



TUALATIN CITY COUNCIL WORK SESSION MINUTES OF DECEMBER 8, 2008

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Councilor-elect Joelle Davis; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Don Hudson, Finance Director; Dan Boss, Operations Director; Kent Barker, Police Chief; Carina Christensen, Assistant to the City Manager; Colin Cortes, Assistant Planner; Will Harper, Associate Planner; Eric Underwood, Development Coordinator, Clayton Reynolds, Facilities Manager; and Maureen Smith, Recording Secretary

ABSENT: None.

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

A. CALL TO ORDER

Mayor Ogden called the work session to order at 5:04 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Historic Preservation Program Review

City Manager Sherilyn Lombos gave an introduction on the historic preservation program, and Council's desire to take a more holistic review of the ordinance.

Assistant Planner Colin Cortes began with a PowerPoint presentation on the existing historic program and possible improvements that can be made to the program. Policy considerations were reviewed as to whether the City should reevaluate and modify the program, strengthen or loosen regulatory framework, and make the regulations clearer.

Council briefly reviewed the Landmark Inventory in Chapter 68.040 of the Development Code. There are 26 landmarks, 18 located in residential planning districts, five in commercial districts, and three in industrial, which are mostly located in or near the town center area. Because of the changed status of three landmarks the inventory will need to be updated. The Tualatin Historical Society (THS) has also requested that the inventory be updated and include additional inventory. A map was displayed of landmark inventory in Tualatin.

Council discussion followed on the value of preserving the historic look of Tualatin and the exterior of the buildings. Council recognized the importance of historic preservation if there is available funding, but also how to balance the rights of property owners with the economic reality. If historic preservation is to be voluntary, and if not, how to enforce, having a program that gives tax incentives to property owners to encourage maintenance of the structure, look at grant programs, and reuse of materials were mentioned. Also discussed is the need to come up with a manageable inventory. Prioritization of certain properties was also discussed.

City Manager Lombos said staff will go back and review the issues raised on options on preservation, creating incentives, and how they could work into the current or ordinance. Examine a tiered approach, and if it not workable, how can a site be memorialized, such as with a plaque. Staff will also meet with the Tualatin Historical Society, and work on a prioritization list.

Sign Design Standard Discussion

City Manager Lombos said revisiting this discussion came out of the January 28, 2008 work session where Council considered sign amortization and freeway-oriented activity signs. Council expressed interest in staff coming back at a future time with a more comprehensive look at sign standards.

Community Development Director Doug Rux and Associate Planner Will Harper presented a PowerPoint presentation outlining the history and background of the sign design proposal, current sign code, permit review process and methods, and elements of sign design. A planning district map was displayed indicating where existing freestanding conforming and non-conforming signs are located.

Council would like to encourage the use of freestanding signs that use architectural design and materials compatible with the adjoining building, such as the "Claim Jumper" restaurant sign. The current Development Code focuses on dimensions, and style, but does not get into materials, and adjacent compatibility with other signs. In researching other cities, most deal with dimensions, others encourage more interesting and inventive signs, although not required. Current signs and elements of design were reviewed, and how to get to some type of design process in the City.

Addressing signs during the architectural review (AR) process was discussed, and mentioned if AR is done on buildings why it cannot be done with signage. Currently sign review is done if it is part of the AR, and if not, it is reviewed by staff when the sign permit application is received.

The issue of whether having pole signs at all was discussed, and while not necessarily in favor of pole signs, there may be some need in various locations for them. Also dealing with existing signs, and How to deal with existing signs The allowance of monument signs only on the main thoroughfares was mentioned want AR for signs in general. Discussion followed.

Having clear and objective standards was discussed. Not having pole signs at all is one step, and having a transition timeframe was discussed. How to deal with existing signs was also mentioned and whether it is feasible to not have any pole signs ever.

City Manager Lombos said staff will come back to Council with a menu-driven approach to new signs, a program to look at how to make existing signs look better, whether with an amortization program or when it comes time for rehabilitation. Staff will also determine the total number of pole signs located in Tualatin.

Municipal Judge Discussion

Council discussed the appointment of the municipal court judge for approval on the regular agenda. The City's Charter indicates the appointment of the municipal judge is by the Mayor, with Council consent, and no term limits are associated with the position.

