



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

## CITY COUNCIL AGENDA

Monday, May 6, 2024

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1:00 p.m. – Work Session – Council Chambers & Virtual\*

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|-----------------------|------------------|
| 1. Call to Order      | [1:00 pm/5 min]  |
| 2. Approval of Agenda | [1:05 pm/5 min]  |
| 3. Public Comments    | [1:10 pm/10 min] |

The purpose of Public Comment is to allow the community to present information or raise an issue regarding items that do not include a public hearing. All remarks should be addressed to the Council as a body. This is a time for Council to listen, they will not typically engage in discussion on topics not on the agenda. Time limit for each participant is three minutes, unless the Mayor decides to allocate more or less time. Designated representatives of Neighborhood Associations and Community Advisory Groups are granted five minutes.

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|------------------------------------------------------------------|------------------|
| 4. Mayor and Council Reports                                     | [1:20 pm/30 min] |
| a. Reports from Community Advisory Groups                        |                  |
| b. Discussion of Potential City Charter Changes                  |                  |
| 5. Proclamations                                                 | [1:50 pm/15 min] |
| a. Mental Health Awareness Month                                 |                  |
| b. National Police Week and National Peace Officers Memorial Day |                  |
| c. National Preservation Month                                   |                  |
| 6. Traffic Safety Update and Discussion                          | [2:05 pm/15 min] |
| 7. City Manager Report                                           | [2:20 pm/5 min]  |
| 8. Adjourn                                                       | [2:25 pm]        |

*\*City Council meetings will be conducted in a hybrid format with some Councilors, staff, presenters, and members of the public attending virtually and others attending in person. The public can watch all meetings online via <https://westlinnoregon.gov/meetings> or on Cable Channel 30.*

*Submit written comments by email to City Council at [citycouncil@westlinnoregon.gov](mailto:citycouncil@westlinnoregon.gov). We ask that written comments be provided before noon on the day of the meeting to allow City Council members time to review your comments.*

*If you cannot attend the meeting in person and would like to speak live at a public meeting by videoconferencing software or by phone, please complete the form located at: <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> by 4:00 pm the day of the meeting to be input into our system. Instructions on how to access the virtual meeting will then be provided to you by email prior to the meeting. If you miss the deadline and would like to speak at the meeting, please fill out the form and staff will send you a link as time allows.*

*If you require special assistance under the Americans with Disabilities Act, please call City Hall 48 hours before the meeting date, 503-657-0331.*

*When needed, the Council will meet in Executive Session pursuant to ORS 192.660(2).*

To: West Linn City Council

From: Bill Monahan, City Attorney's Office

Date: March 25, 2024

RE: Potential Amendments to the City Charter

During the City Council meeting of March 4, 2024, the Council discussed the need to review Section 10. Terms of Office. of the 1994 West Linn Charter. The starting and ending dates of terms of office were the subject of debate at the January 4, 2021 City Council meeting when three individuals elected to positions in November of 2020 were sworn in. The beginning of that meeting featured some procedural issues that may have been avoided if clearer language had been stated in the Charter.

The City Attorney was directed to suggest language for council discussion at the April 8, 2024 meeting. When given this direction, I suggested that as Council considers whether to place a measure before the voters to modify Section 10, it also has the opportunity to determine whether to place a measure with other proposed changes to address confusing, misunderstood, or outdated Charter language. If the Council determines that a fuller review beyond Section 10 is warranted, it could consider appointing a Charter Review committee tasked with recommending potential changes.

This memo presents an analysis of the Section 10 issue requested by Council and highlights a few other sections which could merit review.

#### Section 10. of the 1994 West Linn Charter

“Section 10. Terms of Office.

The term of office of an elective officer who is elected at a general election begins at the first Council meeting of the year immediately after the election, unless otherwise specified, and continues until the successor to the office assumes the office. (Amended 11-04-97)”

The League of Oregon Cities (LOC) prepared a model charter which it has made available to its member cities. The language that it proposes addressing terms is found in its Section 7.6:

“The term of an officer elected at a general election begins at the first council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office.”

A comparison of the language in West Linn's Charter to that of LOC shows West Linn's additional language in Red and LOC's in Blue below:

The term **of office** of an **elective** officer **who is** elected at a general election begins at the first Council meeting of the year immediately after the election, **unless otherwise specified**, and continues until the successor **to the office (qualifies and)** assumes the office.

