



City of Tualatin

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Approved By Tualatin City Council

Date 2-8-2010
Recording Secretary Straford

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF JANUARY 25, 2010

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Kent Barker, Chief of Police; Dan Boss, Operations Director; Paul Hennon, Community Services Director; Colin Cortes, Assistant Planner; Aquilla Hurd-Ravich, Senior Planner; Carina Christensen, Assistant to the City Manager; Ginny Kirby, Recording Secretary

ABSENT: Monique Beikman* [* denotes excused]

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Ogden called the work session to order at 5:06 p.m.

B. CONSENT AGENDA

The Consent Agenda for tonight's Council meeting was reviewed by Council.

City Manager Lombos said one councilor needed to be appointed to the Ad Hoc Committee for Arbor Week. Councilor Harris said he would serve once again and requested that the meeting schedule be emailed to him.

It was noted the minutes of the work session and meeting of January 11, 2010 were not yet available (Ms. Smith has been out of the office); item D.1. was being removed in its entirety. City Manager Lombos noted that a new agenda and copy of the resolution for Item D.5. (AR-09-08) were distributed reflecting a date correction in the title. Councilor Truax stated he will not vote yes on the Consent Agenda for Item D.5. City Manager Lombos commented that this item may be pulled; briefly reiterating the process regarding the 120-day extension.

City Manager Lombos said there is a revised explanatory statement (distributed) for agenda item G.2., a resolution calling the election on the annexation. WCLS looked at the explanatory statement and suggested a few changes, which resulted in the revised statement.

[Work Session recessed at 5:14 p.m. to open TDC Work Session]

[Work Session reconvened at 5:17 p.m.]

C. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Land Acquisition and Trails Update

City Manager Lombos stated that Community Services Director Paul Hennon is here tonight because Council requested at their September 14, 2009 to receive updates.

Mr. Hennon had a PowerPoint slide depicting parcels owned, parcels the City may hope to acquire, and the current trail system along with the pieces the City hopes to acquire to fully connect the system. Mr. Hennon noted the land/trail behind Stones Throw Apartments and RV Park of Portland, and then onto Nyberg property. Brief discussion followed regarding the Nyberg property. It was noted that Mr. Nyberg did not want to have lengthy legal discussions until after bond passed. Mr. Hennon went on to point out the land behind the Riverhouse project that would tie into Community Park.

Mr. Hennon then noted the gravel path along the Lower Tualatin Pump Station project (in Community Park). If the Tualatin Country Club changes from 18 holes to a 9 hole course in the future, land would be available. He then continued to describe the properties heading west along the Tualatin River that may become available for the City. There is the Van Rijn property, then under 99W, along Roamer's Rest, heading southwest several pieces of property are currently for sale and possibly when those are purchased the City may be able to negotiate for land acquisition with those new owners.

Councilor Harris thought that if properties are available now it would be a good time to try to be creative with thinking and potential ways to purchase those parcels; Mayor Ogden concurred. Mr. Hennon said there is approximately \$800,000 from Metro; approximately \$430,000 involved with land stabilization costs; which leaves approximately \$350,000 available, but can only use these funds for lands on the Tualatin River (Metro's stipulation for the money). He noted there is potentially \$250,000 from sale of land that the City owns. There are issues with Clean Water Services (CWS) due to its location; the City has been trying to work with CWS to no avail.

Mr. Hennon reminded Council their previous direction to staff was to try to get property behind RV Park of Portland. Councilor Harris asked staff to please come back with more information regarding which properties are for sale and the conditions; Mayor Ogden asked that staff explore other funding options that would potentially allow the City the ability to buy needed land. City Manager Lombos noted many of the parcels are in the outlying areas; however, there are a few major pieces closer to the "central" area that would make a major difference in the more core area of the trails. Councilor Harris went on to say he was interested in a parks maintenance fee and exploring moving that forward. Councilor Barhyte noted he spoke with someone recently that said the School District is looking at additional sports fields; he said there is a group investigating the needs and looking towards 2011 or 2012. City Manager Lombos said the Van Rijn property will have to come back at a later meeting for discussion.