Staff reviewed several candidates and interviewed two. The proposed municipal judge comes highly recommended, and the second judge is also recommended as judge pro tem. Council expressed the desire to meet with the judge to communicate their philosophy of values they hold for the city of Tualatin. Brief discussion followed.

Accessway Restrictions Discussion – Postponed to a future meeting.

C. CITIZEN COMMENTS

N/A

D. CONSENT AGENDA

None.

E. PUBLIC HEARINGS – Legislative or Other

N/A

F. PUBLIC HEARINGS – Quasi-Judicial

N/A

G. GENERAL BUSINESS

N/A

H. ITEMS REMOVED FROM CONSENT AGENDA

N/A

I. COMMUNICATIONS FROM COUNCILORS

Mayor Ogden suggested in the coming new year having time available at each meeting for each councilor to give an update on the various committees, etc. they serve on. Also want to look at different ways at connecting with citizens. It was suggested and agreed upon by Council to hold a quarterly work session on general issues.

City Manager Lombos added staff will follow up on the recent retreat with a work plan in January or February for Council review.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

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

Sherilyn Lombos, City Manager

Recording Secretary





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ABSENT: None.

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 Truax led the Pledge of Allegiance.

The Tualatin Presbyterian Church Bell Choir presented a bell rendition of Jingle Bells to start the holiday season.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Swearing-in of Police Officers – Brett Rudolph and Scott Boyll*
Police Chief Barker introduced new police officers Brett Rudolph and Scott Boyll and gave a brief background on each, and swore them in.
2. *New Employee Introduction – Darla Sheldon, Office Coordinator, Police*
Police Chief Barker introduced Darla Sheldon, the Police Department's new office coordinator.
3. *Tualatin Tomorrow Presentation – Traffic, Transportation, and Connectivity Group*
Dave Volz and Linda Moholt presented information on the "Tualatin Tomorrow" Implementation Committee and brief update on the traffic, transportation and connectivity portion of the program. The commuter rail project will begin service in February 2009. The business community is behind this project and looking for support and help from the City Council. Discussions continue on the I-5/99W connector project.

Mayor Ogden thanked all for all the work that has been done to date, and mentioned there is a special Council Work Session on December 9, 2008, with one item of discussion on the I-5/99W Connector project, Alternative #7. Councilor Beikman also thanked Mr. Volz for all his work on the "Tualatin Tomorrow" group. Mr. Volz also thanked the work that's been done by the Chamber of Commerce.

4. *Arts Advisory Committee Annual Report Presentation*

Tualatin Arts Advisory Committee Chair Buck Braden gave a PowerPoint presentation on the Arts Advisory Committee annual report. He noted that membership is the fullest it has been for some time, and has been the most productive year ever. Mr. Braden reviewed the accomplishments of 2008, such as ArtSplash, Concerts on the Commons, purchases for the City's Visual Chronicle program, and contributions to outside agencies, such as Historical Society, and Broadway Rose Theatre, current and upcoming projects.

Mayor Ogden thanked the committee for all their work, in particular, longtime member and committee chair Buck Braden.

5. *Senior Center Status Report and Update*

Community Services Director Paul Hennon gave an introduction on the Tualatin/Durham Senior Center, which is a partnership between the Loaves and Fishes (Meals on Wheels) organization and the City of Tualatin. Paula Stewart, center director, and steering committee members gave a brief PowerPoint presentation on the center's programs and activities, and assistance to various organizations in the community.

Mayor Ogden thanked the members present for their work and dedication.

C. CITIZEN COMMENTS

Chris Walson, 9765 SW Tualatin Road, Tualatin, OR, representing himself and his neighbors have serious safety concerns along Tualatin Road (on the curve across from Winona Cemetery). Speeding cars and crashes occur on a regular basis near his home and his neighbors. A petition letter was submitted to Council to give consideration to any potential safety improvements that could be done in that area. It was also asked that the Police Department provide statistics on crashes and safety problems on that stretch of road.

Tracy Victorino, 9767 SW Tualatin Road, Tualatin, OR, has lived in the area for three years and said she there have been many times she has helped with issues that happen along that portion of the road, particularly on Friday and Saturday nights. Ms. Victorino said something needs to be done for safety, such as a type of barrier to protect the homes along that stretch of road.

