



CITY OF
West Linn

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

WEST LINN CITY COUNCIL MEETING NOTES January 8, 2018

[Call to Order and Pledge of Allegiance](#)

Council Present:

Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Staff Present:

City Manager Eileen Stein, City Recorder Kathy Mollusky, Assistant to the City Manager Dylan Digby, Citizen Engagement Coordinator Courtney Flynn, Human Resources Director Elissa Preston, Finance Director Lauren Breithaupt, Associate Planner Darren Wyss, Public Works Director Lance Calvert, and City Attorney Peter Watts.

[Approval of Agenda](#)

Council President Brenda Perry moved to approve the agenda with the following changes: under Proclamations, Recognitions and Scheduled Presentations we will be adding the Election of the Council President; under the Consent Agenda we are adding a resolution to certify the results of the November 7 election, the Charter changes; and we will be removing Agenda Bill 2018-01-08-02 to the Business Meeting, it is not being omitted, it is just being moved down to a more appropriate space; and then we unfortunately need to remove again the two Multi-modal Transportation pieces of Agenda Bills 2018-01-08-06 and 01-08-07 because they are not ready yet; and under the Mayor and City Council Reports we are going to add the Clackamas

County Coordinating Committee Bylaws Vote and the High School Parking Data Collection. Councilor Teri Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Community Comments [10 min]

David Baker re: high school parking. The Public Safety Advisory Board has prioritized teen driving safety and decided at their last meeting to address high school parking. He thinks collecting data is a great approach. He parked on Broadway in the permit parking zone during the school day and the street was vacant, there was plenty of parking and most of the homes have driveways. He believes this is a city resource, these public streets, that is being underutilized.

Dale Fortuna re: phone survey. He was confused if the survey was for the parks or roads. If we need to do the parks, do the parks. If we need to do the roads, do the roads. You need to put how much these cost. Your priorities are safety, water, roads and parks. You have to protect us and keep us safe. Water is very important to us, if we don't have good water, we don't have nothing. The roads are deteriorating and need to be improved. We need to improve our traffic and that should be a priority for Council.

Proclamations, Recognitions and Scheduled Presentations [30 min]

Election of Council President

Council President Perry nominated Councilor Martin for Council President. Councilor Sakelik seconded the motion.

Councilor Martin appreciates the nomination, it is an honor. The main function of the Council President is to read proclamations and resolutions. Since he has had this Bell's Palsy, it is hard for him to speak as clearly as he would like to so he declines the nomination.

Councilor Martin nominated Council President Perry for a second term as Council President. Councilor Sakelik seconded the motion.

Council President Perry withdrew her nomination.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The nomination carried 5 - 0.

[School Choice Week Proclamation](#)

[Proclamation](#)

Council President Perry read the School Choice Week Proclamation.

[Consent Agenda \[5 min\]](#)

[Agenda Bill 2018-01-08-01: Approval of Meeting Notes for November 30 and December 11, 2017](#)

[Draft Notes Information](#)

Council President Brenda Perry moved to approve the Consent Agenda, which includes the November 30 and December 11, 2017, meeting notes and Resolution 2018-05, Certifying the Results of the November 7, 2017, Special Election. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

[Business Meeting \[1 hour\]](#)

[Agenda Bill 2018-01-08-02: RESOLUTION 2018-01, SETTING A RATE FOR COST OF LIVING ADJUSTMENTS FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES](#)

[RES 2018-01 Information](#)

City Manager Stein staff report.

Councilor Martin asked what the cost of living adjustment (COLA) was for our represented employees.

Human Resources Manager Preston replied 1.7% back in July based on the Consumer Price Index (CPI) at that time.

Councilor Martin asked if the CPI-W was 1.7% then and is 4% now.

Human Resources Manager Preston explained the Bureau of Labor and Statistics reviews the previous six months. The two unions look over the entire year, so 2016 data to figure out what the cost of living had been and what we need to catch up to. This one is from September 2017 and the first half of 2017.

Council President Brenda Perry moved to approve Resolution 2018-01, Setting a Rate for Cost of Living Adjustments for Management and Non-Represented Employees. Councilor Bob Martin seconded the motion.

Mayor Axelrod understands we budgeted for 2%. There is uncertainty about the Public Employees Retirement System (PERS) impact to the budget, which is going to be challenging to meet budgetary restraints and to try to keep staff. How does this tie in with that consideration? In the future, if we have budget problems, we are looking to cut services or staff. One area might be reducing or modifying COLA to not have to cut personnel. Any sense of our ability to meet PERS liability in the future?

Finance Director Breithaupt explained we do not receive the PERS rates for the next biennium until November. They were projecting 5 to 5-1/2% increases. We were expecting 4-1/2%.

Mayor Axelrod said we could address salaries at that time.

City Manager Stein input that in Council Goals, Council has a goal about fiscal sustainability. She will spend the next year getting ready for the next budget process. We will look at costs for services and our priorities. One consideration in recommending this COLA is staff retention. Collective bargaining takes care of the majority of our employees. This is one way to recognize those who are not represented

Councilor Martin is concerned about the message this sends to management employees. We have fewer full time employees (FTEs) than most cities, we run pretty tight, and we are running well. It bothers me to ask you to take a 2% pay cut when COLA has gone up 4% and we're only raising it 2%. Job retention and looking at services that are expensive that maybe we can do without we need to look at. Council admires and appreciates the staff, they are the city, the day-to-day, they make it happen.

Council President Perry thinks retention important, it is a small amount to keep staff and to keep up with the cost of living.

Councilor Cummings stated there was some kind of compensation that took place last year, an adjustment because we do not have an Assistant City Manager.

City Manager Stein reminded Council she reclassified two positions.

Councilor Cummings said you cannot take back something you've already given and we have PERS which means potential layoffs.

Councilor Sakelik added employees are the City and we have to retain them. The CPI-W is 4.2% because the economy has been going crazy. We are corralled with PERS for maybe five years out. We have this major problem and we do not have a solution yet. We are all going to have

to make difficult choices. He does not like denying anyone, private get nothing when the market is bad, a lot when the market is good. Staff is painfully aware of where we are going and the wall we are going to hit at some point until we find a solution.

City Manager Stein reminded Council that last year when they did the budget, they worked into the budget what we anticipated the PERS rates would be. We are in a much better position than we were a year ago.

Councilor Cummings would like a classification study done, an outside analysis.

Councilor Martin thought moving funds into the general funds would free up contingency. How much will it free up?

Finance Director Breithaupt explained it is not more money, it is combining funds to be more flexible. If something happens in the parks fund, we only have the estimated \$400,000 parks fund contingency. If we combine, we have the whole contingency amount to use.

Councilor Martin said it looks like when we combined contingency, it is really several things happening at once. We can rethink contingency that might free up some money.

Finance Director Breithaupt replied there is a best practice that we do follow, she would not feel comfortable going below those percentages. The reserve policy in other funds is 20%. In the general fund it is 15%. We have talked about revising this; however, it will not matter this budget cycle.

Councilor Sakelik said the estimate in the packet is \$85,000 for the calendar year, so really it is \$130,000 additional.

City Manager Stein explained this would be the second half since the decision was made last year.

Mayor Axelrod emphasized the COLA rate is 4.7% and we are only giving 2%. We are looking responsibly into the future and sticking with the budgeted number.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

[Agenda Bill 2018-01-08-03: Public Hearing – ORDINANCE 1670, VACATING A PORTION OF THE CANEMAH STREET AND FALLS VIEW AVENUE RIGHTS-OF-WAY](#)

[ORD 1670 Information](#)

Mayor Axelrod explained the City has received a petition for the vacation of unimproved right-of-way along Canemah Street and Falls View Avenue. The petition has been found to be sufficient and meet Oregon Revised Statute 271.100, the City Council shall fix a time for a formal hearing upon the petition.

Council President Brenda Perry moved to accept the petition and hold a public hearing on the vacation of unimproved right-of-way along Canemah Street and Falls View Drive. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Mayor Axelrod stated tonight we are holding a public hearing regarding application number MISC-17-12 for the vacation of right-of-way on Canemah Street and Falls View Avenue, abutting 4511 Riverview Avenue. This is a quasi-judicial decision. Unlike in legislative hearings, where personal opinion may come into play, quasi-judicial rulings must be grounded in the relevant code, and if the application meets the code, the Council must approve it. He explained how the hearing would proceed and called to order the public hearing.

City Attorney Watts explained the applicant has the burden of proving that the application is consistent with the provisions of Oregon Revised Statute (ORS) 271.080 to 271.120. The criteria that must be addressed in this hearing are ORS 271.120. As the City Council is sitting quasi-judicially, any testimony, argument or evidence that speakers give the Council must be directed at these criteria. Only those who have appeared before the City Council, in person or in writing, will have standing to appeal this item to the Land Use Board of Appeals.

Prior to the conclusion of the first public hearing on an application, the applicant, or anyone who takes part in the hearing, may request a continuance or ask that the record be left open to present additional information. If there is such a request, the Council will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument or testimony. Failure to raise an issue accompanied by statements or evidence sufficient to allow the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

City Attorney Watts asked if any members of the City Council wish to declare a potential or actual conflict of interest or bias? There were none.

He asked if any members of the City Council wish to report any site visits or ex parte contacts? Councilor Cummings, Councilor Sakelik and Mayor Axelrod all did site visits; however they did not speak to anyone.

He asked if any member of the audience wish to challenge the jurisdiction of the City Council to hear this matter? There were none.

He asked if any member of the audience wish to challenge the impartiality or ex parte disclosures of any member of the Council? There were none.

Staff Presentation

Associate Planner Wyss staff presentation.

[Presentation](#)

Councilor Cummings asked if a house can be built on a public utility easement and if 13% is a standard street slope.

Associate Planner Wyss responded no permanent structure can be built on a public utility easement and 15% is the target number; however, you can get a variance.

Councilor Sakelik asked if there was a survey done to develop new plat lines to get those recorded and if the Applicant pays for it.

Associate Planner Wyss explained the Applicant has already provided the legal description and survey map as part of the application. If the Applicant gets approval, they will take it to the County to record. The legal description and survey map are exhibits attached to the ordinance.

Mayor Axelrod inquired if other unused portions of the streets are platted, some sections have pathways that go through. The last Whereas in the ordinance says the rights-of-way do not serve any purposes with the exception of a public utility easement. In the future, if the neighborhood wants to put in a pathway, is that something that could be done and is this the time to do it?

Associate Planner Wyss replied the City could approach the property owner for a trail easement; however, the Transportation System Plan (TSP) does not identify either of these as pedestrian corridors.

Applicant Presentation

Laurel Jamtgaard does not have a presentation. She took the recommendation of the City to do this.

Council President Perry asked if she talked to the property owner on the corner of Canemah and Riverview.

Ms. Jamtgaard's husband went around with the notary to talk with the neighbors, she does not know if that particular property owner signed.

Associate Planner Wyss interjected that property was recently sold and the building was demolished. There might not be anyone there to approach.

Public Testimony

There was none.

Applicant Rebuttal

There was none.

Questions of Staff

There was none.

Mayor Axelrod closed the Public Hearing.

Council President Brenda Perry moved to approve First Reading for Ordinance 1670 vacating a portion of the Canemah Street and Falls View Avenue right-of-way within the city of West Linn, Oregon and set the matter for Second Reading. Councilor Teri Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Council President Brenda Perry moved to approve Second Reading for Ordinance 1670 vacating a portion of the Canemah Street and Falls View Avenue right-of-way within the city of West Linn, Oregon and adopt the ordinance. Councilor Teri Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Mayor Axelrod explained if you would like to appeal this decision to the Land Use Board of Appeals, you must file an appeal in accordance with the Rules of the Land Use Board of Appeals and any applicable provisions in the Community Development Code.

[Agenda Bill 2018-01-08-04: Resolutions Declaring Surplus Properties at 6175 and 6123 Skyline Drive](#)

RESOLUTION 2018-02, DECLARING CITY-OWNED PROPERTY AT 6175 SKYLINE DRIVE SURPLUS AND AUTHORIZING THE CITY MANAGER TO INITIATE A PROCESS TO SELL THE PROPERTY

RESOLUTION 2018-03, DECLARING CITY-OWNED PROPERTY AT 6123 SKYLINE DRIVE SURPLUS AND AUTHORIZING THE CITY MANAGER TO INITIATE A PROCESS TO SELL THE PROPERTY

[RES 2018-02 & 2018-03 Information](#)

Public Works Director Calvert staff presentation.

Councilor Martin asked if the water fund is being moved into the general fund.

City Manager Stein replied no, the water fund is an enterprise fund so it will always be separate.

Mayor Axelrod asked if by placing these properties on surplus, the city has the option to sell this property; however, more is required prior to selling them.

City Attorney Watts replied that is correct. The City must first get an appraisal to see what market is willing to pay, then will come back to council for approval. If Council didn't feel the water fund was getting sufficient funds back, the city could retain ownership and lease the property or something else to receive payments. This allows all the options to potentially go forward. He reminded Council that all these funds must go back into the water fund.

Council President Perry is concerned about holding on to the property and dragging this out. She encourages Council to make a decision sooner rather than later and not just have the property sit there. She asked what the expectation is for the money coming into the water fund.

Public Works Director Calvert replied the expectations of the residents is that it would revert back to its R10 status and go back to single family homes. The parcel at 6175 has a modular home on it that was used for a construction trailer. The expectation there is that it would be removed and a home built in its place. The City did quite well a couple of years ago through a realtor, receiving multiple offers. The City would hire a realtor and sell the property as soon as possible because we do have to maintain the property and would like to complete the project and wrap things up. Timeliness is always appreciated by the neighbors.

Councilor Sakelik confirmed if Council approves this tonight, this will be designated as surplus property, but staff will not take any action. If it goes up on the market for sale, we are misleading the public if we set the expectation it is for sale, but choose not to do that.

Public Works Director Calvert replied correct, it will be designated as surplus. After it is declared surplus, the City Manager will start the process to sell the property unless directed otherwise. The property still has to go back to Council and through a public process to sell. The people who live in the area would like some closure. Now would be the time to discuss what Council would like to do with the property.

City Manager Stein said we are only surplussing tonight, if Council wants to have further

discussion, we will take direction from Council. She would not proceed with the sale of the property without informing Council.

Councilor Martin believes because of the previous resolution, we have no choice but to sell it and have the money from the proceeds go back into the water fund.

City Manager Stein said the question is leasing the property versus selling it. It is an asset of the water fund and whether we lease it or sell it, it will go back into the water fund.

Councilor Martin asked if the City can lease land?

City Attorney Watts pointed out the whereas clause in Resolution 2018-02 that says the intent is to surplus the property and sell it upon completion of the Bolton Reservoir. He does not believe it would be binding on this Council. Council has a duty to all water rate payers in West Linn. If Council receives bad bids for this property, they can reject them. If someone wants to lease the property and it is a better deal, Council can take that option. Council is looking to get the best possible deal for water rate payers. Most surplus properties are listed with a real estate agent, but if someone offered something else that was better, it could be considered.

Public Works Director Calvert explained the value of this land is in the land. The value is in the sale and the proceeds, particularly if 6123 is factored into the appraisal. The neighbors thought it would be sold and partitioned off up to four houses, this is the highest, best value for this property according to the appraisal.

Council President Perry said we could give direction to look into the potential for leasing or selling. We could have a realtor connect with the school district regarding a parking lot so it is not just hanging out there.

Councilor Cummings said that hasn't been vetted. There is a need in the community for student parking, this could be a temporary fix until the school district can fix enrollment. It could be a storage space for parks equipment. These are ideas that haven't been vetted. The questions could be answered in two months or less. She does not want to lose this real estate.

Public Works Director Calvert explained if this property is used for a different purpose, the water fund will need to be reimbursed from that fund.

Councilor Sakelik asked what the appraisal was two years ago.

Public Works Director Calvert does not know off the top of his head. He is bringing that to the next step of the process. The biggest thing is the existing structure has a meter, power, and utilities and they are trying to maintain it.

Councilor Sakelik would like to investigate the options and feels it is okay to approve if the City Manager does not do anything until the potential uses are investigated.

City Manager Stein asked Council if there are specific ideas Council wants staff to investigate, let us know, and we will put it on a future agenda.

Council President Perry would like to see this on an agenda in early March at the latest with the information needed to make this decision.

Councilor Martin stated we do want staff to contact realtors to get offers so we know what it would be worth if we sold it or leased it, but do not go ahead with any sale.

Mayor Axelrod recalls an expectation in the neighborhood to restore their peace and quiet. The Planning Commission agreed to purchase the properties, then turn them around and incorporate them back into R10 homes. He is inclined to move it forward with the original intent. The Planning Commission and community understood they were going to return them back to the market. He wants to honor what the City agreed to.

Councilor Sakelik wants to read and understand the documentation the Planning Commission agreed to.

Mayor Axelrod said the properties were purchased for staging and facilitating the construction of the reservoir. The properties were purchased with the intent to bring back into the neighborhood to develop homes.

Public Works Director Calvert can bring this back to a work session before the public hearing in Salem. He can bring the resolutions, proposals, recommendations from a realtor, the original appraisals - but they have probably gone up in value - and any other documentation Council would like to see.

Councilor Sakelik would like a work session with all the information.

City Manager Stein asked Council to get back to her by the end of the week if they have ideas on the property besides just selling it.

Mayor Axelrod suggests single residential home based on the interest of the community.

City Attorney Watts stated prior to making the motion, Section 1 authorizes the City Manager to undertake any actions necessary to facilitate the sale of the properties, so if you are asking the City Manager to come back with options, you will want to revise that language in both of the resolutions.

Mayor Axelrod suggested they could say, "to undertake any actions as directed by Council to facilitate the marketing of the properties."

City Attorney Watts thinks that gives the City Manager enough discretion to consult with real

estate agents and to have the other discussions Council is saying. You could use this language because the City Manager understands what Council wants and is going to bring these options back to Council by March.

Council President Brenda Perry moved to approve Resolution 2018-02, declaring City-owned property at 6175 Skyline Drive surplus and authorizing the City Manager to initiate a process to sell the property. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Bob Martin.

Nays: Councilor Richard Sakelik.

The motion carried 4 - 1

Council President Brenda Perry moved to approve Resolution 2018-03, declaring City-owned property at 6123 Skyline Drive surplus and authorizing the City Manager to initiate a process to sell the property. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, and Councilor Bob Martin.

Nays: Councilor Richard Sakelik.

The motion carried 4 - 1

[Agenda Bill 2018-01-08-05: RESOLUTION 2018-04, SETTING NEW SALARY RANGE FOR POLICE CHIEF](#)

[RES 2018-04 Information](#)

City Manager Stein informed Council that Greg Nelson from Ralph Andersen and associates is conducting the police chief recruitment. The one piece needed before starting the recruitment process is setting the salary range for the police chief.

Human Resources Director Preston presentation.

Council President Perry is good with this increase, we want to attract the best we can get.

Councilor Sakelik assumes when the recruiter puts out, they put in a salary range?

Human Resources Directory Preston responded yes.

Mayor Axelrod stated we are doing this now to get the range right.

Council President Brenda Perry moved to approve Resolution 2018-04, setting new salary range for the Police Chief. Councilor Teri Cummings seconded the motion.

**Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings,
Councilor Bob Martin, and Councilor Richard Sakelik.**

Nays: None.

The motion carried 5 - 0

**~~d. Agenda Bill 2018-01-08-06: OR43 Multi-modal Transportation Project State Delivered
Federal Project Agreement~~**

[OR43 State Delivered Federal Project Information](#)

**~~e. Agenda Bill 2018-01-08-07: OR43 Multi-modal Transportation Project Cooperative
Maintenance Agreement~~**

[OR43 Cooperative Maintenance Agreement Information](#)

Mayor and City Council Reports [20 min]

[Citizen submittals re: parking](#)

Clackamas County Coordinating Committee (C4) Bylaws

Council President Perry explained the Clackamas County Coordinating Committee (C4) has a broad spectrum of members. The C4 Subcommittee consists of Metro cities only. They have five or six votes on the Metro Policy Advisory Committee (MPAC). Neither the citizen nor the other districts attend these meeting. When issues affect the Metro cities, they want to go with one voice to MPAC. These bylaws will clarify who is the membership of these meetings.

Council President Brenda Perry moved to approve Clackamas County Coordinating Committee (C4) Bylaws as presented. Councilor Bob Martin seconded the motion.

**Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings,
Councilor Bob Martin, and Councilor Richard Sakelik.**

Nays: None.

The motion carried 5 - 0

High School Parking Data Collection

Mayor Axelrod explained the high school has grown and there are limited number of parking spaces available. Staff discovered inconsistencies in the ordinances and did a map to show where the ordinances applied. The school is in compliance with their conditional use permit. It is up to the school if they want to build parking garage. The City can influence the consideration of parking with an ordinance. Council has communicated with the students and parents the importance to encourage more sustainable practices, not everyone has to drive. Sports and academics make for long days and it is hard to get to every place, especially in a City that does not offer transportation. All residents have the need and right to park in front of their homes. He suggested looking at parking at every other address. We talked to ODOT about

parking on the bridges on West A and Broadway. He suggested staff spend time on maps and what it would look like if we allowed parking at a few locations on the street. The Youth Council is looking at parking on just one side of the street or on select streets. Council did not reach consensus at the last meeting. He wants staff to put together spots on a map to generate spaces to help offload the parking problem. It would be nice to know how many spaces parking on the bridge would supply and move forward with the discussion. He wants Council consent to have staff generate numbers.

