



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Maureen Smith, Deputy City Recorder

DATE: 10/22/2012

SUBJECT: Approval of the Minutes for the Meeting of October 8, 2012

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes of the meeting of October 8, 2012.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: A - Meeting Minutes of October 8, 2012



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR
OCTOBER 8, 2012**

Present: Council President Monique Beikman; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Mayor Lou Ogden; Councilor Wade Brooksby

Staff Present: Community Development Director Alice Rouyer; City Attorney Sean Brady; Police Chief Kent Barker; Operations Director Dan Boss; Community Services Director Paul Hennon; Planning Manager Aquilla Hurd-Ravich; Information Services Manager Lance Harris; Parks and Recreation Manager Carl Switzer; Teen Program Specialist Julie Ludemann; Program Coordinator Kathy Kaatz; Water Division Manager Mick Wilson; Maintenance Services Division Manager Clayton Reynolds; Senior Planner Will Harper; Deputy City Recorder Maureen Smith

A. CALL TO ORDER

Mayor Pro tem Beikman called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Councilor Grimes.

B. ANNOUNCEMENTS

1. Youth Advisory Council Update, October 2012

Members of the Youth Advisory Council (YAC) were present in costume to promote their upcoming Haunted House event. This year's theme is "Mutants Massacre." A PowerPoint was shown on past events and upcoming activities and events the YAC participate in, that include the Pumpkin Regatta, Haunted House, and . Among the upcoming events include the Giant Pumpkin Regatta, and a youth delegation that will be in attendance at the National League of Cities conference in November.

2. 9th Annual West Coast Giant Pumpkin Regatta Announcement

Parks and Recreation Manager Carl Switzer announced the City's 9th Annual West Coast Giant Pumpkin Regatta will be held on October 20, 2012, at Tualatin Commons. He gave a run-down of the activities that will be happening, and showed a short video put together by Comcast about the event.

C. CITIZEN COMMENTS

Gillian Stratton and Ginger Moshofsky, Mask and Mirror Community Theatre , gave an update on the "Mask and Mirror" Theatre, a non-profit theatre company operating in the Tualatin-Tigard area. Ms. Stratton recited the various activities and events that are available. Ms. Moshofsky spoke on the need for available performance space and to let them know of any possible space that may come available. They are happy to provide community theatre in Tualatin and will be applying for the grant that is due Friday.

Mike Riley, chair of Tualatin Planning Commission (TPC) , spoke on the issue of high speed rail, noting the TPC strongly supports the alternative of bringing the rail through to Tualatin, not Oregon City, and is supportive in general.

Kathy Newcomb, Tualatin OR , spoke on the status of the Transportation System Plan (TSP) and distributed her comments for the record. She said two concerns haven't been addressed as yet, setting sufficient priorities, and why Tualatin-Sherwood Road is not included in the east/west bus loop in the draft Transportation System Plan. Ms. Newcomb commented that the first priority should be public transit and reviewed her suggestions to Council.

Mayor Pro tem Beikman asked and Acting City Manager Rouyer replied that Ms. Newcomb's comments/concerns can be taken to the next Transportation Task Force meeting.

Linda Moholt, Chamber of Commerce , said she agreed with Kathy Newcomb's comments about the importance of transit. She also spoke on the upcoming 5K Regatta Run/Walk held in conjunction with the West Coast Giant Pumpkin Regatta, Saturday, October 20, at 9:00am. This event is a fundraiser for the Corporal Matthew Lembke Memorial Scholarship Fund.

D. CONSENT AGENDA

MOTION by Councilor Joelle Davis, SECONDED by Councilor Nancy Grimes to adopt the Consent Agenda as read.

Vote: 5 - 0 MOTION CARRIED

1. Approval of the Minutes for the Work Session and Meeting of September 24, 2012
2. Resolution No. **5123-12** Awarding the Bid for the SW Cherokee Street and SW 86th Avenue Waterline Improvements
3. Approval of a New Liquor License Application for Stafford Hills Club
4. Recommendations from the Council Committee on Advisory Appointments

E. SPECIAL REPORTS

1. Operations Department Annual Report - 2011/12

Operations Director Dan Boss presented the Operations Department Annual Report for 2011/12. A PowerPoint was presented, noting the foremost goal of the department to provide exceptional service. Operations Director Boss continued with review the highlights of programs and accomplishments of the department and divisions in the past fiscal year.

Director Boss introduced the management staff of Operations that make the department what it is: Program Coordinator Kathy Kaatz, Water Manager Mick Wilson, Street/Storm/Sewer Manager Bert Olheiser, Parks Maintenance Manager Tom Steiger, and Facilities Manager Clay Reynolds.

