



OFFICIAL MINUTES FOR THE TUALATIN CITY COUNCIL MEETING OF OCTOBER 28, 2019

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Paul Morrison, Councilor Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Robert Kellogg

Call to Order

Mayor Bubenik called the meeting to order at 7:07 p.m.

Pledge of Allegiance

Announcements

1. Proclamation Declaring November 3-11, 2019 as Veteran's Appreciation Week

Mayor Bubenik read the proclamation declaring November 3-11, 2019 as Veteran's Appreciation Week in the City of Tualatin.

Dale Potts invited citizens to the Veterans Appreciation Breakfast, November 8, 8 a.m., at the Juanita Pohl Center.

2. Oregon Recreation and Park Association- Parks and Recreation Award

Oregon Recreation and Park Association Director Michael Klein announced the City of Tualatin as the recipient of the Oregon Recreation and Park Association 2019 Planning Award for the Tualatin Parks and Recreation Master Plan update.

3. New Employee Introduction- Joanna Caputo, Public Works Office Coordinator

Public Works Director Jeff Fuchs introduced Office Coordinator Joanna Caputo. The Council welcomed her.

4. New Employee Introduction- Megan George, Assistant to the City Manager

City Manager Sherilyn Lombos introduced Assistant to the City Manager Megan George. The Council welcomed her.

Public Comment

Steve Schopp spoke in opposition of the SW Corridor Light Rail plan. He stated he has issues with funding and traffic concerns.

Jonathan Crane spoke to Opportunity Zones and asked if the area his business is located in can be included in the opportunity zone as he feels the area was accidentally lumped in with the park.

Jonathan Crane presented the Council with an article on kindness. He encouraged the city to promote kindness and adopt a Kind City designation.

Consent Agenda

Motion to adopt the consent agenda made by Council President Grimes, Seconded by Councilor Kellogg.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Minutes of October 14, 2019
2. Consideration of **Resolution No. 5465-19** Adopting a Supplemental Budget to Authorize Changes to the FY 2019-2020 Adopted Budget
3. Consideration of **Resolution No. 5476-19** Authorizing the Purchase and Installation of Playground Equipment and Surfaces through an Interstate Cooperative Procurement

Special Reports

1. Juanita Pohl Center Advisory Committee Annual Report

Juanita Pohl Center Supervisor Sara Shepherd and Juanita Pohl Center Advisory Committee Chair Candice Kelly presented the committees annual update. Chair Kelly stated the committee's role is to be dedicated to programs and services, listen to ideas and suggestions and make recommendations on the operations of the center, and support efforts to increase attendance and participation. The center this year increased utilization by increasing fitness and wellness, nutrition, arts and culture, and social opportunities for citizens. Total center visits for the 2018-19 fiscal year were 72,257. Chair Kelly spoke to the many center partnerships that help foster and improve health and promote healthy lifestyles. She stated the benefits the center offers citizens include improved health, promotion of healthy lifestyles, life-long learning and enrichment opportunities, increased quality of life, and social and intellectual engagement and interaction. Chair Kelly stated building rentals are a big part of center activities with 315 rentals and 26,875 guests attending those events the past year. The committee worked to enhance the center's appearance the past year by completing furniture replacement in the large and small classroom, dining room floor replacement, and reupholstered the dining room chairs. The committee's action plan for 2019-20 includes supporting and growing the active aging programs, increased partnerships with local community groups and national organizations, and developing and implementing a strategic marketing plan to increase visibility and awareness.

2. Tualatin Moving Forward Second Annual Report & Neighborhood Safety Projects

Public Works Director Jeff Fuchs presents the 2nd Annual Tualatin Moving Forward Report. He provided a brief history on the project over the last 18 months. Director Fuchs explained the staff and consultant structure for the project. He stated the Owner's Representative for the project is Alta Planning + Design. Director Fuchs stated they are the team leader that assess the project portfolio, manages schedules and resources, validates the budget, coordinates with other agencies, and reports on progress.

Director Fuchs stated celebrating successes for the program have been important. He noted the latest celebrations was held in October for the opening of the Boones Ferry and Siletz intersection. The project included a pedestrian-activated signal, ADA curb ramps, and sidewalk connections in all direction. Director Fuchs stated five projects in total have been completed with

seven more being underway. He reviewed a couple projects that are currently underway including Tualatin-Sherwood Road/I-5, Garden Corner Curves, and the Martinazzi Ave and Sagert Street projects. Director Fuchs shared the “report card” the city issues to monitor project progress. He stated that city continues to have a robust public outreach program that includes media participation through press releases and news stories. He added each project also has its own specific outreach depending on its needs.

Councilor Brooks asked if the Martinazzi Ave and Sagert Street project would be removing the turn lanes for the area. Director Fuchs stated the city will need to purchase some right of way in the area and in doing so has no plans of removing the turn lanes.

Councilor Kellogg asked to have the east bound and west bound turn lanes extended along Sagert to help with the flow of traffic.

