



# City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council  
Date April 28, 2008  
Recording Secretary J. Kirby

## TUALATIN CITY COUNCIL WORK SESSION MINUTES OF APRIL 14, 2008

**PRESENT:** Mayor Lou Ogden; Councilors Monique Beikman, Bob Boryska [*arrived 5:56 p.m.*], Jay Harris, Donna Maddux, and Ed Truax; Doug Rux, Acting City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Dan Boss, Operations Director; Don Hudson, Finance Director; Eric Underwood, Development Coordinator; Carina Christensen, Assistant to the City Manager; Aquilla Hurd-Ravich, Senior Planner; Carl Switzer, Parks and Recreation Manager; Will Harper, Associate Planner; Maureen Smith, Recording Secretary

**ABSENT:** City Manager Sherilyn Lombos\* [*\* denotes excused*] Councilor Chris Barhyte

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

### **A. CALL TO ORDER**

Mayor Ogden called the work session to order at 5:45 p.m.

### **B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

#### **1. Refunding of Police Bond**

Finance Director Don Hudson gave an informational update. In February 2008, Council passed a resolution authorizing the sale of the City's General Obligation Refunding Bonds, at which the bond sale refunded the 1999 Police Facility bonds. In March the refunding bonds were sold, reducing the average interest rate, with a total savings of over \$148,000 over the life of the bonds. Also by spending a majority of the bond reserve from the police facility reduced the City's outstanding general obligation bonds. The net impact is a savings of over \$0.31 over the life of the bonds, with the majority of the savings included in the first three years, including no levy for the police facility bonds in the upcoming fiscal year.

Mayor Ogden asked and Mr. Hudson explained that it will be less homeowners will end up paying. Also asked was why not levy to pay the bond off sooner. Mr. Hudson said there is not enough savings. Discussion followed on how this information could be conveyed to the public. Brief discussion followed.

#### **2. Annual Fee Schedule Update**

Senior Planner Aquilla Hurd-Ravich gave a brief background on the methodology of the annual fee schedule and phasing of the various fees. Some years back the Council recommended review of fees be put on a regular schedule to keep them current. At that time some fees were dropped and the remaining fees were divided into three groups to be reviewed on a revolving three-year schedule. Councilor Harris said he had asked about this issue as Tualatin is one of the lowest jurisdictions in the area when it comes to fees, and suggested perhaps a "sliding scale" type of fee could be looked at, such as a 10-lot versus a 60-lot subdivision.

Also discussed is if Council wants to be at cost recovery fees, actual costs versus fee. Council interest in looking at market rate? Boryska said it'd just come back to the property owner. Mr. Rux explained that when Council looked at this issue a few years back, actual cost recovery was looked at and Council at that time, did not want to go that direction. However, staff will look at what actual cost recovery would be. Council suggested looking at comparables from other cities. Councilor Truax suggested passing the fee schedule that is on tonight's agenda, and revisit the fee issue at a future discussion.

3. *November 2008 Bond Measure Update*

Community Services Director Paul Hennon reported on feedback on the draft program from the ad hoc committee (AHC). Staff is currently making revisions from Council's special work session discussion on April 8, 2008, and the outcome of tonight's discussion. Mr. Hennon distributed a handout summarizing comments made by the AHC, ranging from the community center was too large, to it was the right size, and combination of major components, that there were not enough sports fields to there was a good mix of facilities reflecting the priority of the first survey, and that there should be more funding to support land acquisition for trails.

Mr. Hennon said although staff was clear about the major priorities set by Council at the April 8, 2008 meeting, clarification is needed on some projects. Mr. Hennon reviewed the list with Council and after discussion arrived at the following:

- No (*by all Council present*) to picnic shelter at north end of new sports fields at Jurgens Park;
- No (*Yes – Harris, Ogden; No – Beikman, Boryska, Maddux, Truax*) to Stoneridge Park Phase 2 plantings and play equipment;
- Yes (*by all Council present*) to Brown's Ferry Park Amphitheater, add terracing for better seating, at a cost of \$100,000 or less;
- Preliminary Yes (*by all Council present*) to Atfalati Park play area and fountain repair, subject to cost which had not yet been determined, staff will return with information;
- No (*by all Council present*) to Community Center "Rock Wall".

A grant program, suggested at \$500,000 was mentioned and discussed. Staff will learn more about what is intended and if there is a way to do this in compliance with prevailing wage rules regarding paying prevailing wage if any public funds are used (even if by volunteers).

Park maintenance and repairs were discussed and staff will develop a short list of priority projects that could be included in the bond/and or paid for with park maintenance utility fee (by assessing the fee before needed for new projects and/or as part of new fee basis). Staff has asked the consultant to prepare this information as a component of the feasibility study, which is not done as yet. Mr. Hennon said the maintenance needs would easily be \$500,000 and could go as high as \$5 million, depending on what was included (scope and timeframe). Mr. Hennon said adding the deferred maintenance to the scope of the park maintenance utility fee was a change from previous Council direction, which had directed that it not be included.