Tree Preservation Policy for Annexation of New Land

Colin Cortex, Assistant Planner, noted he and Doug Rux, Community Development Director, had last spoken with Council on August 24th. The "phase" dealt with before this issue was adoption of street trees regulations and this is the next phase. Last time, direction from Council was to get information from surrounding cities. Staff found that Lake Oswego, West Linn, and Wilsonville do express their desires to save trees for tree canopy. Lake Oswego and West Linn limit policy to specific species and sizes.

Wilsonville's policy is specifically a "guiding" policy. Mr. Cortes pointed out that the memorandum in the Work Session packet specified the areas that are not currently annexed, but would be the most likely. Councilor Maddux asked and received clarification regarding policies and that they were addressing specific species, but ended up applying to all species.

Mr. Rux said policy question was whether or not Council wished staff to move ahead with this policy. It was noted that most want the trees to be "in the ground" for three years before they would consider annexing the property into the City. Councilor Maddux asked if that 3-year lag has been an issue. Mr. Cortes said the Lake Oswego planner he spoke with said it has not been an issue; trees get cut, they pay the fee, and mitigate. It was noted that some people feel the fee is cheaper than complying. Brief discussion followed regarding fee amounts. City Manager Lombos noted there are areas that could annex into the City that have significant amount of trees. The question was raised whether the policy was working well for the three cities; City Manager Lombos said more research could be done on this. Mr. Cortes comment that Lake Oswego noted their policy is not having the desired effect; West Linn and Wilsonville did not express similar issues. Discussion followed. Mayor Ogden expressed some reservations about regulating properties not yet in the City; he felt it sounds like it could preclude a property owner from doing anything to trees on their property a year prior to annexation.

Mr. Cortes asked Council if particular species or size of trees are of concern. Washington County does not regulate unless in sensitive areas. It was reiterated that the City's current regulations regarding tree cutting addresses tree caliper only; not species. Discussion continued regarding some of the memorandum exhibits that show areas that appear to be quite heavily treed. It was clarified that many of these areas shown in green are in riparian and/or sensitive areas.

City Manager Lombos asked if Council would like staff to continue to explore what works and what does not; not the "bones" of an ordinance. Councilor Barhyte asked staff to show Level 3 for Maps E and F (attachments to the memorandum); Mr. Rux said he will have our GIS folks contact the County for that information.

Land Use Notification Requirements

Doug Rux, Community Development Director; Colin Cortes, Assistant Planner. City Manager Lombos noted that staff had come before Council in October; the issue - notifying public about land use. At that time, Council asked staff to perform a cost analysis of mailing for 300-feet vs increasing buffer to 500-feet. Examples of each - residential, commercial, and industrial, were taken. Cost can vary greatly depending upon location and land use.

Mr. Cortes stated that Tualatin posts signs for architectural review, partitions, subdivisions, and demolition of historic structures. He showed Council examples of actual signs used by the City. Councilor Harris commented that he thought most complaints were concerning the Neighborhood Developer meeting signs, typically 8-1/2" x 11", and provided by the developer. These particular signs do not have size regulations.

Mr. Rux said if notification requirements are increased to 500-feet, the increase in cost would be rolled into the application cost. Councilor Barhyte wondered if a common sign could be provided for all uses. Councilor Davis preferred the idea that the City provide the sign so there is a consistency in signage. Councilor Truax agreed, stating he likes the standardized sign idea. He did note that the City currently only requires one sign;

he feels it should be increased to one sign per frontage and if a parcel is on a dead-end street, a sign needs to be off-site as well. It was noted that the City has not had problems with the applicant taking care of the posting of required signs. Councilor Davis commented that possibly the City could provide a standardized sign and not increase the notification requirements.

It was suggested that the City maintain an electronic template for signs and that would be given to the applicant for their sign vendor. Mr. Rux said the City could deal with sign size and colors. Council agreed that staff can decide what works best for the City – whether the City will provide the signs or require the applicant to purchase necessary signage.

Further discussion followed regarding going from 300-feet to 500-feet notification and whether that was actually enough of an increase; in some instances that doesn't make a significant difference. Councilor Davis suggested that different requirements be made for different uses (ex: residential vs industrial).

City Manager Lombos asked if applicants work with the staff when mailings are required; Mr. Rux responded that this typically does not happen. Discussion followed regarding different circumstances and the current requirement of only one. Some suggestions to get information out to the public regarding land use included a "fast alert" type email system, using the banner sign at the Commons, a more visible section of the City's website, and putting the current land use notifications in the City's newsletter. Further discussion followed.

