

**OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR JULY 25, 2011**

**Present:** Mayor Lou Ogden; Councilor Monique Beikman; Councilor Joelle Davis; Councilor Wade Brooksby (arrived at 6:06 p.m.); Councilor Nancy Grimes; Councilor Frank Bubenik; Councilor Ed Truax (arrived at 5:20 p.m.)

**Staff Present:** City Manager Sherilyn Lombos, City Attorney Brenda Braden, City Engineer Mike McKillip, Police Chief Kent Barker, Community Development Director Alice Rouyer, Operations Director Dan Boss, Community Services Director Paul Hennon, Finance Director Don Hudson, Planning Manager Aquilla Hurd-Ravich, Development Manager Eric Underwood, Assistant to the City Manager Sara Singer, Senior Planner William Harper, Assistant Planner Colin Cortes, Associate Planner Cindy Hahn, Project Engineer Dayna Webb, Civil Engineer Kaaren Hofmann, Executive Assistant Maureen Smith

**1. CALL TO ORDER**

Mayor Ogden called the work session to order at 5:00 p.m.

**2. *Tualatin Tomorrow Update***

City Manager Sherilyn Lombos introduced Candice Kelly, who presented a report update on the City's community visioning project "Tualatin Tomorrow." She noted they are moving forward in the vision for the City and its goals, transitioning into an advisory committee, and participating in public outreach.

Assistant to the City Manager Sara Singer continued with the discussion and commented that the recent appearance at the Tualatin Farmers Market event where information on the update to the City's Transportation System Plan was given. It went very well and noted the assistance and support from Tualatin Tomorrow, particularly from Beverly Johnson. There are three more dates that the booth will be at the Farmers Market.

Discussion followed and Mayor Ogden commented Council should be able to clearly articulate to the Tualatin Tomorrow group what responsibility the Council will charge the committee with. Tualatin Tomorrow began as citizen-driven and now is an advisory committee to the City, and would look to be the vision/advisor to the Council as to what's in the best interest of the city toward that vision.

Ms. Singer said gathering Council input at this point and staff will then go back to the Tualatin Tomorrow group for review and changes and come back to Council for formal adoption. The importance of the "partners" was mentioned and it was suggested to add a "definitions" line in the document to be sure they are adequately addressed in the proposal. Brief discussion followed.

Council thanked Ms. Kelly and all the work she has put in to the visioning process over the years.

**3. *Update of the 2012-2016 Capital Improvement Plan (CIP)***

City Engineer Mike McKillip presented a PowerPoint on the Capital Improvement Program (CIP) explaining this document will bring all aspects of capital improvements together providing a comprehensive view of the City's infrastructure needs and the order in which to best accomplish them.

The purpose of the CIP is to create a complete overall picture of the City's infrastructure systems and long range plan, identify major purchases and expenses, understand the relationships between projects so no opportunities for "piggybacking" are missed, and provide stable funding for the most pressing needs on a City wide basis. Expenses greater than \$10,000 are included, with routine items occurring each year not included. Categories and what each entails was reviewed - utilities, facilities and equipment, planning, recreation, transportation, and technology. Future process was reviewed and staff is working on grouping and ranking and will be back to Council in early Fall. Fiscal Years 2012/13 through 2016/17 budget cycle and process was reviewed. The process of prioritizing projects was reviewed, which includes addressing health and safety concerns, support of Council goals, meets regulatory/mandated requirements, consideration of owner/operator needs, outside funding and partnerships, and implement master plan for future needs. City Engineer McKillip concluded his presentation and asked for Council input on whether staff is on the right track with what should be considered.

Brief discussion followed. Some concern was expressed about assuring it is clear in the document the importance of where, how and when projects are funded. Council commented they are glad to see this type of document and be proactive, and also looking to work with the utilities and other agencies on project coordination at the same time of construction.

**4. *Regional Parks, Trails & Natural Areas Discussion***

Community Services Director Paul Hennon introduced Metro Councilor Carl Hosticka and Metro Sustainability Manager Jim Desmond.

Councilor Hosticka began the discussion by noting Metro has been acquiring undeveloped property over the years and there has been discussions at the staff level, and brought to elected officials for discussion in looking at how to go about managing the maintenance of the properties. A bill was introduced in the Legislature for Metro to set up a regional parks district but didn't go far. Councilor Hosticka said they are present to let the City Council know what the discussions have been going on throughout the region.

Sustainability Manager Jim Desmond continued the discussion and said the premise is Metro has bought land and what to do now with the maintenance of this land and how to make it available to citizens. Looking at mechanisms to be able to work together as various properties are owned by many different entities. Mr. Desmond explained how a regional parks and trails system could work and addressing policy choices. The deferred maintenance backlog is serious and the public does love and support parks. A modest tax base could be considered to help with the regional sites. Metro is looking at the planning and development of a system, and see how it could proceed over the years by the possible generation of an annual tax base, not a bond measure. Councilor Hosticka said there are some examples throughout the country of this type of thing being done.

It was asked and explained by Councilor Hosticka that Metro is not asking for anything at this point, but Metro wanted to keep the elected officials informed and they are continuing to explore this issue at the staff level. It was asked about the timing and the legislative session in the coming session, and Mr. Desmond said the legislation would be brought back and would only give Metro the legal authority to go to voters to create an actual proposal to then *take* to voters. They also recognize the difficult financial climate at this point in time. It was asked and answered by Mr. Desmond if this were in place, the City would be in charge of the funds which would be passed through from Metro. Community Services Director Hennon briefly explained how Tualatin parkland has been purchased with pass-through funds from Metro. It was also asked about whether funding would be proportionate.

Discussion followed. Mayor Ogden commented that while recognizing the benefits of regional funding for parks, etc. questions remain about governance, utilization, funding, etc. Discussion continued, and Mr. Desmond mentioned a recent article in the paper about the idea of a regional systems website which was launched a few weeks back proposed by an organization, Intertwine Alliance, and the business supporters of this project. All major park providers are members and in support of the organization. Brief discussion followed and concluded.

## **5. *Memorandum on Process for Selection of Council President***

Council discussed the selection process of Council President. At the last Council meeting, the suggestion was made at looking at a rotation process for the election of a Council President. The City Attorney has provided a legal analysis and information on the process and options presented. The role, responsibility and function of the Council President position was discussed. Mayor Ogden defined what he believes a Council President is and does, and his opinion that the President is the person best qualified, selected to be in pro tem, representing the Council in a formal manner. He is not certain that it can be addressed adequately by "trading off" the position every few months. Mayor Ogden said at the Council President election in January 2011 he suggested to another interested councilor, of re-electing Council President Barhyte due to his participation and continuity on issues taking place in the region. Councilor Davis spoke on the current election process and called into question Mayor Ogden's presumption of that suggestion. Councilor Davis said the current process has been in place for a very long time, and since the City has been incorporated the majority of presidents have been male. Council Bubenik also noted the process has worked and is not sure why it is being upended.

Discussion followed and it was suggested and agreed by all Council present, to add the election of Council President under the **General Business** portion of the regular meeting later in the evening.

**6. Council Meeting Agenda Review, Communications & Roundtable**

Council reviewed the Consent Agenda. There were no questions or comments.

Councilor Grimes noted she attended the Clackamas County Coordinating Committee meeting and asked for any feedback from Council on information she forwarded to take back to the next meeting where a vote will be taken.

Mayor Ogden asked staff for clarification on how items under the "General Business" portion of the agenda should be addressed when public input is taken and whether items should be structured the same as public hearings. Brief discussion followed and it was determined to keep the process of public hearings and items discussed under "General Business" as it currently is done. Staff will follow up with a defined explanation of each process.

**7. ADJOURNMENT**

Mayor Ogden adjourned the work session at 6:41 p.m.

Sherilyn Lombos, City Manager



Maureen Smith, Recording Secretary



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR  
JULY 25, 2011

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Present: Mayor Lou Ogden; Councilor Monique Beikman; Councilor Wade Brooksby;  
Councilor Frank Bubenik; Councilor Nancy Grimes; Councilor Ed Truax;  
Councilor Joelle Davis

Staff Present: City Manager Sherilyn Lombos, City Attorney Brenda Braden, City Engineer Mike McKillip, Police Chief Kent Barker, Community Development Director Alice Rouyer, Community Services Director Paul Hennon, Finance Director Don Hudson, Planning Manager Aquilla Hurd-Ravich, Development Manager Eric Underwood, Assistant to the City Manager Sara Singer, Senior Planner William Harper, Assistant Planner Colin Cortes, Project Engineer Dayna Webb, Parks and Recreation Manager Carl Switzer, Civil Engineer Kaaren Hofmann, Executive Assistant Maureen Smith

**A. CALL TO ORDER**

Mayor Ogden called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was led by Councilor Grimes.

