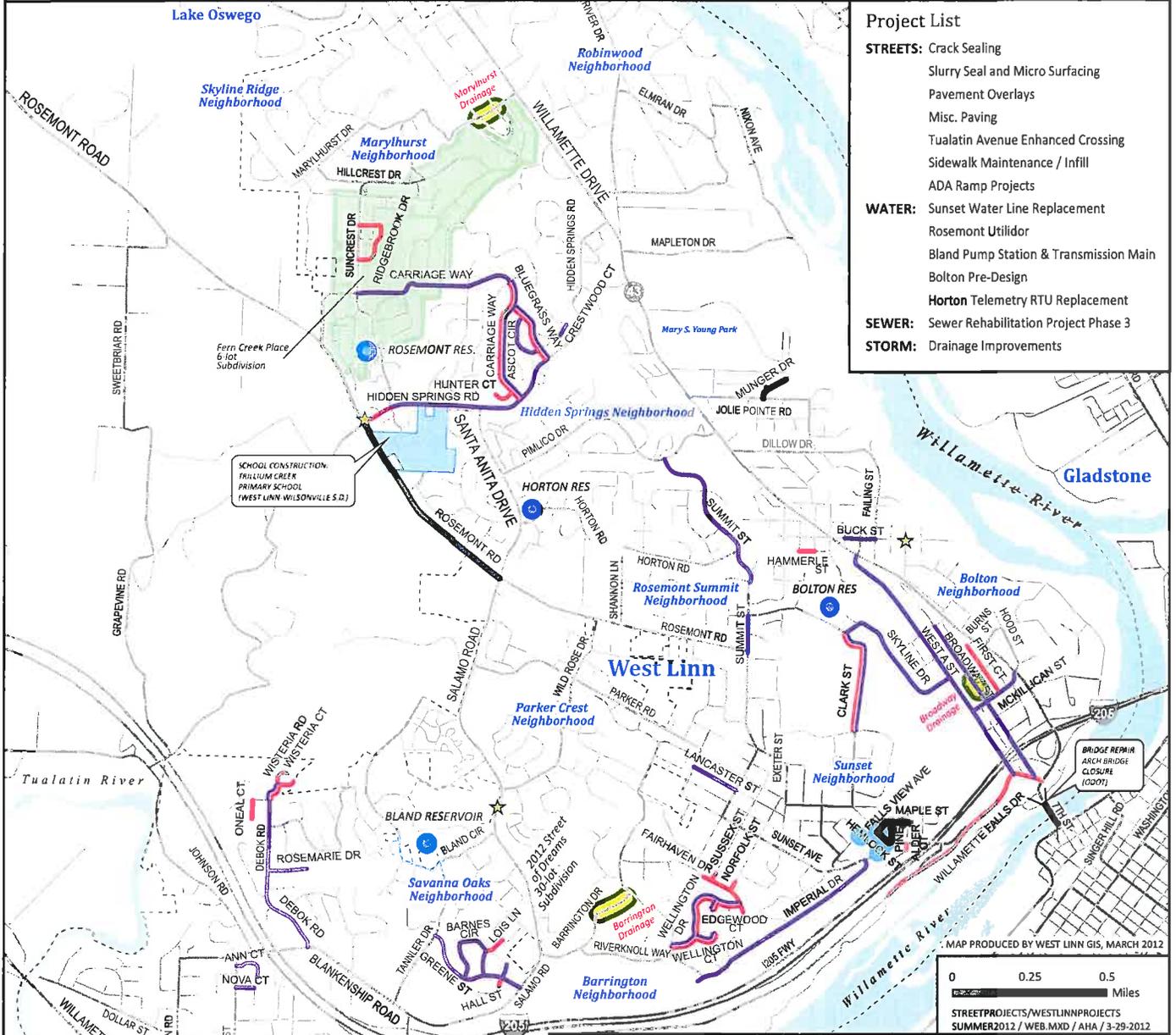
In vicinity of Midhill Circle. In pre-design phase.