Taking a look at the "language" of notifying neighborhoods vs strict subdivision boundaries was suggested. Also suggested was possibly creating a standard page or two notification, not the current sizeable packets, and the one or two page notification would include a link to a website that would include all the information in the "full " package.

City Manager Lombos summarized Council's ideas - possibly keep the current 300-foot boundary, but extend to a "subdivision" the one or two page (or simplified) packet that would include the link to the full packet. Mr. Rux said staff would go back and draw up a two-tier type notification (based on residential vs industrial area). It said staff should go back to TPAC before bringing back before Council. It was also noted that there is great interest in making information available electronically (webpage) or mailed out electronically.

SW Concept Plan

Aquilla Hurd-Ravich, Senior Planner, gave a brief history of the process. She noted they met with the Technical Advisory Committee, property owners, and interested parties in November 2009, and hosted a SWCP open house on January 5, 2010. Staff will go back to TPAC February 11 to present the updated Concept Plan to get a recommendation; that updated plan and recommendation will come back to Council February 22 for approval. The idea from that, after the February 22 meeting, is that it can be submitted to Metro and get a payment from the CET grant. (Current work efforts, including hiring consultants, is being funded by a CET grant from Metro.) In November 2009, Metro received a schedule of deliverable work products from staff; Metro returned a schedule of funding payments, the last of which is due in July 2010.

After brief discussion, Councilor Harris asked if the City does revisions to the Transportation System Plan, Parks Master Plan, etc., after all this is adopted. Mr. Rux, Community Development Director, clarified that will occur between March and June; entire plans are not being modified, just portions. It will come in pieces, such as appendixes to other documents. Councilor Harris then asked about the zoning; Mr. Rux responded that zone designation would be applied during this process. A complete package of all comprehensive land use on this 600-acre portion of land will be distributed. Any development would be two to three years away.

Ms. Hurd-Ravich stated that one open house has already been held, the next one will be in April (specific date not yet determined).

Council Communications & Roundtable

None.

D. CITIZEN COMMENTS

None.

E. PUBLIC HEARINGS - *Legislative or Other*

Not applicable.

F. PUBLIC HEARINGS - *Quasi-Judicial*

Not applicable.

G. GENERAL BUSINESS

H. ITEMS REMOVED FROM CONSENT AGENDA

None.

I. COMMUNICATIONS FROM COUNCILORS

None.

J. EXECUTIVE SESSION

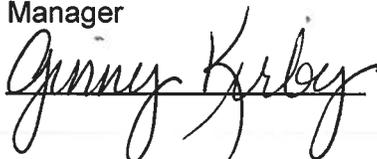
None.