Director Fuchs spoke to the Neighborhood Traffic Safety Program. He stated it is a bond-funded program that addresses safety at locations identified by the community. The projects that are selected can be implemented quickly and spread out over the life of the program. He stated citizens can submit project suggestions on the website. Director Fuchs spoke to project prioritization criteria for the program that includes geographic diversity, being solution-oriented, and budget approved. He stated the project identification process started in April where projects ideas were collected through public comment, ideas from businesses, and the suggestion form. The criteria was then was applied to the projects and 16 potential projects surfaced. Of those nine were removed for future consideration and seven turned into proposed neighborhood traffic safety projects. The seven projects totaled approximately \$500,000. Director Fuchs stated selected projects included pedestrian crossings or driver feedback signs at Mohawk Street, 90th and Sweek Drive, Borland Road, Nyberg Lane at the entrance to Browns Ferry Park, Martinazzi Avenue between Avery and Dakota, Tualatin Road between 105th and 15th Avenues, and Nasoma Lane near Marquis.

Councilor Reyes asked about citizen concerns with traffic at the Sagert Farms development. Director Fuchs stated staff are currently collecting traffic data in the area and will evaluate if there is additional signage that can be placed to help with traffic flow.

Councilor Kellogg asked if the light timing at the Borland and 65th intersection had changed since being repaved. Director Fuchs stated staff has reached out to the county about the situation.

Director Fuchs stated he will be back in the spring with the next update on the project.

General Business

1. Presentation on City Marijuana Regulations and State Law

City Attorney Sean Brady presented an overview on city regulations for marijuana facilities. He presented the history on the formulation of the city regulations. He stated in fall of 2014 the council approved a 10% tax on recreational marijuana and a 5% tax on medical marijuana. In March of 2015 the council adopted marijuana regulations. In November 2015 the Tualatin voters approved a 3% tax on retail sales of marijuana. City Attorney Brady spoke to city regulations on marijuana facilities in regards to zoning and setbacks, business regulations, and residential regulations. He shared maps for where marijuana facilities are allowed in the city. City Attorney Brady shared a comparison of state laws and city regulations. He noted some potential legal

issues the city could face include the 2,000 foot buffer between facilities and the reasonableness of a 3,000 foot buffer from residential areas, parks, schools, and libraries.

PUBLIC COMMENT

Gwyn Ashcom, Tobacco Prevention Coordinator for Washington County Health, provided the council with information and statistic on youth substance prevention.

Cyndy Hillier asked the Council to understand the evidence based facts around social norms of allowing marijuana facilities in the community. She advocated for the health and wellness for the community in general.

Deena Ryerson requested the Council leave the city regulations as they stand.

Sherri Raulston, Western Oregon Dispensary, stated the State is working toward having clean and safe marijuana in the state. She noted when cities allow facilities it decreases the black market in the area and gets the products out of the hands of underage people.

Anthony Stewart, Council for Western Oregon Dispensary, stated the city has essentially created a de facto ban by only allowing facilities to be located in the industrial park. He stated the Council does have the ability to conduct a reasonable site design review to make these locations work for everyone.

DISCUSSION

Councilor Pratt asked if the City could determine what signage for these facilities could look like. City Attorney Brady stated changes could be made to the sign ordinance and they would be applied citywide to all businesses.

Councilor Brooks stated she would like to see the buffers between locations aligned with state law.

Councilor Morrison asked if the recommendations for the current regulations came from the Planning Commission. City Attorney Brady stated it was a Council decision.

Councilor Reyes stated she would like to revisit the buffers for separating facilities at 1,000 feet.

Councilor Kellogg requested to see the maps from 2014 that were used to determine the buffers. He stated he thinks now is a reasonable time to revisit these regulations.

Councilor Grimes stated there has been a lot of community input and testimony of this topic over the years. She stated she believes it is important to listen to what the community wants.

Mayor Bubenik stated he voted against the current regulations when they were initially enacted. He would like to revisit the regulations.

Councilor Brooks stated she would like to review the facts before she can make a decision.

Council consensus was reached to come back with a correction to the conflict of buffers between facilities to meet state law.

Council consensus was reached to evaluate the reasonableness of the 3,000 foot buffers between schools, libraries, and parks at a future meeting.

Council Communications

Mayor Bubenik presented a proclamation request for Small Business Saturday from the Tualatin Chamber of Commerce. Council consensus was reached to place the proclamation on the next council agenda.

Councilor Kellogg stated he attended the SW Corridor Steering Committee where they have found a potential solution to close the funding gap. The committee will learn more about that proposal later in the week. Councilor Kellogg asked for the Council's support in recommending the adding back into the project of the above grade crossing at 72nd and a proposal for the right sizing of the Bridgeport Park and Ride garage at 900 spaces. The Council agreed with the recommendation.

Councilor Brooks invited citizens to the Eat, Drink, and Be Giving fundraiser for Tualatin Family Promise to be held on November 16, 5-8 p.m., at Vine and Sparrow.

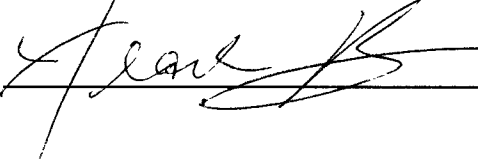
Mayor Bubenik adjourned the meeting at 9:45 p.m.

Adjournment

Sherilyn Lombos, City Manager



/ Nicole Morris, Recording Secretary



/ Frank Bubenik, Mayor