



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR
FEBRUARY 25, 2013**

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

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Development Director 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; Associate Planner Cindy Hahn; Project Engineer Dayna Webb; Parks and Recreation Manager Carl Switzer; Library Manager Abigail Elder; Engineering Manager Kaaren Hofmann; Maintenance Services Division Manager Clayton Reynolds; Management Analyst Ben Bryant

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:00 p.m.

B. ANNOUNCEMENTS

1. New Employee Introduction: Joe Phillips, Economic Development Program Manager

Community Development Director Alice Rouyer introduced the new Economic Development Program Manager, Joe Phillips. The Council welcomed Mr. Phillips to the staff.

2. Employee of the Year Proclamation for Steve Clark

Sherilyn Lombos introduced 2012 Employee of the Year, Steve Clark. Mayor Ogden stated he appreciates Mr. Clark's dedication to outstanding customer service. Mayor Ogden read the proclamation declaring Steve Clark as the 2012 Employee of the Year for the City of Tualatin.

3. Swearing-In of Police Officer Michael Vorberg

Police Chief Kent Barker introduced new officer Michael Vorberg. Chief Barker swore-in Officer Vorberg, and Officer Vorberg's wife Melissa Vorberg pinned on his badge. Council then welcomed Officer Vorberg to the City.

4. Tualatin Public Library Receives Literacy Success Award

Library Director Abigail Elder introduced Cynthia Bussey of AWE Learning Systems and Outreach Librarian Annie Lewis. Ms. Bussey stated that it is the mission of AWE Learning Systems to inspire children to become lifelong learners and are happy to present the Literacy Success Award for the Mystery Night at the Library to the City of Tualatin. Outreach Librarian Lewis stated the program was conceived in April 2012 and has ran successfully several times in both English and Spanish.

Mayor Ogden congratulated the library on the creative and innovative thinking it took to produce such an outstanding program.

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.

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, 1) 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 approve the consent agenda.

Vote: 7 - 0 MOTION CARRIED

1. Approval of the Minutes for the City Council Work Session and Regular Meeting on February 11, 2013
2. Approval of Liquor License Renewals for 2013
3. Authorization to Enter into an Intergovernmental Agreement (IGA) with Metro for the Regional Illegal Dumping Patrol (RID) Program.
4. Resolution Adopting the February 2013 Update to the Public Works Construction Code

E. SPECIAL REPORTS

1. Update From The Tigard-Tualatin- Family Resource Center

Tigard-Tualatin Family Resource Center Director Catherine West and Paula Paiano, receptionist, presented an update on the center. Ms. West updated the Council on some of the activities at the center including the successful holiday drive. This school year the center has seen more need from families and several of the local churches are stepping in to help. The Churches are looking at new ways to help the community. The Compassion Clinic event is a great example of this, the clinic offers free medical services, food, and clothing that have helped families in

need.

Ms. Paiano invited the Council to attend the 20th anniversary celebration of the resource center on April 24th from 4:30 to 6:30p.m..

Mayor Ogden recognized the excellent work at the center and the energy and commitment they put into their programs.

2. Tualatin Heritage Center Annual Report

Parks and Recreation Manager Carl Switzer introduced Tualatin Heritage Center Director Larry McClure and Tualatin Historical Society President, Art Sasaki. Mr. McClure presented the annual report. He stated that this year will mark a seven year partnership with the City and that the center has seen visitation grow to 9,000 this year. The center plans to begin the redesign on heritage exhibits, work with the Centennial committee on events, coordinate with the Chamber on the Ice Age Tonquin Trail plan, and do targeted fundraising for new ways to interpret Tualatin's history.

Mayor Ogden congratulated the group for doing a fantastic job on another successful program year.

3. SW Martinazzi Avenue Project

Engineering Manager Kaaren Hofmann updated the Council on the Martinazzi Ave. Project. The purpose of the project is to replace water and sewer lines, rebuild the pavement and install catch basins, and upgrade the stop light. The project design is 95% complete and staff is currently speaking with property owners and completing permitting for the project. Martinazzi Ave. will have to be closed for approximately one month starting in mid-August. Staff will return to Council at a future meeting to seek direction on parking and bidding exemptions.