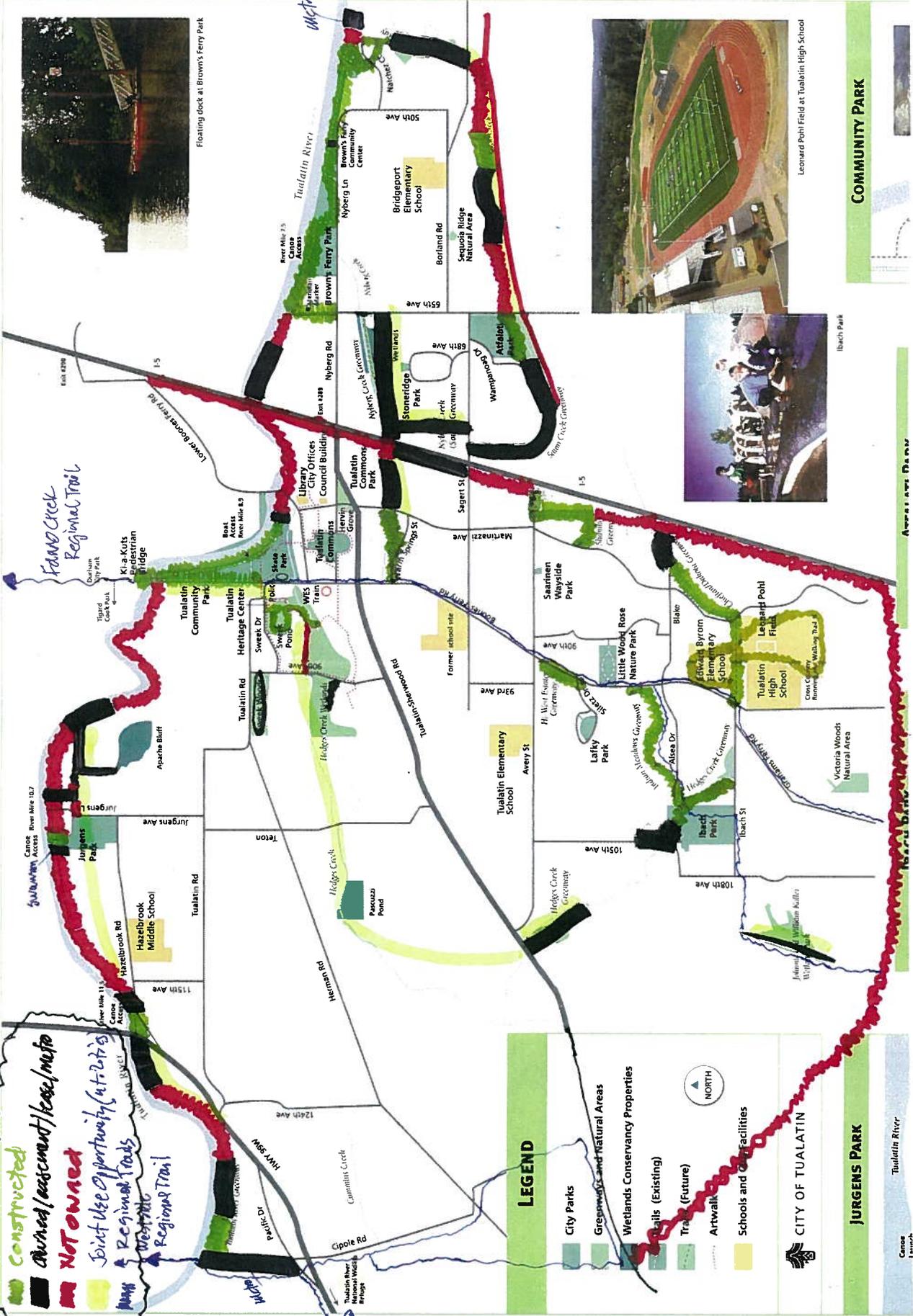
K. ADJOURNMENT

The meeting adjourned at 6:53 p.m.

Sherilyn Lombos, City Manager

Recording Secretary





Handwritten notes in a cloud shape:

- Constructed
- Owned/Leasement/Lease/Map
- NOT OWNED
- Joint Use Opportunity (4:1 Ratio)
- Regional Trails
- Westside Regional Trail

COMMUNITY PARK

JURGENS PARK

Tualatin River

Canoe Launch

Apple Ave. Park

Ibach Park

COMMUNITY PARK

Fano Creek Regional Trail

Canoe Access



TUALATIN CITY COUNCIL MEETING MINUTES OF JANUARY 25, 2010

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Kent Barker, Chief of Police; Dan Boss, Operations Director; Paul Hennon, Community Services Director; Carina Christensen, Assistant to the City Manager; Will Harper, Associate Planner; Ginny Kirby, Recording Secretary

ABSENT: Monique Beikman* [* denotes excused]

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:04 p.m.
Councilor Harris led the Pledge of Allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *New Employee Introductions*

Denice Ambrosio, Finance

Don Hudson, Finance Director, introduced Denice Ambrosio. Denice was previously working in the City's Engineering and Building Department. She is now the "face of the City" at the reception desk handling passports, utility bills, etc., for the Finance Department.

Christina Hanson, Community Services – Library

Paul Hennon "re-welcomed" Christina, who was originally hired approximately six months ago as a halftime staff member. Christina has now been hired for a second half-time position, so she is fulltime. Mr. Hennon noted that she managed volunteers at the Hillsboro Library, and worked as a Reference Librarian at a Canadian university.