The City's and LOC's language is similar and does not provide for a specific time when a person assumes office. So, a better means to clarify the Charter term may be to consider using language from another city's charter. A review of neighboring city charters yielded some examples with common language:

Lake Oswego's Charter has language that appears to address the issue. Lake Oswego's Charter Section 28. Commencement of terms of Office, Oath of Office. reads:

"The term of office of a person elected at a general election commences the first day of the year immediately following the election. Each elected officer, prior to entering office, shall take an oath or make an affirmation to support the constitutions and laws of the United States and Oregon and to faithfully perform his or her official duties."

The Lake Oswego language does not state when a term ends, instead the language must be read with the understanding that since all terms have a fixed number of years, at the end of the period of four years from January 1, when a person's term starts, the term ends.

Other cities have language saying their terms start "the first of the year" (Oregon City, Tigard), or "at the first council meeting" (Gresham, Hillsboro, Salem), or "on the first Monday in January" following an election (Beaverton, Eugene).

The Lake Oswego language appears preferable as it is most specific clearly stating a date that does not change. But, for a person taking office to be able to carry out their official duties, this language seems to imply that a person should be sworn in on that day, a holiday. Such a ceremony can take place anytime that day.

It is recommended that the City Council review and consider proposing a change to the Charter like the Lake Oswego language.

#### Other Charter Sections that Could Merit Review

Through our review of the Charter, we identified the following sections for Council review to determine if clarifying language may be appropriate:

1. Section 8. Councilors. Here subsections (a) through (c) each state a date that allowed a transition after Charter amendments were made by the voters. The adoption of a new Charter could remove these transition instructions by replacing the section with a clear statement of which council seats are up for election.
2. Section 1. Title of Charter. If a new Charter were adopted, Section 1. Title of Charter. could also be revised to make this the "2024 West Linn Charter" which would eliminate the need to list thirteen dates when the Charter was amended by a vote of the people.
3. Section 12. Qualifications. Subsection (c) states that: "An elected officer may be employed in a City position that is substantially volunteer in nature. Whether the position is so may be decided by the Municipal Court or in some other manner, whichever the Council prescribes." The LOC Model Charter language in 7.4. c reads: "Neither the mayor nor a councilor may be employed by the city." According to the associated footnote in the Model Charter, this language is "intended to avoid certain conflicts of interest in city service. It bars full-time or part-time employees from serving as mayor or councilor. It does not, however, prevent the mayor or a

councilor from receiving reimbursement of expenses for services.” Issues identified with the West Linn language include:

- a. What is a position of employment with the city is substantially volunteer in nature? There do not appear to be any so perhaps the language is not needed.
- b. Any determination of which positions fall under the category of “substantially volunteer in nature” are to be decided by the Municipal Court “or in some other manner, whichever the Council prescribes.” There are no known examples of how this language has been applied in the city. If a candidate’s eligibility is challenged under this section, the Municipal Court has no experience or guidelines to use to decide eligibility. In addition, the Charter language allows the Council to prescribe another method to determine eligibility. Should a Council utilize this authority, it could be subjected to a challenge for its reasons not to leave the matter to the Municipal Court. It too has no experience or guidelines to use to assure compliance with Charter intent or to demonstrate impartiality.

There may be other Charter sections which members of the Council or staff identify which could benefit from review and amendment. The Charter does not have more modern gender-neutral language in such places as Section 23. where “his or her” is used. Within a full review of the Charter, this language could be updated.

# PROCLAMATION

West Linn, Oregon

**WHEREAS**, since its inception in 1949, Mental Health Awareness Month has been a cornerstone of addressing the challenges faced by millions of Americans living with mental health conditions; and

**WHEREAS**, mental health is part of everyone's overall health and wellbeing; and

**WHEREAS**, mental illnesses are real and prevalent in our nation; and

**WHEREAS**, everyone experiences times of difficulty and stress in their lives, and should feel comfortable in seeking help and support to manage these times; and

**WHEREAS**, engaging in prevention, early identification, and early intervention are as effective ways to reduce the burden of mental illness as they are to reduce the burden of other chronic conditions; and

**WHEREAS**, there is a strong body of research that identifies behavioral health risks and supports specific tools that all can use to protect their health and well-being; and

**WHEREAS**, with effective treatment, individuals with mental illnesses can make progress toward recovery and lead full, productive lives; and

**WHEREAS**, jails and prisons have often become the default places of custodial care for even nonviolent people with serious mental illness; and

**WHEREAS**, each business, school, government agency, healthcare provider, organization and community member has a responsibility to promote mental health and well-being for all.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN**, that May 2024 is:

## **Mental Health Awareness Month**

We call upon the community, government agencies, public and private institutions, businesses, and schools to recommit our community to increasing awareness and understanding of mental health, the steps our community can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illness.