F. PUBLIC HEARINGS – Legislative or Other

1. Continuation of Public Hearing on Plan Text Amendment 12-02. Amending the Tualatin Development Code (TDC) Chapter 11 - Transportation - to include the 2012 Tualatin Transportation System Plan (TSP). Amending Portions of TDC Chapters 1, 3, 31, 34, 38, 71, 73, 74, and 75 to Implement the TSP.

Mayor Ogden reopened the public hearing.

Dolores Hurtado thanked the Council for allowing for a great deal of citizen involvement and outreach in the TSP planning process and spoke in favor of adopting the draft TSP as presented.

Reba Tobey, representing Protect Tualatin Parks, spoke in support of adopting the TSP as presented and does not support spending more money on further studies.

Chad Darby spoke in support of the TSP as presented, as it keeps pathways open for bicycle commuters. He referenced his email which was submitted to the City

Council for the record.

Carl Hosticka urged Council to adopt the TSP as presented. He also urged the Council to use this meeting tonight as a final punctuation mark instead of continuing to assess other projects.

Ed Bartlett stated that he believes the proposed TSP meets and exceeds regional planning requirements and spoke in favor of Council adoption of the TSP as proposed.

Jerry Larsen urged Council to adopt the TSP as presented as he feels it is the consensus of the community, and a well founded plan. He also noted that he sent an email to the City Council but did not see it listed in the comment log.

Joe Lipscomb urged the Council to adopt the TSP and he requested that they amend it to include six additional study areas.

Mark Brown, member of the Tonquin Industrial Group, stated he is neutral on the TSP. He expressed concerns in regards to the Tonquin Trail portion of the plan.

Christopher Nelson said he has enjoyed getting involved in his community and supports the adoption of the plan as presented.

Stu Peterson, McAdam Forbes Commercial Real Estate Broker, spoke in regards to regional transportation issues, specifically in Tualatin, and would like to see further studies to improve traffic flow. He feels that Tualatin misses out on business opportunities due to traffic issues and believes the Boones Ferry Road overpass should be studied further.

Charlie Benson, member of the Transportation Task Force, encouraged Council to adopt the TSP as presented.

David Ney spoke in favor of adopting the TSP as drafted and presented concerns regarding the environmental impacts of building the 65th Street Bridge.

Ed Casey proposed that the Council not approve the TSP as drafted but instead adopt the plan and continue to study the Boones Ferry and Hall Street Bridges.

Willie Fisher, CIO 6 president, urged the Council to adopt the TSP as presented. In respect of the citizens he asked the Council to respect the community's opinion and vote accordingly.

Ann Martin urged approval of the TSP as presented.

Wendie Kellington, attorney for the Tonquin Industrial Group, submitted materials for the record stressing four major areas of concerns in regards to the TSP.

Scott Campbell encouraged adoption of the TSP plan as presented and spoke in opposition to the revision to the R29 project. Specifically to have a vehicular connection from the Ibach CIO to the R29 project.

Jennifer Pitt spoke in favor of adopting the TSP as presented, and said she was

opposed to the revision to the R29 project.

Linda Moholt read a letter from Joe Triccoli of McLane Food Service urging the Council not adopt the TSP as proposed, as he feels it does not take into consideration the concerns of large employers and hinders economic development.

Karla Doering expressed concerns with further studies in relations to bridges. She said putting a bridge over the park would damage the parks atmosphere. She encouraged adoption of the TSP as presented.

Bonnie Peterson urged Council to adopt the TSP as presented and addressed environmental impacts of further studies to the wetlands and the community.

Alisa Cour, representing Legacy Meridian Park Hospital, read a letter from Allyson Anderson, CAO of the hospital, stating the hospital would like further studies done to accommodate the growing transportation needs of the community in the future.

Cathy Holland spoke in favor of adoption of the TSP as presented.

Kathy Newcomb submitted comments for the record and spoke to corrections regarding the priorities list she would like to see made to the TSP before adoption.

Robert Kellogg, president of the Ibach CIO, wanted to make clarifications in regards to the R29 project as he would like to see further evaluation of this area as the SW Concept Plan is developed.

Connie Bartlett spoke in support of the TSP as presented.

Todd Kono spoke against the building of bridges as connections over park areas and the costs associated with them.

George Vigileos spoke in favor of adoption of the TSP as presented and encouraged a reframing of concerns of industrial business instead of pointed solutions.

Glenna Thompson encouraged adoption of TSP as presented.

Heather Kibbey, Mayor of the City of Rivergrove, submitted a letter thanking the Council for the removal of the 65th Street Bridge from the plan and their careful considerations. She spoke in favor of adoption of the TSP as presented.

Arne Nyberg, Council President for the City of Rivergrove, thanked the Council for the removal of the 65th Street Bridge from the plan and spoke in favor of adoption of the TSP as presented.

The Council took a ten minute recess.

Planning Manager Aquilla Hurd-Ravich summarized the public comment from the February 11th, 2013 public hearing. She presented the changes which had been made to the TSP since that date. Changes included text in response to a compliance letter from Metro, a modified Appendix D that now includes technical

analysis, and a summary of comments from the first portion of the public hearing. The comment summary is broken into four categories and each grouping of concerns is addressed accordingly.

Engineering Manager Kaaren Hofmann addressed comments that have been received since the first public hearing. She also stated that the City had received a letter from Land Conservation and Development Commission (LCDC) stating the City was in compliance with the Transportation Planning Rules as well as a letter from Metro acknowledging compliance with the Regional Transportation Plan. She also addressed comments made by the Tonquin Industrial Group. The specifics to the the request will be dealt with at the time of annexation. Also noted was the functional classification of several streets were being changed.

Mayor Ogden asked questions in regards to the compliance letter Metro sent. Engineering Manager Hofmann read the letter sent from Metro clarifying the Mayor's concerns in regards to connectivity and capacity in the area. Planning Manager Hurd-Ravich noted that the requirements are met by the widening of Boones Ferry Road and including Bike/Pedestrian and Transit projects in the plan.

Councilor Beikman asked about details in regards to the concerns around the R29 project and the SW Concept Plan. Engineering Manger Hofmann stated that the project deals with the SW Concept Plan and these issues will be addressed as the area develops.

Mayor Ogden closed the oral portion of the public hearing.

Council Deliberations

Council Persident Beikman asked that Sagert Street be removed from the freight map as there is a school and several parks along that road. Councilor Grimes concurred.

Mayor Ogden thanked the community for the hours they put into the development of the plan and appreciates the positions and the values that have come out of the project. He expressed concerns about the performance of the system from the draft plan and its lack of reduced travel times in town. Mayor Ogden wanted to make it clear that he is not in favor of putting bridges in the plan but that he is in favor of addressing traffic congestion in Tualatin. He submitted survey results for the last ten years and is concerned that the plan does not address the needs identified by the community in the surveys and contends that the document is not the consensus of the community. Mayor Ogden suggested sending the plan to the CIO's for review, as well as he would like the Council to hire an engineering firm to complete further analysis on traffic solutions.

Councilor Truax said he has a great deal of respect for the process of the TSP and appreciates the testimony presented tonight. He stated that in his opinion the lack of statistical difference vs. the cost of the low-build and no-build options is not enough to convince him to vote in favor of the proposed plan.

Council President Beikman stated she believes the process the City has started for citizen involvement is difficult as it is hard to get people involved; however, she felt that this process has had good involvement and she is happy with the outcomes.

She stated that this plan is not set in stone and amendments can be made in the future.

Councilor Grimes concurred with Councilor Beikman's sentiments. She felt that this process has started a discussion of livability and what some are willing to sacrifice for livability. She hopes this will be a continuing discussion within CIO meetings and open houses for amendments and growth of the TSP in the future.

Councilor Bubenik stated that this TSP process has been a learning process in regards to citizen participation and hopes that the City will grow from it and use these lessons moving forward with future projects. He stated the need for active citizenship within the community to get things accomplished.

Councilor Brooksby thanked all that participated in the process for a well put together plan. He believes it will be a great frame of reference for future uses.

Councilor Davis stated that she is proud of the community for working together and coming forward with a great plan. She believes this plan in partnership with the Chamber on transportation issues will be good for the City.

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to adopt Plan Text Amendment 12-02 with the removal of Sagert Street from the Freight Plan.

Vote: 5 - 2 MOTION CARRIED

Nay: Mayor Lou Ogden
Councilor Ed Truax

G. PUBLIC HEARINGS – Quasi-Judicial

H. GENERAL BUSINESS

1. An Ordinance Relating to the Transportation System Plan; Adopting the 2012 Tualatin Transportation System Plan Updates; and Amending Tualatin Development Code Chapters 1, 3, 11, 31, 34, 38, 71, 73, 74, AND 75 (PTA-12-02)

MOTION by Councilor Joelle Davis, SECONDED by Councilor Frank Bubenik to adopt the Ordinance with the following amendments: (1) Amend Figure 11-6 to delete the reference to Sagert Street; (2) Amend page 69 of the Transportation System Plan Attachment to delete the reference to Sagert Street; (3) Amend the map on page 71 of the Transportation System Plan Attachment to delete the reference to Sagert Street.