A community garden was suggested, at an approximate cost of \$50,000. Brief discussion followed with staff to work on a concept with capital and operating costs estimates, and will return with more information.

Also discussed was surveying for just a community center and sports complex, and see where the interest lies. The package of having a sports center and community center is favored by some members of the Tualatin Organization of Sports (TOS) and Mr. Hennon commented he wasn't sure the entire TOS group would agree and

further discussion will be needed. In the various packages presented, only one has aquatics and Mr. Hennon said the other packages didn't look at paring down, while leaving the aquatics piece in. It was suggested to see what the second survey would bring.

Mr. Hennon said at the April 8, 2008 special work session, his understanding was to fit projects to \$55 million, but there had also been discussion of a range; other associated costs were not considered in setting the \$55 million cap. Discussion followed with Council concluding there may not be a lot of difference in community support between \$55 and \$56 million and the information should be developed with Council deciding what, if any, will be included in a bond measure after the results of the second survey.

Mr. Hennon said the next steps will be drafting programs, refreshing capital and operating costs, bond and fee information will be forwarded next week to Council. Preparation of the second survey will proceed using the \$55 million as the basis for the financial numbers used given the survey schedule, will be too late to amend the survey after the next Council meeting on April 28, 2008.

4. Councilor Truax mentioned the recent "group home" issue in the Seminole Trail neighborhood raised by the neighbors. Mr. Rux said the Building Division has placed a stop work on the house remodeling as a building permit was not obtained. Staff has also spoken with the property owner and is looking at statutory requirements and how it fits under the Tualatin Development Code (TDC). Council requested staff to keep close tabs on this issue. It was noted there are group homes in Tualatin now, but need to look at the whole picture.

**C. CITIZEN COMMENTS**

N/A

**D. CONSENT AGENDA**

There were no comments or questions by the Council on the Consent Agenda.

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

N/A

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

N/A

**G. GENERAL BUSINESS**

2. Ordinance No. 1258-08 Related to the Library Advisory Committee; Modifying the Duties of the Committee; and Amending TMC 11-4-030, 11-4-040, and 11-4-070

MOTION by Councilor Harris, **SECONDED** by Councilor Boryska for first reading by title only. MOTION by Councilor Harris, **SECONDED** by Councilor Boryska for second reading by title only. **MOTION CARRIED**. The poll was unanimous. *[Barhyte absent.]* MOTION by Councilor Harris, **SECONDED** by Councilor Truax to place adoption of the Ordinance on the Consent Agenda. **MOTION CARRIED**.

**H. ITEMS REMOVED FROM CONSENT AGENDA**

N/A

**I. COMMUNICATIONS FROM COUNCILORS**

None.

**J. EXECUTIVE SESSION**

None.

**K. ADJOURNMENT**

The work session adjourned at 6:55 p.m.

Doug Rux, Acting City Manager

Recording Secretary *Maureen Smith*



# City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council  
Date April 28, 2008  
Recording Secretary J Kirby

## TUALATIN CITY COUNCIL MINUTES OF APRIL 14, 2008

**PRESENT:** Mayor Lou Ogden; Councilors Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Doug Rux, Acting City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Paul Hennon, Community Services Director; Carina Christensen, Assistant to the City Manager; and Maureen Smith, Recording Secretary

**ABSENT:** City Manager Sherilyn Lombos\*, Councilor Chris Barhyte\* [*\* denotes excused*]

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

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

### **A. CALL TO ORDER**

Councilor Boryska led the Pledge of Allegiance

### **B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

#### 1. *Tualatin Youth Advisory Committee Update*

Members of the Youth Advisory Committee (YAC) were present and gave an update on recent activities. The YAC hosted the "Green Week" Kick-Off event on April 12, 2008, which is a week-long event dedicated to increasing environmental awareness in Tualatin. It was very successful and well attended. The YAC members said it made a difference to them, and they also asked for it to be an annual event. They requested that Council officially adopt a "Green Week" Proclamation. An update was also given on the Congressional Cities Conference. Council asked for more information about "Green Week" and the YAC said more information is on the City's website.

Mayor Ogden wanted to mention his appreciation of the local business sponsors for the "Green Week" event, and said the Council would be interested in doing a yearly proclamation for "Green Week". Mayor Ogden suggested the YAC host the next Kick-Off event, and to get with staff to put together a proclamation.

#### 2. *Proclamation Declaring April 13 – 19, 2008 as "National Library Week" in the City of Tualatin*

The Proclamation declaring National Library Week was read by Councilor Beikman. Mayor Ogden complimented the City's Library staff during the remodeling transition, and noted that circulation actually increased with the temporary Library location. Mayor Ogden also mentioned there is a movement to create a "Friends of the Library" foundation.