C. CITIZEN COMMENTS

Kathy Newcomb, SW Cheyenne Way, Tualatin. Ms. Newcomb stated she had attended a recent URAC meeting and wanted to say that Mr. Rux was very patient, had much knowledge, and she wanted to thank him. She wanted to make sure that Council realizes many are opposed to the northern arterial and the proposed bridge over the river at Community Park. Concern now is that the City is in the process of extending that funding for 25-years and much would go towards the bridge they do not want. She asked that Council please think about the impact of the bridge on the taxing districts; please

notice your property taxes. It would be best for this current Urban Renewal to come to an end by June 30th; maybe it could be extended later, but let the other overlapping districts get their taxes up-to-date; let them have their property tax bases back up. Please, drop the funding that would go towards a bridge; don't dump more traffic on Tualatin Road or into the Community Park area. Please do not include in Urban Renewal any funding for a bridge over the Park. The impact on the educational side goes to the Tigard-Tualatin schools, PCC, ESD, Washington County, Metro, Port of Portland, and TVF&R... impacts are felt by these entities. Please give this some thought. Mayor Ogden thanked Ms. Newcomb for her comments.

Linda Moholt, CEO, Tualatin Chamber of Commerce. Ms. Moholt said she just wanted to give Council a brief update on the Chamber's activities. Recently, they started up an Economic Task Force; Doug Rux, Community Development Director, is helping to coordinate this committee. The Task Force will look at how we retain current businesses and grow. The Chamber is going to visit local businesses, weekly, to talk with them about what they can do for them; this group will include a representative from the Chamber, from the City, and from the Task Force. This will officially start in February (a "test run" was done in December).

Another new event for the Chamber is Tasty Tuesdays, which is supportive of Chamber businesses. It is a great opportunity to do some networking, Tuesdays, 11:30 a.m. The first Tasty Tuesday will be February 2, 2010, at Claim Jumper restaurant. Make sure you call ahead and ask for a seat at the restaurant so there will be a place for you at the table.

Ms. Moholt reminded everyone that it is already time to start thinking about Crawfish Festival. It is scheduled for August 13 and 14, and the theme for the 2010 festival is "Crawfish Fiesta". Mayor Ogden thanked her for the Chamber's focus on economic development. Also, for all the work that goes into producing the Crawfish Festival every year.

Brenda Bajdek-Slowski, Library Foundation Board. Ms. Bajdek-Slowski extended an invitation to everyone to attend the upcoming Silent Auction Fundraiser. February is "Love Your Library" month. The Silent Auction event "Novel Destinations, Your Passport to Adventure" is set for February 6, 2010, 6:30 p.m. All the information about the event is available on their website: www.tualatinlibraryfoundation.org. Donations for the auction will be accepted through the middle of next week. Councilor Harris stated that the Library Foundation has been around for approximately 18 months. He said last year's Silent Auction event was attended by approximately 70 people; hopefully many more will be in attendance this year, making it even more successful.

Stephen Ricker, SW Ochoco Court, Tualatin. Mr. Ricker gave an update of the Juanita Pohl Center activities. Year-to-date (ending December 2009), just over 7,000 meals have been served; this includes both at the cafeteria and the Meals on Wheels program. Overall, program hours have greatly increased, even though there was a slight decline in December daily hours. He noted that fitness/exercise classes account for over 60% of the classes. Volunteer hours are up 11% (just over 6,000 hours). Loaves and Fishes Program is turning 50; various events will be planned to celebrate, and there will be a Health Fair hosted at the Pohl Center in April. Mayor Ogden thanked Mr. Ricker for all the Juanita Pohl Center does to serve the citizens.

D. CONSENT AGENDA

MOTION by Councilor Barhyte, SECONDED by Councilor Maddux to adopt the Consent Agenda as read and amended:

Mark Coolican, SW Mobile, Tualatin, requested that Item D.5. be removed and considered separately.

- ~~1. Approval of the Work Session and Meeting Minutes of January 11, 2010
[Item removed in its entirety]~~
2. Resolution No. 4951-10 Designating the City Council's Intent to Permit Recreational Use of All City of Tualatin Parks and Greenways Consistent With Other Areas Generally Regarded as Outdoor Recreational Areas Under ORS 105.682
3. Resolution No. 4952-10 Authorizing a Revocable Permit for a Private Water Line Within the Public Right-of-Way at SW 128th Avenue
4. Resolution No. 4953-10 Approving Submittal of Construction Excise Tax Planning Grant Applications for the Southwest Urban Renewal Plan and the Highway 99W Corridor Plan Projects
5. Resolution No. - - - Affirming the Architectural Review Board's November 6, 2009 Architectural Review – Architectural Features Findings and Decision with Conditions of Approval for The Stafford Hills Racquet Club (AR-09-08)
[Removed from Consent; moved to H. for discussion]
6. Establishment of an Ad Hoc Committee to Coordinate the 2010 Arbor Week Celebration
7. Community Involvement Committee Appointment – Terri Ward, Budget Advisory Committee
8. Annual Report of the Tualatin Parks Advisory Committee for 2009

MOTION CARRIED.