Public Works Projects FY 2012/13

Project List

- STREETS:** Crack Sealing
Slurry Seal and Micro Surfacing
Pavement Overlays
Misc. Paving
Tualatin Avenue Enhanced Crossing
Sidewalk Maintenance / Infill
ADA Ramp Projects
- WATER:** Sunset Water Line Replacement
Rosemont Utilidor
Bland Pump Station & Transmission Main
Bolton Pre-Design
Horton Telemetry RTU Replacement
- SEWER:** Sewer Rehabilitation Project Phase 3
- STORM:** Drainage Improvements



MAP PRODUCED BY WEST LINN GIS, MARCH 2012

0 0.25 0.5 Miles

STREETPROJECTS/WESTLINNPROJECTS
SUMMER2012 / WEB.MXD / AHA / 3-29-2012

Map Legend

- Other Street Paving Projects
- Sidewalk or ADA Ramp Projects
- Water System Improvements
- Sanitary Sewer Improvements
- Stormwater/Drainage Improvements

Crack Sealing (21 miles)

- 2012 CRACK SEALING LIST
- ANN CT- 19TH ST TO CUL-DE-SAC
 - BARNE CIR- GREEN ST TO GREEN ST
 - BLUEGRASS WAY- HIDDEN SPRINGS TO CARRIAGE WAY
 - BROADWAY ST- WILLAMETTE FALLS DR TO WEBB ST
 - BUCK ST- FAILING ST TO 1912 BUCK ST
 - CARRIAGE WAY- HIDDEN SPRINGS RD TO SUNCREST DR
 - CLARK ST- SKYLINE DR TO OREGON CITY BLVD
 - CRESTWOOD CT- FROM WILDWOOD DR TO CUL-DE-SAC
 - DEBOK RD- BLANKENSHIP TO WISTERIA CT
 - EDGEWOOD CT- WELLINGTON DR TO CUL-DE-SAC
 - GREEN ST- SALAMO RD TO TANNLER DR
 - HALL CT- GREEN ST TO CUL-DE-SAC
 - HIDDEN SPRINGS RD- BLUEGRASS WAY TO ROSEMONT RD
 - IMPERIAL DR- SUNSET AVE TO CUL-DE-SAC
 - LANCASTER ST- CORNWALL ST TO PARKER RD
 - MCKILLICAN- WEST A ST TO HWY 43
 - NOVA CT- 19TH ST TO 18TH ST
 - ROSEMARIE DR- DEBOK RD TO END
 - SKYLINE DR- WEST A ST TO CLARK ST
 - SUMMIT ST- PIMLICO DR TO SUMMIT PLACE
 - SUMMIT ST- SKYLINE DR TO ROSEMONT RD
 - WELLINGTON DR- BEACON HILL DR TO FAIRHAVEN DR
 - WELLINGTON CT- WELLINGTON DR TO CUL-DE-SAC
 - WEST A ST- WILLAMETTE FALLS DR TO HWY 43

Slurry Seal (10 miles)

- 2012 SLURRY SEAL LIST
- ALDER CT- SUNSET AVE TO PRIVATE PROPERTY
 - BLUEGRASS WAY- HIDDEN SPRINGS TO CARRIAGE WAY
 - CARRIAGE WAY- HIDDEN SPRINGS RD TO 2904 CARRIAGE WAY
 - CLARK ST- SKYLINE DR TO OREGON CITY BLVD
 - EDGEWOOD CT- WELLINGTON DR TO CUL-DE-SAC
 - FAIRHAVEN DR- START AT 3856 FAIRHAVEN DR END AT 3817 FAIRHAVEN DR
 - FIRST CT- WILSON ST TO MCKILLICAN ST
 - HALL ST- GREEN ST TO 140' SOUTH OF GREEN ST
 - HAMMERLE ST- AKINSON ST TO BARCLAY ST
 - HIDDEN SPRINGS- ROSEMONT RD TO SUNCREST DR
 - HUNTER CT- CARRIAGE WAY TO CUL-DE-SAC
 - LOIS LANE- BARNES CIR. TO ROUGE WAY
 - NORFOLK ST- FAIRHAVEN DR TO 160' NORTH
 - ONEAL CT- TAMARISK TO CUL-DE-SAC
 - RIDGE BROOK DR- SUNCREST DR TO SUNCREST DR
 - SUSSEX ST- FAIRHAVEN DR TO 150' NORTH
 - WELLINGTON DR- FAIRHAVEN DR TO BEACON HILL DR
 - WELLINGTON CT- WELLINGTON DR TO CUL-DE-SAC
 - WISTERIA CT- WISTERIA RD TO CUL-DE-SAC
 - WISTERIA RD- TAMARISK DR TO DEAD END
 - WILLAMETTE FALLS DR- HWY 43 TO APPROX. SUBSTATION

Double lines shown on this map denote both crack and slurry sealing over the entire roadway