



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR  
JULY 22, 2013**

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

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Assistant City Manager Alice Rouyer; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Engineering Manager Kaaren Hofmann; Engineer Associate Tony Doran; Program Coordinator Kathy Kaatz; Senior Planner Will Harper; Management Analyst Ben Bryant; Public Works Director Jerry Postema

**A. CALL TO ORDER**  
Pledge of Allegiance

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

**B. ANNOUNCEMENTS**

**1. SW Martinazzi Avenue Construction Update**

Engineering Manager Kaaren Hofmann announced that construction is set to begin August 5-12 on the Martinazzi Avenue project with a completion date of October 15. Martinazzi Avenue will be close August 12 through September 12. Variable signage will be in place directing customers to local businesses during construction.

**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.*

Grant Yoakum, Tualatin Chamber of Commerce Board Chair-elect, read a press release stating that the Chamber will pass on the responsibilities of the Tualatin Crawfish Festival in 2014. Mayor Ogden thanked the Chamber for running the Crawfish Festival successfully for the last 25 years.

**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, I) 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 Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to adopt the consent agenda as ammended.

**Vote: 7 - 0 MOTION CARRIED**

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting on July 8, 2013.
2. Consideration of Resolution No. 5157-13 Awarding the Bid for the School Zone Signage Update Project
3. Consideration of Resolution No. 5156-13 Awarding the Bid for the SW Martinazzi Avenue Reconstruction Project

**E. SPECIAL REPORTS**

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

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

1.

Consideration of a Central Urban Renewal District Master Plan for the Nyberg Rivers Shopping Center Development located at 7455-7925 SW Nyberg Street (Tax Map (2S124A 2700--2S124A 1601,1602, 1900, 2502, 2506, 2507, 2700/ 2S124B 2000, 2001, 2100) in the Central Commercial (CC), Commercial Office (CO) and High-Density Residential (RH) Planning Districts and Central Urban Renewal District Blocks 1-5.

Mayor Ogden opened the Master Plan Hearing. He read the rules of the hearing in accordance with ORS 107.763(5) and (6) and ORS 197.796(3)(b).

Council President Beikman disclosed that she had ex-parte contact during a Tualatin Tomorrow meeting, at a dinner party, and during a car ride. She stated that she can stay impartial on the issue.

Councilor Truax disclosed that he chaired the meeting of the Architectural Review Board where the project was discussed.

Assistant City Manager Alice Rouyer and Planning Manager Aquilla Hurd-Ravich presented the Nyberg Rivers Master Plan. Planning Manager Hurd-Ravich gave a brief overview of the master plan and the process to date. The Central Urban Renewal District (CURD) goals were reviewed as this application needs to meet these goals. She reviewed the application and the proposed conditions of approval. Conditions in Goal 1, 4, 5, 6, and 11 were highlighted. The next steps include a

public hearing on the conditional use permit, architectural review and hearing, and a building permit application before construction can begin.

Applicant, Fred Brunning, CEO of CenterCal Properties presented the proposed Nyberg Rivers application. Mr. Brunning presented the design vision, pedestrian connections, and offsite transportation improvements to the development. He noted that all of the retailers will be new to the area with Cabela's being the anchor store. The development will consist of a grocery store, gym, retail shops, and several new restaurants. He emphasized the desire to complete the trail connections to allow public access to the area. The applicant invited Steve Krajewski, Cabela's representative, to speak to the design of their facility. Mr. Krajewski entered several items into the record including a letter and updated drawings.

The Architectural Review Board (ARB), represented by Chair Skip Stanaway, John Howorth, Mike Ward, and Terry Novak, presented the summary discussion regarding the proposed plan from their meeting held June 19, 2013. Recurring themes included gateway development, automobile access and connections, pedestrian and bike access, landscaping, plazas, public spaces, architecture, and Tualatin River integration.

Tualatin Parks Advisory Committee (TPARK) Chair Dennis Wells and committee member Connie Ledbetter presented the summary discussion regarding the proposed plan from their meeting held June 18, 2013. Discussions centered on CURD goals 9 and 6. Other comments included parking lot trees and storm water runoff.

## **PUBLIC COMMENT**

### Comment in Support:

Cathy Holland supports the project and feels that this development is a better use of the property and will be a great gateway to Tualatin. She asked for the Council to approve the master plan tonight.

### Comment in Opposition:

Steve Pfeiffer requested a continuance of the hearing. He submitted a letter with concerns for the record.

### Neutral Comments:

Joe Lipscomb requested that a condition of approval be included that would address unobstructed walkways and guidelines in relation to the Tualatin River Greenway.

Ed Casey stated that he is glad for the opportunity to change Tualatin's image through this development. He expressed concerns with the tree removal on the site, lack of water features, and lack of a "wow" factor for the entrance.

Arne Nyberg is excited about the positive economic impact this will have for the City.

## **COUNCIL QUESTIONS**

The Council decided to work through each CURD goal individually and skip over goals 1 and 5 regarding commercial development and traffic and transportation to spend more time on them at the end of the discussion.

#### Goal 2 Housing

Mayor Ogden asked how they meet this condition of approval. Planning Manager Hurd-Ravich responded that they are including shared pathways to residential areas.

Councilor Truax asked if the apartment complex were the pathways lead have been included in this discussion. Assistant City Manager Rouyer stated that there have been informal discussions with the owners.

#### Goal 3 Industrial Development

The Goal is not applicable to the proposed Nyberg Rivers Master Plan.

#### Goal 4 Civic Development

Councilor Grimes asked how much of the sidewalks would be used for displays. The Applicant responded that displays are seasonal and vary in size and accommodate for pedestrian access.

Councilor Grimes also expressed concerns in regards to pedestrian safety in the area. The Applicant responded that they can add extra features such as raised crossings, pavers, stop signs and flashing lights.

#### Goal 6 Pedestrian and Bikeways

Councilor Davis expressed concerns with condition b and the reduction of the sidewalk from 12' to 6' due to the volume of traffic. The applicant clarified that there would be 6' sidewalk and a 5' bike lane. Council President Beikman stated that she would still like to see a 12' sidewalk because that is what is currently there and citizens are comfortable with this size.

#### Goal 7 Transit

Does not apply to the Master Plan.

#### Goal 8 Utilities

Council asked questions in regards to the storm water drainage system that will be put in place. Questions centered on the mechanical system, asphalt, and bioswale treatment.

#### Goal 9 Parks

The proposal meets the intent of this Goal with conditions a-c listed in Goal 6.

#### Goal 10 Flood Protection

The Council had nothing to add.

#### Goal 11 Design Considerations

Councilor Davis expressed concerns over an additional drive-thru in the area and the potential traffic impacts it may have. Councilor Grimes expressed concerns regarding the additional drive-thru as well, but in relation to its impact on a "leisurely neighborhood" feel.

The Council took a break at 9:55 p.m. and returned at 10:05 p.m.

Council discussed the proposed diamond planters and the removal and replacement of current trees on the development.

Mayor Ogden continued the hearing to a special meeting to be held on Wednesday, August 7th.

2. Consideration of a Conditional Use Permit for the Nyberg Rivers Development to Allow Retail Uses in a Commercial Office (CO) Planning District and Outside Storage and Sales in a Central Commercial (CC) Planning District at 7055-7463 SW Nyberg Street (2S124A 2700--2S124A2100 and 2S124B2507) (CUP-13-04)

This item has been continued to the Special City Council meeting on August 7, 2013.

#### H. GENERAL BUSINESS

1. Consideration of Resolution No. 5154-13 Authorizing Solid Waste and Recycling Rate Adjustment and Rescinding Resolution 5038-11

Public Works Director Jerry Postema, Program Coordinator Kathy Kaatz, and General Manager of Republic Services Dereck Ruckman presented the proposed solid waste and recycling rate adjustment. Director Postema stated that Republic Services is requesting a 3.1% aggregate rate adjustment to be effective July 1, 2013. He noted that they have met all the City requirements to request such an increase. Mr. Ruckman thanked the City for continuing to contract with Republic Services for City disposal services. He stated that Republic Services has done their best to absorb increases without reducing service levels, but with the cost of vehicle replacements in the near future they are requesting a rate increase.

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to adopt Resolution No. 5154-13 authorizing solid waste and recycling rate adjustment and rescinding Resolution No. 5038-11.

**Vote:** 7 - 0 MOTION CARRIED

#### 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.*

1. Authorization for the Mayor to Sign an Addendum to the Basalt Creek Intergovernmental Agreement (IGA)

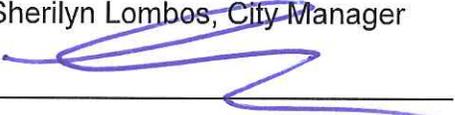
This item has been removed from the consent agenda and will be addressed at a future meeting.

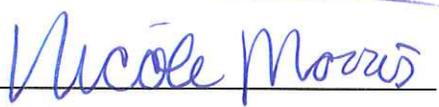
#### J. COMMUNICATIONS FROM COUNCILORS

**K. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 10:34 p.m.

Sherilyn Lombos, City Manager

  
\_\_\_\_\_/ Nicole Morris, Recording Secretary

  
\_\_\_\_\_/ Lou Ogden, Mayor