E. PUBLIC HEARINGS - Legislative or Other
None.

F. PUBLIC HEARINGS - *Quasi-Judicial*

1. Continued Public Hearing to Consider An Ordinance Changing the Planning District Designation from Low Density Residential (RL) to Medical Center (MC) for Parcels of Land Located on SW Borland Road (21E 19C 1700 & 2000) and Amending the Community Plan Map 9-1 (PMA-09-03)
[continued to February 8, 2010]

Mayor Ogden said there was a request by the applicant to continue the public hearing. Doug Rux, Community Development Director, noted the letter had been submitted today (attached) requesting a continuance to February 8, 2010.

MOTION by Councilor Barhyte, SECONDED by Councilor Davis to continue the public hearing to February 8, 2010. MOTION CARRIED.

G. GENERAL BUSINESS

1. Resolution No. 4955-10 Consenting to the Transfer of Control of the Franchisee And of the Cable Franchise Granted to Verizon Northwest, Inc. to Frontier Communications Corporation With Conditions

Mr. Bruce Crest, Administrator, MACC, stated that MACC manages cable franchises in Tualatin and 15 other jurisdictions. He is bringing the Commission's recommendation to accept the transfer of the cable franchise from Verizon to Frontier Communications before Council tonight for their consideration. They have been working with the City's Attorney on crafting the resolution.

In May 2009, Verizon agreed to sell to Frontier the cable and internet services. Frontier primarily serves suburban and rural areas. MACC has placed 13 conditions on this proposed transfer. Frontier assumes all responsibility and a letter of credit. Frontier is planning on keeping a local manager to deal with subscriber's business in a more efficient manner. Councilor Barhyte said this process began back in June 2009, and he feels this transfer is a very positive change.

Councilor Maddux asked about local management that was mentioned by Mr Crest. Mr. Larry Mannion, Frontier Communications, Texas, explained that Frontier is in the process of identifying local managers and getting them in place; there will be four local managers. He noted they are looking forward to being a corporate partner with the City. Mr. Crest noted there will be a call center located in Everett, Washington and a local number for customers to contact.

Councilor Davis expressed concern for current Verizon customers; asking if they will be required to stay with Frontier or can they change service without penalty. It was stated that if Frontier does not get the same level of programming that Verizon has offered, then customers will be able to make a change. Before actual transfer occurs, there will be a great amount of information dispensed for customers.

Mr. Crest noted the acquisition of programming is being very closely monitored. One stipulation does involve the multi-year contracts and how unsatisfied customers will be able to handle those. Councilor Barhyte reiterated that this will affect cable, land lines, and internet service; not Verizon wireless service.

MOTION by Councilor Harris; SECONDED by Councilor Barhyte to adopt the resolution consenting to the transfer of control to Frontier Communications.

MOTION CARRIED.

2. Resolution No. 4956-10 Calling an Election on Annexation Into the Library District of Clackamas County

Paul Hennon, Community Services Director, state that this resolution would place a measure on the May 18 ballot to enable the Clackamas County residents of Tualatin to decide whether that portion should be placed in the library district of the County. Currently Clackamas and Washington Counties have provided courtesy services; that service will cease if the annexation into the library district fails. Clackamas County residents then would be able to access Tualatin Library only.

If this resolution is passed, a ballot title will be chosen, if no ballot title appeal is filed, then documents must be filed by March 18 for May 18 ballot. If measure passes, courtesy service will continue and restored to Multnomah County and other counties. After a brief discussion, Mr. Hennon reiterated that if the measure to annex fails, courtesy service to Washington and Clackamas Counties will cease and Clackamas County residents will have access to the Tualatin Library only and will have to pay a fee to use libraries.

Mayor Ogden summarized to make clear for everyone; if this ballot measure passes, tax of just shy of 40 cents per \$1,000 and residents will have library service continue uninterrupted; if the ballot measure fails, residents will only be able to access Tualatin Library; there will be a fee for others.