Molly Uselman, 17940 SW Sioux Court, Tualatin, OR, mentioned the recent problems she's had, and the accident to her home. She is also out on weekday mornings with her children and many vehicles do not stop for the school buses there.

Lorie Broyles, 9777 SW Tualatin Road, Tualatin OR, said she is concerned about the terrible crashes/accidents that have happened and would like to see something done.

Mayor Ogden noted the City Council has been advised of the concerns and directed staff to research this issue and get back to Council and the neighbors.

D. CONSENT CALENDAR

MOTION by Councilor Truax, SECONDED by Councilor Barhyte to adopt the Consent Agenda as read:

1. Fiscal Year 2007/2008 Parks System Development Charge (SDC) Annual Report
2. 2008 Annual Report of the Tualatin Arts Advisory Committee
3. Approval of New Liquor License Application for Famous Dave's Restaurant
4. Change Order No. 5 to the Contract Documents for Construction of the Library/City Offices Expansion and Remodel Project
5. Resolution No. 4846-08 Accepting Public Improvements for Tualatin Professional/Medical Office
6. Resolution No. 4847-08 Accepting Public Improvements for Sagert Ridge Office Building
7. Resolution No. 4848-08 Accepting Public Improvements for Construction of the Library/City Offices Expansion and Remodel Project
8. Resolution No. 4849-08 Accepting Public Improvements for Construction of the Ki-A-Kuts Bridge
9. Resolution No. 4850-08 Authorizing Installation of a No Parking Zone on Both Sides..... of SW Boones Ferry Road from SW Ibach Street to SW Norwood Road
10. Resolution No. 4851-08 Canvassing Results of the General Election for Council Positions Held in the City of Tualatin, Washington and Clackamas Counties, Oregon on November 4, 2008
11. Resolution No. 4852-08 Canvassing Results of the Authorization to Issue Community Center, Trails, Parks and Sports Fields General Obligation Bonds to the Voters on the General Election Held in the City of Tualatin, Washington and Clackamas Counties, Oregon on November 4, 2008

MOTION CARRIED.

E. PUBLIC HEARINGS – *Legislative or Other*

1. Resolution No. 4853-08 Exempting a Contract from the City's Purchasing Rules and Authorizing the City Manager to Sign a Contract with Integra Telecom for the Purchase and Installation of a Mitel Voice-Over Internet Protocol (VOIP) Telephone System

Mayor Ogden opened the hearing.

City Manager Lombos gave a brief presentation on the staff report outlining the City's current telephone system. Staff's recommendation to Council that the purchasing contract be exempt from the City's rules and authorize the purchase of a new

telephone system for the City. The current system is nine years old and has been experiencing many problems, most recently with the entire system crashing. It is also at capacity with no opportunity for expansion of the system. Staff is also looking for the ability to have a single system which would allow staff to transfer calls to any extension in the City, which is currently not the case.

Staff researched a number of companies before inviting four companies to present a demonstration of their product. Staff asked for a written quotation based on the same criteria and features of each to be able to make a determination on the feasibility of purchasing a system and if it could save money. All four companies estimated a substantial annual cost savings to the City, based on the current use of the existing system.

Ms. Lombos noted staff has followed the State's process of its purchasing rules, which involves obtaining three informal competitive quotes for purchases up to \$150,000, and award a contract to the company that best serves the interests of the contracting agency, taking in all other factors. Staff has performed a competitive process and believes the City could not get a better price than what has been submitted.

Staff is requesting that the City Council, acting as the Contract Review Board, allow the City to use the State's process exempting a contract from the City's purchasing rules and authorizing the City Manager to sign a contract with Integra Telecom for the purchase and installation of a new telephone system.

PROPOSERS/OPPONENTS – None.

COUNCIL DISCUSSION

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATION

MOTION by Councilor Truax, SECONDED by Councilor Boryska to adopt a resolution exempting a contract from the City's purchasing rules and authorizing the City Manager to sign a contract with Integra Telcom for the purchase and installation of a Mitel Voice Over Internet Protocol (VOIP) telephone system. MOTION CARRIED.

F. PUBLIC HEARINGS – Quasi-Judicial

1. Industrial Master Plan Request for Mittleman Properties in the Manufacturing Park (MP) Planning District (IMP-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 by Council.

