



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR NOVEMBER 28, 2011

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

Absent: Councilor Wade Brooksby

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; Police Chief Kent Barker; Operations Director Dan Boss; Community Development Director Alice Rouyer; Community Services Director Paul Hennon; Finance Director Don Hudson; Assistant to the City Manager Sara Singer; Project Engineer Dayna Webb; Parks and Recreation Manager Carl Switzer; Management Analyst Ben Bryant; Executive Assistant Maureen Smith

1. CALL TO ORDER

Mayor Ogden called the Work Session to order at 5:30 p.m.

2. *Discussion on Durham Police Services Contract*

City Manager Sherilyn Lombos began the discussion on the contract Tualatin has with the City of Durham for police services coverage.

Police Chief Kent Barker gave a brief history on the police services contract with Durham. Tualatin has provided police services coverage since 1989. Previous discussions and Council direction was given to negotiate terms of a new contract with Durham for a long term police coverage contract. Chief Barker said he and City Manager Lombos had met with the Durham City Administrator deciding on a one-year contract and to revisit the contract terms again after the end of that contract. Last fiscal year Durham paid \$87,563 for police services coverage. Staff has recently met with Durham officials several times and attended a Durham Council meeting. The current contract expires December 31, 2011.

Chief Barker said, in response to the question, that his recommendation is to propose a five year contract beginning at \$110,000/year, raising it 3% per year thereafter. Services provided would be 24/7, except for Code violations/enforcement, alarm permits administration, and park ranger enforcement. In answer to the question, Chief Barker said he believes that Durham would be amenable to the proposal.

City Manager Lombos commented that Tualatin wants to continue to be Durham's service provider, and assuming that the City can come to an agreement, Durham has expressed the same. With cost recovery the City can, in good faith, show Tualatin residents that they are not subsidizing the City of Durham. Brief discussion followed. All Council present agreed to the proposal presented by staff. Staff will return at a later date after meeting with Durham City officials.

3. *Update on the Blake Street Pathway Project*

Community Services Director Paul Hennon presented a PowerPoint and gave an update on the Blake Street Pathway project preparing a master plan within the undeveloped Blake Street Right-of-Way. The pathway is approximately 750 feet. He reviewed the design work that has been done to date, workshops that have been held, including the topic of "naming" the project/site. The next steps were reviewed, with a recommendation that will come from the Tualatin Parks Advisory Committee (TPARK), and then come back before Council at the January 9, 2012 meeting for a decision. If the decision is to move forward, there may not be funding for the entire project, but the master plan could be adopted. Director Hennon said until the final design is done he is not sure what the cost will be, but it will exceed any funds that are available.

A brief background was given on how the Blake Street neighborhood worked with the City to make sure there would not be a street built. Possible funding sources were reviewed that could include applying for grants and possible state lottery funds. The process of approval, etc. was reviewed, and Mayor Ogden mentioned this project could give a certainty with the residents that a road will not be built there. Council President Beikman's preference is to connect the City's present trails rather than a trail that leads to nowhere. It was asked and explained that the pathway would be primarily for the use of the neighborhood. Brief discussion followed.

4. *Tall Grass On Undeveloped Lots*

City Attorney Brenda Braden and Code Enforcement Officer Crystal Reynolds presented information on "tall grass" in undeveloped lots. It has caused an issue in recent months with grass growing more rapidly than usual and keeping within the 10 inch requirement as it coincides with mowing. The current ordinance does not distinguish between undeveloped properties that have been graded and planted with meadow-type grasses from properties that are covered with weeds and other noxious vegetation, and also doesn't distinguish between undeveloped properties in residential areas and those located in a commercial area.

A PowerPoint was shown of examples of various types of overgrown grass in different areas of the City. Questions for Council consideration is whether to leave the current requirement of no more than 10 inches high, establishing a specific mowing schedule, and to differentiate from residential and commercial lots. Discussion followed on the types of grass and the definition of "meadow-type." Council discussed what types of changes could be made to the current ordinance.

The consensus of all Council present was to keep the 10 inch requirement in place for residential or adjacent to residential, including "overall" 10 inches in height. A 10 foot setback against a road was decided for commercial and to leave natural, meadow-like habitat otherwise, and to not establish a mowing schedule. Staff will bring back an ordinance reflecting Council's direction.

5. Council Meeting Agenda Review, Communications and Roundtable

EXECUTIVE SESSION

Mayor Ogden noted an executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions and an executive session pursuant to ORS 192.660(2)(h) to discuss current and pending litigation will be held after the Council Meeting.

CONSENT AGENDA REVIEW

Council reviewed the Consent Agenda with no questions or changes.

H. GENERAL BUSINESS

Item H-1 Ordinance No. **1336-11** to Require Dog Waste To Be Removed From Public and Private Properties; Proscribing a Penalty; and Adding New Section, 6-4-050 to the Tualatin Municipal Code

MOTION by Councilor Davis, SECONDED by Councilor Grimes for a first reading by title only. MOTION by Councilor Davis, SECONDED by Councilor Grimes for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Councilor Davis, SECONDED by Councilor Grimes to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

COMMUNICATIONS

Councilor Bubenik mentioned Clean Water Services' Board of Directors is looking for applicants to serve on their Advisory Commission, which makes recommendations to the Board on major policy issues and programs related to the management of water resources. Staff will post the information on the City's website and forward to the Chamber for their website.

Councilor Grimes said the meetings she attends in Clackamas County for various committees have been cancelled until January.

City Manager Lombos said she and Community Development Director Rouyer met with Metro officials regarding the Stafford area advocating for early and frequent communications as the discussions move forward. Metro will be speaking with Clackamas County officials and will advocate for the adjoining cities' involvement and communication.

