



## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 08/24/2015

**SUBJECT:** Consideration of Approval of the Minutes for the City Council Regular Meeting of July 27, 2015

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### ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Regular Meeting of July 27, 2015.

### RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** City Council Meeting Minutes of August 24, 2015



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JULY  
27, 2015**

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

Absent: Council President Monique Beikman

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Assistant City Manager Alice Cannon; City Engineer Jeff Fuchs; Building Official Jim Sayers; Finance Director Don Hudson

**A. CALL TO ORDER**

Pledge of Allegiance

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

**B. ANNOUNCEMENTS**

**1. Proclamation Declaring July 2015 as Water Awareness Month**

Councilor Truax read the proclamation declaring July 2015 as Water Awareness Month.

**2. Introduction of the Tualatin Community Police Foundation**

Chad Hastings introduced the Tualatin Police Community Foundation. He stated the foundation is a non-profit organization established in 2014 and incorporated in April 2015. The foundations goals include strengthening community relationships, programming, and providing needed equipment. More information on the foundation can be found at [www.tucpf.org](http://www.tucpf.org).

**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.*

Brett Hamilton spoke to concerns regarding the selection of Aspen Place as part of the Civic Facilities Study. He requested Block C be added to the list of locations for a new facility.

City Manager Lombos stated staff will be back in the Fall with further information on Aspen Place and the Commons locations.

Councilor Davis asked if inquiries could be made to property owners in Block C to see if they are interested in selling the property. Upon further Council discussion it was decided to add this as a discussion item at an upcoming work session.

Kory Jeremoe presented parking concerns occurring in the Roberts Court area. He requested the area be allowed to establish a parking permit zone.

Joel Dulashanti, Military Order of Purple Heart, requested the Council adopt a proclamation declaring Tualatin a Purple Heart City. Mayor Ogden requested Mr. Dulashanti to work with City Manager Lombos to provide more information and begin the process.

#### **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 Nancy Grimes, SECONDED by Councilor Wade Brooksby to adopt the consent agenda.

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

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Regular Meeting of July 13, 2015
2. Consideration of **Resolution No. 5240-15** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5210-14
3. Consideration of **Resolution No. 5246-15** Approving the Amended Tualatin Valley Fire and Rescue Fire Prevention Code in the City of Tualatin.
4. Consideration of **Resolution No. 5229-15** Approving Stop Sign Installations for Three Residential Subdivisions: Rayborn Estates, Heather Ridge, and Mission Terrace
5. Consideration of Approval of a New Liquor License for Stafford Hills Management Co., LLC

6. Consideration of Approval of a New Liquor License Application for Red Robin Gourmet Burgers and Brews

**E. 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. Consideration of **Ordinance No. 1383-15** Adopting the Updated Oregon Specialty Codes and Clarifying those Codes within the Tualatin Municipal Code to Comply with State Law.

Assistant City Manager Alice Cannon and Building Official Jim Sayers presented an ordinance to adopt the updated Oregon Specialty Codes and clarify the adopted codes in the municipal code. Building Official Sayers stated the State Building Code Division updated their code in 2014. Upon their update local jurisdictions are required to adopt the codes independently and revise their codes to reflect the most current edition on the state code. The ordinance tonight clarifies items including city code administration, grading, alternate materials and methods, appeals, and updates language to clarify that violations are civil infractions.

Councilor Davis asked if the language was specific to building and construction. Official Sayers stated the ordinance addresses a variety of building topics.

Councilor Grimes clarified the adoption of this code is not optional and is mandatory to meet state guidelines. Official Sayers concurred.

**PUBLIC COMMENT**

None

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Joelle Davis for first reading by title only.

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

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

City Attorney Brady read Ordinance No. 1383-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik for second reading by title only.

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

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

City Attorney Brady read Ordinance No. 1383-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik to adopt Ordinance No. 1383-15 updating Oregon Specialty Codes and clarifying those codes within the Tualatin Municipal Code to comply with State Law.

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

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

2. Consideration of **Ordinance 1384-15** Granting a Non-Exclusive Cable Franchise to Comcast of Oregon II, Inc.

Fred Christ, Metropolitan Area Communications Commission (MACC), presented the updated franchise agreement. Mr. Christ stated the new agreement retains the important financial, service and regulator benefits that member jurisdictions have relied on for the past 15 years. He highlighted a few items in the agreement including technology updates for public broadcasting and a decrease in the public access charge.

Tim Goodman, Director of Government Affairs for Comcast, thanked MACC for their work on the agreement. He believes the new agreement is great for the community and the organizations.

Councilor Davis thanked both gentleman for working through the long bargaining process and reaching a agreement that in the end is the best outcome for all the communities involved.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis for first reading by title only.

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

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

City Attorney Brady read Ordinance No. 1384-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis for second reading by title only.

City Attorney Brady read Ordinance No. 1384-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to adopt Ordinance 1384-15 granting a non-exclusive cable franchise to Comcast of Oregon II, Inc.

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

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

**F. 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.*

**G. COMMUNICATIONS FROM COUNCILORS**

Councilor Davis brought up discussion on Ordinance 1381-15 relating to elections, initiatives, referendums, and referrals. She presented concerns with the process for adoption of the ordinance and the lack of community involvement.

MOTION by Councilor Joelle Davis, SECONDED by Councilor Frank Bubenik to repeal Ordinance No. 1381-15 relating to elections, initiatives, referendums, and referrals; amending Tualatin Municipal Code Chapter 1-24; and adding new provisions.

**COUNCIL DISCUSSION**

Councilor Truax noted he was not at the meeting when the ordinance passed. He stated he will not be voting to rescind the ordinance but would be willing to meet with community members to discuss the ordinance and any potential amendments that could be made.

Aye: Councilor Frank Bubenik, Councilor Joelle Davis

Nay: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Nancy Grimes,  
Councilor Ed Truax

Other: Council President Monique Beikman (Absent)

MOTION Failed

Councilor Davis requested the discussion of amendments to Ordinance No. 1381-15 be added to a future work session. Council consensus was reached to bring the item back for discussion at the August 24 work session.

Councilor Bubenik reminded citizens that National Night Out is August 4.

Councilor Bubenik thanked the artists, volunteers, and city staff that made ArtSplash a success again this year.

Councilor Bubenik updated the Council on the status of the America's Best Community grant. He noted the group has exceeded the goal of raising \$15,000 and thanked the businesses and citizens for all their generous donations.


Councilor Davis announced the Tualatin Police Community Foundations will be at the Crawfish Festival and encouraged citizens to come visit their booth.

Mayor Ogden thanked the Stone Ridge Neighborhood for their clean-up efforts this past weekend. The event was a success.

**H. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 8:00 p.m.

Sherilyn Lombos, City Manager

 / Nicole Morris, Recording Secretary

 / Lou Ogden, Mayor