DATED THIS 6TH DAY OF MAY, 2024

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RORY BIALOSTOSKY, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

# PROCLAMATION

West Linn, Oregon

**WHEREAS**, in 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, and National Police Week; and

**WHEREAS**, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

**WHEREAS**, the members of the law enforcement agency in the City of West Linn play an important role in safeguarding the rights and freedoms of our community members; and

**WHEREAS**, it is important that all community members know and understand the problems, duties and responsibilities of their police department, and

**WHEREAS**, members of our department recognize their duty to serve the people by safeguarding life and property, protecting them against violence or disorder, and protecting the innocent against deception and the weak against oppression or intimidation; and

**WHEREAS**, our police department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN**, that May 12 to 18, 2024 is:

**NATIONAL POLICE WEEK**

And May 15 is:

**NATIONAL PEACE OFFICERS MEMORIAL DAY**

We extend our appreciation to Police Chief Peter Mahuna and to all the men and women of the West Linn Police Department for the vital services they perform and their exemplary dedication to our community.

DATED THIS 6TH DAY OF MAY, 2024

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RORY BIALOSTOKSY, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

# PROCLAMATION

## West Linn, Oregon

**WHEREAS**, historic place-savers pour their time, energy, and resources into protecting places they care about.

**WHEREAS**, this year, the preservation month theme is “People Saving Places” to shine the spotlight on everyone doing the work of saving places; and

**WHEREAS**, the work that you are doing matters. Your efforts are vital in ensuring that all Americans connect with their shared history, weaving together the intricate tapestry of our nations story.

**WHEREAS**, by celebrating “People Saving Places,” your work will inspire others to join the national effort to preserve America’s historic places for generations to come.

**WHEREAS**, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

**WHEREAS**, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

**WHEREAS**, West Linn has historic resources located throughout the City, and is working to provide them with new life and recognition through the adaptive reuse of Historic City Hall and pursuing the listing of the McLean House on the National Register; and

**WHEREAS**, West Linn is working to create a vibrant and accessible waterfront above and below Willamette Falls, and to restore the falls as a place of gathering and cultural and economic significance that goes back centuries; and

**WHEREAS**, West Linn will celebrate these efforts during National Preservation Month.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN** that May 2024 is:

### NATIONAL PRESERVATION MONTH

In West Linn and we encourage all West Linn citizens to join in this observation.

Dated this 6th day of May 2024.

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RORY BIALOSTOSKY, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER



CITY OF  
**West  
Linn**

## Traffic Safety Committee Update

**City Council Work Session – May 6, 2024**

# Agenda



- ◆ Traffic Safety Mission Statement and Goals
- ◆ Duties and Responsibilities
- ◆ Review Process
- ◆ Speed Zones
- ◆ Speed Humps and Bumps
- ◆ Completed Traffic Safety Projects

# MISSION STATEMENT AND GOALS



## ❖ Mission Statement:

- The Traffic Safety Committee is a multi-department, multi-agency committee, including representatives from Operations, Engineering, Fire, Police, and the School District whose purpose is to brainstorm and discuss alternatives and solutions to chronic or hazardous traffic problems.

## ❖ Goals:

- To promote a safe transportation network through education, engineering solutions and law enforcement. Evaluate problem areas on an objective criteria as opposed to subjective criteria.

# DUTIES AND RESPONSIBILITIES



## Applicant:

- The applicant shall submit a Request for Traffic Control Improvement/Investigation Request. Any permanent traffic control devices that may impact immediately adjacent property owners shall have written support of such property owners.
- Requests for permanent traffic control devices must have support of more than 50% (majority) of residents within 500 feet of the impacted area prior to review of the committee. Permanent traffic control devices will not include speed bumps, humps or cushions, as these treatments are no longer permitted to be installed.

 **West Linn** Public Works Department • 4100 Norfolk St. • West Linn, Oregon 97068  
Telephone 503.656.6081

TC-\_\_\_\_-\_\_\_\_

### REQUEST FOR TRAFFIC CONTROL INVESTIGATION/IMPROVEMENT

TODAY'S DATE: \_\_\_\_\_ DATE PROBLEM NOTED: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_ TIME OF DAY: \_\_\_\_\_ AM/PM

ADDRESS: \_\_\_\_\_ CONTRIBUTING FACTORS: [CHECK ONE]:

- Weather
- Hedges/Trees
- Road Surface Condition
- Street Lighting
- Others

TELEPHONE: (H) \_\_\_\_\_

(W) \_\_\_\_\_

LOCATION OF PROBLEM: \_\_\_\_\_

REQUEST: \_\_\_\_\_

REASON REQUESTED \_\_\_\_\_

ADDITIONAL COMMENTS: \_\_\_\_\_

*Thank you for completing this informational form. Your input is an important part of analyzing the above described problem. City Staff will review your request and conduct the necessary investigations. Please use the back of this form for a sketch or diagram as appropriate.*

