

**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 13, 2013**

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

Absent: Councilor Wade Brooksby; Councilor Joelle Davis

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker;

Present: 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; Assistant Planner Colin Cortes; Engineering Manager Kaaren Hofmann; Teen Program Specialist Julie Ludemann; Maintenance Services Division Manager Clayton Reynolds; Assistant City Manager Alice Rouyer

A. CALL TO ORDER

Pledge of Allegiance

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

B. ANNOUNCEMENTS**1. Youth Advisory Council Update for May, 2013**

Members of the Youth Advisory Council (YAC) presented a PowerPoint on their latest activities and upcoming events. The 2013 Project FRIENDS anti-bullying workshop was held on April 29 with 225 students attending from two local schools.

The Project FREINDS program received national recognition in the National Leagues of Cities publication. Summer Movies on the Commons and other upcoming events were covered.

Mayor Ogden congratulated YAC members on the success of Project FRIENDS and on being recognized nationally.

2. Announcement of the 2013 "If I Were Mayor..." Poster and Essay Contest Winners.

Recreation Program Specialist Julie Ludemann presented a PowerPoint outlining the "If I Were Mayor..." contest. The program provides a unique opportunity for local government involvement amongst youth. It is sponsored by the Oregon Mayors Association and this is the second year Tualatin has participated. The 4-5th grade poster contest winner, Marleigh Aexander, and Middle School essay contest winner, Claire Glasser, were presented with \$50 checks. Their entries were sent on to the statewide competition. Mayor Ogden congratulated both winners.

3. Proclamation Declaring Saturday May 18, 2013 as National Kids to Parks Day in Tualatin

Council President Beikman stated that over 250 cities, town and councils across the country have issued Kids to Parks proclamations this year. She acknowledged that Kids to Parks is designed to encourage children across the country to explore their neighborhood parks and discover close to home history, nature, and adventure. She invited families to come out to Browns Ferry Park on Saturday, May 18, 2013 from 1:00 to 4:00 to participate in our own local celebration of Kids to Parks Day.

Council President Beikman read the proclamation declaring May 18th, 2013 as National Kids to Park Day in the City of Tualatin.

4. Proclamation Declaring May as Older Americans Month in Tualatin

Councilor Truax preceded the Older Americans Month Proclamation by stating that the 2010 U.S. Census lists about 26% of Tualatin residents as 50 or older. He noted that the local Meals on Wheels program will serve about 15,000 meals at the Juanita Pohl Center and to homes this fiscal year. He acknowledged that the Juanita Pohl Center has delivered social, fitness, recreational, nutrition and other important services to older adults for 31 consecutive years.

Councilor Truax read the proclamation declaring May as Older Americans month in the City of Tualatin.

5. Proclamation Declaring May 12 - 18, 2013 as National Police Week

Councilor Bubenik stated that in 1962, President John F. Kennedy signed a proclamation which designated May 15th as "Peace Officers Memorial Day" and the week in which that date falls as Police Week. National Police Week is held in honor of the Federal, State and Municipal Officers who have been killed or disabled in the line of duty. The Tualatin Police Department and its officers provide the highest quality services and are committed to the highest professional standards. They are working in partnership with the community to meet the challenges of reducing crime, creating a safe environment, and improving quality of life.

Councilor Bubenik read the proclamation declaring May 12-18, 2013 as National Police Week.

Mayor Ogden thanked the police department for all they do for the citizens of Tualatin.

6. Proclamation Declaring May 19-25, 2013 as Emergency Medical Services (EMS) Week

Councilor Grimes read the proclamation declaring May 19-25, 2013 as Emergency Medical Services week in the City of Tualatin.

Mayor Ogden presented the proclamation plaque to Metro West Ambulance.

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.

Dale Potts invited the citizens of Tualatin to attend a Memorial Day Celebration on May 27, 11a.m., at Winona Cemetery. There will be a ceremony followed by a free picnic. Mayor Ogden thanked Mr. Potts for organizing this event again this year as last year was a great success.

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 Councilor Ed Truax, SECONDED by Council President Monique Beikman to approve the consent agenda.

Vote: 5 - 0 MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting on April 22, 2013 and the Special Work Session on April 23, 2013
2. Consideration of Resolution No 5142-13 Awarding the Bid for the 2013 Pavement Maintenance Program
3. Consideration of an Intergovernmental Agreement (IGA) with Washington County for a Landscaped Median in SW Lower Boones Ferry Road at the Bridgeport Apartments
4. Consideration of an Intergovernmental Agreement (IGA) with Tualatin Valley Water District and the City of Portland for Engineering Services to Evaluate an Emergency Intertie for the Water Systems
5. Consideration of Resolution No. 5139-13 Authorizing City Staff to Negotiate to Acquire Easements for the SW Martinazzi Avenue Project

6. Consideration of Appointment of Brian Starns as Municipal Judge Pro Tem.

E. SPECIAL REPORTS

1. Tualatin Valley Fire and Rescue Report Presented By Chief Mike Duyck

Tualatin Valley Fire and Rescue (TVFR) Chief Mike Duyck presented an update. TVFR responded to 2,500 incidents within the City of Tualatin last year and a large portion were emergency medical related. He noted that 911 is a growing safety net for the community due to the lack of health insurance. Because of the lack of health care coverage TVFR is actively participating in health care reform and is the leader in its field. TVFR is still working on the \$77.5 million capital bond updates and they have completed upgrades to several facilities including facilities in Tualatin. They have also held many events in Tualatin related to community risk reduction.