Associate Planner Will Harper presented the staff report and entered the entire staff report into the record. The applicants are Group Mackenzie and Mittleman Properties. The proposal is for approval of an Industrial Master Plan (IMP) proposed 32.4 acres/ three building property development in the Manufacturing Park (MP) Planning District and alternate development standards allowing reduced building and parking setbacks, shared parking, and reduced lot sizes to allow separate ownerships within the site.

Chapter 37 of the Tualatin Development Code (TDC) outlines the process for Council review and approval of an Industrial Master Plan (IMP) for development in the MP Planning District and in the Leveton Tax Increment District (LTID). Staff reviewed the criteria for the proposed project along with parking. The analysis in the staff report was also reviewed. The property site's new building changes show an actual reduction in traffic, particularly peak hour trips. The conditions to the project were also reviewed as stated in the staff report.

Staff recommends that Council consider the staff report and supporting attachments and direct staff to prepare a resolution granting approval with the conditions as stated in the staff report.

PROPONENTS

Kelly Niemeyer, Group Mackenzie, 1515 SW Water Avenue, Portland 97213, attorney Steve Pfeiffer, and other applicant representatives were available to answer any questions Council may have.

OPPONENTS

Scott Stoddard of Novellus, 14817 SW Bell Road, Sherwood, 97140, said he has yet to see the Group Mackenzie proposal, and wanted to be certain that Novellus' interests are represented. He asked that they take into consideration the professionalism Novellus took for their development that was done in the Leveton District. Before approval he asked to view the architectural drawings, to ensure that the project does not have a direct impact on Novellus' operations.

COUNCIL DISCUSSION

A clarification was asked and staff explained the process for this hearing and what then goes through to the Architectural Review (AR) process where the design/building components would be addressed. Staff referred to the staff report for the various proposed development standards, and explained the surrounding developments that are already there.

Ms. Niemeyer said the two office buildings on the southern portion of the site will have considerable window glazing and other exterior aesthetics, and the client is well aware and concerned about maintaining the existing campus industrial elements of the area. The staff report as presented with all the conditions is acceptable to the applicant as noted by Ms. Niemeyer.

Transportation issues were discussed; levels of service at the intersections, any additional access points onto public streets, shared access and internal circulation.

In response to a question on Attachment C, Ms. Niemeyer explained some of the storm lines, easements, setback lines, etc., and the site plan was briefly reviewed.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATION

MOTION by Councilor Barhyte, SECONDED by Councilor Boryska adopt the staff report and supporting attachments granting approval with conditions and direct staff to prepare a resolution granting approval with the conditions as recommended in Attachment F of the staff report. MOTION CARRIED. [Vote: 7-0]

G. GENERAL BUSINESS

1. Resolution No. 4854-08 Appointing Municipal Court Judge and Judge Pro Tem and an Update on Municipal Court

Finance Director Don Hudson gave an update on the expansion of Municipal Court that will include traffic violations, and the proposed appointments of the court judge and two pro tem judges. Staff interviewed two candidates that are well respected and professional; Jack Morris, municipal judge for Sherwood, and James Shartel, judge for Washington County Justice Court. The current municipal judge, Scott Morrill, is unable to take on additional duties but can serve as pro tem. Staff recommends the City Council appoint Jack Morris as presiding judge, and James Shartel and Scott Morrill as judges pro tem.

The first expanded municipal court date is scheduled for January 29, 2009, and officers have started citing individuals. The regularly scheduled court will then be held early evening on the first and third Thursdays of the month.

MOTION by Councilor Truax, SECONDED by Councilor Boryska to adopt the resolution on the appointment of a municipal court judge and judges pro tem. MOTION CARRIED.

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.

I. EXECUTIVE SESSION

None.

J. COMMUNICATIONS FROM COUNCILORS

Councilor Maddux as Council representative to the Arts Advisory Committee, noted the presentation of the Arts Advisory Committee. An Art Studio tour event was recently held, which was the motivation of a single artist. It was a tremendous event and will be gearing up to do a bigger and better event next time.

Councilor Maddux mentioned our own Tualatin Police Department raised the highest amount in Washington County, and the *eighth* highest amount in the State for the *Special Olympics* fundraiser.

K. ADJOURNMENT

MOTION by Councilor Truax, SECONDED by Councilor Maddux to adjourn the meeting at 8:54 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary

