



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

WEST LINN CITY COUNCIL SPECIAL MEETING NOTES January 17, 2013

Call to Order

3:00 PM

Council Present:

Mayor John Kovash and Council President Mike Jones. Councilors Thomas Frank and Jenni Tan via telephone.

Council Absent:

Councilor Jody Carson

Staff Present:

City Manager Chris Jordan, Assistant City Manager Kirsten Wyatt, City Recorder Kathy Mollusky, and Assistant City Attorney Megan Thornton. City Attorney Tim Ramis via telephone.

Rescind Resolution 2012-19 which placed Measure 3-422 on the March 12, 2013 ballot.

Council President Mike Jones made a motion to adopt Resolution 2013-01 which is a resolution repealing Resolution 2012-19 submitting a water measure to voters to increase water rates to repair the water system and to maintain current water quality standards.

Council President Mike Jones read Resolution 2013-01 in its entirety.

Councilor Thomas Frank seconded the motion.

Mayor John Kovash asked City Attorney Tim Ramis to explain the process and cost of having the water ballot measure removed.

City Attorney Tim Ramis will appear in court either Tuesday or Wednesday to put in front of the judge the question on whether the ballot measure should be printed. Clackamas County does not object to our request. The judge will make a decision and will either direct the County to not print or will refuse the motion and the measure will be on the ballot.

City Recorder Kathy Mollusky talked to Sherry Hall, Clackamas County Elections, and she stated the costs would be nominal to reprint the ballots, if they needed to be reprinted. Wilsonville also has a measure on the ballot so we would split the cost with them, it would be roughly \$5,000.

Mayor John Kovash inquired why we have to go to court, is there a law that says we cannot remove our own ballot measure?

City Attorney Tim Ramis stated the law says you can remove the measure if you meet the deadline. Unfortunately, Council made the decision after the deadline had passed.

Council President Mike Jones inquired how much the attorney's fees would be.

City Attorney Tim Ramis stated around \$2,500.

Councilor Thomas Frank asked if we should put a cap that if the attorney's fees are going to go over \$5,000, that we just let the ballot measure go through.

Council President Mike Jones stated this will be done Tuesday or Wednesday. If the judge lets us remove it, it is done. If the judge does not let us remove it, it will be on the ballot. There will not be any more attorney fees.

Mayor John Kovash says if it stays on ballot, it does not do any harm, we just do not have as much information to the public as we would like and there may be some confusion. It would be better if it were not there.

Mayor John Kovash stated it has been moved and seconded to adopt Resolution 2013-01.

City Recorder Kathy Mollusky called the roll.

Motion passes 4 to 0.

Adjourn

3:07