**B. ANNOUNCEMENTS**

**1. National Night Out Announcement**

Police Chief Barker announced the upcoming 28th annual *National Night Out* event on Tuesday, August, 2, 2011, from 4:00 - 9:00 p.m. Chief Barker said there at least 17 locations this year and encouraged residents to register their neighborhood celebration with the Police Department to have an officer and "McGruff" the Crimefighting Dog stop by for a visit. Council thanked the Police Department for the time and continued commitment to the annual event.

Councilor Bubenik also thanked Chief Barker and the department for their excellent response to a recent incident in his neighborhood.

**2. Introduction of City Employees - *Shelly Helgersen, Operations Department*  
*Will Worthey, Community Services Dept., Library***

Operations Director Dan Boss introduced Parks Maintenance Technician Shelly Helgersen, and gave a brief background. Council welcomed Shelly to the City.

Community Services Director Paul Hennon introduced Senior Library Assistant Will Worthey, and gave a brief background. Council welcomed Will to the City.

**C. CITIZEN COMMENTS**

*This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

*Linda Moholt, CEO of Chamber of Commerce, 18791 SW Martinazzi Avenue, Tualatin, OR, spoke on the upcoming 61st Annual Crawfish Festival on August 12-13, 2011 and noted the activities and some new events that are happening this year. This year's theme is "Crawfish in Paradise."*

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will first ask staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 1) Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Councilor Monique Beikman, SECONDED by Councilor Joelle Davis to adopt the Consent Agenda as read.

**Vote: 7 - 0 CARRIED.**

1. Approval of the Minutes for the Work Session and Meeting of July 11, 2011
2. Resolution No. **5053-11** Authorizing an Intergovernmental Agreement with Metro for a Construction Excise Tax Grant for the Tualatin High Capacity Transit Land Use Plan
3. Resolution No. **5054-11** Authorizing the Mayor to Sign a Cooperative Improvement Agreement with Oregon Department of Transportation and the Tualatin Development Commission for Improvements Associated with the SW Leveton Drive Project
4. Resolution No. **5055-11** Authorizing Changes to the Adopted 2011-2012 Budget
5. Resolution No. **5056-11** Awarding the Bid for the Outfalls and Trails Retrofit Project at Dakota Chieftain Greenway
6. Resolution No. **5057-11** Awarding the Bid for Construction of the Juanita Pohl Center Addition and Renovation Project
7. Community Involvement Committee Appointments

**E. SPECIAL REPORTS**

**1. Update on the Renovation of the North Area of Community Park**

Parks and Recreation Manager Carl Switzer presented a PowerPoint on the renovation of the north area of Community Park, specifically the opening of the Tualatin Dog Park, with a grand opening scheduled on August 13, 2011, held in conjunction with the Crawfish Festival. Manager Switzer also noted the improvements/major renovations to Community Park that have happened from 2006-2011 that included a new bicycle and pedestrian bridge over the river, new park pathways, new picnic shelter, new parking lot, riparian area restoration and enhancements, and a new arcade with Tualatin sign. The renovation of the soccer field is currently being done with a opening date in the spring of 2012.

**2. Transportation System Plan Update**

Project Engineer Dayna Webb presented a PowerPoint update on the Transportation System Plan. Staff attended the Tualatin Farmers Market and will also be attending other events to educate and involve the public on the Plan. More information is available on the website at [www.tualatintsp.org](http://www.tualatintsp.org). Also given was a brief demonstration of the interactive website map and how comments can be submitted, etc.

Other updates are the selection of a technical consultant, and staff continues to work with the consultant, JLA, on the public involvement portion. Project Engineer Webb encouraged everyone to check out the website, and said staff can attend events, neighborhood meetings, etc. and give an informal presentation on the Plan.

**F. PUBLIC HEARINGS – Legislative or Other**

**1. REQUEST FOR CONTINUANCE - Amending the Sign Regulations to Allow Additional Types of Building Signs in the Central Design District; and Amending Tualatin Development Code Chapters 38.110 Sign Types, 38.220 Central Commercial and General Commercial Planning District Sign Standards and 31.060 Definitions Plan Text Amendment (PTA-11-08)**

Mayor Ogden opened the public hearing and noted the request for continuance. MOTION by Councilor Monique Beikman, SECONDED by Councilor Joelle Davis to continue the public hearing until October 24, 2011.