Council President Perry supports collecting data as part of a plan. She wants to set a date to meet with the school district and have the data available so they have a clear idea of what to talk to the school about. Potentially more buses and more carpooling. She wants to support the residents who live there and she wants to support the residents whose students use the streets. She would prefer parking on one side of the street, it would make life simpler. She would also like staff to look into assigning the parking on Mill Street to the old City Hall/Police Department building.

Mayor Axelrod is working on scheduling another meeting since we had to cancel the January 22 meeting. Our list with the school district is much larger than parking, that is one of several items.

Councilor Martin knows there is a parking problem, it is a matter of how much. He does not see how Council can discuss the solutions if we do not have numbers. We need to know how many spaces are available and how many these strategies produce. He likes the idea of using the spot by the water reservoir for parking.

Mayor Axelrod's idea is to collect information. We would not take action until we have a public hearing. He wants the data to support any proposals they bring forward to the community.

Councilor Sakelik has no problems moving forward to get data. He suggests the students put together the information Councilor Martin is asking for. If they have 30 spots, they are going to satisfy 30 people, not 100 or 200 or however many we need.

Councilor Cummings recalls the number of students that have licenses and cars have grown substantially since the school was originally built and expanded. It was well over 100 or 200. She thinks it would be a really big parking lot and does not think there is enough room even on the streets. They have buses and carpooling and we have even talked about shuttle buses. She is open to all possibilities and all information. There is no one answer here. A parking lot is huge and not sustainable. We are asking ourselves to take public transit and carpool. We need to ask our children to do that too and be more resourceful. She wants to be sure to follow through with meeting with the school board to hear what solutions they have been thinking about. We have great programs and if we didn't have so many wonderful after school programs, kids could just come and go like we did when we were kids.

Council President Perry really wants to get his moving. We were discussing this last summer. It

is going to be February before we can meet with the school board. We need to get the data we need and make a decision. The school parking approval is by the size of stadium, to put by the size of stadium rather than the number of students in the school is a lesson we need to learn. Let's get his moving and find some solutions.

Mayor Axelrod moved to decide to collect some additional data to help with the background and understanding to assess parking on the bridges and the side streets. Shall we look at paring on one side of the street or a portion of the streets that make sense? We are scheduling a meeting with the school district. We will decide if it needs to be a Council goal at the retreat.

City Attorney Watts said Council does not need a motion, they can just direct staff. He asked Council if anyone would not like to move forward with the data collection.

Councilor Cummings agrees if Council meets with the school board.

Mayor Axelrod stated we will get it scheduled.

Councilor Sakelik suggests the City Manager puts together a plan to move forward with specific time frames and data, including the Youth Advisory Council data.

Mayor Axelrod said staff knows what they need to do and they will do it as quickly as they can.

Councilor Martin stated when we find how many spaces we need, we may find there are several solutions. He would be happy just knowing how many parking spaces are needed. We need the data before we create a plan.

Councilor Sakelik did not mean a full blown plan, we often move on without knowing what the next steps are.

Mayor Axelrod will reschedule the school meeting as soon as we can and we will have the data before we get together.

Council President Perry and the Mayor met with Greg Geist from Water Environmental Services (WES). We outlined all we wanted from them was to feel involved and feel like we are getting information. Mr. Geist said WES knows what we are doing and there was no willingness to give us the information or share the plan. There is no interest in getting the elected forum together. Mr. Geist said he is in charge, running it, and he knows what he is doing. We met with representatives of other cities to talk about where they stood in this. They are not happy. We are going to meet with them again and try to have full meeting with the Board of Commissioners - Clackamas County (BCC) and if we are not satisfied, we will decide where to go from there. West Linn and Happy Valley are supposed to keep the other cities informed and find out what they want. The idea is for cities to talk and decide what they want. We need to have an organized forum and voice. I questioned Mr. Geist about his advertising. He is doing a

big advertising campaign which includes a piece before the showing of the Star Wars movie at the Clackamas Town Center and on two big billboards located there.

Mayor Axelrod said there was a lot of circular argument. Mr. Geist is in charge but he is working for the BCC, not us. We discussed the meaningless structure of the elected forum. The cities, elected, and communities want to be involved in the decision making. There are 18 members on the advisory board who are supposed to keep the other cities informed. He asked Mr. Geist what the budget was and he wouldn't disclose it, said it was not pertinent to us. The BCC is not involved, not paying attention. He is going back to the BCC with specific concerns and demands of what we want to change and all the other cities are on board with this approach.

Councilor Martin said the problem here is the BCC. There is a service district controlled by the BCC, the cities do not have a formal role. Unless the BCC is paying attention, WES has free reign. We talked about should we build another digester, this not driver of cost in WES, the big drivers is salaries and PERS. Since we are not growing, our percentage of cost will go down. We are now paying 9.2% of total cost, by the time we get to build out, it will be 8.4% because the rates will be spread out across more people. People in Oregon City and Gladstone want to save money. We have to wake up the BCC.

Councilor Cummings has gone to these meetings to see what goes on. One of the ideas is to model it like South Fork since we do not hear complaints about that model. They are public meetings and the elected are involved. She supports looking into that and what you are doing.

Council President Perry replied the South Fork model has been talked about. It is tough because we do not have a forum where they can do this so they have to do separate meetings.

Councilor Martin commented more of the members of WES are in unincorporated Clackamas County, then in the three cities. South Fork is centered around the cities.

Council President Perry added the BCC would be a member of the board so they would be the board members who cover the unincorporated area.

Councilor Sakelik asked if there was a meeting with the mayors and councilors with the BCC.

Mayor Axelrod replied the first elected forum meeting was called after the 190 was signed back in September or October.

Council President Perry added it was signed in November 2016 and the elected forum was September or October 2017. The next meeting of the elected is scheduled for February. The last meeting was not attended by either Oregon City or Gladstone.

Councilor Sakelik informed the City Manager that Mayor Axelrod, Councilors Sakelik and Cummings are going to the DC conference, so the March 12 meeting needs to be changed since three of the councilors will not be here.

Council moved the March 12 Council Meeting to March 19 and the Work Session to March 26.

Mayor Axelrod updated Council on the developments on Stafford. Lake Oswego offered Intergovernmental Agreement (IGA) drafts. The mayors wants something more robust and inclusive. They are looking at us to prepare a draft. He passed the draft onto Councilor Cummings and staff. We will share with the draft with Council so they get a chance to look at it. It is only two pages and we want to get it out next week.

City Manager Report [10 min]

[City Attorney Report \[5 min\]](#)

[Adjourn](#)

Approved 2-12-18.



CITY OF
**West
Linn**

City Council

Right-of-Way Vacation (Falls View Ave. & Canemah St.)

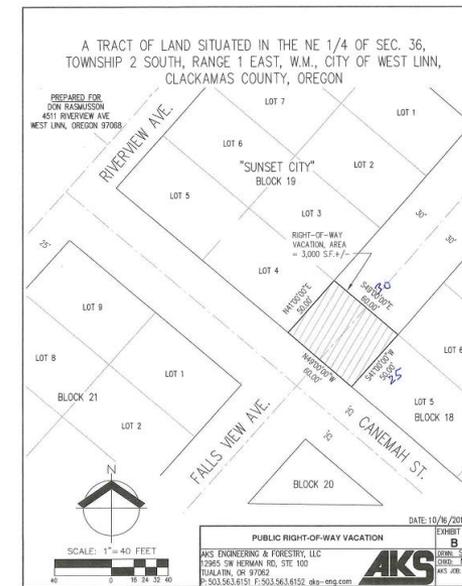
Public Hearing: MIS-17-12

January 8, 2018



Decision Before the City Council

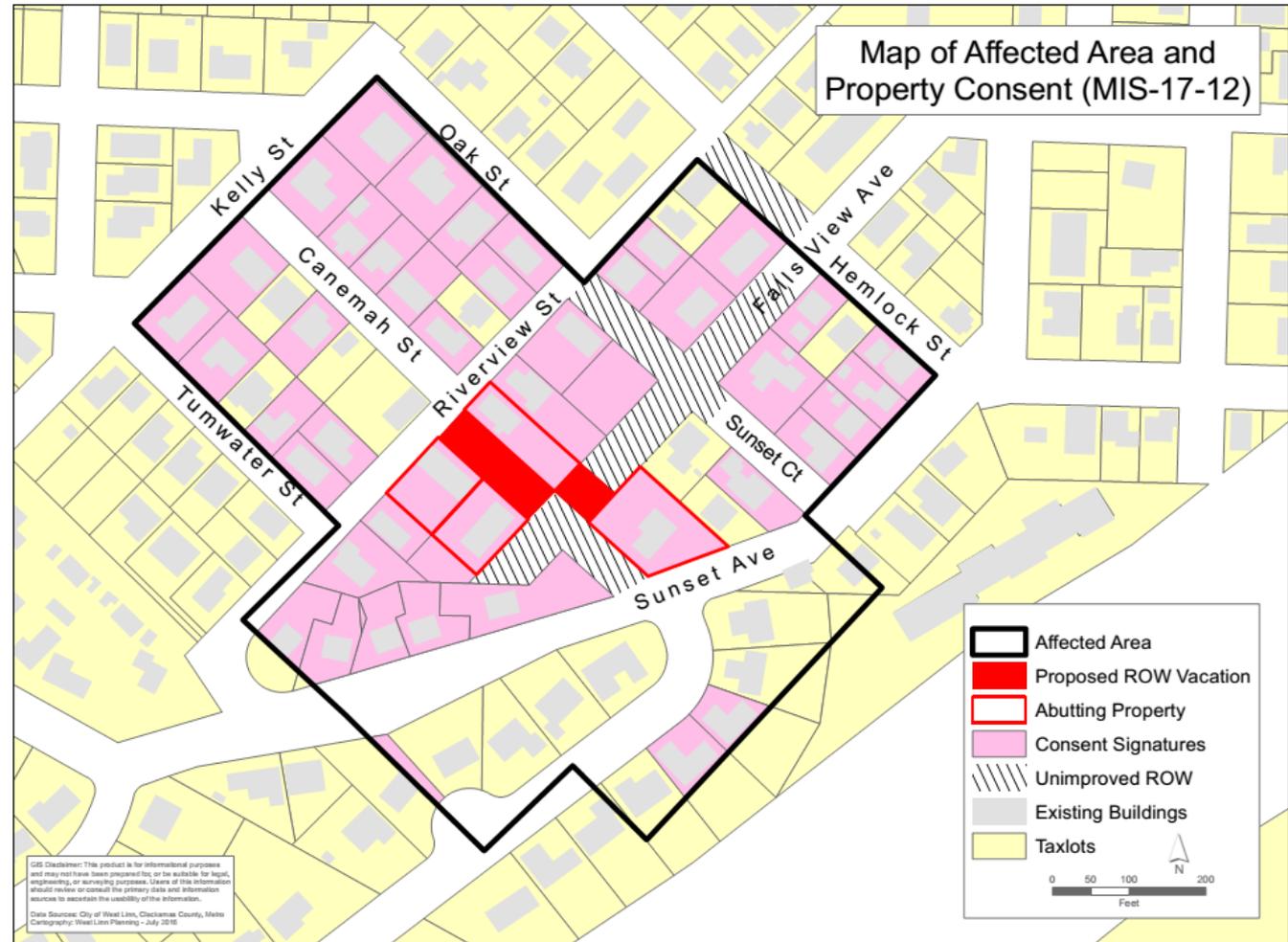
- Two-step process
- Accept applicant's petition for right-of-way vacation
 - 100% consent of abutting property owners
 - Minimum 66.7% of real property within affected area consent
- Hold quasi-judicial public hearing on Ordinance 1670
 - Approve
 - Deny





Approval Criteria: Property Owner Consent

- 100% of abutting property owners
- 69.8% of real property within affected area





Approval Criteria: Public Notice

- ◆ Published in West Linn Tidings in consecutive weeks
 - December 21, 2017
 - December 28, 2017
- ◆ Signs posted at each end of proposed vacation at least 14 days in advance of public hearing
 - Four signs posted on December 21, 2017

**NOTICE OF PROPOSED
STREET VACATION**

**WEST LINN CITY COUNCIL
PUBLIC HEARING NOTICE
FILE NO. MISC-17-12**

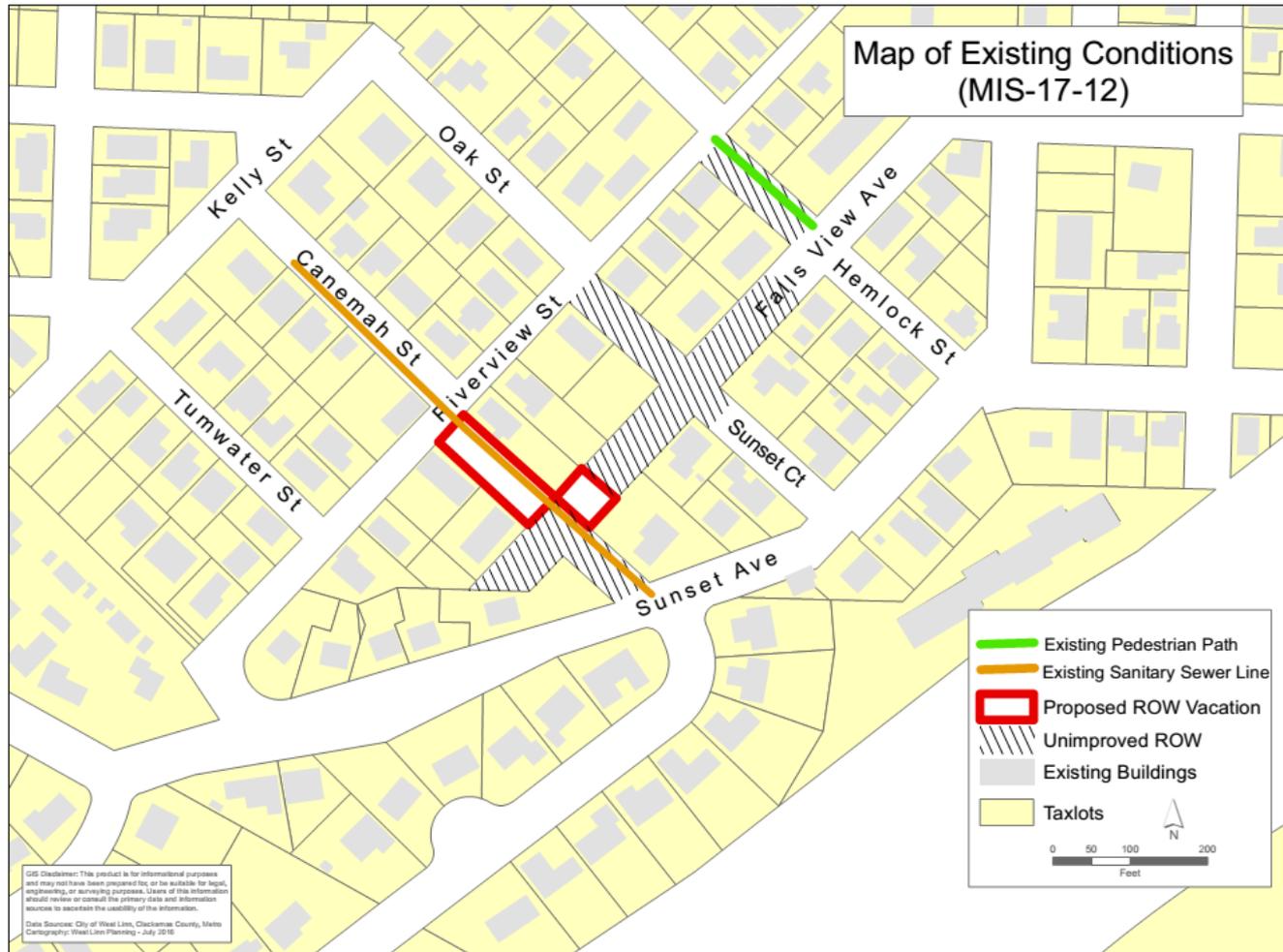


Approval Criteria: Public Interest Not Prejudiced

- ◆ No objection from City staff
- ◆ No TSP or Trails Plan projects located in proposed vacation
- ◆ Existing pedestrian pathway 450 feet to the east
- ◆ Canemah Street slope is 22%
- ◆ Falls View Avenue cross-slope is 33%
- ◆ No private property is dependent upon the unimproved ROW for access
- ◆ Public Utility Easement over the public sanitary sewer line in the unimproved Canemah Street ROW
- ◆ Public Utility Easements will be placed over entirety of the vacated ROWs



QUESTIONS OF STAFF?





PLEASE PRINT

ANY INFORMATION PROVIDED MAY BE CONSIDERED PUBLIC RECORD AND SUBJECT TO DISCLOSURE

I wish to speak during **Community Comments** on a non-agenda related item (limited to five minutes):

Please specify topic (required):

HIGH SCHOOL PARKING

I wish to speak during the **Business Meeting** on the agenda item listed below (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):

I wish to speak on **Ordinance 1670, vacating a portion of the Canemah Street and Falls View Avenue right-of-way within the City of West Linn (limited to five minutes):** The applicant has the burden of proving that the application is consistent with the provisions of Oregon Revised Statute (ORS) 271.080 to 271.120. The criteria that must be addressed in this hearing are ORS 271.120. Testimony on other issues will not be accepted.

I do not wish to speak however; I would like to have standing on this land use item.

Issue:

Failure to raise an issue during the City's hearing on this matter precludes an appeal to the Land Use Board of Appeals based on that issue. 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.

In Support

Neither for nor against

In Opposition

P l e a s e p r i n t :

Name: DAVID BAKER

Address: 6210 HAVERHILL CT

City: WEST LINN

State OR

Zip 97068

Email (optional): _____

Phone (Optional): _____



CITY OF West Linn

PLEASE PRINT

ANY INFORMATION PROVIDED MAY BE CONSIDERED PUBLIC RECORD AND SUBJECT TO DISCLOSURE



I wish to speak during Community Comments on a non-agenda related item (limited to five minutes):

Please specify topic (required):

BOND

I wish to speak during the Business Meeting on the agenda item listed below (limited to five minutes):

Please specify agenda report number(s) or topic(s) (required):

Sanctuary

I wish to speak on Ordinance 1670, vacating a portion of the Canemah Street and Falls View Avenue right-of-way within the City of West Linn (limited to five minutes): The applicant has the burden of proving that the application is consistent with the provisions of Oregon Revised Statute (ORS) 271.080 to 271.120. The criteria that must be addressed in this hearing are ORS 271.120. Testimony on other issues will not be accepted.

I do not wish to speak however; I would like to have standing on this land use item.

Issue:

Failure to raise an issue during the City's hearing on this matter precludes an appeal to the Land Use Board of Appeals based on that issue. 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.

In Support

Neither for nor against

In Opposition

Please print:

Name: Dale Fortuna

Address: 3360 Atwood Dr.

City: W. Linn, OR State _____ Zip _____

Email (optional): _____ Phone (Optional): _____



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

CITY COUNCIL AGENDA

Monday, January 8, 2018

5:30 p.m. – Pre-Meeting Work Session – Rosemont Room

6:30 p.m. – Business Meeting – Council Chambers

-
1. Call to Order and Pledge of Allegiance
 2. Approval of Agenda
 3. Community Comments [10 min]
 4. Proclamations, Recognitions and Scheduled Presentations [30 min]
 - a. School Choice Week Proclamation
 5. Consent Agenda [5 min]
 - a. Agenda Bill 2018-01-08-01: Approval of Meeting Notes for November 30 and December 11, 2017
 - b. Agenda Bill 2018-01-08-02: RESOLUTION 2018-01, SETTING A RATE FOR COST OF LIVING ADJUSTMENTS FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES
 6. Business Meeting [1 hour]
 - a. Agenda Bill 2018-01-08-03: *Public Hearing* – ORDINANCE 1670, VACATING A PORTION OF THE CANEMAH STREET AND FALLS VIEW AVENUE RIGHTS-OF-WAY
 - b. Agenda Bill 2018-01-08-04: Resolutions Declaring Surplus Properties at 6175 and 6123 Skyline Drive
 - i. RESOLUTION 2018-02, DECLARING CITY-OWNED PROPERTY AT 6175 SKYLINE DRIVE SURPLUS AND AUTHORIZING THE CITY MANAGER TO INITIATE A PROCESS TO SELL THE PROPERTY
 - ii. RESOLUTION 2018-03, DECLARING CITY-OWNED PROPERTY AT 6123 SKYLINE DRIVE SURPLUS AND AUTHORIZING THE CITY MANAGER TO INITIATE A PROCESS TO SELL THE PROPERTY
 - c. Agenda Bill 2018-01-08-05: RESOLUTION 2018-04, SETTING NEW SALARY RANGE FOR POLICE CHIEF
 - d. Agenda Bill 2018-01-08-06: OR43 Multi-modal Transportation Project State Delivered Federal Project Agreement

e. Agenda Bill 2018-01-08-07: OR43 Multi-modal Transportation Project Cooperative Maintenance Agreement

7. Mayor and City Council Reports [20 min]
8. City Manager Report [10 min]
9. City Attorney Report [5 min]
10. Adjourn

Meeting Notes:

The Council Chambers is equipped with an induction loop and a limited number of neck loops for the hearing impaired. Please let the City know if you require any special assistance under the Americans with Disabilities Act, please call City Hall 48 hours prior to the meeting date, 503-657-0331.