Vote: 7 - 0 MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes for a first reading by title only.

Vote: 7 - 0 MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes for a second reading by title only. The poll was unanimous.

Vote: 7 - 0 MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to adopt the ordinance.

Vote: 5 - 2 MOTION CARRIED

Nay: Mayor Lou Ogden
Councilor Ed Truax

2. Resolution Approving the Ice Age Tonquin Trail Master Plan

Councilor Truax excused himself from the meeting at 10:35 p.m.

Community Service Director Paul Hennon and Parks and Recreation Manager Carl Switzer presented the resolution to approve the Ice Age Tonquin Trail Master Plan. Manager Switzer stated that the purpose of the trail is to connect communities and rivers while interpreting natural geologic features that occurred from the Ice Age floods. These trails will provide safe bicycle and pedestrian connections through the area. Approval of the resolution today will provide guidance to trail alignment, design, and implementation of the trail and act as a reference document for land acquisition.

Mayor Ogden opened the floor to public comment.

Connie Ledbetter, representative on the Tonquin Trail Policy Steering Committee, stated that the group worked hard to meet the needs of 3 cities and 2 counties. The group was very active at promoting the trail at public events as well as attending 3 TSP work group meetings. She asked that the Council approve the Master Plan as presented.

Brian Stecher, representative on the project steering committee for the City of Sherwood, spoke in favor of approval of the trail master plan.

Nick Storie, member of the Tonquin Industrial Group, stated that he sees the need for the trail and does not share the same concerns as the rest of his group.

Hank Stokey, member of the Tonquin Industrial Group, stated that the group is not opposed to the trail that they are concerned with keeping the industrial area intact. He presented concerns regarding the flexibility of the location of the trail in the plan.

Wendie Kellington, attorney for the Tonquin Industrial Group, expressed safety concerns for citizens if the trail were to run through the industrial area and asked that the Council maintain flexibility in the alignment of the trail.

Mark Brown, member of the Tonquin Industrial Group, does not want to see the trail encroach on the east side of their property and asked that the Council look into other options.

Roger Metcaf, of Tigard Sand and Gravel, presented concerns with the location of the trail along his business property line and the safety of citizens walking along the trail due to the nature of his business.

Linda Moholt, Chamber of Commerce CEO, stated that the Chamber supports the Ice Age Tonquin Trail and that the players here today are willing to help on the alignment of the trail to meet everyone's needs.

Metro staff Jane Hart, Senior Regional Planner and Roger Alfred, Staff Attorney joined the group at the table.

Director Hennon noted that the proposed trail alignment is just a preferred alignment and the plan is flexible in that if it is not feasible once further studies are completed the trail will then be adjusted accordingly.

Conversation ensued regarding the alignment of the trail in relation to the Tonquin Industrail Group property.

Councilor Davis asked when the public process on this plan was going to start. Director Hennon noted that the public process has already occurred and that additional input would deviate from the process that has already taken place.

Councilor Beikman asked Ms. Kellington what language that she would like to see incorporated into the plan. Ms. Kellington read from the letter she submitted stating the requests of the Tonquin Industrial Group.

Mr. Alfred stated that Metro will continue to work with the City and the Tonquin Industrial Group to work on preferred alternatives. He also noted that the plan is not a regulatory document and that it only gives guidance to staff. He stated that acquisition of property will only take place if there is a willing seller and if the location of the trail is agreeable amongst all parties.

MOTION by Council President Monique Beikman, SECONDED by Councilor Frank Bubenik to approve the resolution.

Vote: 6 - 0 MOTION CARRIED

Other: Councilor Ed Truax (Absent)

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.

J. COMMUNICATIONS FROM COUNCILORS

K. ADJOURNMENT

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Nancy Grimes to adjourn the meeting at 11:40 p.m.

Vote: 6 - 0 MOTION CARRIED

Other: Councilor Ed Truax (Absent)

Sherilyn Lombos, City Manager

Nicole Morris

/ Nicole Morris, Recording Secretary



/ Ed Truax, Mayor Pro Tem