



City of Tualatin

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Approved By Tualatin City Council
Date 10-13-08
Recording Secretary M. Smith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF SEPTEMBER 8, 2008

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Dan Boss, Operations Director; Kent Barker, Police Chief; Don Hudson, Finance Director; Tony Doran, Associate Engineer, Colin Cortes, Assistant Planner, Maureen Smith, Recording Secretary

ABSENT: Councilor Donna Maddux* [** denotes excused*]

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

A. CALL TO ORDER

Mayor Ogden called the work session to order at 5:03 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Gas Tax/Road Fund Prioritization

City Engineer Mike McKillip presented information on available FY 08-09 gas tax funding for possible pedestrian friendly/traffic calming enhancements, additional bike lane construction, and addressing train horn noise mitigation.

Discussion followed and the amount of funding that is available. Council suggested staff look into various other types of pedestrian friendly enhancements. After discussion, Council consensus by all present, to devote funding towards bike lane improvements.

2. Street Tree Removal/Replacement Policy

Assistant Planner Colin Cortes presented information on the City's current street tree policy, which does not require replacement of a street tree for one that is removed (with a permit). Policy question for Council is whether to require a homeowner to replace a street tree if one is removed. The present policy was reviewed and discussion followed. The challenge is to have the flexibility of what would work for every neighborhood.

Discussion followed. Staff will reschedule this issue for another work session for further discussion. A subcommittee of Councilors Barhyte, Harris, and Mayor Ogden was formed to review the issue and come back to Council at a future time.

3. Water Issues

City Engineer Mike McKillip reviewed information on three water-related issues for discussion: 1), Changes to the Willamette River Water Coalition (WRWC) Intergovernmental Agreement (IGA) which are seen as routine changes. The IGA is on the Consent Agenda at the regular meeting. and Council agreement by all

present will be to approve the IGA. Second issue whether Tualatin would consider participating in a waterline from Sherwood to Wilsonville for future water delivery to Tualatin. A formal proposal would come from Sherwood. Tigard is also considering the same request. Discussion followed on the usefulness of whether to participate. The third issue is a request from Wilsonville whether Tualatin would consider participating in the Willamette River Water Treatment Plant Expansion planning process. Council discussion followed and there was reluctance of all Council present not to discuss this issue without first having some public discussion. Council expressed interest in participating with Sherwood in the upsizing of pipe, which could be a huge cost savings to Tualatin in the future.

4. *Urban/Rural Reserves Update*

Councilor Barhyte reported on the urban/rural reserves meetings. The group has met for nine meetings to date. Density of the current boundary was discussed. The meetings are continuing and no decisions have not been made up to this point.

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

None.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

The work session adjourned at 6:54 p.m.

Sherilyn Lombos, City Manager

Recording Secretary





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PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Doug Rux, Community Development Director; Mike McKillip, City Engineer; Kent Barker, Police Chief; Dan Boss, Operations Director; and Maureen Smith, Recording Secretary

ABSENT: Councilor Donna Maddux* [* denotes excused]

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 Barhyte led the Pledge of Allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Swearing-In of New Police Officers* – Justin Sardone & Guadalupe (Tony) Villa **postponed to a future meeting**
2. *Introduction of New Employees* – Diane Alcibar, Christian Carnahan, Amber Quinn (not present) and Jaime Thoreson
Community Services Director Paul Hennon introduced new Library employees Diane Alcibar, and Christian Carnahan. Mr. Hennon also introduced Jaime Thoreson promoted to the new Children's Librarian position.
3. *Tualatin Youth Advisory Council Update*
Representatives from the Youth Advisory Council (YAC) gave a PowerPoint presentation on recent and future activities, in particular the upcoming Haunted House in October, a youth summit, and attendance of three members to the National League of Cities conference in December.

C. CITIZEN COMMENTS

None.

D. CONSENT CALENDAR

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

1. Resolution No. 4822-08 Approving an Agreement with the Tualatin Development Commission for Project Management for the SW Herman Road Project

2. Resolution No. 4823-08 Awarding the Street Sweeping Contract to Great Western Sweeping, Inc. Under a Cooperative Purchasing Process
3. Oregon Department of Forestry Incident Management Team Shadow Program Memorandum of Understanding
4. Renaming SW Ottawa Street, SW Warm Springs Street, SW Tonka Street, SW 119th Avenue, an Unnamed Street, Quarry Access Road, and Portions of SW Leveton Drive, SW 118th Avenue, and SW 124th Avenue
5. Resolution No. 4824-08 Amending the Intergovernmental Agreement with the Willamette River Water Coalition

MOTION CARRIED.

E. PUBLIC HEARINGS – Legislative or Other

None.

F. PUBLIC HEARINGS – Quasi-Judicial

1. Conditional Use Permit (CUP-08-03) for the Northwest Regional Educational Service District (NWRES D) Early Intervention Center as a School Use in a Light Manufacturing (ML) Planning District at 19500 SW 90th Court

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.