Community Comments provide an opportunity for statements from citizens regarding issues related to City government, properly the subject of Council/Commission consideration and not issues on the agenda. Persons wishing to speak shall be allowed to do so only after completing forms provided in the foyer in advance of Community Comments. All remarks should be addressed to the governing body. The City Council/Planning Commission will not engage in discussion with those making comments. The time limit for each participant is five (5) minutes or will be set by the Mayor or Chair.

Consent Agenda items are routine and will not be allotted individual hearing time. The items may be passed in one blanket motion. Any member may remove an item for discussion or questions by requesting such action prior to consideration.

Persons wishing to speak on agenda items shall be allowed to do so only after completing the forms provided in the foyer and returning them to the Clerk prior to the item being called for discussion. A separate slip must be turned in for each item. The time limit for each participant is five (5) minutes, unless the Mayor decides prior to the item to allocate more or less time.

When needed, the Council will meet in Executive Session pursuant to ORS 192.660.

Please help us to accommodate citizens who are chemically sensitive to fragrances and other scented products. Thank you for not wearing perfume, aftershave, scented hand lotion, fragranced hair products, and/or similar products.

PROCLAMATION

West Linn, Oregon

WHEREAS, all children in West Linn should have access to the highest-quality education possible; and,

WHEREAS, West Linn recognizes the important role that an effective education plays in preparing all students in West Linn to be successful adults; and,

WHEREAS, quality education is critically important to the economic vitality of West Linn; and,

WHEREAS, West Linn is home to a variety of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS West Linn has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, I, Russell Axelrod, Mayor of the City of West Linn, proclaim the week of January 21 to January 27, 2018 as West Linn School Choice Week, and I call this observance to the attention of all of our citizens.

DATED THIS 8TH DAY OF JANUARY, 2018

MAYOR RUSSELL B. AXELROD

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

Agenda Bill 2018-01-08-01

Date: December 21, 2017

To: Russ Axelrod, Mayor
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: Eileen Stein, City Manager *ES*

Subject: Consent Agenda

Purpose

Approval of City Council Notes

Question(s) for Council:

Does Council wish to approve these City Council Meeting Notes?

Public Hearing Required:

None required.

Background & Discussion:

The mentioned City Council Meeting Notes are ready for Council approval.

Budget Impact:

N/A

Council Options:

1. Approve Council Notes
2. Revise and approve Council Notes

Staff Recommendation:

Approve Council Notes

Potential Motions:

Approval of the Consent Agenda will finalize this set of notes.

Attachments:

1. November 30, 2017 Council Meeting Notes
2. December 11, 2017 Council Meeting Notes



CITY OF
West Linn

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

WEST LINN CITY COUNCIL MEETING NOTES November 30, 2017

1. Call to Order: 12:49 pm

Council Present:

Mayor Russ Axelrod
Council President Brenda Perry (via telephone)
Councilor Teri Cummings
Councilor Bob Martin
Councilor Richard Sakelik

Staff Present:

City Manager Eileen Stein
Assistant to the City Manager Dylan Digby
City Recorder Kathy Mollusky

2. Community Comment

There was not any community comment.

3. City Manager Contract Renewal

Mayor Axelrod explained that Council met on November 20 in an executive session to discuss the City Manager's contract and performance. There is a December 1 deadline in the contract where Council needs to indicate if they intend to extend the contract through the

terms of the contract. Council is unanimous in their interest in extending the contract. Council does not have a regular meeting scheduled prior to this deadline so they are having today's meeting. There is an interest in continuing the discussion on the City Manager's performance and on next quarter since they didn't get through all the information they wanted to discuss. They had scheduled an executive session for this earlier; however, the facilitator could not make it. Council is here to address the contract matter and will reschedule the executive session. The Council and City Manager discussed deleting the notification provision and reopening the matters of salary, relocation, and termination compensation.

Mayor Axelrod moved to direct the City Attorney to prepare a notice under Section 2 of the Employment Agreement notifying the City Manager that we will not renew the Agreement as currently constituted but intend to extend her employment for two years subject to two conditions: (1) to delete the second sentence in Section 2 of the existing contract and (2) open for discussion the matters of salary in Section 4.A. Relocation in Section 17.C. and Termination Compensation in Section 3.D. The Council and City Manager will make a good faith effort to come to agreement on these provisions in time for Council to approve any changes in the Employment Agreement at its regular business meeting in February 2018. Council President Perry seconded the motion.

Councilor Sakelik moved to amend the motion to open for discussion all other matters of the current contract. Councilor Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Council voted on the original motion:

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

4. Adjourn 12:59



CITY OF
West Linn

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

WEST LINN CITY COUNCIL MEETING NOTES December 11, 2017

[Call to Order and Pledge of Allegiance](#)

Council Present:

Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Staff Present:

City Manager Eileen Stein, Assistant to the City Manager Dylan Digby, City Recorder Kathy Mollusky, Citizen Engagement Coordinator Courtney Flynn, Finance Director Lauren Breithaupt, Associate Planner Jennifer Arnold, Human Resource Director Elissa Preston, and City Attorney Tim Ramis.

[Approval of Agenda](#)

Council President Brenda Perry moved to remove item 6d Oregon 43 Multi-modal Transportation Project State Delivered Federal Project Agreement and item 6e Oregon 43 Multi-modal Transportation Project Cooperative Maintenance Agreement from the agenda and approve the agenda for the December 11, 2017, West Linn City Council Meeting. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

[Community Comments \[10 min\]](#)

There were not any.

[Proclamations, Recognitions and Scheduled Presentations \[20 min\]](#)

[Audit Presentation](#)

[Letter from Auditors](#)

[Management Representation Letter](#)

[FY17 CAFR](#)

Finance Director Breithaupt and Tonya Moffitt, CPA, Partner from Merina and Company, presentation. The City received an unmodified or clean opinion on their financial statements for FY17. The City also had its first single audit of federal awards received for the Cedar Oak boat ramp which the City received an unmodified or clean opinion on. Ms. Moffitt explained that a clean opinion is the highest one given on financial statements. The clean opinion on the single audit is a testament to Parks & Recreation Director Ken Worcester and his team and the Finance team's level of effort to make sure the City is in compliance with the grant requirements and federal requirements. They were concerned with the turnover of staff; however, the City's finance consultant made sure this was a smooth transition. The City received the Comprehensive Annual Financial Report (CAFR) from the Government's Financial Officer's Association (GFOA). That is the highest stamp of approval and reward that a city can receive on their financial statements.

Council President Perry asked them to explain about how we ended up in deficit on the Cedar Oak Boat Ramp project.

Finance Director Breithaupt pointed out there is an explanation on page 60 of the audit. There is a deficit fund balance in the parks fund due to Cedar Oak boat ramp outstanding issues. Most of the expenditures are done; however, due to the few outstanding issues, they are not able to receive the funding yet. They are expecting to receive the last \$900,000 next month. Since it is after 60 days from the year-end, this cannot be reported as revenue; however, is reported as a receivable in deferred revenue.

[Consent Agenda \[5 min\]](#)

[Agenda Bill 2017-12-11-01: Approval of Meeting Notes for November 13, 2017](#)

[Draft Notes Information](#)

Agenda Bill 2017-12-11-02: Police Records Management/Reporting Software Agreement
[Police Agreement Information](#)

Council President Brenda Perry moved to approve the Consent Agenda which includes the revised November 13, 2017, meeting notes and the Police Records Management/Reporting Software Agreement Councilor Richard Sakelik seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Business Meeting [1 hour]

Agenda Bill 2017-12-11-03: Public Hearing - ORDINANCE 1666, APPROVING A STATUTORY DEVELOPMENT AGREEMENT WITH TANNLER PROPERTIES, LLC FOR THE PROPERTIES LOCATED AT 2410, 2922 AND 2444 TANNLER DRIVE; ADOPTING FINDINGS; AND AUTHORIZING EXECUTION OF THE AGREEMENT (MISC 17-09)

[ORD 1666 Information](#)

[Citizen submittals rcd after 11-29](#)

Mayor Axelrod explained the applicant requested Council open and continue the hearing so the applicant has an opportunity to have more discussions with the neighborhood community.

Mayor Axelrod opened the public hearing.

Council President Brenda Perry moved to move to a date certain the public hearing for Ordinance 1666 and move it to the February 12, 2018, City Council Meeting. Councilor Teri Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Agenda Bill 2017-12-11-04: Public Hearing " ORDINANCE 1668, VACATING A PORTION OF THE WILLSON STREET RIGHT-OF-WAY WITHIN THE CITY OF WEST LINN, OREGON

[ORD1668 Information](#)

[Citizen submittals](#)

Mayor Axelrod explained that tonight they are holding a public hearing regarding application number MISC-17-8 for the vacation of right-of-way on Willson Street, between West A Street and Broadway Street. This is a quasi-judicial decision. Unlike in legislative hearings, where personal opinion may come into play, quasi-judicial rulings must be grounded in the relevant code, and if the application meets the code, the Council must approve it.

He explained how the hearing would proceed and called the public hearing to order.

City Attorney Ramis explained that the applicant has the burden of proving that the application is consistent with the provisions of Oregon Revised Statute (ORS) 271.080 to 271.120. The criteria that must be addressed in this hearing are ORS 271.120. The City Council is sitting quasi-judicially so any testimony, argument or evidence that speakers give the Council must be directed at these criteria. Only those who have appeared before the City Council, in person or in writing, will have standing to appeal this item to the Land Use Board of Appeals (LUBA).

City Attorney Ramis continued, prior to the conclusion of the first public hearing on an application, the applicant, or anyone who takes part in the hearing, may request a continuance or ask that the record be left open to present additional information. If there is such a request, the Council will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument or testimony. Failure to raise an issue accompanied by statements or evidence sufficient to allow the Council and the parties an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

City Attorney Ramis asked Council if they wished to declare a potential or actual conflict of interest or bias? There were none.

He asked if any members of the City Council wish to report any site visits or ex parte contacts? Councilor Cummings did a site visit last summer. Council President Perry stated Council received emails related to the subject that are included in record.

He asked if any member of the audience wished to challenge the jurisdiction of the City Council to hear this matter? There were none.

He asked if any member of the audience wish to challenge the impartiality or ex parte disclosures of any member of the Council? There were none.

Associate Planner Arnold presentation.

[Presentation](#)

Council President Perry stated staff has marked the ones who agreed to this vacation. Did the other properties within that rectangle just not respond, or was there disagreement from those properties?

Associate Planner Arnold responded that would be a good question for the applicant since they are the ones required to go door-to-door and receive notarized signatures from property owners. The City only receives those who consent.

Council Martin asked what is the rectangle piece of land between 5711 and 5702.

Associate Planner Arnold replied it is a remnant alleyway that was vacated years ago. Some property owners retained ownership, for instance 5715. The property owner at 5702 owns that small rectangle, they have not combined with their current tax lot.

Mayor Axelrod stated a big portion of the land is the high school, did they comment on this.

Associate Planner Arnold responded there are two letters of consent, one from the superintendent and another from another official at the school district.

Mayor Axelrod asked when the City gives up right-of-way, but want to retain for other pedestrian or bicycle activity, do we vacate it? How does the City maintain and control long term?

City Attorney Ramis responded the City reserves an easement for the purpose which they want to keep the land, in this case it is for utilities and a trail.

Applicants Presentation

Jeremy Barnett informed Council if this area is not vacated, the property at 5685 would have to take its access from that easement. The intention is to build two single-family residences and the current plans have them accessing their property from West A. If this right-of-way is not vacated, 5685 will be required to access their house from the right-of-way which is a major foot traffic area for students.

Council President Perry asked if any motorized traffic would be allowed?

Associate Planner Arnold informed Council it will be signed pedestrian access only.

Mayor Axelrod asked about fire department access?

Associate Planner Arnold explained there will be sidewalk on West A so the fire department would drive up on sidewalk if they needed to access.

Mayor Axelrod asked if it were going to be improved?

Mr. Barnett explained he met with the parks department to work out the details. Currently, it is a two foot overgrown area. They will make it 10 feet wide, do grading and gravel, and take some of the slope off.

Councilor Sakelik asked how long the path was. If that is vacated, the whole thing will be natural except the 10-foot trail easement?

Associate Planner Arnold replied it is approximately 200 feet long. The whole section will be part of the right-of-way easement.

Councilor Sakelik asked if the home Mr. Barnett is building would have a fence and thinks it should be wider so a truck can drive through on it.

Mr. Barnett replied 10 feet in the center is for the walking trail, the other 30 feet will belong to the homeowners and will be their responsibility to maintain.

Public Testimony

Rory Bialostosky wants to make sure the City will still retain control and sanction the property owners if it becomes overgrown.

[Rory Bialostosky submittal](#)

Applicant Rebuttal

There was none.

Questions of Staff

Councilor Cummings asked if adjacent property owners need to do a lot line adjustment to get their tax lots changed?

Associate Planner Arnold replied the County adjusts everything so property owners do not go through an additional process. This is one of the reasons why all the owners adjacent to the right-of-way have to be notified and consent.

Councilor Cummings asked what is the normal width of trails for pedestrians and bikes in the Trails Master Plan?

City Manager Stein replied the recommended width in the Trails Master Plan for a joint bike/pedestrian trail is 10 to 12 feet with 2-foot shoulders.

Council President Perry asked about other people polled.

Mr. Barnett explained the process is to take a notary around, knock on doors, and meet people who live around the right-of-way. Everyone was in agreement with the idea. There are several rental properties in the area so they didn't have ability to sign up. He reached out to property owners of the rentals who did not respond. People that sign the notary book are required to show their drivers license and some were not willing to do that. No one rejected the idea.

Councilor Sakelik asked with a 10 to 12 foot path, would there be a specific section outlined for bikes to avoid potential accidents? One side for bikes, one side for pedestrian? The bike side could be cemented and one side could be gravel.

Councilor Martin replied those considerations are spelled out in the Master Trails Plan.

Mayor Axelrod doesn't see a reference in the ordinance to the Master Trails Plan. He asked if it should say to follow the design and all the criteria in the Trails Master Plan? What spells out the maintenance of the trail? If it's part of our trails plan, does the City maintain it?

City Attorney Ramis replied if the City has an easement, they are going to maintain it unless there is some other agreement with the property owner.

Mayor Axelrod wants it all specified in the ordinance.

City Manager Stein clarified the gravel path will be done by the applicant, not the City. We need to be clear with the applicant if it is going to be all gravel or half concrete.

Mayor Axelrod told the applicant he wants to make sure he's responsible for improving the area to the standards set by the City.

Mr. Barnett explained he has had conversations with the parks department, that is where the plan came from. He will construct to the parks departments standards. He understands the expense to install the trail is his.

Associate Planner Arnold explained that is a condition in the building permit.

Mayor Axelrod believes it would be helpful to have in the ordinance.

Councilor Martin said normally we ask for the easement. He thanked Mr. Barnett for building the path. The Master Trails Plan has criteria for primary, secondary, and local paths that the trail can only be half the grade of the slope, this appears to be a straight down slope. Would a 12-foot path get in the way of building plans? Have you had a discussion on maintenance?

Mr. Barnett replied there is plenty of area to grade out and lessen the slope. They are working with parks to come up with a plan. They could adjust the width if they need to, it is not incorporated into his building plans. Since this is an easement, parks would maintain.

Councilor Sakelik wants this clearly specified. Four property owners are getting approximately 1,500 more sq.ft. If this is going to be trail, it would be good to have a bike path and a walking path. The City, four homeowners, and construction company can split the cost. The maintenance would be the City.

Mayor Axelrod is not looking at conditioning this ordinance and land use decision by bringing

these other property owners into it.

Councilor Cummings asked if there were any discussions about this being eligible for safe routes to school? She would like it identified as a safe route to school.

Associate Planner Arnold doesn't know if it is on the list or if it could be added. The trail has been discussed and established in multiple documents.

Mayor Axelrod said whether it is designated or not, it could still be claimed as a safe route.

Council President Perry suggested in Section 2 we change it to establish public utility and trail easement that conforms to the Master Trails Plan requirements.

Mayor Axelrod heard a request to have a portion of it paved.

Mr. Barnett replied with the grade, if you pave a path, you have Americans with Disabilities Act (ADA) requirements. The initial vision was gravel. He is not opposed to paving, but it creates safety and liability issues.

Mayor Axelrod closed the public hearing.

Deliberations

Mayor Axelrod suggested in Section 2, where it says, "and a pedestrian trail easement" it should say "pedestrian and bicycle trail easement."

Councilor Cummings would like to continue deliberations longer to make sure all the pieces are in place. She would like this added to the safe routes to school.

City Attorney Ramis said Council could give direction to staff as to items they want included like a reference to a bike trail or master plan, staff can do the work and bring it back.

Mr. Barnett is open to get everything right. This process has delayed construction already by several months. He would like it to happen as soon as possible.

Councilor Martin cautioned Council that they need to be careful. The parks department has already said do a gravel path because a paved path would have problems. He trusts the parks & recreation department to make the best decision rather than Council doing it here.

Council President Perry wants to get this done tonight. Council can add this to safe routes later. She wants to make sure the trails plan is in here. She would not put in a bike path, just establish public utility and trail easement.

Mayor Axelrod would like to have safe routes added as a whereas statement.

Councilor Cummings questioned if they want to go with 12 foot or a wider path. She would like to make the property lines specific and clear. If Council does not make it wide enough, they cannot go back and change it.

Council President Perry says the Trails Master Plan says 10 to 12 feet.

Mayor Axelrod suggested they reference it has to meet the Trails Master Plan design standards and maintenance agreement to be coordinated with staff.

Councilor Martin stated the right-of-way is 40 feet. The parks department can implement any level of trail and easement wide enough. The parks department said what they think is the best trail, the applicant is willing to do that, and the ordinance allows that.

City Attorney Ramis explained there is not going to be a record of the vacation, utility easement or trail until it is all done. Your choices are a general statement leaving it to the staff to work out the details or specify in the ordinance what the details are. If Council goes down that path, he recommends they do in consultation with staff.

City Manager Stein reads the 10 to 12 feet generally means 12 feet. It may fluctuate depending on what is on the land, like a tree or boulder.

Council President Perry wants to leave it up to parks department requirements and specifications.

Mr. Barnett explained citizens will gain property. The driveway at 5682 comes through the right-of-way. Considering all the details with parks, a path straight through middle was the most feasible.

Mayor Axelrod closed the Public hearing.

Mayor Axelrod proposed adding to the whereas, the City Council finds that the ordinance supports the safe routes to school program. It shows how Council is being stewards of the program to encourage safe routes to students.

City Manager Stein informed Council there is not a safe routes to school plan for the high school.

Mayor Axelrod believes Skyline Ridge was championed as improving safe routes to school.

Council President Perry believes Skyline was championed as making the route to school safer rather than it being part of the safe route to school program.

Mayor Axelrod withdrew his suggestion. In Section 2, he would like it to say something like, “in accordance with the approved West Linn Master Trails Program design standards and agreements to be maintained by the City of West Linn.”

Councilor Martin said something like, “a pedestrian trail that meets the West Linn adopted Master Trail Plan requirements.”

City Attorney Ramis read the two sections changed, the sixth whereas amended to read, “Whereas, the City Council found that the petition was complete because 100 percent of abutting property owners support the vacation and over two-thirds of property within the ORS defined affected area support the vacation;” and in Section 2. “Establish Public Utility and Trail Easement. All of the vacated right-of-ways described in Exhibits A and B, are subject to dedication of a public utility easement for their entirety and a pedestrian trail easement that meets the West Linn Comprehensive Trails Master Plan requirements.”

Council President Brenda Perry moved to approve First Reading for Ordinance 1668 as read, vacating a portion of the Willson Street right-of-way within the city of West Linn, Oregon, and set the matter for Second Reading. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Council President Brenda Perry moved to approve Second Reading for Ordinance 1668 as read, vacating a portion of the Willson Street right-of-way within the city of West Linn, Oregon, and adopt the ordinance. Councilor Teri Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Mayor Axelrod stated if you would like to appeal this decision to LUBA, you must file an appeal in accordance with the rules of LUBA and any applicable provisions in the Community Development Code.