Council acknowledged Operations Director Boss and his tenure of 34 years with the City, noting he will be difficult to replace upon his retirement at the end of the month. Council thanked him for his many years of service and dedication to the City of Tualatin.

2. Report from City Attorney Regarding Tow Ordinance

City Attorney Sean Brady gave an update on the "tow ordinance." He noted there is a draft ordinance and staff has been receiving comments. The plan is to bring the draft ordinance to the November 13, 2012 Work Session to discuss, review the comments, state requirements, etc. and determine a direction.

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

1. Amending the Tualatin Development Code (TDC) Chapter 64 - Manufacturing Business Park Planning District- Adding Provisions for a Tonquin Light Manufacturing Overlay. Adding TDC 64.036 and a Definition to TDC 31.060 and Amending TDC Map 9-5 Plan Text Amendment 12-01

Planning Manager Aquilla Hurd-Ravich and Senior Planner Will Harper presented the staff report and entered the entire staff report into the record.

Senior Planner Harper continued with a review of the proposed amendment. The Tonquin Industrial Group (TIG) includes nine business owners, approximately 50 acres north of SW Tonquin Road and west of the Railroad tracks. None of the TIG properties are currently annexed to the City and several uses are classified as non-conforming with Washington County zoning. When Council adopted the Southwest Concept Plan and implementing plan amendments, Council directed staff to continue to work with the TIG to find a way to develop an "overlay" that would allow the existing businesses to annex to the City as "conforming" uses. The TIG members participated in the SWCP process and the implementing Plan Map and Plan Text Amendment process to advocate for their concerns about planning and development issues that affect their property. The concern has been about non-conforming uses. The proposed overlay would apply only to TIG properties and would add as allowed uses existing permitted uses, new permitted uses, and conditional uses. Staff noted that Council had discussed the need for a drive-thru service restaurant in the industrial area, and questioned the reasoning of the proposed language allowing a restaurant, and restricting it as with or without drive-ups or drive-throughs. Staff worked with the TIG members developing language and arrived at an overlay that is beneficial to both Tualatin and the TIG, noting that members of the TIG and their legal counsel were present at this hearing.

Planning Commission Chair Mike Riley was present and noted the Planning Commission reviewed and voted to approve the amendment unanimously.

PROPOSERS

Wendie Kellington, attorney, Bruce Vincent, planning consultant, and Ross Conner, commercial real estate broker, representing the TIG. Mr. Vincent began the discussion by acknowledging five members of the TIG that were present. He noted his involvement over the years with the TIG, and hopes that Council will approve the overlay.

Attorney Wendie Kellington spoke on the overlay process and included a report in the record. She said staff was great to work with and thanked Community Development Director Alice Rouyer, Planning Manager Aquilla Hurd-Ravich, and Senior Planner Will Harper. It wasn't easy to get where it is now and involved a lot of good faith, and stressed the importance of the overlay for the businesses. Commercial Real Estate Broker Ross Conner was also present to answer any questions.

Mark Brown, Brown Transfer Company, said he has been at his location for many years, and is glad to be getting to the end of this.

Nick Storie, EMJ Properties, wanted to thank everyone for the hard work and long road, but he is glad to be moving forward.

Linda Moholt, Chamber of Commerce, thanked the TIG for their patience and staff stepping up and facilitating this process. It is a positive movement to the

community, the Chamber is in support and it is an important step forward.

OPPONENTS - None.

Mayor Pro tem Beikman closed the oral portion of the public hearing.

COUNCIL DISCUSSION

Councilor Truax spoke on the process leading up to the outcome and how it has arrived at a very workable solution and proposed a motion.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to direct staff to prepare an ordinance granting Plan Text Amendment 12-01.

It was asked by City Attorney Brady about inclusion of the drive-up/drive-through option. Council let the Motion stand, but said the issue can be addressed in a broader scale in the future.

Vote: 5 - 0 MOTION CARRIED

- G. PUBLIC HEARINGS – Quasi-Judicial**
- H. GENERAL BUSINESS**
- I. ITEMS REMOVED FROM CONSENT AGENDA**
- J. COMMUNICATIONS FROM COUNCILORS**

Councilor Davis noted she attended the League of Oregon Cities conference last week and came back with a lot of information and great things and will pass on to the rest of the Council.

Councilor Bubenik said a safety issue reminder to aware of the darkness as it is coming earlier in the evenings, and can be difficult to see pedestrians in crosswalks.

K. EXECUTIVE SESSION

An executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions and pursuant to ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection was held before the start of the Work Session.

L. ADJOURNMENT

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Nancy Grimes to adjourn the meeting at 8:10 p.m.

Vote: 5 - 0 MOTION CARRIED

Alice Rouyer, Acting City Manager

Maureen Smith

Maureen Smith / Recording Secretary