Associate Planner Will Harper presented the staff report and entered the entire staff report into the record. Application is by Northwest Regional Educational Service District (NWRES D) Early Intervention Center in an 11,000 square foot space in an existing industrial building. NWRES D provide support and technical services to 20 school districts. The location is in a Light Manufacturing (ML) Planning District. There will be approximately 40-50 students at any one time, for an approximate two hour period. The site is improved with parking and landscaping. The staff report indicates the criteria is met for a conditional use permit.

Staff recommends Council consider the staff report and supporting attachments and direct staff to prepare a resolution agreeing with the interpretation as stated in the staff report and granting CUP-08-03 with conditions as stated in the staff report.

PROPONENTS

Lance Stout, TM Rippey Consulting Engineers, Tigard OR, representing the applicant, said overall staff has done a good job of describing the activity and locating at the site. They have reviewed the conditions, of which they have no problem. Mr. Stout also explained the types of buses that would be used are the smaller "special transportation" type buses, and do not stay onsite.

Nancy Ford, NWRES D Director, was present and said the NWRES D is funded through the Oregon Department of Education, with federal and state guidelines. Their mission is to help children with a variety of developmental disabilities, offering specialized training/services. They have looked for a stable location to meet the needs of the children.

OPPONENTS – None.

COUNCIL DISCUSSION

It was asked and answered by staff that Tualatin Valley Fire & Rescue has been informed of the proposed use and has not commented on the process to date. Also asked is what could happen over the years with regards to the age group changing, and whether there would be the ability, under the conditional use permit, to change the age groups involved. Staff's belief is the staff report is written to meet the requirements as presented, and if it were to change the applicant would have to come back for a modification.

Ms. Ford explained the services that are provided by the NWRESD are similar in use as a K through 12, being a public service through the school district. It was asked and answered if this was a fee for service use it would also be allowed as a conditional use at this location. Mr. Stout said they have researched the truck-type traffic in the area and do not believe there will be a noticeable conflict.

Discussion followed on the allowance of the conditional use and the possible uses of the remaining building space. Traffic study trip numbers were also discussed and the concern of additional traffic, particularly on Tualatin-Sherwood Road. Todd Mobley, Lancaster Engineering, traffic engineer for the applicant, explained how the trip generation numbers were arrived at.

It was asked and answered if a drop-in daycare center located at the proposed space, that it is an outright permitted use in the ML District. It was asked and answered that the majority of students served would be from the Tualatin, with some from Sherwood. Discussion followed on the various uses that can be placed in industrial districts and similar uses that are currently allowed.

The applicant's representatives responded to the question of reexamining the traffic counts and believe they are in the scope of the criteria as established by the City.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATION

Councilors Barhyte, Beikman, Harris and Truax expressed support of the staff report, with Councilor Boryska also in support and believes that traffic is adequately addressed in the staff report. Mayor Ogden said he is not in support of the staff report.

MOTION by Councilor Beikman, SECONDED by Councilor Harris to consider the staff report and supporting attachments and direct staff to prepare a resolution agreeing with the interpretation as stated in the staff report and granting CUP-08-03 with conditions as stated in the staff report. **MOTION CARRIED.**

[Vote: 5-1-1; YES – Barhyte, Beikman, Boryska, Harris, Truax; NO – Ogden; Maddux absent]

G. GENERAL BUSINESS

1. Resolution No. 4825-08 Setting Solid Waste and Recycling Rates and Services Inside the City of Tualatin and Rescinding Resolution No. 4405-05

Operations Director Dan Boss and Program Coordinator Kathy Kaatz gave a brief review of the staff report. It was noted that Councilor Maddux requested that the rates and roll-cart recycling portion be considered separately and postponed and

Mayor Ogden said Council will consider whether to address Councilor after review of the staff report.

Staff said rates have not increased since 2005, and the implementation of a residential co-mingled roll cart recycling program accounts for a portion of the rate increase. Wilsonville and Tualatin are the only area cities that are not participating in the roll cart recycling. The estimate start date of the recycling roll cart program is February 2009. Staff has also provided an alternate resolution without the roll cart program factored in, for review of that portion at a future date, if Council so chooses.

Discussion followed and it was determined by all present to address the roll-cart recycling program issue at the next Council meeting

MOTION by Councilor Barhyte, SECONDED by Council Beikman to adopt the alternate resolution provided by staff removing the roll-cart recycling program portion. MOTION CARRIED. [Vote: 6-0-1; Maddux absent].

H. ITEMS REMOVED FROM CONSENT AGENDA

None.

I. EXECUTIVE SESSION

None.

J. COMMUNICATIONS FROM COUNCILORS

*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.*

K. ADJOURNMENT

MOTION by Councilor Harris, SECONDED by Councilor Barhyte to adjourn the meeting at 8:52 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary Maureen Smith