[Agenda Bill 2017-12-11-05: ORDINANCE 1669, REPEALING ORDINANCE 1548 AND THE ESTABLISHMENT OF A CRIMINAL HISTORY RECORD CHECK POLICY FOR APPLICANTS FOR EMPLOYMENT](#)

[ORD 1669 Information](#)

[Citizen submittal re ORD 1669](#)

Human Resources Director Preston staff report. Per Council request, staff added some additional whereas clauses and section 2.

City Attorney Ramis read the four additional whereas clauses, "Whereas, the City currently has written procedures that require pre-employment criminal record information to be obtained; and whereas, the current practice is to obtain criminal record information simultaneously through the police department and an outside vendor to expedite the hiring process; and Whereas, it is unnecessary to expend valuable staff time duplicating the effort of the City's outside vendor, which can provide human resources staff with more complete criminal record information" and Section 2. "Procedure. The City will follow procedures and protocols for obtaining pre-employment criminal record information that are compliant with the Fair Credit Reporting Act."

Councilor Cummings heard Human Resources Director Preston say require pre-employment criminal information to be obtained for each hire. She would like "for each hire" added for clarity.

Mayor Axelrod has in Section 2. Procedure. "The City will follow procedures and protocols for obtaining pre-employment criminal record information for each hire that is compliant with the Fair Credit Reporting Act."

City Attorney Ramis read "Section 2. Procedure. The City will follow procedures and protocols for obtaining pre-employment criminal record information for each hire that is compliant with the Fair Credit Reporting Act."

Council President Brenda Perry moved to approve First Reading for Ordinance 1669 as read, repealing Ordinance 1548 and the establishment of a criminal history record check policy for applicants for employment, and set the matter for Second Reading. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Council President Brenda Perry moved to approve Second Reading for Ordinance 1669 as read, repealing Ordinance 1548 and the establishment of a criminal history record check policy for applicants for employment, and adopt the ordinance. Councilor Teri Cummings seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

d. Agenda Bill 2017-12-11-06: OR43 Multi-modal Transportation Project State Delivered Federal Project Agreement

[OR43 State Delivered Federal Project Information](#)

e. Agenda Bill 2017-12-11-07: OR43 Multi-modal Transportation Project Cooperative Maintenance Agreement

[OR43 Cooperative Maintenance Information](#)

Mayor and City Council Reports [20 min]

Citizen Advisory Group Appointments

Mayor Axelrod placed before Council the following advisory board member appointments:

Audit Committee – Nathan Reagan
Citizens' Budget Committee – Mark Adams
Library Advisory Board – Pam North and Tom Miller
Planning Commission – Joel Metlen and Lamont King
Sustainability Advisory Board – Cynthia Ellison and Sara Weihmann
Transportation Advisory Board – Rich Faith and Andrew Mallory

Council President Brenda Perry moved to approve the Mayor's appointments Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

Council President Perry was appointed to the Water Environmental Services (WES) advisory board. The first meeting is at 7:30 am on Thursday. February 21 is the elected officials forum. Clackamas County Coordinating Committee (C4) approved their bylaws. She will get a redlined copy to Council so hopefully Council can agree to them at the next meeting. The Tri Met tax is going to be shared with other areas (i.e., SMART and Sandy) where they have separate transport systems. She put in a word for West Linn and will forward the plans for West Linn onto Council.

Councilor Sakelik said the West Linn Chamber invited him back to attend their meetings.

Councilor Martin acknowledged the Committee for Citizen Involvement (CCI) They have worked hard and are meeting every week. They are examining the land use hearing process to make citizen involvement smoother and get information out sooner. They have come up with

areas of the Code that need to be changed. Problem areas that need to be addressed and opportunities for education. The Public Safety Advisory Board asked Council how advisory boards can get access to funds to do activities, just give them way to do it, like becoming a 501(c)(3).

Council President Perry said the Utility Advisory Board put in their report. She reminded all advisory boards to put in their end of year reports.

Mayor Axelrod is on the Willamette Falls Locks working group and has been tasked with seeking funding from other cities. He has procured funding from most cities, he hopes to get the rest of the cities support in the next few weeks.

City Manager Report [10 min]

City Manager Stein is looking at Tuesday, January 16 for the second goal session date, January 12 is already set. The Youth Advisory Council (YAC) will meet Wednesday to put in the survey data. About 600 surveys were returned. Staff will analyze the data and the YAC will present the information to Council.

Mayor Axelrod met with Rory about possible parking solutions and will bring to Council to discuss as one of Council goals.

City Manager Stein commend the CCI for listening to the land use process and working on making it more customer friendly. Council had a long, involved work session regarding the GO Bond and survey work. They received additional suggestions at their town hall and the following day. Some of these suggestions have been incorporated into the survey and will be rolled out to the public very soon. City Manager Stein explained the changes, for example, one of the questions referenced the Bolton Station and it was clarified to say the old Bolton Station. Same change was made for the old Robinwood Station. I205 trail is above I205, not along I205. Other changes were more methodological in nature. The survey company stands behind their work and say this will reduce the information Council needs to make a decision.

Council President Brenda Perry moved to accept the changes that were read be incorporated in the survey instrument. Councilor Bob Martin seconded the motion.

Ayes: Mayor Russ Axelrod, Council President Brenda Perry, Councilor Teri Cummings, Councilor Bob Martin, and Councilor Richard Sakelik.

Nays: None.

The motion carried 5 - 0

City Attorney Report [5 min]

City Attorney Ramis said the case at LUBA regarding the Upper Midhill development oral argument will be conducted Thursday morning. There will probably be a decision a few weeks after that.

[Adjourn](#)

DRAFT

Agenda Bill 2018-01-08-02

Date: December 26, 2017

To: Russell B. Axelrod, Mayor
Members, West Linn City Council

From: Eileen Stein, City Manager *ES*

Subject: Management and Non-represented Employees Cost of Living Adjustment

Purpose

To provide a cost of living adjustment of 2.0% for management and non-represented employees (except the City Manager), effective January 1, 2018.

Question(s) for Council:

Does the City Council wish to approve a cost of living adjustment to management and non-represented employees of 2.0% on January 1, 2018?

Public Hearing Required:

None required.

Background & Discussion:

The West Linn Charter delegates responsibility for setting compensation levels to the City Council. Historically, cost of living adjustments (COLA) for management and non-represented employees are considered January 1 of each year. The City of West Linn uses CPI-W for the Portland metropolitan area for calculating an appropriate COLA for city employees. The CPI-W for the 12-month period from July 1, 2016 to June 30, 2017, was 4.2%.

The recently adopted BN19 budget includes an assumption for 2.0% cost of living adjustments for management and non-represented staff. A 4.2% COLA is simply not fiscally responsible at this time. Therefore the request is to approve 2.0%.

Budget Impact:

COLA would cost approximately \$85,000 and is fully budgeted for.

Council Options:

1. Approve the resolution as recommended.
2. Modify the resolution by removing or amending one or more sections.
3. Do not approve the resolution.

Staff Recommendation:

Staff recommends Council approve resolution 2018-01

Potential Motion:

Motion to approve the resolution.

Attachments:

1. Resolution 2018-01
2. Attachment A – Salary Schedules

RESOLUTION NO. 2018-01

A RESOLUTION OF THE WEST LINN CITY COUNCIL SETTING COMPENSATION LEVELS FOR MANAGEMENT AND NON-REPRESENTED EMPLOYEES

WHEREAS, the West Linn Charter delegates responsibility for setting compensation levels to the City Council; and

WHEREAS, as previously established by the City Council, changes to the compensation levels for management and non-represented employees occurs January 1 of each year; and

WHEREAS, in accordance with past practice, the City of West Linn uses CPI-W for the Portland metropolitan area for calculating an appropriate COLA for city employees; and

WHEREAS, for the 12-month period from July 1, 2016 to June 30, 2017, the CPI-W for the Portland metropolitan area was 4.2%; and

WHEREAS, the budget for FY18 includes 2% cost of living adjustment assumptions, and therefore 4.2% COLA is not fiscally responsible.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. Wages. Wages for management and non-represented employees (not including the City Manager) shall increase by 2.0% effective the beginning of the pay period which includes January 1, 2018.

SECTION 2. Salary Schedule. The Salary Schedules for Department Directors, Managers and Confidential (non-represented) Staff as of January 1, 2018 are outlined in Attachment A.

This resolution was PASSED and ADOPTED this _____ day of _____, 2018, and takes effect upon passage.

RUSSELL B. AXELROD, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Attachment A

**City of West Linn Compensation Plan
City Manager & Department Director Salary Schedule
Effective January 1, 2018 - December 31, 2018**

COLA Increase 1/1/18
2.00%

Classification Title	Salary Grade	Employee Group			
City Manager		CM	<i>hourly</i>	68.1200	
			<i>monthly</i>	11,808	
			<i>annually</i>	\$ 141,695	
				Low Range	High Range
Community Development Director	9	Dept Dir	<i>hourly</i>	46.3225	63.2229
Finance Director			<i>monthly</i>	8,029	10,959
Police Chief			<i>annually</i>	\$ 96,351	\$ 131,503
Public Works Director	10	Dept Dir	<i>hourly</i>	44.6103	60.8845
			<i>monthly</i>	7,732	10,553
			<i>annually</i>	\$ 92,789	\$ 126,640
Library Director	11	Dept Dir	<i>hourly</i>	41.8801	57.2016
Parks & Recreation Director			<i>monthly</i>	7,259	9,915
Human Resource Director			<i>annually</i>	\$ 87,111	\$ 118,979
Information Technology Director					

City of West Linn Compensation Plan
Management and Confidential Staff Salary Schedule
Effective January 1, 2018 - December 31, 2018

COLA Increase 1/1/18
 2% COLA
1.02

Classification Title			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
20	Assistant to the Captain	<i>annually</i>	\$52,488.25	\$55,567.77	\$58,367.06	\$61,166.58	\$64,203.70	\$67,451.22	\$70,684.45
		<i>monthly</i>	\$4,374.02	\$4,630.65	\$4,863.92	\$5,097.22	\$5,350.31	\$5,620.93	\$5,890.37
		<i>hourly</i>	\$25.23	\$26.72	\$28.06	\$29.41	\$30.87	\$32.43	\$33.98
24	HR Generalist	<i>annually</i>	\$55,464.20	\$58,277.54	\$61,163.71	\$64,210.27	\$67,446.26	\$70,784.34	\$74,209.76
	Payroll and Benefits Administrator	<i>monthly</i>	\$4,622.02	\$4,856.46	\$5,096.98	\$5,350.86	\$5,620.52	\$5,898.69	\$6,184.15
	Court Administrator	<i>hourly</i>	\$26.67	\$28.02	\$29.41	\$30.87	\$32.43	\$34.03	\$35.68
22	Operations Supervisor		\$64,953.82	\$68,204.21	\$71,629.63	\$75,215.45	\$78,947.14	\$83,670.22	\$88,742.91
	Library Circulation Supervisor	<i>monthly</i>	\$5,412.82	\$5,683.68	\$5,969.14	\$6,267.95	\$6,578.93	\$6,972.52	\$7,395.24
	Accounting Manager	<i>hourly</i>	\$31.23	\$32.79	\$34.44	\$36.16	\$37.96	\$40.23	\$42.66
	Parks Maintenance Supv.								
21	Building Official	<i>annually</i>	\$68,350.21	\$71,746.59	\$75,447.18	\$79,064.11	\$83,014.27	\$88,072.45	\$93,349.09
	Library Manager	<i>monthly</i>	\$5,695.85	\$5,978.88	\$6,287.26	\$6,588.68	\$6,917.86	\$7,339.37	\$7,779.09
	Library Manager (Children's Svcs)	<i>hourly</i>	\$32.86	\$34.49	\$36.27	\$38.01	\$39.91	\$42.34	\$44.88
	Assistant to the City Manager								
31	Police Sergeant	<i>annually</i>	\$68,809.03	\$72,252.20	\$75,919.37	\$79,642.77	\$83,631.65	\$87,816.88	
	Assistant to the Chief	<i>monthly</i>	\$5,734.09	\$6,021.02	\$6,326.61	\$6,636.90	\$6,969.30	\$7,318.07	
		<i>hourly</i>	\$33.08	\$34.74	\$36.50	\$38.29	\$40.21	\$42.22	
19	Assistant Parks and Recreation Dir	<i>annually</i>	\$71,768.03	\$75,317.90	\$79,213.21	\$83,015.66	\$87,163.78	\$92,468.76	\$98,012.96
	Senior Project Engineer	<i>monthly</i>	\$5,980.67	\$6,276.49	\$6,601.10	\$6,917.97	\$7,263.65	\$7,705.73	\$8,167.75
	City Recorder/Council Policy Coordinator	<i>hourly</i>	\$34.50	\$36.21	\$38.08	\$39.91	\$41.91	\$44.46	\$47.12
25	Assistant City Engineer	<i>annually</i>	\$76,017.32	\$79,792.80	\$83,859.80	\$88,057.93	\$92,445.26	\$97,926.31	\$103,829.78
	Assistant Finance Director	<i>monthly</i>	\$6,334.78	\$6,649.40	\$6,988.32	\$7,338.16	\$7,703.77	\$8,160.53	\$8,652.48
	Planning Manager	<i>hourly</i>	\$36.55	\$38.36	\$40.32	\$42.34	\$44.44	\$47.08	\$49.92
29	Police Lieutenant	<i>annually</i>	\$80,497.64	\$84,541.26	\$88,764.83	\$94,026.99	\$99,704.69	\$104,689.91	\$109,924.72
		<i>monthly</i>	\$6,708.14	\$7,045.10	\$7,397.07	\$7,835.58	\$8,308.72	\$8,724.16	\$9,160.39
		<i>hourly</i>	\$38.70	\$40.64	\$42.68	\$45.21	\$47.93	\$50.33	\$52.85

City of West Linn Compensation Plan
Management and Confidential Staff Salary Schedule
Effective January 1, 2018 - December 31, 2018

COLA Increase 1/1/18
 2% COLA
1.02

Classification Title		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	
30	Police Captain	annually	\$84,734.36	\$88,990.80	\$93,436.66	\$98,975.78	\$104,952.30	\$110,199.91	\$115,710.23
	Assistant City Attorney	monthly	\$7,061.20	\$7,415.90	\$7,786.39	\$8,247.98	\$8,746.03	\$9,183.33	\$9,642.52
		hourly	\$40.74	\$42.78	\$44.92	\$47.58	\$50.46	\$52.98	\$55.63

Salaries may vary slightly due to rounding and the City's payroll software calculations.

Agenda Bill 2018-01-08-03

Date: January 8, 2018

To: Russ B. Axelrod, Mayor
Members, West Linn City Council

From: Darren Wyss, Associate Planner *DSW*

Through: John Williams, Community Development Director *JRW*
Eileen Stein, City Manager *ES*

Subject: MISC 17-12 – Right-of-Way Vacation Petition (parts of Canemah Street and Falls View Avenue)

Purpose

To consider a request from Don Rasmusson and Laurel Jamtgaard to vacate 8,011 square feet of unimproved right-of-way along Canemah Street and 3,000 square feet of unimproved right-of-way along Falls View Avenue in the Sunset Neighborhood.

Question(s) for Council:

1. Does the Council wish to accept the petition for right-of-way (ROW) vacation and hold a hearing?
2. Should the unimproved ROW along Canemah Street and Falls View Avenue be vacated?

Public Hearing Required:

Yes.

Background & Discussion:

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate 8,011 square feet of unimproved ROW along Canemah Street adjacent to tax lots 8300, 9000, and 9100 of Assessor's Map 21E36AA, and 3,000 square feet of unimproved ROW along Falls View Avenue adjacent to tax lots 8300 and 8900 of Assessor's Map 21E36AA. Legal descriptions of the proposed vacation areas, as well as maps depicting the location, can be found in Ordinance No. 1670 (see Attachment 1). The purpose of the vacation is to allow the applicant to build a single family home at 4511 Riverview Avenue without having to construct street improvements in the unimproved ROWs, as required by Community Development Code (CDC) Chapter 96. The slope of the unimproved Canemah Street ROW is 22 percent, which exceeds the City's maximum street slope standards, and the cross-slope of the unimproved Falls View Avenue ROW is 33 percent. The applicant will be required to make improvements to the Riverview Avenue ROW abutting the property.

The CDC defers to state statute for the approval criteria for vacation of ROW. The vacation process is a two-step quasi-judicial process. Council is asked to consider both steps on the same hearing date. In the first step, Council accepts the petition in order to hold a hearing on whether the ROW should be vacated as long as the petition is complete. This vacation petition included the required documentation showing that 100% of abutting property owners and 69.8% in area of the real property affected (66.6% required) consent to the vacation.

In the second step, the Council makes a decision on the vacation request by addressing the statutory criteria in ORS 271.120: “whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation.” The decision is approved by ordinance. As stated above, the petition included the requisite number of signatures. Notice of the public hearing was posted for two consecutive weeks in the paper and posted at both ends of the proposed vacation as required by ORS 271.110.

The City Engineer is not opposed to the ROW vacation. Public utility easements shall be placed over the vacated ROW per the City’s private utility franchise agreements. Neither the West Linn Transportation System Plan, nor the West Linn Trails Plan identifies these rights-of-way as needed for future connections. There is an existing pedestrian pathway that provides connection from Falls View Avenue to Riverview Avenue approximately 450 feet to the east of the proposed ROW vacations.

Budget Impact:

Negligible, the addition of land into the tax rolls will not create an additional buildable lot.

Council Options:

1. Accept the Petition, hold a public hearing on the vacation, and approve the ROW vacation.
2. Accept the Petition, hold a public hearing on the vacation, and deny the ROW vacation.

Staff Recommendation:

Staff recommends that the Council approve the vacation request.

Potential Motion:

Motion for Step One:

I move to accept the petition and hold a public hearing on the vacation of unimproved right-of way along Canemah Street and Falls View Avenue.

Motion for Step Two:

1. I move to approve MISC 17-12 and vacate the unimproved right-of-way on Canemah Street and Falls View Avenue as described in Exhibits A and B of Ordinance 1670.
2. I move to deny MISC 17-12.

Attachments:

1. Ordinance No. 1670
2. MISC-17-12 Staff Report

ORDINANCE NO. 1670

**AN ORDINANCE VACATING A PORTION OF THE
CANEMAH STREET AND FALLS VIEW AVENUE RIGHTS-OF-WAY WITHIN
THE CITY OF WEST LINN, OREGON.**

WHEREAS, Don Rasmusson and Laurel Jamtgaard submitted a petition to vacate a portion of the Canemah Street and Falls View Avenue rights-of-way on November 2, 2017; and,

WHEREAS, the City fixed a time pursuant to Oregon Revised Statute (ORS) 271.130 on January 8, 2018, for a public hearing on the proposed vacation; and,

WHEREAS, the City published notice of the proposed rights-of-way vacation in the West Linn Tidings on December 21, 2017, and December 28, 2017; and,

WHEREAS, City staff posted a copy of the notice on December 21, 2017, with all required information, at four conspicuous places near each end of the proposed vacation area; and,

WHEREAS, the City Council held a public hearing on the proposed vacation on January 8, 2018; and,

WHEREAS, the City Council found that the petition was complete because 100 percent of abutting property owners support the vacation and over two-thirds of the real property within the ORS defined affected area support the vacation; and,

WHEREAS, the City Council found that the applicant obtained the requisite signatures of consent, the notice was complete, and the public interest will not be prejudiced by the vacation because the rights-of-way do not serve any purposes with the exception of a public utility easement to be established on these rights-of-way.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Vacation. The portion of Canemah Street right-of-way is vacated that is located in the City of West Linn, Clackamas County, Oregon, adjacent to tax lots 8300, 9000, and 9100 of Assessor's Map 21E 36AA, as more particularly described and attached in Exhibit A (legal description and map), which is incorporated by this reference.

SECTION 2. Vacation. The portion of Falls View Avenue right-of-way is vacated that is located in the City of West Linn, Clackamas County, Oregon, adjacent to tax lots 8300 and 8900 of Assessor's Map 21E 36AA, as more particularly described and attached in Exhibit B (legal description and map), which is incorporated by this reference.

SECTION 3. Establish Public Utility Easement. All of the vacated right-of-way described in Exhibits A and B are subject to dedication of a public utility easement for their entirety. The vacated right-of-way described in Exhibit A is subject to an additional and separate 15-foot public utility easement centered over the City’s existing sanitary sewer line.

SECTION 4. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 5. Vacation Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 8th day of January, 2018, and duly PASSED and ADOPTED this _____ day of _____, 2018.

RUSSELL B. AXELROD, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY



Canemah Street, Right-of-Way Vacation– Legal Description

A tract of land situated in the Northeast one-quarter of Section 36, Township 2 South, Range 1 East, of the Willamette Meridian, City of West Linn, Clackamas County, Oregon, and being more particularly described as follows:

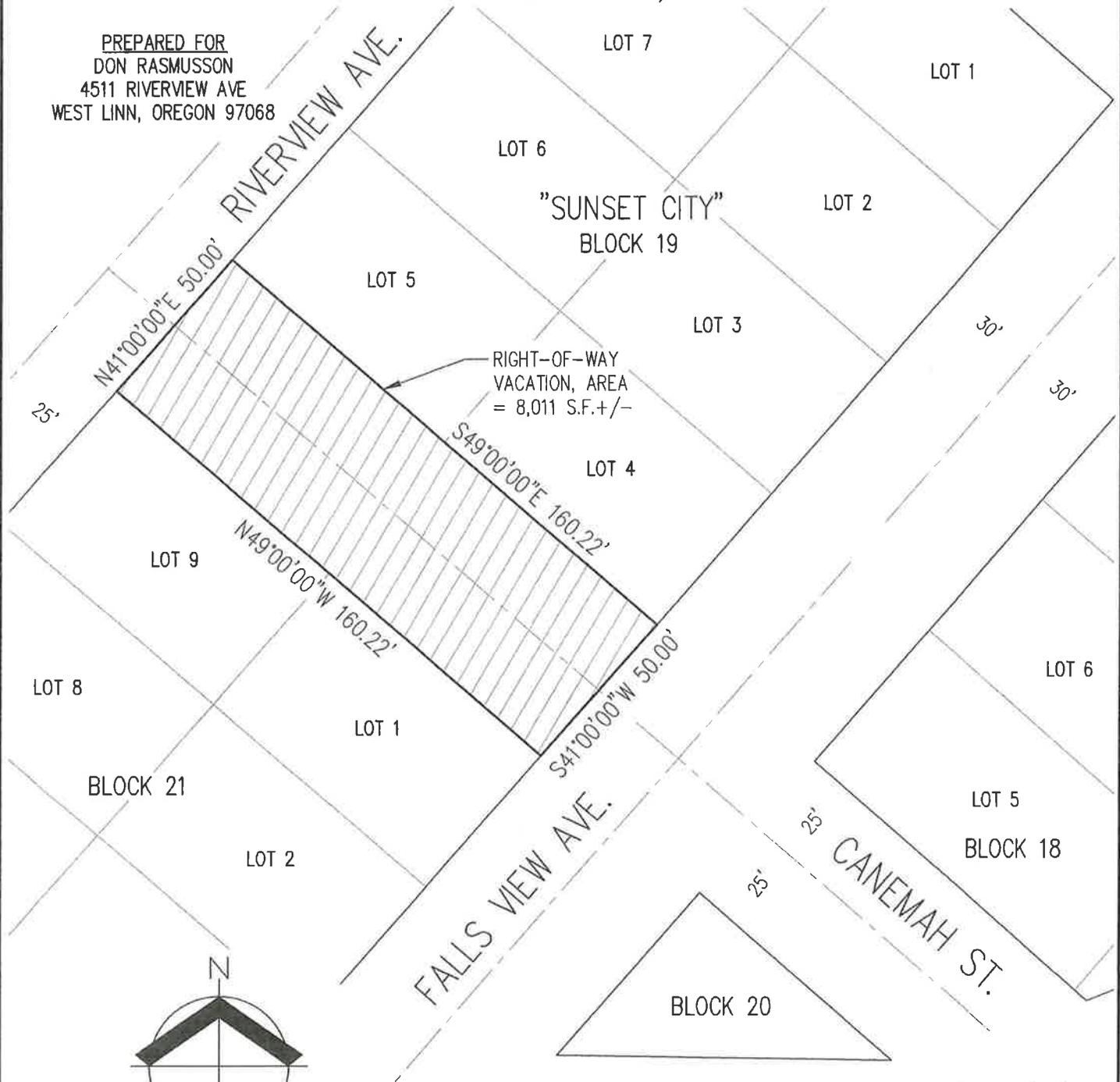
Commencing at the most Westerly corner of Lot 5, Block 19 of the Plat of "SUNSET CITY", as recorded in the Clackamas County Plat Records, said corner also being on the Southeasterly Right-of-Way line of Riverview Avenue, 25.00 feet Southeasterly of the centerline when measured at right angles. Thence along the Southwesterly line of said Block 19, South 49°00'00" East, 160.22 feet to the most Southerly corner of Lot 4, said Block, also being on the Northwesterly Right-of-Way line of Falls View Avenue, 30.00 feet Northwesterly of the centerline when measured at right angles. Thence leaving said Southerly corner of said Lot 4, South 41°00'00" West, 50.00 feet to the most Easterly corner of Lot 1, Block 21, said plat; Thence along the Northeasterly line of Block 21, North 49°00'00" West, 160.22 feet to the most Northerly corner of Lot 9, said Block, also being on the Southeasterly Right-of-Way line of Riverview Avenue; Thence leaving said Northerly corner and running along the Southeasterly Right-of-Way North line of Riverview Avenue, North 41°00'00" East, 50.00 feet to the Point of Beginning

The above described tract of land contains 8,011 square feet, more or less.

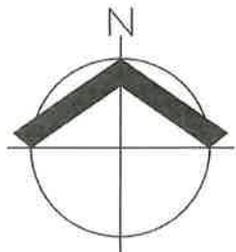


A TRACT OF LAND SITUATED IN THE NE 1/4 OF SEC. 36,
TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M., CITY OF WEST LINN,
CLACKAMAS COUNTY, OREGON

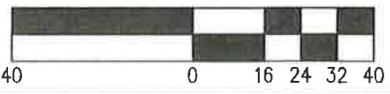
PREPARED FOR
DON RASMUSSEN
4511 RIVERVIEW AVE
WEST LINN, OREGON 97068



RIGHT-OF-WAY
VACATION, AREA
= 8,011 S.F. +/-



SCALE: 1" = 40 FEET



DATE: 10/16/2017

PUBLIC RIGHT-OF-WAY VACATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: SMG CHKD: NW AKS JOB:
AKS		

TUALATIN • VANCOUVER • KEIZER • BEND	AKS ENGINEERING & FORESTRY	WWW.AKS-ENG.COM
12965 SW HERMAN RD., SUITE 100 • TUALATIN, OR 97062		P: (503) 563-6151 F: (503) 563-6152

Falls View Avenue, Right-of-Way Vacation– Legal Description

A tract of land situated in the Northeast one-quarter of Section 36, Township 2 South, Range 1 East, of the Willamette Meridian, City of West Linn, Clackamas County, Oregon, and being more particularly described as follows:

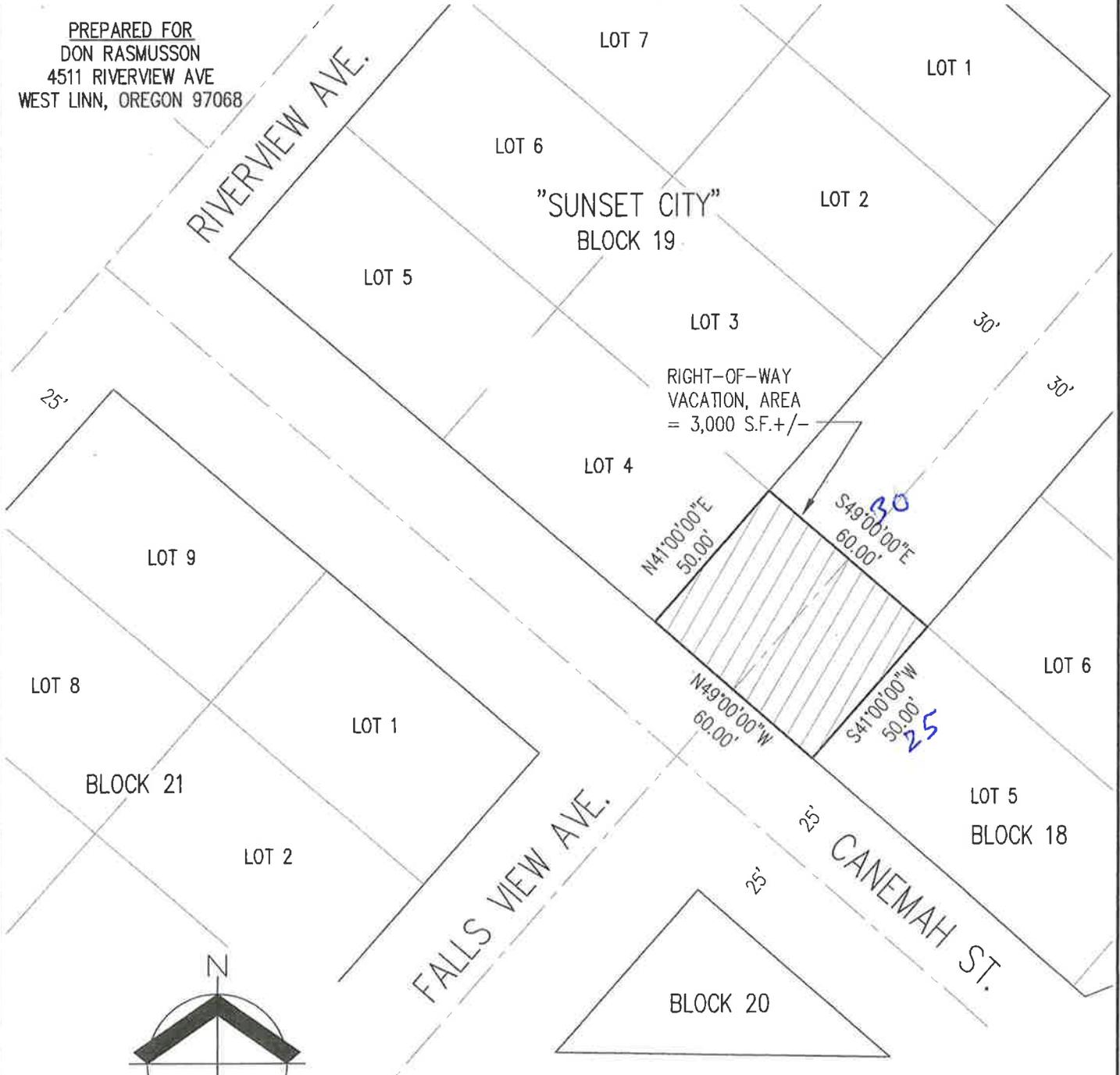
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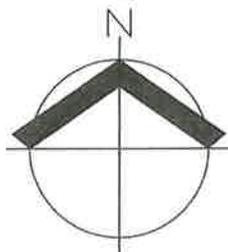


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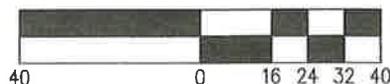
PREPARED FOR
DON RASMUSSEN
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RIGHT-OF-WAY
VACATION, AREA
= 3,000 S.F. +/-



SCALE: 1" = 40 FEET



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AKS		



**STAFF REPORT
FOR THE CITY COUNCIL**

FILE NUMBER: MIS-17-12

HEARING DATE: January 8, 2018

REQUEST: Vacate portions of unimproved right-of-way on Canemah Street and Falls View Avenue

**STAFF REPORT
PREPARED BY:** Darren Wyss, Associate Planner

Planning Manager's Initials AB Development Review Engineer's Initials AK

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GENERAL INFORMATION

OWNERS/ APPLICANT:

Don Rasmusson and Laurel Jamtgaard
4511 Riverview Avenue
West Linn, OR 91068

SITE LOCATION:

8,011 square feet of unimproved ROW along Canemah Street adjacent to tax lots 8300, 9000, and 9100 of Assessor's Map 21E36AA and 3,000 square feet of unimproved ROW along Falls View Avenue adjacent to tax lots 8300 and 8900 of Assessor's Map 21E36AA

DESCRIPTION:

Proposed street vacation of unimproved ROW.

SITE SIZE:

8,800 square feet.

ZONING:

R-4.5 (Single-Family Residential Detached and Attached/Duplex, 4,500 square foot minimum lot size)

PLAN

DESIGNATION:

Medium Density Residential

APPROVAL

CRITERIA:

Oregon Revised Statute (ORS) 271.120. Hearing conducted per the procedures of Community Development Code (CDC) Chapter 99.

PUBLIC NOTICE:

Notice was completed per CDC 99.080 and ORS 271.110

EXECUTIVE SUMMARY

The applicants have petitioned to vacate unimproved right-of-way (ROW) along Canemah Street and Falls View Avenue (see Exhibit CC-1). The purpose of the proposed vacation is to allow for the construction of a single-family home without requiring ROW improvements per Community Development Code Chapter 96. The slope of the unimproved Canemah Street ROW is 22 percent, which exceeds the City's maximum street slope standards, and the cross-slope of the unimproved Falls View Avenue ROW is 33 percent. The applicant will be required to make improvements to the Riverview Avenue ROW abutting the property.

ROW vacations are reviewed and decided by City Council, acting as the City's "*Governing Body*", under the authority granted in Oregon Revised Statute Chapter 271. The quasi-judicial decision is completed in a two-step process, with both steps being considered on the same hearing date.

Step 1 is the petition acceptance phase, which requires "... the consent of the owners of all abutting property and of not less than two-thirds in the area of the real property affected." (ORS 271.080(2)). Step 2 is the public hearing process, which requires three criteria to be satisfied: 1) a finding that the number requirements are met (100% and 66.7%), 2) notice was proper, and 3) vacation is in the public interest (ORS 271.120).

The petition included the required signatures of consent (see Exhibits CC-2 and CC-6), notice of the public hearing was posted for two consecutive weeks in the paper and posted at both ends of the proposed vacation (see Exhibit CC-4), and there are no adopted City plans that require the ROW for transportation connections. The City's utility franchise agreements require the applicant to record public utility easements over the vacated ROW to ensure access to existing utilities and the future installation of any needed utilities.

RECOMMENDATION

Staff recommends the City Council approves the ROW vacation request.

PUBLIC COMMENTS:

No comments have been received as of the publication of this Staff Report.

ADDENDUM APPROVAL CRITERIA AND FINDINGS

Approval Criteria 1: The proposed vacation must have the support of all abutting property owners and two-thirds of the real property within the “affected area” per ORS 271.080(2).

Staff Finding 1: The proposed street ROW vacation has the consent of 100 percent of the abutting property owners as required. The applicant submitted notarized signatures of consent for 4493-4495 Riverview Avenue (Taxlots 9000 and 9100) and 1801 Sunset Avenue (Taxlot 8900).

The “affected area” was measured in compliance with ORS 271.080(2) and is shown in Exhibit CC-2. The total amount of real property inside the “affected area” is 431,265 square feet (this number excludes all right-of-way inside the “affected area”). The applicant submitted notarized signatures of consent for owners of 300,949 square feet of real property inside the “affected area”, which represents 69.8 percent support. This exceeds the required minimum consent of two-thirds in area of real property affected. The criteria is met.

Approval Criteria 2: The notice must be completed per ORS 271.110 and CDC 99.080 (E).

Staff Finding 2: Public notice was published in the West Linn Tidings newspaper once each week for two consecutive weeks prior to the hearing (publish dates: December 21, 2017 and December 28, 2017). Staff posted a “Notice of Street Vacation” at each end of the unimproved ROWs proposed for vacation on December 21, 2017. Both the sign posting and first day of publication in the newspaper were at least 14 days prior to the hearing date. The criteria is met.

Approval Criteria 3: The “public interest” shall not be prejudiced by the vacation.

Staff Finding 3: Staff has no objection to the proposed ROW vacation. Neither the West Linn Transportation System Plan nor the West Linn Trails Plan identifies these rights-of-way as needed for future connections. There is an existing pedestrian pathway that provides connection up the slope from Falls View Avenue to Riverview Avenue. The pathway is approximately 450 feet to the east of the proposed ROW vacations and provides an adequate pedestrian connection (see Exhibit CC-3).

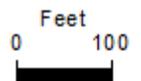
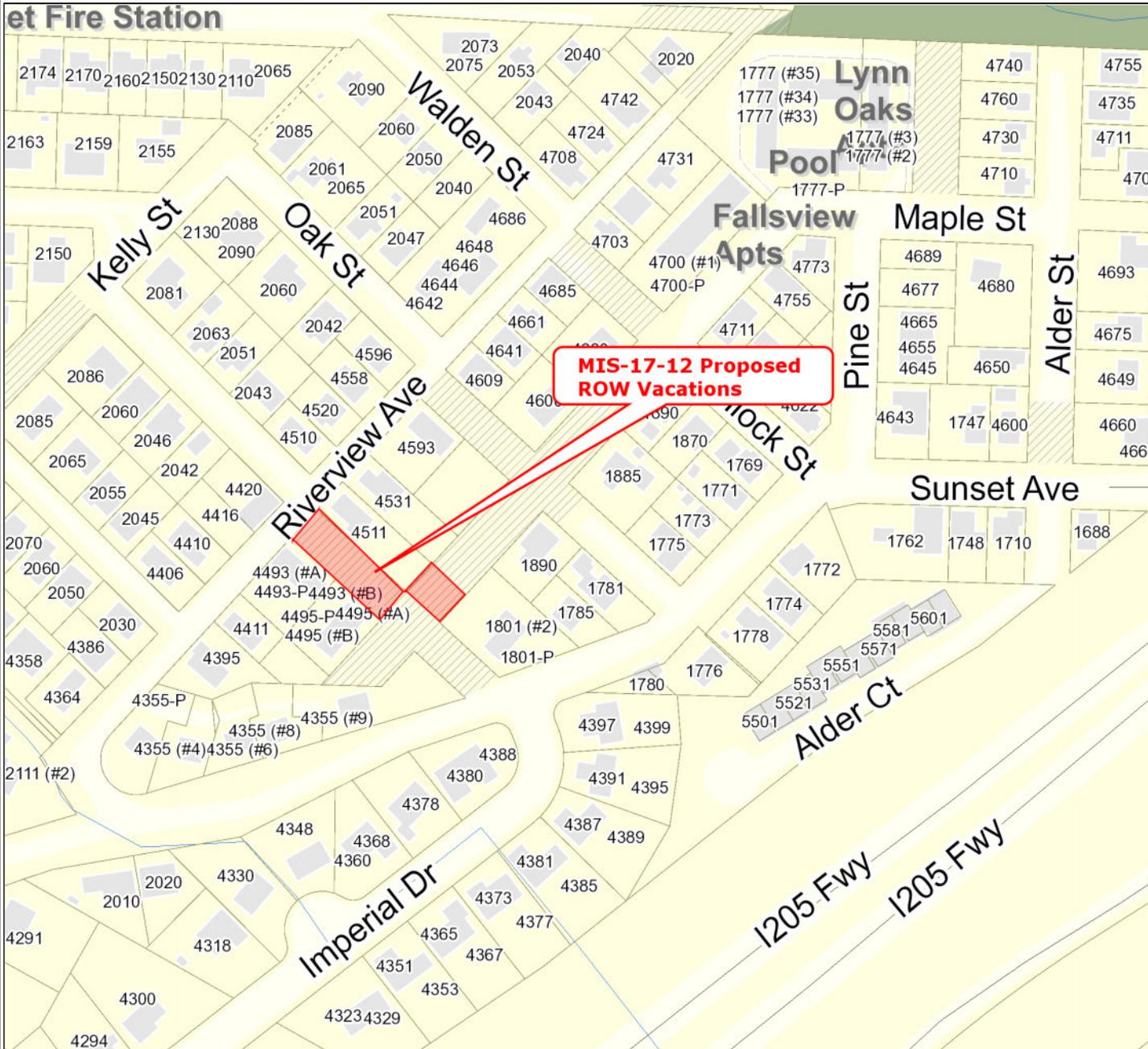
The slope of the unimproved Canemah Street ROW is 22 percent, which exceeds the City’s maximum street slope standards. The cross-slope of the unimproved Falls View Avenue ROW is 33 percent, which would require extensive engineering. Neither unimproved ROW is needed for current or future access to private property.

A public sanitary sewer line is located in the unimproved Canemah Street ROW (see Exhibit CC-3). The West Linn Public Works Standards require the applicant to record a 15 foot public utility easement centered over the sanitary sewer line. City utility franchise agreements also require the City to reserve vacated ROWs as public utility easements. The applicant will record a public utility easement across the vacated ROWs in their entirety. The easements will ensure continued access to existing utilities and to the future installation of any needed utilities.

The proposed ROW vacations will not compromise future use or development of nearby properties as all of them have access to a public right-of-way. The criteria is met.

EXHIBIT CC-1: LOCATION MAP

Exhibit CC-1: Location Map



Scale 1:2,400 - 1 in = 200 ft
Scale is based on 8-1/2 x 11 paper size



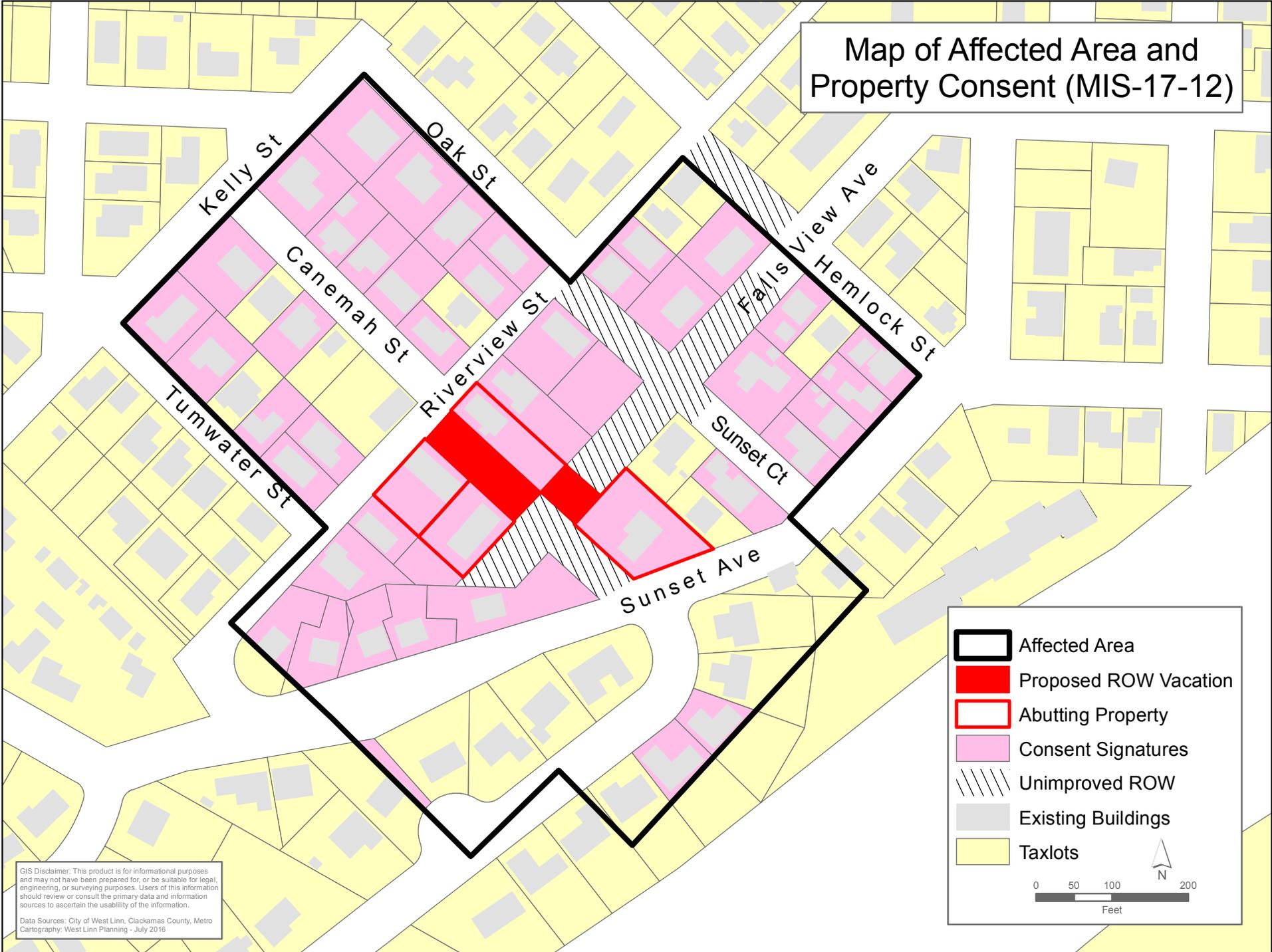
Map created by: DWYSS
Date Created: 18-Dec-17 09:08 AM

WEST LINN GIS

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Map scale is approximate. Source: West Linn GIS (Geographic Information System) MapOptix.

EXHIBIT CC-2: MAP OF AFFECTED AREA AND PROPERTY CONSENT

Map of Affected Area and Property Consent (MIS-17-12)



GIS Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Data Sources: City of West Linn, Clackamas County, Metro Cartography; West Linn Planning - July 2016

EXHIBIT CC-3: MAP OF EXISTING CONDITIONS

Map of Existing Conditions (MIS-17-12)



- Existing Pedestrian Path
- Existing Sanitary Sewer Line
- Proposed ROW Vacation
- Unimproved ROW
- Existing Buildings
- Taxlots





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Data Sources: City of West Linn, Clackamas County, Metro Cartography; West Linn Planning - July 2016

EXHIBIT CC-4: AFFIDAVIT OF NOTICE

AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL

File No. MISC-17-12 Applicant's Name Don Rasmussen; Laurel Jamtgaard
Development Name _____
Scheduled Meeting / Decision Date 1-8-18

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE A _____

- A. The applicant (date) 12-15-17 (signed) S. Skoyev
- B. Affected property owners (date) _____ (signed) _____
- C. School District/Board (date) _____ (signed) _____
- D. Other affected gov't. agencies (date) _____ (signed) _____
- E. Affected neighborhood assns. (date) _____ (signed) _____
- F. All parties to an appeal or review (date) _____ (signed) _____

At least ¹⁴10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) 12-21-17 and 12-28-17 (signed) S. Skoyev
City's website (posted date) 12-15-17 (signed) S. Skoyev

SIGN ¹⁴

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) ^{ORS 271} 12/21/2017 (signed) [Signature]

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE B _____

- A. The applicant (date) _____ (signed) _____
- B. Affected property owners (date) _____ (signed) _____
- C. School District/Board (date) _____ (signed) _____
- D. Other affected gov't. agencies (date) _____ (signed) _____
- E. Affected neighborhood assns. (date) _____ (signed) _____

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: _____ (signed) _____

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) _____ (signed) _____

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) _____ (signed) _____

**WEST LINN CITY COUNCIL
PUBLIC HEARING NOTICE
FILE NO. MISC-17-12**

The West Linn City Council will hold a public hearing on **Monday, January 8, 2018, at 6:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request by Don Rasmusson and Laurel Jamtgaard to vacate 8,011 square feet of right-of-way along Canemah Street adjacent to tax lots 8300, 9000, and 9100 of Assessor's Map 21E36AA and 3,000 square feet of right-of-way along Falls View Avenue adjacent to tax lots 8300 and 8900 of Assessor's Map 21E36AA. The application was filed on November 2, 2017.

The hearing is a two-step process. The first step is validating the petition: determining whether the requisite consent signatures were obtained. The second step is to determine whether the proper notice was posted and published, whether requisite consent was obtained and whether the public interest is prejudiced by approving the vacation of the right of way.

The City Council hearing shall be conducted per CDC Chapter 99 and the decision shall be based upon the approval criteria found in Oregon Revised Statute 271. At the hearing, all written or oral comments must relate specifically to the applicable approval criteria.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the web site at <http://westlinnoregon.gov/planning/4511-riverview-avenue-street-right-way-vacation> or copies can be obtained for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection at no cost, or copies can be obtained for a minimal charge per page. For further information, please contact Darren Wyss, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, dwyss@westlinnoregon.gov, or 503-742-6064.

Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. The City Council may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal based on that issue.

Publish: West Linn Tidings, December 21 and December 28, 2017

EXHIBIT CC-5: COMPLETENESS LETTER



CITY OF West Linn

November 21, 2017

Don Rasmusson and Laurel Jamtgaard
4511 Riverview Avenue
West Linn, OR 97068

SUBJECT: MIS-17-12 Application for Street ROW Vacation on Canemah St. & Falls View Ave.

Don and Laurel:

You submitted this application on November 2, 2017. The Planning Department has reviewed the materials and calculated you have signature support of all abutting property owners and signature support of not less than 66.67% of property owners in the affected area as defined in Oregon Revised Statute 271.080. The Planning Department finds that this application is **complete**. The city has 120 days to exhaust all local review; that period ends March 21, 2018.

Please be aware that a determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the West Linn City Council to render a decision on your proposal.

Public notice will be prepared per Oregon Revised Statute 271.110. This notice will identify the public hearing date before the West Linn City Council.

Please contact me at 503-742-6064, or by email at dwyss@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Darren Wyss
Associate Planner

EXHIBIT CC-6: APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>Darren Wyss</i>	PROJECT No(s). <i>MISC-17-12</i>	
NON-REFUNDABLE FEE(s) <i>6000-</i>	REFUNDABLE DEPOSIT(s)	TOTAL <i>6000-</i>

Type of Review (Please check all that apply):

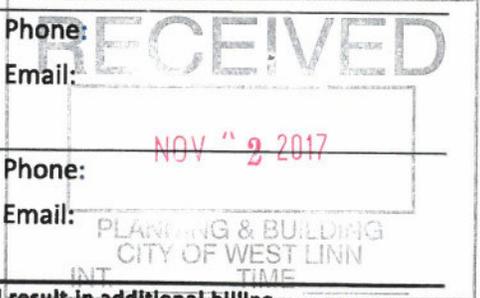
- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANN) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input checked="" type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address: <i>4511 Riverview Ave. West Linn, OR 97068</i>	Assessor's Map No.:
	Tax Lot(s):
	Total Land Area:

Brief Description of Proposal: *Vacation of street right-of-way for two tracts*
See Exhibits

Applicant Name: <i>Don Rasmussen and Laurel Jentgaard</i> (please print)	Phone: <i>509 860-1397</i>
Address: <i>4511 Riverview Ave</i>	Email: <i>rasmussontpaint@gmail.com</i>
City State Zip: <i>West Linn, OR 97068</i>	

Owner Name (required): <i>(same as above)</i> (please print)	
Address:	
City State Zip:	
Consultant Name: (please print)	Phone:
Address:	Email:
City State Zip:	

- All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format. If large sets of plans are required in application please submit only two sets.

* No CD required / ** Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Applicant's signature _____	Date _____	Owner's signature (required) <i>D Rasmussen</i>	Date <i>11-2-12</i>
		<i>Laurel Jentgaard</i>	<i>11-2-12</i>

EXHIBIT A

Falls View Avenue, Right-of-Way Vacation– Legal Description

A tract of land situated in the Northeast one-quarter of Section 36, Township 2 South, Range 1 East, of the Willamette Meridian, City of West Linn, Clackamas County, Oregon, and being more particularly described as follows:

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The above described tract of land contains 3,000 square feet, more or less.



EXHIBIT A

Canemah Street, Right-of-Way Vacation– Legal Description

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Commencing at the most Westerly corner of Lot 5, Block 19 of the Plat of "SUNSET CITY", as recorded in the Clackamas County Plat Records, said corner also being on the Southeasterly Right-of-Way line of Riverview Avenue, 25.00 feet Southeasterly of the centerline when measured at right angles. Thence along the Southwesterly line of said Block 19, South 49°00'00" East, 160.22 feet to the most Southerly corner of Lot 4, said Block, also being on the Northwesterly Right-of-Way line of Falls View Avenue, 30.00 feet Northwesterly of the centerline when measured at right angles. Thence leaving said Southerly corner of said Lot 4, South 41°00'00" West, 50.00 feet to the most Easterly corner of Lot 1, Block 21, said plat; Thence along the Northeasterly line of Block 21, North 49°00'00" West, 160.22 feet to the most Northerly corner of Lot 9, said Block, also being on the Southeasterly Right-of-Way line of Riverview Avenue; Thence leaving said Northerly corner and running along the Southeasterly Right-of-Way North line of Riverview Avenue, North 41°00'00" East, 50.00 feet to the Point of Beginning

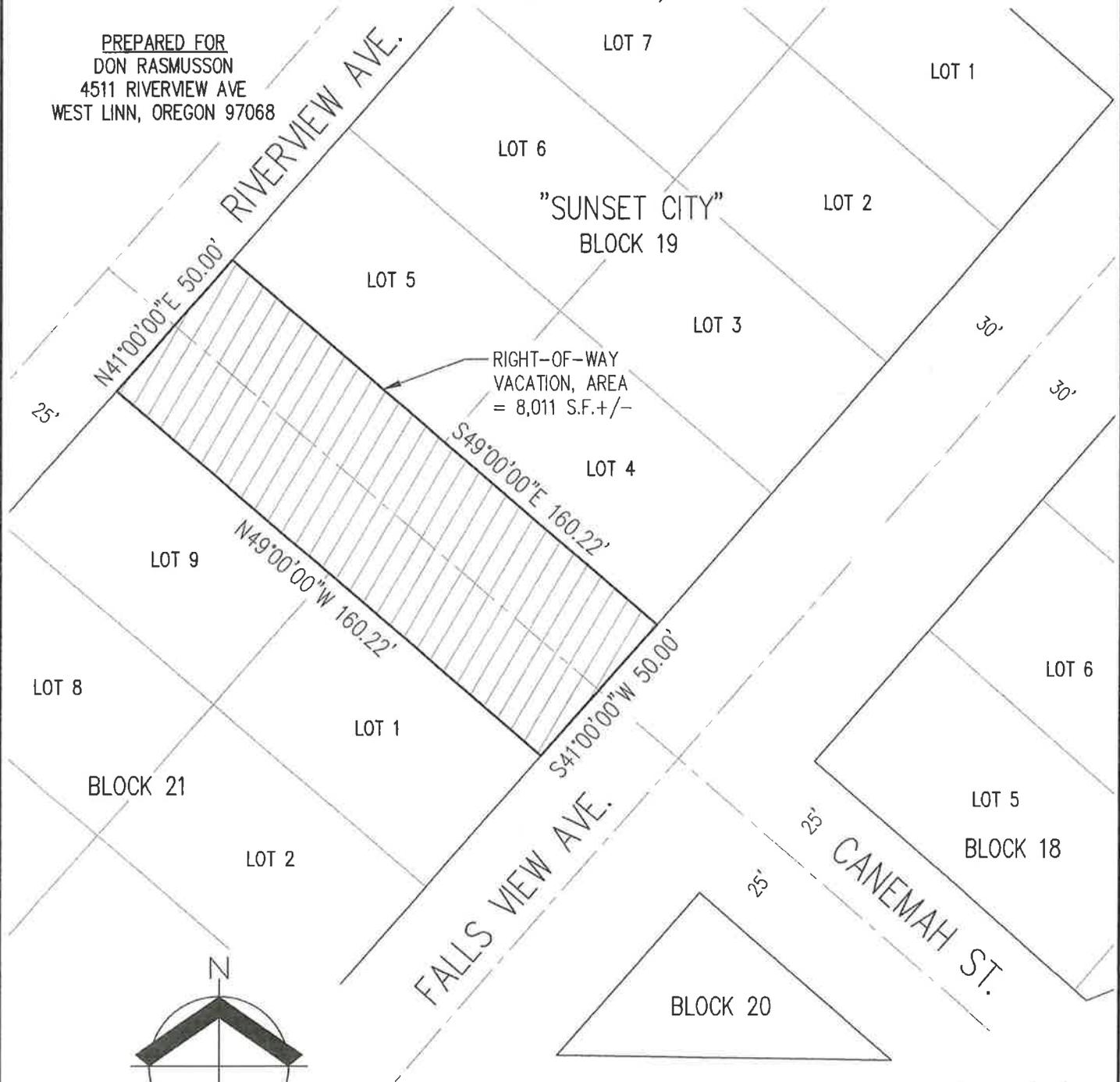
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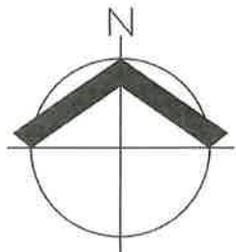
EXHIBIT B

A TRACT OF LAND SITUATED IN THE NE 1/4 OF SEC. 36,
TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M., CITY OF WEST LINN,
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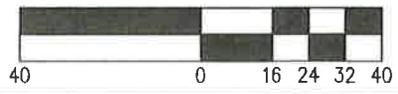
PREPARED FOR
DON RASMUSSEN
4511 RIVERVIEW AVE
WEST LINN, OREGON 97068



RIGHT-OF-WAY
VACATION, AREA
= 8,011 S.F. +/-



SCALE: 1" = 40 FEET



DATE: 10/16/2017

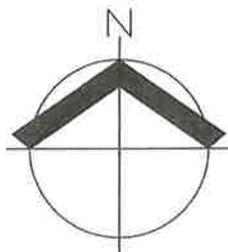
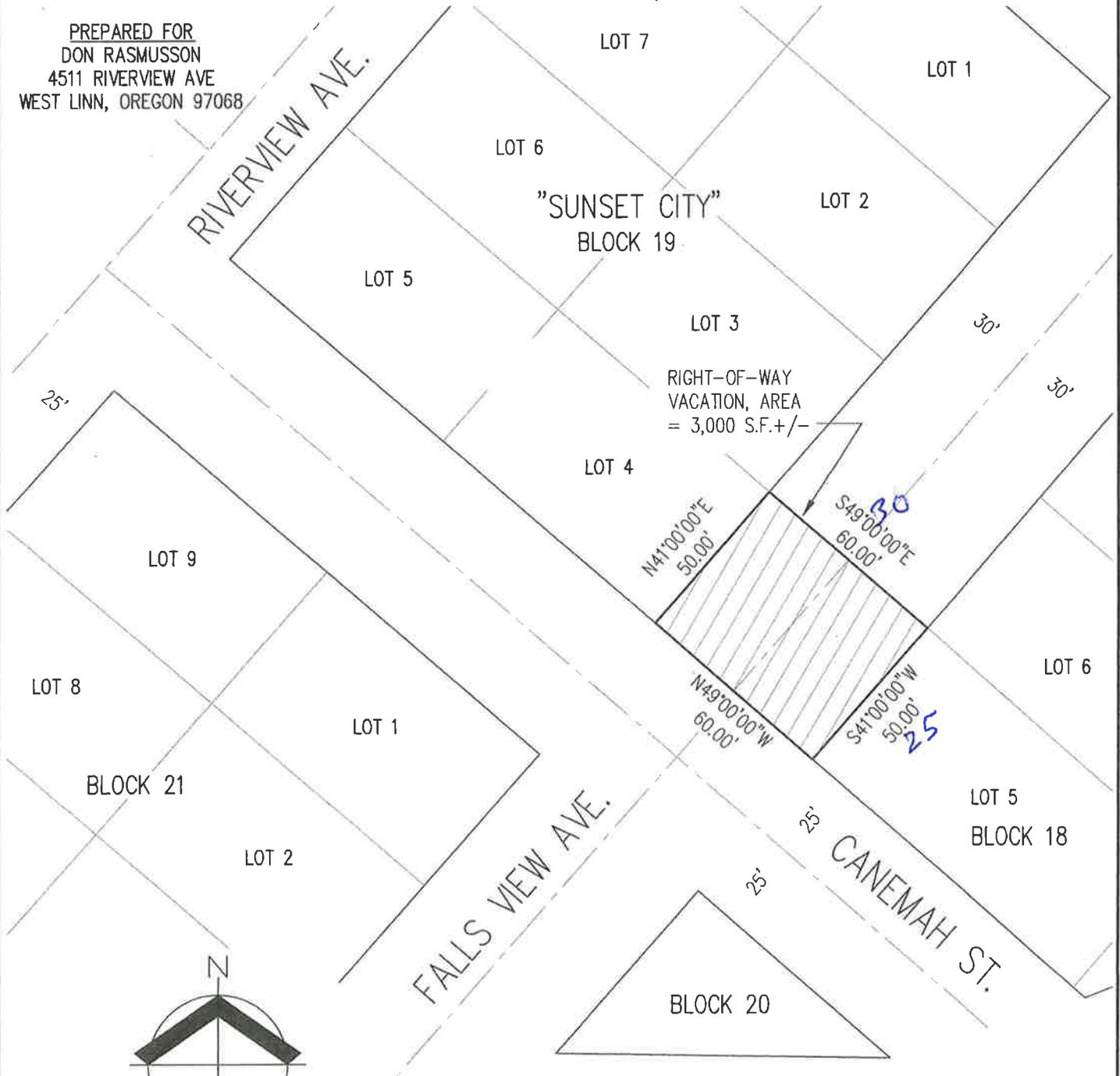
PUBLIC RIGHT-OF-WAY VACATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: SMG CHKD: NW AKS JOB:



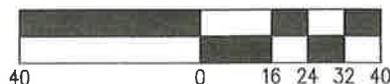
EXHIBIT B

A TRACT OF LAND SITUATED IN THE NE 1/4 OF SEC. 36,
TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M., CITY OF WEST LINN,
CLACKAMAS COUNTY, OREGON

PREPARED FOR
DON RASMUSSEN
4511 RIVERVIEW AVE
WEST LINN, OREGON 97068



SCALE: 1" = 40 FEET



DATE: 10/16/2017

PUBLIC RIGHT-OF-WAY VACATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: SMG CHKD: NW AKS JOB:



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Bakulresh G. Patel, property owner of 1801 Sunset Ave West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.



Property Owner's Signature

9/25/17

Date

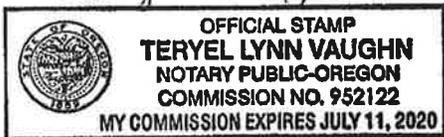
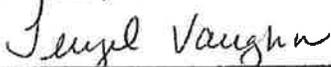
[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 25 day of September 2017, personally appeared before me Bakulresh G. Patel who stated that (s)he is a property owner of 1801 Sunset Ave West Linn, OR, and that the instrument was signed on 9/25/17.

Space for Notary Seal:



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Nancy Mc Donald, property owner of 4495 Riverview Ave West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Nancy Mc Donald
Property Owner's Signature

10/20/17
Date

[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of ~~OREGON~~ ^{HAWAII}
County of ~~Clackamas~~ ^{Honolulu}

On this 20th day of October, 2017, personally appeared before me Nancy Jo McDonald who stated that (s)he is a property owner of 4495 Riverview Ave, West Linn, and that the instrument was signed on 10-20-17. OR 97068

Space for Notary Seal:

LENA R. ONISHI-MEYER
Notary Public, First Circuit
C & C of Honolulu, State of Hawaii
My Commission Expires: 09-21-2018

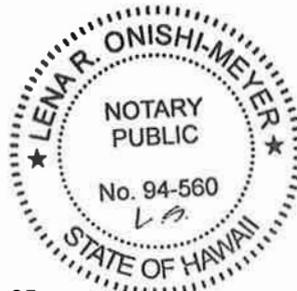


Doc. Date: 10-20-17 # Pages: 1

Notary Name: Lena R. Onishi-Meyer First Circuit

Doc. Description: Canemah Street and Falls View Ave Right of Way Vacation

Lena R. Onishi-Meyer
Notary Signature Date



September 2017
Buggsi Patel
buggsi@hotels.com

Dear Buggsi –

We are the owners of the home at 4511 Riverview Ave. We are beginning a process suggested by the City of West Linn planning department to vacate a portion of city right-of-way running between your property and our property (see attached map).

It is an unused, steep piece of land – too steep for a street. The reason for initiating this process is that if we don't get this portion of right-of-way vacated, we may be required by City standards to create side walks along the border of our property along the full city right of way. (That seems pretty silly as they would be sidewalks to no where...)

If the vacation is fully approved by the City Council then the vacated land is allocated to the adjacent property owners – basically each side gets half of the vacated area. So as an adjacent property owner you stand to receive more property attached to your lot.

The first step in this process is to get the approval of adjacent property owners and such approval must be notarized.

Please confirm your approval and we can set up a time to have a notary meet with you at your home or if you prefer you can get the consent notarized yourself via a notary that you select (there is one that is available at the West Linn library by appointment). (Please send the notarized form back to us as Rasmusson, 4511 Riverview Ave., West Linn, OR 97068. Unfortunately, a pdf/fax is not sufficient.)

Please give us a call with any questions.

Thanks!

Don Rasmusson and Laurel Jamtgaard
(509-860-1397)
Owners at 4511 Riverview Ave, West Linn

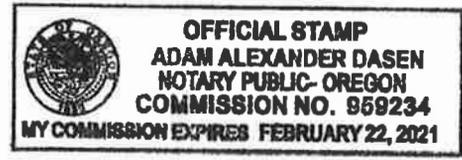
Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I Richard Neale McDonald, property owner of 4495 Riverview Ave. West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Richard N. McDonald
Property Owner's Signature

Date 10-20-17



[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 20th day of October, 2017, personally appeared before me Richard Neale McDonald who stated that (s)he is a property owner of 4495 Riverview Ave., and that the instrument was signed on 10/20/17.

Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I Quenie Kelley, property owner of 2600 Oak St West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Quenie Kelley

Property Owner's Signature

10/2/17

Date

State of OREGON

County of Clackamas

On this 3 day of OCT, 2017, personally appeared before me Quenie Kelley who stated that (s)he is a property owner of 2060 OAK ST, and that the instrument was signed on 10/2/17.

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, VICTOR MEINDL, property owner of 2081 CANEMAH ST West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Victor E. Meindl

10-2-2017

Property Owner's Signature

Date

State of OREGON

County of Clackamas

On this 2 day of oct, 2017, personally appeared before me Victor Meindl who stated that (s)he is a property owner of 2081 CANEMAH ST, and that the instrument was signed on oct 2 2017

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Patricia Johnson, property owner of 4395 Riverview Ave West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Patricia Johnson

Oct 2-2017

Property Owner's Signature

Date

State of OREGON

County of Clackamas

On this 2 day of Oct, 2017, personally appeared before me Patricia Johnson who stated that (s)he is a property owner of 4395 Riverview Ave, and that the instrument was signed on 2 Oct 2017

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Erving Huff, property owner of
2042 Oak St West Linn, OR 97068, do hereby support the
proposed

street vacation as shown in the attached Exhibit A.

[Handwritten Signature]
Property Owner's Signature

10/2/17
Date

State of OREGON
County of Clackamas

On this 2 day of Oct, 2017, personally appeared before me
ERVINA HUFF who stated that (s)he is a property owner of
2042 OAK ST, and that the instrument was signed on
Oct 2 2017

[Handwritten Signature: Heather Kesten]



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I Krystin Rose, property owner of 4355 Riverview Ave West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

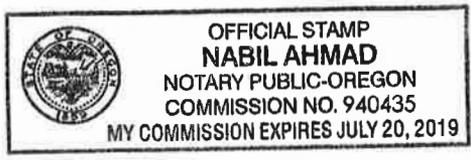

Property Owner's Signature

10/9/17
Date

State of OREGON
County of ~~Clackamas~~ MULTNOMAH

On this 9 day of October, 2017, personally appeared before me KRISTIN DRAPER ROSE who stated that (s)he is a property owner of 4355 Riverview Ave. and that the instrument was signed on 10/09/2017.





Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, JUSTIN MITCHELL, property owner of 2046 CANEMAH ST West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

[Signature] 10/2/17
Property Owner's Signature Date

State of OREGON
County of Clackamas

On this 2nd day of October, 2017, personally appeared before me Justin Mitchell who stated that (s)he is a property owner of 2046 CANEMAH ST, and that the instrument was signed on OCT 2 2017

[Signature: Heather Kesten]



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Heather Gonzalez, property owner of 1773 Sunset Ave West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

[Handwritten Signature] 10/3/17
Property Owner's Signature Date

State of OREGON

County of Clackamas

On this 3 day of Oct, 2017, personally appeared before me Heather Gonzalez who stated that (s)he is a property owner of 1773 SUNSET AVE, and that the instrument was signed on 10-3/17.

[Handwritten Signature: Heather Kesten]



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Trina Nicholson, property owner of 1769 Sunset Ave. West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Trina A. Nicholson 10-03-2017
Property Owner's Signature Date

State of OREGON

County of Clackamas

On this 3 day of Oct, 2017, personally appeared before me Trina Nicholson who stated that (s)he is a property owner of 1769 sunset Ave, and that the instrument was signed on OCT 3 2017.

Heather Kesten



Canamah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canamah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canamah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

LYNETTE GRAMP, property owner of
4609 RIVERVIEW AVE West Linn, OR 97068, do hereby support the
proposed

street vacation as shown in the attached Exhibit A.



Property Owner's Signature

10 2 17

Date

State of OREGON

County of Clackamas

On this 2 day of Oct, 2017, personally appeared before me
Lynette GRAMP who stated that (s)he is a property owner of
4609 RIVERVIEW AVE, and that the instrument was signed on
Oct 2 2017



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Thomas J. Donnelly, property owner of 2086 Canemah West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Thomas J. Donnelly

Property Owner's Signature

Oct. 11, 2017

Date

[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 11 day of October, 2017, personally appeared before me Thomas Donnelly who stated that (s)he is a property owner of 2086 Canemah St, West Linn, Oregon, and that the instrument was signed on 10/11/17.

Space for Notary Seal:



J Myers

Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Anestis Polizos, property owner of 4531 Riverview Ave. West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Anestis Polizos
Property Owner's Signature

10-11-17
Date

State of OREGON

County of ~~Clackamas~~ MULTNOMAH

On this 11 day of October, 2017, personally appeared before me ANESTIS POLIZOS who stated that (s)he is a property owner of 4531 RIVERVIEW AVE, and that the instrument was signed on 10/11/17.



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I Shemi Wright, property owner of 1885 Sunset Ct. West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Shemi Wright
Property Owner's Signature

10-3-17
Date

State of OREGON
County of Clackamas

On this 3 day of Oct, 2017, personally appeared before me Shemi Wright who stated that (s)he is a property owner of 1885 Sunset Ct, and that the instrument was signed on 10-3-17.

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Paula Zivney, property owner of 1890 Hemlock St West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Paula Zivney 10/3/17
Property Owner's Signature Date

State of OREGON

County of Clackamas

On this 3 day of oct, 2017, personally appeared before me Paula Zivney who stated that (s)he is a property owner of 1890 Hemlock St, and that the instrument was signed on 10-3-17.

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, EARL V. DICKASON, property owner of 4330 IMPERIAL DR. West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Earl Dickason

Property Owner's Signature

10/03/2017

Date

State of OREGON

County of Clackamas

On this 3 day of oct, 2017, personally appeared before me EARL V. DICKASON who stated that (s)he is a property owner of 4330 IMPERIAL DR. and that the instrument was signed on 10-3-17.

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Eric Bitney, property owner of 2045 Tumwater St West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

[Signature]
Property Owner's Signature

10/3/17

Date

State of OREGON

County of Clackamas

On this 3 day of oct, 2017, personally appeared before me ERIC BITNEY who stated that (s)he is a property owner of 2045 Tumwater St, and that the instrument was signed on 10-3-17.

[Signature]



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Juliette Weston, property owner of 4630 Falls View Ave. West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Juliette Weston
Property Owner's Signature

10/3/17
Date

State of OREGON

County of Clackamas

On this 3 day of oct, 2017, personally appeared before me Juliette Weston who stated that (s)he is a property owner of 4630 FALLS VIEW AVE, and that the instrument was signed on 10/3/17.

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Nichole Meuwissen, property owner of
2085 Tumwater St West Linn, OR 97068, do hereby support the
proposed

street vacation as shown in the attached Exhibit A.

[Signature] _____ 10/3/17
Property Owner's Signature Date

State of OREGON
County of Clackamas

On this 3 day of October, 2017, 2017, personally appeared before me
Nichole Meuwissen who stated that (s)he is a property owner of
2085 Tumwater St, and that the instrument was signed on
10/3/17.

[Signature]



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I DALE Piercy
1771 SUNSET AVE, property owner of
WEST LINN West Linn, OR 97068, do hereby support the
proposed

street vacation as shown in the attached Exhibit A.

D. Piercy
Property Owner's Signature

10-3-17
Date

State of OREGON

County of Clackamas

On this 3 day of oct, 2017, personally appeared before me
DALE Piercy who stated that (s)he is a property owner of
1771 SUNSET AVE, and that the instrument was signed on
10-3-17.

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Ryan MURPHY, property owner of 4596 Riverview Ave West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.



Property Owner's Signature

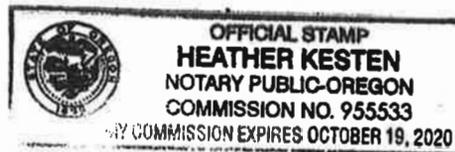
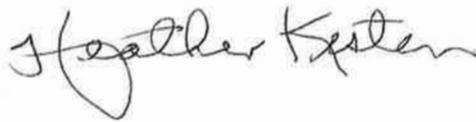
10/02/2017

Date

State of OREGON

County of Clackamas

On this 2 day of OCT, 2017, personally appeared before me RYAN MURPHY who stated that (s)he is a property owner of 4596 Riverview Ave, and that the instrument was signed on OCT 2 2017



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Paulina Scales, property owner of 4641 Riverview Ave, West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Paulina Scales 10-19-17
Property Owner's Signature Date

[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 19 day of October, 2017, personally appeared before me Paulina Scales who stated that (s)he is a property owner of 4641 Riverview Ave, and that the instrument was signed on Oct 19, 2017

Space for Notary Seal:



Reyna Ramos Vasquez

Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I Kristyn Jo Anderson, Trustee of Elmer Anderson Jr. Administration Trust, the property owner of 4593 Riverview Avenue West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Kristyn Jo Anderson, Trustee

Property Owner's Signature

October 18, 2017

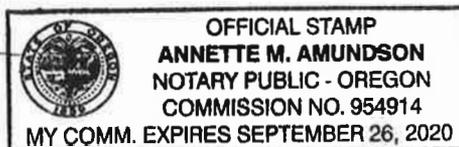
Date

State of OREGON

County of Clackamas

On this 18th day of October, 2017, personally appeared before me Kristyn Jo Anderson who stated that (s)he is a property owner of 4593 Riverview Ave, West Linn, OR, and that the instrument was signed on Oct. 18, 2017.

Annette M. Amundson
County of Multnomah



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Wanda J. Crone, property owner of 2088 Oak St West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Wanda J. Crone

Property Owner's Signature

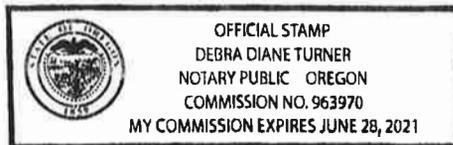
10/18/17

Date

State of OREGON

County of Clackamas

On this 18 day of October, 2017, personally appeared before me Debra Diane Turner who stated that (s)he is a property owner of 2088 Oak St West Linn, OR 97068, and that the instrument was signed on 10-18-2017.



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I Mary Sue Boisjolie, property owner of 4600 Falls View Ave West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

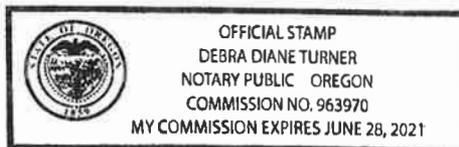
Mary Sue Boisjolie
Property Owner's Signature

10/10/17
Date

State of OREGON

County of Clackamas

On this 10 day of October, 2017, personally appeared before me Mary Sue Boisjolie who stated that (s)he is a property owner of 4600 Falls View Ave West Linn, OR 97068, and that the instrument was signed on October 10th 2017.



Debra Diane Turner

Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, NICHOLAS PROTT, property owner of 1781 Sunset West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

[Signature]

10/3/17

Property Owner's Signature

Date

State of OREGON

County of Clackamas

On this 3 day of oct, 2017, personally appeared before me NICHOLAS PROTT who stated that (s)he is a property owner of 1781 sunset, and that the instrument was signed on 10/3/17.

[Signature: Heather Kesten]



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Joan Hansen, property owner of 4387 Imperial DR West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Joan Hansen
Property Owner's Signature

10-19-17
Date

[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 19 day of oct, 2017, personally appeared before me Joan Hansen who stated that (s)he is a property owner of 4387 Imperial DR, and that the instrument was signed on oct 19 2017

Space for Notary Seal:

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, CYNTHIA ROBINSON
NEAL ROBINSON, property owner of
4381/4385 Imperial Dr. West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

Cynthia Robinson 10/19/17
Neal Robinson 10/19/17
Property Owner's Signature Date

[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 19 day of October, 2017, personally appeared before me CYNTHIA ROBINSON who stated that (s)he is a property owner of 4381/4385 Imperial Dr., and that the instrument was signed on Oct. 19, 2017

Space for Notary Seal:

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Yibin Zhang / Rujiu Wu, property owner of 2051 Canemah St West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

[Signature] / Rujiu Wu 10/19/2017
Property Owner's Signature Date

[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 19 day of 10, 2017, personally appeared before me Heather who stated that (s)he is a property owner of 2051 CANEMAH ST, and that the instrument was signed on 10-19-17.

Space for Notary Seal:



Heather Kesten

Canamah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canamah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canamah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, HFR, LLC, DIRK F. HICKS, MANAGER, property owner of 1045 DOWAL ST West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.
4410 Riverview Ave

Dirk Hicks

Property Owner's Signature

10/19/17

Date

[If Notary is not in Oregon, just cross out this language and insert applicable Notary statement for your State]

State of OREGON

County of Clackamas

On this 19 day of OCT, 2017, personally appeared before me DIRK HICKS who stated that (s)he is a property owner of 4410 RIVERVIEW AVE, and that the instrument was signed on 10-19-17.

Space for Notary Seal:



Heather Kesten

Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, MARY Bernert, property owner of 4411 Riverview Ave West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Mary Bernert
Property Owner's Signature

10/19/2017
Date

State of OREGON
County of Clackamas

On this 19 day of OCT, 2017, personally appeared before me MARY Bernert who stated that (s)he is a property owner of 4411 RIVERVIEW AVE, and that the instrument was signed on 10-19-17.



Heather Kesten

Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Megan Kaley, property owner of 1775 Sunset Ave. West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Megan Kaley
Property Owner's Signature

10/19/17

Date

State of OREGON

County of Clackamas

On this 19 day of October, 2017, personally appeared before me Megan Kaley who stated that (s)he is a property owner of 1775 Sunset Ave, and that the instrument was signed on _____.



Heather Kesten

Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Robert D. Johnson, property owner of 2043 Canemah St. West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.


Property Owner's Signature

10/2/17
Date

State of OREGON

County of Clackamas

On this 2 day of oct, 2017, personally appeared before me Robert D who stated that (s)he is a property owner of 2043 Canemah St, and that the instrument was signed on oct 2 2017





Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I DAVID BERRY, property owner of 4510 RIVERVIEW AVE West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

[Signature]

Property Owner's Signature

9/30/17
10 | 2 | 17

Date

State of OREGON

County of Clackamas

On this 2 day of oct, 2017, personally appeared before me DAVID BERRY who stated that (s)he is a property owner of 4510 RIVERVIEW AVE, and that the instrument was signed on oct 2 2017.

[Signature]



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I Nicholas Scibel, property owner of 4558 River View West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Nicholas Scibel

Property Owner's Signature

2 Oct 17

Date

State of OREGON

County of Clackamas

On this 2 day of Oct, 2017, personally appeared before me Nicholas Scibel who stated that (s)he is a property owner of 4558 River View, and that the instrument was signed on 2 Oct 2017

Heather Kesten



Canamah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canamah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canamah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I, Dan Janovicz, property owner of 4406 Riverview Ave West Linn, OR 97068, do hereby support the proposed

street vacation as shown in the attached Exhibit A.

Dan Janovicz
Property Owner's Signature

8/2/17
Date

State of OREGON

County of Clackamas

On this 2 day of oct, 2017, personally appeared before me Dan Janovicz who stated that (s)he is a property owner of 4406 Riverview Ave, and that the instrument was signed on 2 Oct 2017

Heather Kesten



Canemah Street and Falls View Avenue Right of Way Vacation

The applicants, Don Rasmusson and Laurel Jamtgaard, propose to vacate a portion of Canemah street right-of-way (ROW1) between Riverview Ave and Falls View Avenue and a portion of Falls View Avenue right-of-way (ROW2) between Canemah and Oak Streets to remove the requirement for street improvements in the ROW1 and ROW2 areas. The applicants propose to provide the City of West Linn with a public utility easement in the area of proposed street vacation for the purpose of maintaining existing utilities and installing future utilities.

I J. DARRIN GROSS, property owner of 2063 Canemah West Linn, OR 97068, do hereby support the proposed street vacation as shown in the attached Exhibit A.

J. Darrin Gross
Property Owner's Signature

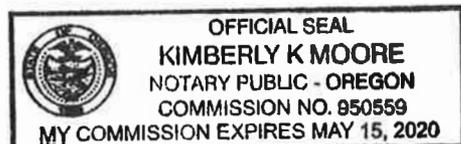
10/19/17
Date

State of OREGON

County of ~~Clackamas~~ Multnomah

On this 19 day of October, 2017, personally appeared before me J. Darrin Gross who stated that (s)he is a property owner of 2063 Canemah, and that the instrument was signed on 10-19-17.

Kimberly K Moore



Agenda Bill 2018-01-08-04

Date: January 8, 2018

To: Russell Axelrod, Mayor
Members, West Linn City Council

From: Morgan Coffie, Management Analyst

Through: Lance Calvert - LEC
Eileen Stein, City Manager *ES*

Subject: Declaration of Surplus Real Properties at 6175 & 6123 Skyline Drive

Purpose

Public Works requests Council designation of 6175 & 6123 Skyline Drive as surplus real properties.

Question(s) for Council:

Does Council wish to designate the referenced properties as surplus?

Public Hearing Required:

None required.

Background & Discussion:

The City purchased the referenced properties in 2015 as part of the Bolton Reservoir Replacement Project in order to provide adequate onsite staging areas. The Bolton Reservoir Replacement Project is substantially complete and the two adjacent properties are no longer needed.

The purchase of the properties were approved through Resolution 2015-02 which states: "The City Council authorizes the purchase of these properties with the intent to surplus and sell the properties after the Bolton Reservoir replacement is completed. Any proceeds received from the future sale of the properties would be deposited into the water fund."

Once the Council determines the property surplus, the City Manager may undertake any reasonable methods for pricing, advertising, marketing, and selling the property per Municipal Code section 2.875.

Public notice in the local newspaper and a second Council hearing will be needed to approve the sale of the property in accordance with Municipal Code section 2.880.

Budget Impact:

Market value of the properties will be used as revenue for the Water Fund.