**Vote: 7 - 0 CARRIED.**

**G. PUBLIC HEARINGS – Quasi-Judicial**

**1. A Conditional Use Permit for Integrated Metal Components, Light Metal Fabrication (of Semi-finished or Finished Metals) in the Light Manufacturing Planning District at 18355 SW Teton Avenue (Tax Map 2S1 23BB, Tax Lot 501) (CUP-11-02)**

Mayor Ogden read language required by legislation before a comprehensive plan or land-use regulation [ORS 197.765(5) and (6)] and opened the public hearing. No bias or ex parte contact noted.

Assistant Planner Colin Cortes presented the staff report and entered the entire staff report into the record. The request is for a Conditional Use Permit for light metal fabrication (of semi-finished or finished metals) by Integrated Metal Components within the Light Manufacturing (ML) Planning District located at 18355 SW Teton Avenue. It was noted the site and building is vacant and the applicant is looking to lease one of the spaces. As the use is listed in the ML Planning District as a conditional use, it necessitated this request. The five criteria were reviewed and staff recommends Council consider the staff report and supporting materials and provide direction.

#### PROPOSERS

*Dorothy Cofield, 9755 SW Barnes Road, Suite 450 Portland, OR 97225*, representing the applicant, noted at one time Integrated Metal Components (IMC) was located in Tualatin and is now moving back. They request acceptance of the staff report as stated.

*Glenn Heard, owner and president, IMC, 29120 SW Kinsley Road, Wilsonville, OR*, said he is looking forward to returning to Tualatin and bringing 60+ jobs to the City.

OPPONENTS - None

#### NEUTRAL

*Connie Ledbetter, 17655 SW Cheyenne Way, Tualatin, OR*, said she previously lived near Helser Industries is located, a sheet metal fabricator, and commented their doors were opened during the summer months, and the noise was deafening. Contacting the business resulted in no assistance or cooperation. Ms. Ledbetter said this building is not that far from the Helser location and is densely populated, and although she doesn't live in the area any longer expressed concern about possible noise issues.

#### COUNCIL DISCUSSION

The applicant responded on the differences in light sheet metal versus heavy metal manufacturing with regards to noise issues. Mr. Heard also noted they do not anticipate any problems with the type of sheet metal fabrication they do, and have not received any complaints in 16+ years of business. It was asked and answered that there will not be business conducted outside the building, and Mr. Heard recognized the point raised about the doors being open in the summer can create some low level noise. Mr. Heard responded to the question that the materials they manufacture do not necessitate the wearing of protective gear, although it is recommended. It was noted that there are noise standards in place in the City's Development Code, and Council can impose stricter noise standards if they so choose. It was asked about the the number of trucks that deliver on a daily basis and the applicant noted there are approximately 2-3 a day. In response to regulatory agencies inspections, Mr. Heard explained what took place at the Wilsonville location to address the carbon footprint, and noted they do not use a lot of water, and mostly use only non-hazardous material. It was asked and noted that although a traffic study was not required, a technical memorandum by the Engineering Division addresses transportation and other related issues is included with the staff report.

Mayor Ogden closed the oral testimony of the public hearing.

#### COUNCIL DELIBERATION

MOTION by Councilor Ed Truax, SECONDED by Councilor Monique Beikman to direct staff to prepare a resolution granting Conditional Use Permit 11-02.

**Vote:** 7 - 0 CARRIED.

### H. GENERAL BUSINESS

#### 1. Citizen Involvement Organization Program Proposal

City Manager Sherilyn Lombos said the City Council has been working with an independent Citizen Involvement Organization (CIO) Ad Hoc Committee to develop code language and a boundary map for a Citizen Involvement Organization Program (CIOP). Proposed code language and a boundary map have been developed for review and approval by the City Council.

Mayor Ogden opened the discussion for comments.

*Toni Anderson, 17790 SW Cheyenne Way, Tualatin, OR,* congratulated Council on making this happen and for the proposed budget for the program.

*Jan Giunta, 17655 SW Shawnee Trail, Tualatin, OR ,* thanked and noted her appreciation of Council for their time and input into the citizen involvement program. Ms. Giunta said the ad hoc committee voted unanimously to accept the proposal, with some minor clarifications.

