



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MARCH 14, 2016

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; Community Services Director Paul Hennon; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Teen Program Specialist Julie Ludemann; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Management Analyst II Zoe Monahan; Economic Development Manager Melinda Anderson

A. CALL TO ORDER

Pledge of Allegiance

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

B. ANNOUNCEMENTS

1. Update on the Tualatin Youth Advisory Council's Activities for March 2016

Members of the Youth Advisory Council (YAC) presented a PowerPoint on their latest activities and upcoming events. Five YAC seniors returned from the National League of Cities Conference in Washington D.C. and will be presenting a recap to the Council in April. YAC is continuing to prepare for Project FRIENDS to be held on May 20. Bridgeport, Byrom, and Tualatin Elementary will participate in the day long anti-bullying workshop. Other upcoming events the YAC is preparing for include a Youth Summit and Coffee Nights.

2. Tualatin Library Foundation Vine2Wine 2016

Tualatin Library Foundation members announced the Vine2Wine event to be held on April 16, 2016, 7-9:30 p.m., at the Tualatin Library. Tickets are available at the Tualatin Library Foundation website and at the Library.

3. New Employee Introduction- Police Officer Jorge Solache

Police Chief Kent Barker introduced Police Officer Jorge Solache. The Council welcomed him.

4. New Employee Introduction- Utility Technician I Matthew Lindsey

Public Works Director Jerry Postema introduced Utility Technician Matthew Lindsey. The Council welcomed him.

5. Recognition of Police Captain Larry Braaksma

Police Chief Kent Barker announced Police Captain Larry Braaksma's retirement. He recognized him for his service and dedication to the department. The Council thanked Captain Braaksma for his years of service.

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent 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.

Tanner and Amon Hall, owners of the PuPu Shack, inquired about the progress on updating the ordinance related to food trucks. Assistant City Manager Alice Cannon stated staff hopes to resume progress in April or May when new staff is in place.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 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 Councilor Ed Truax, SECONDED by Council President Monique Beikman to approve the consent agenda.

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

MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session of February 22, 2016

E. PUBLIC HEARINGS – Quasi-Judicial

1. Consideration of a Petition Requesting Annexation of Property at 18600 SW Pacific Highway (Tax Map 2S1 21A, Tax Lot 1100) (ANN-15-0002)

Mayor Ogden opened the petition hearing requesting annexation of property at 18600 SW Pacific Highway (ANN-15-0002). He read the rules of the hearing in accordance with ORS 197.763(5) and (6) and ORS 197.796(3)(b).

Mayor Ogden stated he as well as the entire Council had received emails regarding this matter. Mayor Ogden and Councilor Grimes stated they had both driven through the neighborhood.

STAFF REPORT

Planning Manager Aquilla Hurd-Ravich entered the staff report and attachments into the record. She stated the hearing tonight is for an annexation request in the general commercial planning district. She stated the site today is currently vacant and undeveloped but has public utilities available. Manager Hurd-Ravich stated the application was reviewed against a set of criteria and the application meets the criteria.

APPLICANT

Mike Connors, Attorney of the applicant Stein Woodburn LLC, spoke on the applicants behalf. He stated the Stein's bought the property under the General Commercial zoning with an original concept to build a gas station and mini-mart. The neighborhood expressed concern with this concept so the Steins are now prepared to remove the possibility of a gas station from the table by entering into an agreement with the City. Mr. Stein spoke stating he wants to be a good neighbor and has heard the neighborhood's concerns. Mr. Connors stated the Stein's want to proceed with the annexation of the property tonight.

Mayor Ogden recommended continuing the hearing until a further date to work on the annexation agreement with the removal of the gas station.

Mr. Connors stated he does not want this to lead to an extended delay.

Mayor Ogden recommended a recess for staff and the Stein's to come to an agreement on a new date for a continued hearing. A recess was taken from 7:55 to 8:13 p.m.

Mr. Connors and City Staff reached an agreement to continuing the hearing on May 23, 2016.

PUBLIC COMMENT

In Favor
None

In Opposition

Dan Hardy thanked the Stein organization for stepping forward and removing the gas station proposal from the table. He noted he is not opposed to the annexation but is concerned with the usage of the property.

Brian Cracker thanked the Stein Family for their decision tonight. He addressed his concerns with compatibility between zoning districts.

Andy Sterling stated he is in favor of the new annexation agreement with the

removal of the gas station.

APPLICANT REBUTTAL

Mr. Connors made it clear the proposal for the removal of the gas station does not affect the overall planning process for this property. He stated the overall issue at hand currently is the annexation and not the planning process.

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman to continue the petition requesting annexation of property at 18600 SW Pacific Highway until May 23, 2016.

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

MOTION CARRIED

F. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. 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.

1. Consider Adopting **Ordinance No. 1388-16** Amending Tualatin Municipal Code Chapter 6-9 To Prohibit The Use Of Tobacco Products and Inhalant Delivery Systems on City Property and Renumbering Certain Provisions

Community Services Director Paul Hennon presented Ordinance No. 1388-16 for consideration for adoption to prohibit the use of tobacco and inhalant delivery systems on City property.

PUBLIC COMMENT

None

COUNCIL DELIBERATION/QUESTIONS

Councilor Bubenik expressed concern with the ability to enforce no smoking on sidewalks adjacent to a roadway.

Councilor Grimes notes she does not want the City to go the expense of creating signage along sidewalks where enforcement would be broken up in sections. Mayor Ogden asked for clarification on signage. Director Hennon stated signs will be only be placed at the entrances to City owned properties.

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis for first reading by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis for second reading by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to adopt Ordinance No. 1388-16 amending Tualatin Municipal Code Chapter 6-9 to prohibit the use of tobacco products and inhalant delivery systems on City property and renumbering certain provisions.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes

Nay: Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to reconsider vote.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

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Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

G. 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.

H. COMMUNICATIONS FROM COUNCILORS

Councilor Davis announced the Tualatin Community Police Foundation is donating a Segway to the Police Department. She invited everyone to attend the Breakfast with the Chief event being held on May 10. Tickets are available on the foundations website.

I. ADJOURNMENT

Mayor Ogden adjourned the meeting at 8:40 p.m.

Sherilyn Lombos, City Manager



/ Nicole Morris, Recording Secretary



/ Lou Ogden, Mayor