Council President Beikman asked and staff will provide more information on the Transportation Development Tax (TDT) before she attends the next Washington County Coordinating Committee meeting.

Mayor Ogden mentioned the first regional mayors meeting that was held and felt it was important for mayors to get together and discuss city issues regionally. They will start meeting once a month on the second Wednesday and there will be agendas and notes taken. Mayor Ogden said he has high hopes that the meetings can bridge the communities working together and with Metro.

6. ADJOURNMENT

Mayor Ogden adjourned the Work Session at 6:55 p.m.

Sherilyn Lombos, City Manager



Maureen Smith, Maureen Smith, Recording Secretary



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR
NOVEMBER 28, 2011

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

Absent: Councilor Wade Brooksby

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; Police Chief Kent Barker; Community Development Director Alice Rouyer; Community Services Director Paul Hennon; Finance Director Don Hudson; Assistant to the City Manager Sara Singer; Project Engineer Dayna Webb; Management Analyst Ben Bryant; Executive Assistant Maureen Smith

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:04 p.m.

The Pledge of Allegiance was led by Councilor Bubenik.

B. ANNOUNCEMENTS

1. Employee Introductions - *Lynette Sanford, Community Development*

Community Development Director Alice Rouyer introduced Lynette Sanford, part-time Office Coordinator for the department, and gave a brief background. Council welcomed Lynette to the City.

2. Proclamation Declaring December 10, 2011 as "Human Rights Day" and December 4 - 10, 2011 as "Human Rights Week"

Councilor Davis noted she serves on the Washington County Human Rights Council and mentioned the issues the Council deals with. The results of the annual poster contest done by students was distributed to Council, and Councilor Davis also noted the Human Rights Council sponsored a recent forum. Councilor Davis said she is proud to be a part of the Human Rights Council and read the proclamation declaring December 10, 2011 as "Human Rights Day" and December 4 through 10, 2011 as "Human Rights Week."

3. Starry Nights and Holiday Lights Presentation - Community Services

Recreation Program Specialist Heidi Marx presented information on the 8th annual Starry Nights and Holiday Lights event on the Commons. The event will be held on Friday, December 2, 2011 starting at 5:30 p.m. A PowerPoint was shown on activities that will take place, and a short video was shown that was produced by Tualatin Valley Community Television for airing on public access channels on the upcoming event.

C. **CITIZEN COMMENTS**

David Emami, North Shore Road, Lake Oswego, OR, spoke on the issue of "tall grass" on undeveloped property, and the City's current ordinance addressing the issue. Mr. Emami said he owns property that is undeveloped in the area of 72nd and that the complaints received by the City about the tall grass at that site are from an unsuccessful buyer of his property. He noted the costs he has incurred by mowing, and the wildlife that is nested there. He said he is asking for Council to consider an ordinance to distinguish between nuisance issues and "meadow-like" undeveloped lots.

Mayor Ogden noted this issue was discussed earlier at Work Session and he explained Council direction given to staff to modify the ordinance. It was asked and Mayor Ogden explained about the proposed ordinance.

D. **CONSENT AGENDA**

Item H-1 - Ordinance No. 1336-11 had first and second readings at Work Session and was placed on the Consent Agenda.

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik to adopt the Consent Agenda as amended and read.

Vote: 6 - 0 MOTION CARRIED

1. Approval of the Minutes for the Work Session and Meeting of November 14, 2011
2. Resolution No. 5076-11 Authorizing the Mayor to Sign the Southwest Corridor Plan Charter
3. Ordinance No. 1336-11 to Require Dog Waste To Be Removed From Public and Private Properties; Proscribing a Penalty; and Adding New Section, 6-4-050 to the Tualatin Municipal Code

E. **SPECIAL REPORTS**

1. Update on the Transportation System Plan
-

Community Development Director Alice Rouyer and Project Engineer Dayna Webb were present and gave an update on the Transportation System Plan (TSP) project. The video contest ended with an award given to two entries, and a short clip from each video was shown. Both videos are available on the project website (www.tualatintsp.org). It was suggested that it would be beneficial for the newly formed Transportation Task Force to view the videos to gain a perspective of the transportation issues Tualatin faces and what can be done to address those issues.

The first Transportation Task Force meeting will be held this week beginning with an overview of the projects they will be considering, and the next meeting focusing on the TSP. The technical work for the TSP is underway, with traffic counts and travel time studies along main corridors completing. Staff is currently reviewing the first draft of existing conditions from the consultant and will be sharing the information with the Task Force at an upcoming meeting. It was noted that there were 329 visitors to the TSP website in October, and 355 map comments received to date.

Also of note, the "Linking Tualatin" project, funded by a Metro excise tax grant, now has a consultant and sub-consultants selected. More information will be available at the next Council meeting.

- F. **PUBLIC HEARINGS – Legislative or Other**
- G. **PUBLIC HEARINGS – Quasi-Judicial**
- H. **GENERAL BUSINESS**
- I. **ITEMS REMOVED FROM CONSENT AGENDA**
- J. **COMMUNICATIONS FROM COUNCILORS - *None.***
- K. **EXECUTIVE SESSION**

Mayor Ogden noted an executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions, and an executive session pursuant to ORS 192.660(2)(h) to discuss current and pending litigation will be held after the Council meeting.

L. **ADJOURNMENT**

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to recess the meeting at 7:39 p.m to go into an executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions and an executive session pursuant to ORS 192.660(2)(h) to discuss current and pending litigation.

The meeting adjourned at 8:32 p.m.

Vote: 6 - 0 MOTION CARRIED

Sherilyn Lombos, City Manager

Maureen Smith Maureen Smith / Recording Secretary