#### 3. *Proclamation Declaring April 27 – May 3, 2008 as "National Volunteer Week" in the City of Tualatin*

Councilor Maddux read the Proclamation declaring National Volunteer Week.

**C. CITIZEN COMMENTS**

*Frank Bubenik, 17445 SW 107<sup>th</sup>, Tualatin, and Candice Kelly, 8720 SW Tualatin Road, Tualatin, co-chairs of the Tualatin Tomorrow vision project, presented information on the May 8<sup>th</sup> "Shape Tualatin's Future" event at Legacy Meridian Park Hospital Education Center from 5:30 p.m. to 7:30 p.m. and will cover what has been accomplished and what's in the future for the project. They encouraged all to attend and noted many of the partners will be attending to share information also. There will be free refreshments, door prizes, and child care provided. They will be back in two weeks for a more formal presentation to Council. More information is available at the website at [www.tualatintomorrow.org](http://www.tualatintomorrow.org).*

*Katie Bailey, 8200 SW Seminole Trail, Tualatin, OR, was present to comment on a house at the end of the cul-de-sac on Seminole Trail, that is going to be a "halfway house." Ms. Bailey also distributed a petition signed by neighbors, with additional letters, etc. to ask that the use be disallowed. She said the owner of the house has added five more rooms to the current space without acquiring a building permit; the owner is in the construction business and should be aware of laws, permits, etc. There will apparently be up to 8 people, which would create a variety of vehicles, and Ms. Bailey said there currently isn't enough room on the cul-de-sac, and this use should be located on an arterial or collector street as the Tualatin Development Code (TDC) says. Ms. Bailey said it is a very unsafe, crowded situation, and is unsafe and unmanageable for postal delivery and emergency vehicles, etc. with the amount of people that will be living at the house. She requested a hearing on the issue.*

Mayor Ogden noted a number of issues and concerns were raised, and Council also just became aware of this issue. Council has asked that staff go through the TDC and how it relates to this situation. Mayor Ogden said he did not believe there can be a public hearing held on this matter, but staff will look at the TDC carefully and make certain there is complete compliance. Staff will look at this issue as quickly as possible. Ms. Bailey asked if the neighbors could be notified when staff has more information available.

*Susan Banks, 8625 SW Seminole Trail, Tualatin, OR, said she just found out about this a few days ago herself. There are eight children that live in the cul-de-sac, that play outside. With eight additional people and vehicles, there would be no room in the cul-de-sac, as there is barely enough room now. She said there is only spots for four additional cars that could be parked. Ms. Banks said her first concern is safety, and she also wanted to know why she wasn't notified, and said it is a separate issue of the occupants itself.*

Council President Truax said this matter was mentioned in the Council work session held earlier this evening, and Council has asked staff to thoroughly research the issue, look at every opportunity and take every step possible to protect the cul-de-sac. Councilor Boryska wanted all to be aware that the Council just found out about this issue, and neighbors actually knew before Council did.

*Jim Bailey, 8700 SW Seminole Trail, Tualatin, OR, said he lives next door to the house and said it seems this has been done under the radar. The property owner has signed a contract with Oxford House Rehabilitation and said no effort was made to contact neighbors and the City. He said he would appreciate the Council staying abreast of the issue.*

**D. CONSENT CALENDAR**

Item G-2 was adopted by the Council and placed on the Consent Agenda at work session.

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

1. Approval of Minutes for the Meeting of March 24, 2008
2. Approve a New Liquor License Application for Fiorano Restaurant
3. Use of Remaining Funds from the A2 Reservoir Bond Sale Revenues
4. Resolution No. 4771-08 Authorizing Deed of Dedication and Public Utility Easement Associated With the Aquifer Storage and Recovery Pump House Project (Tax Map 2S1 34AD, Tax Lots 5400 & 5500)
5. Resolution No. 4772-08 Accepting Public Improvements Constructed for Meridian Business Park
6. Resolution No. 4773-08 Accepting Public Improvements Constructed for 17645 SW Jurgens Road
7. Resolution No. 4774-08 Accepting Deeds of Dedication and Easements Associated With the SW Herman Road Improvement Project (Merlo Station and Brockway)
8. Resolution No. 4775-08 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 4756-08
9. Resolution No. 4776-08 Authorizing Amendment to the Intergovernmental Agreement for Towing Coordination Services
- G-2 Ordinance No. 1258-08 Related to the Library Advisory Committee; Modifying the Duties of the Committee; and Amending TMC 11-4-030, 11-4-040, and 11-4-070

MOTION CARRIED.