*Mike Riley, 8720 SW Tualatin Road, Tualatin OR* , said review of the proposed language has been done by the Council, ad hoc committee and the subcommittee. Review of the proposed boundary map was also done with the staff recommendation that the boundary map be extended out to include the urban growth boundary. In the long run, it simplifies the process as the city grows over the years. Mr. Riley continued with review of the committee's proposed modifications.

Councilor Bubenik said he has received e-mails from concerned apartment/condominium residents on how they are considered in the CIO process. He also heard from several businesses about concerns of not being included in the residential CIOs. Mr. Riley said in each CIO there will be up to hundreds, if not thousands in membership, and the ad hoc committee felt it appropriate for businesses to have a CIO of their own. He explained it would not preclude anyone attending any CIO meetings, etc.

It was asked and explained by City Attorney Brenda Braden that by adopting the boundary map, the ordinance would have to be amended each time a change is done, but no other issues with the remaining proposed changes.

Councilor Beikman mentioned an e-mail from former mayor Steve Stolze regarding his position on the proposed program.

*Cathy Holland, 10740 SW Lucas Drive, Tualatin, OR* , spoke in support of the proposal and the proposed edits, and also congratulated and thanked the subcommittee and Councilors Davis, Brooksby and Truax for all their work. Ms. Holland said this is a positive, proactive move to the community and will also help businesses be part and have a voice in the community, and hopes Council adopts the proposed modifications.

*Linda Moholt, Chamber of Commerce, 18791 SW Martinazzi Avenue, Tualatin, OR* , asked if the new proposed changes could be taken back to the Chamber Board for one final review before adoption. It was asked and Ms. Moholt said the Chamber has reviewed the previous draft, and Mayor Ogden noted the map was changed only to extend beyond the city limits, and the business overlay hasn't changed with regards to the boundary map. Ms. Moholt said it is more to be able to review the *overall* changes.

It was asked and explained by Mr. Riley about the proposed membership changes, and how it affects the business CIOs. He said when this was discussed, the use of the word "overlay" was confusing. It was agreed to find another word to make the distinction between residential and businesses, as to what is the actual intent, which is the entire city is the boundary of the commercial CIOs.

Discussion followed, and Mayor Ogden said the proposed changes do not appear to affect the outcome, and suggested, and it was determined, to bring back an ordinance at the second meeting in August, allowing the Chamber enough time to review the changes before that meeting.

Mayor Ogden concluded the discussion by noting the considerable work that's been done at the grassroots level of the citizens involved in creating this proposal, and the energy and focus put into the document. Mayor Ogden said he recognizes the concerns of others, and that this is deliberative participation of governance, and hopes to come to a critical mass of acceptance. He is looking forward to implementation and the success of the program.

MOTION by Councilor Joelle Davis, SECONDED by Councilor Frank Bubenik direct staff to prepare an ordinance inclusive of the amendment provided by the ad hoc committee for the August 22, 2011 Council agenda.

**Discussion on Motion**

Councilor Beikman said she has been clear on her beliefs of what is appropriate for the City's Municipal Code. If a Citizen Involvement Coordinating Committee (CICC) exists, it is a good thing, but believes the CICC does not need to be in the Code, and she will not vote in favor of the ordinance. The rest of the proposed program is great and will be a good addition to the city.

**Vote: 6 - 1 CARRIED.**

**Nay: Councilor Monique Beikman**

**2. Election of Council President**

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Mayor Ogden noted at the last Council meeting, there was an anticipated vote for filling the remaining Council President term, due to Council President Barhyte's resignation, and a comment was raised about looking at a different process. Council has had time to review and discuss the issue at the Work Session held earlier, and it was agreed that the process remain as it is currently conducted and to take nominations and vote for a replacement at this meeting.

Nominations were opened for filling the Council President term to January 2013.

MOTION by Councilor Brooksby, SECONDED by Councilor Beikman to nominate Monique Beikman. MOTION by Councilor Bubenik, SECONDED by Councilor Truax to nominate Joelle Davis.

Nominations were closed. A vote by ballot was taken by the City Council, resulting in the election of Councilor Beikman as Council President.

**I. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

**J. COMMUNICATIONS FROM COUNCILORS**

*None.*

**K. EXECUTIVE SESSION**

*None.*

**L. ADJOURNMENT**

MOTION by Councilor Monique Beikman, SECONDED by Councilor Frank Bubenik to adjourn the meeting at 8:45 p.m.

**Vote: 7 - 0 CARRIED.**

Sherilyn Lombos, City Manager

*Maureen Smith*

Maureen Smith / Recording Secretary