Mayor Ogden thanked TVFR for their service and dedication to the City of Tualatin.

2. Quarterly Financial Update

Finance Director Don Hudson presented the quarterly financial report for the third quarter of Fiscal Year 2013. Revenues and Expenditures in Operating funds are tracking as expected. Building fund revenues are exceeding estimates. This quarter, network switches (paid for through a grant from MACC) were replaced, as well as three police vehicles. Director Hudson also noted that the online registration process for recreation programs is popular, with almost 100% of all registrations being done on-line. The fiscal year 2013/2014 budget meetings will begin on May 14th.

F. PUBLIC HEARINGS – *Quasi-Judicial*

1. Consideration of Resolution No. 5138-13 a Conditional Use Permit for Tualatin Animal Clinic to Allow a Veterinary Clinic with Practice Limited to Small Animals in the Central Commercial (CC) Planning District at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02)

Mayor Ogden opened the Conditional Use Hearing. He read the rules for the hearing in accordance with ORS 197.763(5) and (6) and ORS 197.796(3)(b).

Councilor Truax disclosed that he has had contacts with both the applicant and staff regarding the process for applying for the necessary permits.

Planning Manager Aquilla Hurd-Ravich and Assistant Planner Colin Cortes presented CUP 13-02 for the Tualatin Animal Clinic. The relocation of the clinic requires a conditional use permit. Assistant Planner Cortes discussed the conditions and criteria for approval. He stated that the applicant does meet the conditions for approval.

Applicants Arthur Ghilea and Mike Han spoke on behalf of their application. They requested that the Council approve their application and requested a special

condition to delay the parking improvements that are required.

The following spoke in support of the conditional use permit: Christina Lapin, Gaye Waklin, Tamara Sutherlin, Melissa Lockhart, and Marsha Garen.

Councilor Truax expressed concerns with the request to delay the parking improvements and what it would mean for the applicant. Assistant City Manager Rouyer stated that the Council has the ability to delay the conditions if they choose and that denial of the CUP will still allow them to occupy the premises.

Mayor Ogden asked several questions regarding what needed to be accomplished to meet the conditions, what used to occupy the location and why it did not meet compliance then. Staff stated that occupants before did not need to meet the requirements at that time and the improvements that these tenants would need to make would be in regards to increasing the number of spaces, curbing, landscaping and storm water treatment.

Discussion ensued amongst staff and applicant over the length of time that would be needed to complete the improvements. Assistant City Manager Rouyer requested that the Council set a time frame within 2 years for enforcement purposes. The applicant requested longer due to financial reasons.

Mayor Ogden closed the oral portion of the hearing.

MOTION by Councilor Ed Truax, SECONDED by Councilor Nancy Grimes to approve Resolution No. 5138-13 a conditional use permit for Tualatin Animal Clinic to allow a veterinary clinic with practice limited to small animals in the Central Commercial (CC) Planning District at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02) with the special condition that the off-street parking must be complete within 30 (thirty) months of the date the resolution is passed.

Vote: 5 - 0 MOTION CARRIED

G. GENERAL BUSINESS

1. Consideration of Resolution No. 5140-13 to Grant a Conditional Use Permit to Allow a Small-Lot Subdivision in the Medium Low Density (RML) Planning District at 9355 SW Stono Drive (Tax Map 2S1 35AC, Tax Lot13900) (CUP 13-01).

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik to adopt Resolution No. 5140-13 to grant a conditional use permit to Darter Construction, LLC for a small-lot subdivision in the Medium Low Density (RML) Planning District, at 9355 SW Stono Drive (CUP 13-01).

Vote: 5 - 0 MOTION CARRIED

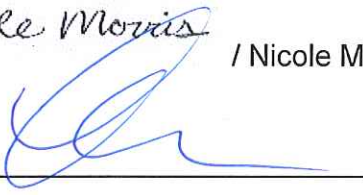
H. ADJOURNMENT

Mayor Ogden adjourned the meeting at 8:49 p.m.

Sherilyn Lombos, City Manager

Nicole Morris

/ Nicole Morris, Recording Secretary



_____/ Lou Ogden, Mayor