Council Options:

1. Declare 6175 & 6123 Skyline Drive as surplus property.
2. Retain 6175 & 6123 Skyline Drive as City properties and establish alternate use for the properties.

Staff Recommendation:

Declare the properties as surplus.

Potential Motions:

1. Move to approve Resolution 2018-02, “A Resolution Declaring City-Owned Property at 6175 Skyline Drive Surplus Real Property and Initiating a Sales Process for the Property.”
2. Move to approve Resolution 2018-03, “A Resolution Declaring City-Owned Property at 6123 Skyline Drive Surplus Real Property and Initiating a Sales Process for the Property.”

Attachments:

1. Resolution 2018-02
2. Resolution 2018-03
3. Map of subject properties

RESOLUTION NO. 2018 - 02

A RESOLUTION DECLARING CITY-OWNED PROPERTY AT 6175 SKYLINE DRIVE SURPLUS REAL PROPERTY AND INITIATING A SALES PROCESS FOR THE PROPERTY

WHEREAS, in February 2015 the Council passed Resolution 2015-02 authorizing the purchase of 6175 Skyline Drive, West Linn, Oregon (“Property”) to aid in the construction of Bolton Reservoir; and

WHEREAS, the City purchased the Property in April 2015; and

WHEREAS, Resolution 2015-02, Section 3, designated the Property as city-owned property; and

WHEREAS, Resolution 2015-02, Section 4, indicates that the Property was purchased with the intent to surplus the property and sell it upon completion of Bolton Reservoir; and

WHEREAS, Resolution 2015-02, Section 4, also states that any proceeds received shall be deposited in the water fund; and

WHEREAS, the City has substantially completed construction of Bolton Reservoir.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. Surplus Property. The City Council declares the city-owned Property surplus and authorizes the City Manager to undertake any actions necessary to facilitate the sale of the properties in accordance with WLMC 2.875(4).

SECTION 2. Depositing of Funds. Any proceeds received from the sale of the Property shall be deposited in the water fund.

This resolution was PASSED and ADOPTED this 8th day of January, 2018, and takes effect upon passage.

RUSSELL B. AXELROD, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

RESOLUTION NO. 2018 - 03

A RESOLUTION DECLARING CITY-OWNED PROPERTY AT 6123 SKYLINE DRIVE SURPLUS REAL PROPERTY AND INITIATING A SALES PROCESS FOR THE PROPERTY

WHEREAS, in February 2015 the Council passed Resolution 2015-02 authorizing the purchase of 6123 Skyline Drive, West Linn, Oregon (“Property”) to aid in the construction of Bolton Reservoir; and

WHEREAS, the City purchased the Property in April 2015; and

WHEREAS, Resolution 2015-02, Section 3, designated the Property as city-owned property; and

WHEREAS, Resolution 2015-02, Section 4, indicates that the Property was purchased with the intent to surplus the property and sell it upon completion of Bolton Reservoir; and

WHEREAS, Resolution 2015-02, Section 4, also states that any proceeds received shall be deposited in the water fund; and

WHEREAS, the City has substantially completed construction of Bolton Reservoir.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. Surplus Property. The City Council declares the city-owned Property surplus and authorizes the City Manager to undertake any actions necessary to facilitate the sale of the properties in accordance with West Linn Municipal Code 2.875(4).

SECTION 2. Depositing of Funds. Any proceeds received from the sale of the Property shall be deposited in the water fund.

This resolution was PASSED and ADOPTED this 8th day of January, 2018, and takes effect upon passage.

RUSSELL B. AXELROD, MAYOR

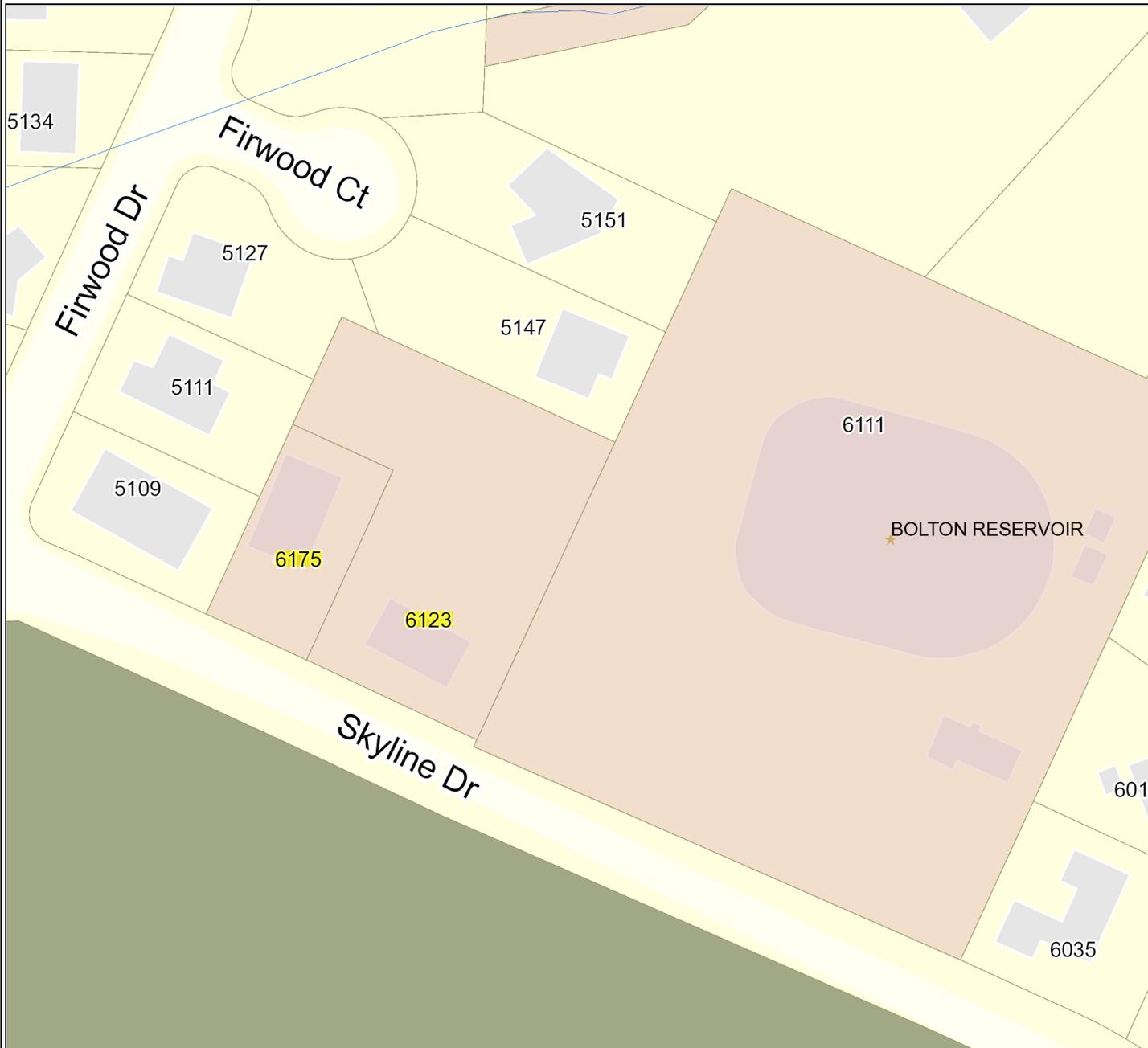
ATTEST:

KATHY MOLLUSKY, CITY RECORDER

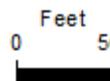
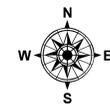
APPROVED AS TO FORM:

CITY ATTORNEY

6123 & 6175 Skyline Drive



 Potential Surplus Properties



Scale 1:1,200 - 1 in = 100 ft
Scale is based on 8-1/2 x 11 paper size



Map created by: MCOFFIE
Date Created: 19-Dec-17 07:45 AM

WEST LINN GIS

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Map scale is approximate. Source: West Linn GIS (Geographic Information System) MapOptix.

Agenda Bill 2018-01-08-05

Date: January 3, 2018

To: Russell B. Axelrod, Mayor
Members, West Linn City Council

From: Eileen Stein, City Manager *ES*
Elissa Preston, Human Resources Director *EP*

Subject: Setting a New Salary Range for Police Chief

Purpose

To set a new salary range for Police Chief that will adequately meet the market demands and attract high quality Chief candidates during the 2018 recruitment.

Question(s) for Council:

Does the City Council wish to approve a new salary range for the Police Chief in advance of the 2018 recruitment?

Public Hearing Required:

None required.

Background & Discussion:

In November of 2016, the City hired a consultant to complete a total compensation study for the Police Department Command staff. The results showed that, overall, salaries for command staff are below market comparators, with the exception of top of the range for the Sergeant position. The Chief position is 9-16% below market of comparable cities.

The current salary range for Police Chief will be \$96,351 to \$131,503, assuming the 2% COLA is approved for January 1, 2018. The new salary range is proposed to be \$102,018 to \$139,239. In addition, the study indicated the presence of compression between the Police Chief salary and those of upper command staff in the department. This adjustment will correct that.

The City will soon be recruiting a Police Chief, and wishes to attract the highest quality of candidates with this market adjustment.

The West Linn Charter delegates responsibility for setting compensation levels to the City Council.

Budget Impact:

Approval of this request will eventually impact the budget of the Police Fund. However, we anticipate salary savings in the Police Department overall, in this fiscal year, due to turnover in other command staff positions.

Council Options:

1. Approve the resolution as recommended.
2. Do not approve the resolution.

Staff Recommendation:

Staff recommends Council approval of Resolution 2018-04

Potential Motion:

Motion to approve the Resolution 2018-04

Attachments:

1. Resolution 2018-04
2. Attachment A - Salary Schedule
3. Attachment B - Police Command Staff Comparison

RESOLUTION NO. 2018-04

A RESOLUTION OF THE WEST LINN CITY COUNCIL SETTING NEW SALARY RANGE FOR POLICE CHIEF

WHEREAS, the West Linn Charter delegates responsibility for setting compensation levels to the City Council; and

WHEREAS, the City obtained a compensation study for the Police Department command staff in 2016, which highlighted that the Police Chief position is below market in comparable cities; and

WHEREAS, the City wishes to attract the top talent and highest quality of candidates in the 2018 search for a new Police Chief; and

WHEREAS, an 8% increase to the Police Chief range is budgeted for, would bring West Linn closer to the market, and still be within tolerable compression ranges.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. Salary Schedule. The Salary Schedules for Department Directors with new recommended salary range for Police Chief is outlined in Attachment A.

This resolution was PASSED and ADOPTED this 8th day of January, 2018, and takes effect upon passage.

RUSSELL B. AXELROD, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Attachment A

**City of West Linn Compensation Plan
City Manager & Department Director Salary Schedule
Effective January 1, 2017 - December 31, 2017**

COLA Increase 1/1/17
1.20%

Classification Title	Salary Grade	Employee Group			
City Manager		CM	<i>hourly</i>	68.1200	
			<i>monthly</i>	11,808	
			<i>annually</i>	\$ 141,695	
Chief of Police	8	Dept Dir	<i>hourly</i>	49.0473	66.9418
			<i>monthly</i>	8,502	11,603
			<i>annually</i>	\$ 102,018	\$ 139,239
Community Development Director Finance Director	9	Dept Dir	<i>hourly</i>	45.4142	61.9832
			<i>monthly</i>	7,872	10,744
			<i>annually</i>	\$ 94,462	\$ 128,925
Public Works Director	10	Dept Dir	<i>hourly</i>	43.7356	59.6907
			<i>monthly</i>	7,581	10,346
			<i>annually</i>	\$ 90,968	\$ 124,154
Library Director Parks & Recreation Director Human Resource Director Information Technology Director	11	Dept Dir	<i>hourly</i>	41.0589	56.0800
			<i>monthly</i>	7,117	9,721
			<i>annually</i>	\$ 85,403	\$ 116,646

City of West Linn Compensation Study
PD Command Staff

City of	Classification Title	Annual Min	Annual Max
West Linn	Sergeant	Annual Max incl. incentive pay	
		\$66,660.00	\$99,543.60
Oregon City		\$81,648.00	\$97,138.80
Lake Oswego		\$82,201.60	\$99,944.00
Forest Grove		\$71,172.00	\$98,081.28
Keizer		\$67,932.80	\$88,649.60
Tualatin		\$69,908.80	\$106,227.89
Milwaukie		\$68,245.00	\$87,090.00
		<i>Salary Average</i>	<i>\$73,518.03</i>
		<i>% Compared to Market Average</i>	<i>-10%</i>

West Linn	Lieutenant	\$77,988.00	\$106,488.00
Oregon City			
Lake Oswego		\$94,286.40	\$123,406.40
Forest Grove			
Keizer		\$82,534.40	\$118,747.20
Tualatin		\$92,560.00	\$117,270.40
Milwaukie			
		<i>Salary Average</i>	<i>\$89,793.60</i>
		<i>% Compared to Market Average</i>	<i>-15%</i>

West Linn	Captain	\$82,092.00	\$112,092.00
Oregon City		\$88,104.00	\$121,656.00
Lake Oswego		\$101,542.80	\$123,406.40
Forest Grove		\$83,448.00	\$106,500.00
Keizer		\$91,041.60	\$118,747.20
Tualatin		\$101,795.20	\$129,022.40
		<i>Salary Average</i>	<i>\$93,186.32</i>
		<i>% Compared to Market Average</i>	<i>-14%</i>

West Linn	Chief of Police	\$93,341.00	\$127,396.00
Oregon City		\$108,012.00	\$149,148.00
Lake Oswego		\$116,500.80	\$141,668.80
Forest Grove		\$94,512.00	\$120,624.00
Keizer		\$105,352.00	\$137,446.40
Tualatin		\$116,812.80	\$147,929.60
		<i>Salary Average</i>	<i>\$108,237.92</i>
		<i>% Compared to Market Average</i>	<i>-16%</i>

Agenda Bill 2018-01-08-06

Date: 12/11/2017

To: Russ Axelrod, Mayor
Members, West Linn City Council

From: Morgan Coffie - Management Analyst

Through: Eileen Stein - City Manager *ES*
Lance Calvert, P.E. – Public Works Director/City Engineer *LEC*

Subject: OR43 Multi-modal Transportation Project State Delivered Federal Project Agreement

Purpose

A cooperative agreement to document the roles and responsibilities between the Oregon Department of Transportation (ODOT) and the City of West Linn (the City) with respect to project approvals and responsibilities regarding delivery of the OR43 Multi-modal Transportation Project in accordance with Federal and State grant requirements.

Question(s) for Council:

Does Council wish to complete the grant funded improvements to OR43 from the north City limits to South of Hidden Springs Rd?

Public Hearing Required:

None

Background & Discussion:

The project location is on a State owned highway and coordination with the owner (ODOT) is required. The City (through ODOT) has been awarded a total of \$4,100,000 through the State Transportation Improvement Project (STIP) and Regional Flexible Funds Allocation program (RFFA) for the purpose of constructing multi-modal improvements along the Highway 43 corridor (Arbor Dr. to Hidden Springs Rd.). The City of West Linn adopted the Highway 43 Conceptual Plan as an addendum to the 2016 Transportation System Plan on October 10, 2016, and received voter approval in November 2017 to impact right-of-way to construct multi-modal improvements along Highway 43.

Budget Impact:

Adequate funds have been allocated in the FY18-19 budget from the Streets, Environmental Services, and Streets SDC funds to provide the required local project match. The anticipated minimum local match is \$2,018,203.00.

Council Options:

1. Approve the agreement to comply with federal construction oversight and grant management requirements.

2. Deny the agreement thus terminating the OR43 Multi-modal Transportation Project and forfeit STIP and RFFA funds.

Staff Recommendation:

Approve the OR43 Multi-modal Transportation Project State Delivered Federal Project Agreement.

Potential Motion:

1. Move to approve the OR43 Multi-modal Transportation Project State Delivered Federal Project Agreement and direct the City Manager to sign the agreement.
2. Move to deny the OR43 Multi-modal Transportation Project State Delivered Federal Project Agreement.

Attachments:

1. OR43 Multi-modal Transportation Project State Delivered Federal Project Agreement (pending).

Agenda Bill 2018-01-08-07

Date: 12/11/2017

To: Russ Axelrod, Mayor
Members, West Linn City Council

From: Morgan Coffie - Management Analyst

Through: Lance Calvert, P.E. – Public Works Director/City Engineer *LEC*
Eileen Stein - City Manager *ES*

Subject: OR43 Multi-modal Transportation Project Cooperative Maintenance Agreement

Purpose

An agreement to delineate maintenance responsibilities arising from the OR43 Multi-modal Transportation Project.

Question(s) for Council:

Does Council agree that the City should be responsible for maintenance of bicycle, pedestrian, lighting, signals, and drainage improvements constructed as part of the OR43 Multi-modal Transportation Project?

Public Hearing Required:

None

Background & Discussion:

- OR43 is part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission. The City currently has responsibility for pedestrian and lighting facilities along OR43. This agreement would expand maintenance to include the cycle track, traffic signals, and Stormwater quality and drainage improvements. The State will retain maintenance of roadway surfaces between curbs as part of this agreement. In addition, the State shall reimburse the City for the State's proportional share of drainage maintenance. This type of agreement is typical for ODOT where arterial roadway improvements will follow City and State construction standards.

Budget Impact:

Streets fund as anticipated and included in the Streets budget.

Council Options:

1. Approve the agreement ensuring adequate ongoing maintenance of facilities constructed behind the curbs adjacent to motor vehicle travel lanes as part of the OR43 Multi-modal Transportation Project.
2. Deny the agreement thus terminating the OR43 Multi-modal Transportation Project.

Staff Recommendation:

Approve the OR43 Multi-modal Transportation Project Cooperative Maintenance Agreement.

Potential Motion:

1. Move to approve and direct the City Manager to sign the OR43 Multi-modal Transportation Project Cooperative Maintenance Agreement.
2. Move to deny the OR43 Multi-modal Transportation Project Cooperative Maintenance Agreement.

Attachments:

1. OR43 Multi-modal Transportation Project Cooperative Maintenance Agreement (pending)

Mollusky, Kathy

From: Lauren Hughes <hugheslo@comcast.net>
Sent: Thursday, January 18, 2018 9:33 AM
To: City Council
Subject: high school parking

Dear Mayor and City Councilors:

I'm writing to support changes to the parking restrictions around West Linn High School. These are public streets and as long as the students are not blocking driveways, mailboxes, hydrants or intersections, abandoning vehicles, or breaking laws (drugs, alcohol, damaging private property, etc), street parking should be allowed. There will always be the entitled, cranky resident, but we can't let those folks cause chaos and inconvenience for others by limiting use of a tax payer resource. I was also appalled to read that the police have been ticketing kids because of cranky neighbor calls...sorry, but if you choose to live by a public facility along a public street, you have to accept that there will be people coming into the area.

I encourage you to listen and work with the students towards a solution to this issue and show them that public engagement can work. (And, I don't have kids at WLHS.) All the best, Lauren Hughes
2121 Peregrine Ct

Mollusky, Kathy

From: Alan Smith <aalansmith57@gmail.com>
Sent: Monday, January 08, 2018 10:30 PM
To: City Council; Stein, Eileen; Tim Ramis
Subject: Permit Parking Area

All,

Why do I have this perception that the Mayor and the majority of the councilors concern themselves only with the student drivers?

Maybe the following quotes can answer that question, maybe not. You be the judge.

Some quotes from the meeting of 2 JAN 2018:

1:19:02 - City Manager Stein: "The mayor has been having discussions with Rory about other possibilities for other ideas for parking...there was an earlier claim with Clackamas County...that was rejected..."

Conclusion: The mayor has been talking with Rory about ideas for parking.

1:21:19 - Mayor Axelrod said he met with Rory telling him that he was not there to "discuss the case...he (Rory) said something to the effect that he had hoped to see things resolved without litigation...it's his interest...to see if we can figure out an agreement..."

Conclusion: The mayor admits to talking with Rory, and stated that if the council can "figure out an agreement" then Rory will not litigate.

1:21:56 - Mayor Axelrod: "...getting preliminary information...about the feasibility of every other house on a certain number of streets and how many spots that would generate...generate 20-30 parking spaces."

Conclusion: The mayor presented an idea.

One can be led to believe that this "20-30 parking spaces" is the idea City Manager Stein mentioned. It can also be construed that it is the "agreement" that Mayor Axelrod said in his conversation with Rory. But maybe there are other possibilities. Maybe the Mayor, or some taxpayer who lives in the Parking Permit area, came up with the idea, I don't know.

Then at (1:22:25) the mayor is blunt "...if we can get them (the "spots") in addition to the bridge largely take care of the concern."

I find it intriguing that Mr. Mayor calls it "the concern" without identifying the origin of "the concern." A concern implies an entity with cognition. For, any group's concern always begins with one person. A concern is not unattached from someone. So my question is who is the progenitor of "the concern"?

Way too much time on something that is the law. Is the zone being enforced? We have a lot more problems that need your attention IMO.

Good luck!

Alan Smith, MA
Spiritual Traditions and Ethics