Please return to: Attn: Jeff Randall Phone: (503) 742-6091  
Public Works Department e-mail: jrandall@westlinnmoregon.gov  
City of West Linn



# DUTIES AND RESPONSIBILITIES CONT'

## 🍃 Committee:

- The Committee shall review and monitor the Traffic Control Improvement/Investigation Requests submitted by citizens, City Council, community organizations or other units of government.
- The Committee shall review such requests and initiate studies and investigations as appropriate and consistent with budgeted resources.
- The Committee shall review the outcomes of such studies and investigations and make a recommendation as to whether traffic improvements and/or modifications shall be undertaken or not.
- All recommendations shall be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), professional engineering standards, adopted Public Works Standards and Specifications, and all other applicable local and state regulations.

# REVIEW PROCESS



## Review Process (from admin policy 5-9-23)

- Any individual or organization may request a review by completing a “Request for Traffic Control Investigation/Improvement” form.
- The Committee shall meet bi-monthly to review formally submitted requests, hear testimony from applicants, and provide recommendations which may include data driven traffic and engineering studies, police enforcement, or installation/removal of requested traffic control devices.
- If the individual or organization is not satisfied with the response, they may request to meet with the Committee again on the next regularly scheduled meeting date in order to provide additional written and/or oral comments and ask questions of the committee. The committee will respond as soon as possible but no later than 1 month.
- If still not satisfied, the requestor may request further review of the Committee’s decision by the City Engineer and Police Chief who will review the findings and will provide a final written decision within 1 month.
- The decision of the City Engineer and Police Chief shall be considered the final staff decision with no additional appeals. The City Manager has formally delegated this authority to these senior staff.

# SPEED ZONES



## Statutory Speeds

- Posted at the discretion of the road authority – not mandatory
  - *15 mph – alleys; narrow residential roadways*
  - *20 mph – business districts, school zones*
  - *25 mph – residential districts, public parks, ocean shores*
  - *55 mph – most open rural highways, trucks on interstate highways*
  - *60 mph, 65 mph and 70 mph – interstates and some rural highways*
- ORS 811.111 – (2019 amendment) allows the road authority the option to lower their statutory speeds for **residential districts** that are not arterials **up to 5 mph**



# SPEED ZONES Cont'



## Designated Speeds

- Established when statutory speeds may not be reasonable or applicable
  - *ORS 810.180: allows ODOT primary authority to designate speeds on public roadways, when it is different than the statutory speed*
    - The ORS allows ODOT to delegate its authority to Clackamas or Multnomah County or a City with jurisdiction over their public roadways
    - The ORS requires ODOT or its delegated authority to conduct an engineering investigation to determine the appropriate speed
    - **Requires and engineering investigation to determine the appropriate speed**



# Speed Humps and Bumps



## Speed Bump

- Bumps have an abrupt mound of material in varying height and widths

## Speed Hump

- Humps have an abrupt and parabolic shaped mound typically spread over 14-22'

## Speed Cushion

- Similar to speed humps in design, except they are shaped to allow wider axles of emergency equipment to straddle without hitting the raised sections



# Speed Humps/Bumps cont'



Traffic Calming Measure <i>(Defined on following pages)</i>	Route Classification		
	Primary Emergency Route <i>(Public Roads)</i>	Secondary Emergency Route <i>(Public Roads)</i>	Neighborhood and Local Streets, Private Roadways, Parking Lots and Driveways > 20 feet
Medians	Supported	Supported	Supported
Pavement Texture	Supported	Supported	Supported
Choker/Bulb-Out/Curb Extensions	Not Supported	Not Supported	Special Consideration
Speed Cushion without Median	Not Supported	Special Consideration	Special Consideration
Speed Cushion with Median	Not Supported	Special Consideration	Special Consideration
Speed Bump	Not Supported	Not Supported	Not Supported
14 - 22 Foot Speed Hump	Not Supported	Not Supported	Not Supported
Roundabout	Special Consideration	Special Consideration	Special Consideration
Traffic Circle	Not Supported	Not Supported	Special Consideration
Raised Crosswalk	Not Supported	Not Supported	Special Consideration
Diverter with Emergency Vehicle Pass-Through	Not Supported	Not Supported	Special Consideration
All Other Measures	Special Consideration	Special Consideration	Special Consideration



# COMPLETED SIGNING/STRIPING PROJECTS



# COMPLETED STREETScape PROJECTS





Questions?