Mr. Hennon stated that some direct mail pieces will go to each residential property in Clackamas County and a public meeting will be held that will include handouts for take-away information for citizens.

MOTION by Councilor Maddux, SECONDED by Councilor Davis to approve the resolution calling for an election on annexation. MOTION CARRIED.

4. Resolution No. - - - Approving a Development Agreement Between the City of Tualatin and Legacy Health Systems
[Continued to February 8, 2010]

H. 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.

- D.5. Resolution No. 4954-10 Affirming the Architectural Review Board's November 6, 2009 Architectural Review – Architectural Features Findings and Decision with Conditions of Approval for The Stafford Hills Racquet Club (AR-09-08)

Mayor Ogden reiterated that Mr. Mark Coolican requested that this item be removed from the Consent Agenda and Councilor Harris could be recused as his firm dealt with this project.

Julie Sepp, SW Mobile Place, Tualatin. Ms. Sepp stated she was encouraged by the hours of discussion regarding the windows on a portion of the facility and special events conditions. She felt, regarding any special events notice, that there would be communication with the Police Department. Ms. Sepp went on to say that when she read the condition that was given to Council it seemed extremely vague; it leaves a lot of room for interpretation. She wants to ask that the condition be amended to have some more specifics surrounding when special events are planned and the number of vehicles the parking lot would accommodate. Currently it says... may or shall or sufficient, and she does not feel that is good enough language; just too vague.

Mayor Ogden said he hears her asking that the wording be more specific in those areas; Ms. Sepp said that is how she feels. Mayor Ogden asked Brenda Braden, City Attorney, what the Council's process would be if changes were to be made. City Attorney Braden explained that the hearing would have to be opened, renoticed, etc. before that could happen. City Manager Lombos asked if any changes could be made to the condition; Mayor Ogden asked if it could be made stronger by changing the language. City Attorney Braden reiterated that the hearing would have to be reopened; you have to consider the 120 days (up on February 2, 2010); just the 20-day notice would push it out too far. The applicant could waive the 120 day rule.

Mayor Ogden then questioned Council on whether they felt the wording of the condition accurately reflects what Council wanted. Councilor Maddux said that it is almost exact word-for-word what they wanted.

Ms. Sepp said there is nothing specific in the condition... specific for number of days notice would be given, she felt Councilor Barhyte had a motion written, but was then directed by the City Manager of slightly differing language and it was agreed to go with the language the City Manager read. It was a condition that would allow staff to work out specifics for each particular special event.

Councilor Davis questioned who defines "sufficient"; City Attorney Braden said the City would define that. Councilor Barhyte felt the motion was in the spirit of what he wanted. He felt the condition was to make sure when there was a special event, the parking for that event did not occur in the neighborhood. This condition is addressing a business/special event so that the business can have the event and be permitted properly for the event.

Ms. Sepp doesn't feel it is proactive enough; that it is too open for interpretation. She feels the applicant will do what the minimum is; not beyond. Mayor Ogden commented that since it hasn't happened, and no one can know what "it" is, why not let staff figure out the way to provide the proper type of oversight to make things happen as desired.

Councilor Maddux noted that tonight is to approve the resolution; but not the night to approve specifics of a policy. She stressed that the City is not forgetting the neighborhood. Ms. Sepp feels things may not be dealt with head-on and asked that Council keep in mind the idea of implementing a permit process change for special events; she would like to see staff move forward with that.

Councilor Harris reiterated that he was recusing himself from any vote.

MOTION by Councilor Maddux, SECONDED by Councilor Barhyte to affirm the Architectural Review Board's November 6, 2009 architectural review – architectural features findings and decision with conditions of approval for the Stafford Hills Racquet Club. *[Vote: 4-1; In favor: Barhyte, Ogden, Maddux, Davis; Opposed: Truax; Absent: Beikman; Recused: Harris]* MOTION CARRIED.

I. COMMUNICATIONS FROM COUNCILORS

None.

J. EXECUTIVE SESSION

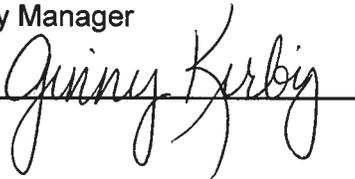
None.

K. ADJOURNMENT

The meeting adjourned at 8:27 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

A handwritten signature in cursive script, appearing to read "Quincy Kirby", written over a horizontal line.