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

1. Proposed Renaming of a Portion of SW Boones Ferry Road to SW McEwen Road

Ordinance No. 1257-08 Renaming a Portion of SW Boones Ferry Road to SW McEwen Road

Mayor Ogden opened the public hearing.

City Engineer Mike McKillip briefly explained that a public hearing was held on February 25, 2008 renaming a portion of SW Boones Ferry Road to SW McEwen Road. The original public hearing notice was not published in the newspaper and the ordinance that passed needs to be repealed and a new ordinance adopted. Staff was in contact with all the property owners and received no comments at that time.

Staff recommends Council accept public testimony on this matter and adopt the ordinance renaming a portion of SW Boones Ferry Road to SW McEwan Road in Clackamas County.

PROPOSERS/OPPONENTS – None.

Mayor Ogden closed the public hearing.

MOTION by Councilor Truax, SECONDED by Councilor Boryska to adopt the ordinance. *MOTION WITHDRAWN AND RESTATED.*

MOTION by Councilor Boryska, SECONDED by Councilor Maddux to accept staff's recommendation.

Discussion on Motion

Councilor Harris asked and City Attorney Braden said under certain circumstances an ordinance can be passed on the same night as the public hearing.

MOTION CARRIED.

MOTION by Councilor Harris, SECONDED by Councilor Boryska for first reading by title only. MOTION by Councilor Beikman, SECONDED by Councilor Boryska for second reading by title only. MOTION CARRIED. The poll was unanimous. [*Barhyte absent*]. MOTION by Councilor Beikman, SECONDED by Councilor Harris to adopt the Ordinance renaming a portion of SW Boones Ferry Road to SW McEwan Road. MOTION CARRIED.

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

1. Conditional Use Permit for a Watchman's Dwelling for a Self-Storage Facility at 18270 SW Pacific Highway (CUP-08-01)

Mayor Ogden read language required by legislation before a comprehensive plan or land-use regulation [*ORS 197.763(5) and (6)*] and opened the public hearing. No bias or ex parte contact noted.

Associate Planner Will Harper presented the staff report and entered the entire staff report into the record. Mr. Harper gave a background on the proposed conditional use permit. Proposed use is a dwelling unit for a watchman and family at the facility. With approval of a CUP for a watchman's dwelling, occupant will need to get permit improvements. Staff report reviewed the criteria for conditions of approval.

Staff recommends Council adopt the staff report and direct staff to prepare a resolution granting CUP-08-01 for a Watchman's Dwelling for a Self-Storage Facility at 18270 SW Pacific Highway.

PROPOSERS

*Mary Briggs, president of Kevin Howard Real Estate, 14855 SE 82<sup>nd</sup> Drive, Clackamas, OR*, representing the applicant, said they have been in the self-storage business for over 30 years, and almost all facilities have a "watchman's dwelling", She was present to answer any questions Council may have.

OPPONENTS – None.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATIONS

MOTION by Councilor Truax, SECONDED by Councilor Boryska to adopt the staff report and direct staff to prepare a resolution granting CUP-08-01 – Conditional Use Permit for a Watchman's Dwelling. MOTION CARRIED.

**G. GENERAL BUSINESS****1. Proposed Renaming of a Portion of SW 80<sup>th</sup> Avenue to SW Martinazzi Avenue**

City Engineer Mike McKillip briefly presented the staff report to initiate the process for renaming Martinazzi Avenue. Staff was recently notified by the Washington County Surveyor's Office the name was never changed from 80<sup>th</sup> Avenue to Martinazzi Avenue. It has been called "Martinazzi" since approximately 1979.

MOTION by Councilor Truax, SECONDED by Councilor Boryska to adopt the staff Report to initiate the process for renaming a portion of SW 80<sup>th</sup> Avenue to SW Martinazzi Avenue. MOTION CARRIED.

**H. ITEMS REMOVED FROM CONSENT AGENDA**

None.

**I. EXECUTIVE SESSION**

None.

**J. COMMUNICATIONS FROM COUNCILORS**

Councilor Maddux noted she will be out of town for the next two Council meetings (April 28 and May 12, 2008). As the representative for the Washington County Commission on Children and Families, the focus is on various areas this year, looking to bring more funds to the different organizations and garner more awareness to the community. Councilor Maddux said she agreed to on their Planning Committee to work on the Resource Center issue.

Mayor Ogden noted the Arbor Day celebration and "Green Week" Kick-Off event that was held this past Saturday. Also it is not too late to attend the upcoming "Celebrate Tualatin" event on Thursday, April 17, 2008 at the Tualatin Country Club, which is an event honoring volunteers, and a "Go Green" event.

**K. ADJOURNMENT**

MOTION by Councilor Boryska, SECONDED by Councilor Maddux to adjourn the meeting at 8:04 p.m. MOTION CARRIED.

Doug Rux, Acting City Manager

Recording Secretary

  
\_\_\_\_\_