



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR NOVEMBER 09, 2020

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

Call to Order

Mayor Bubenik called the meeting to order at 7:01 p.m.

Moment of silence for those who have lost their lives to COVID-19

Announcements

1. Small Business Saturday Proclamation

Tualatin Chamber of Commerce Director Linda Moholt encouraged everyone to shop Tualatin during these unprecedented times.

Councilor Pratt read the proclamation declaring November 28th, 2020 as Small Business Saturday in the City of Tualatin.

Public Comment

Jean Buelna-Pastor spoke in opposition of the proposed changes to the marijuana zoning regulations. She encouraged the Council to take the Planning Commission's recommendation and protect the youth of Tualatin.

Consent Agenda

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

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 City Council Work Session and Regular Meeting Minutes of October 26, 2020
2. Consideration of **Resolution No. 5526-20** Adopting the City of Tualatin Investment Policy

Public Hearings - *Quasi-Judicial*

1. Consideration of **Ordinance No. 1442-20** Requesting the Annexation of Approximately 25.18 acres of Property Located South of SW Norwood Road, Tax Map 2S135D Lot 100; Annexing the Territory into the Boundary of Clean Water Services, and Withdrawing the Territory from the Washington County Enhanced Sheriff Patrol District (File No. ANN 20-0003)

Mayor Bubenik opened the hearing by reading ORS 197.763 (5) and (6) and ORS 197.763(3)(b).

Assistant Planner Tabitha Boschetti presented Annexation 20-0003 Norwood Road Property. Planner Boschetti stated the request is to annex 25.18 acres of private property at SW Norwood Road into the city. She stated future zoning for the property would be designated Medium Low Density Residential. Planner Boschetti stated the application meets the applicable criteria and staff recommends approval.

Applicant Representative Mimi Doukas stated the application is straight forward and requested council approval.

PUBLIC COMMENT

None.

Motion for first reading by title only made by Councilor Kellogg, Seconded by Councilor Morrison.

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

MOTION PASSED

Motion for second reading by title only made by Councilor Kellogg, Seconded by Council President Grimes.

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

MOTION PASSED

Motion to adopt Ordinance No. 1442-20 requesting the annexation of approximately 25.18 acres of property located south of SW Norwood Road, tax map 2S135D lot 100; annexing the territory into the boundary of Clean Water Services, and withdrawing the territory from the Washington County Enhanced Sheriff Patrol District (File No. ANN 20-0003) made by Council President Grimes, Seconded by Councilor Brooks.

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

MOTION PASSED

Public Hearings - Legislative or Other

1. Consideration of Plan Text Amendment PTA 20-0006 Amending Tualatin Development Code Chapter 80- Cannabis Regulations

Assistant Planner Erin Engman presented PTA 20-006 amending cannabis regulations. She presented background on state law and city regulations on cannabis. Planner Engman presented the timeline of the PTA including webinars and council presentations. Planner Engman presented the proposed siting changes. She stated the findings and analysis included in the packet discuss how state regulations are met.

Planning Commission Chair Bill Beers stated the Planning Commission recommended approval with the following changes: prohibit cannabis businesses in high-visibility areas, such as the I-5 corridor or near the Bridgeport area, and prohibiting cannabis businesses in the Neighborhood Commercial District.

Councilor Pratt asked about the comments from the Planning Commission on appearance. Chair Beers stated the comments were about having a cannabis business near the gateway to the city.

Councilor Kellogg asked about the exclusion zone near Bridgeport. Chair Beers stated the commission was split in decision so this was the compromise they came up with to keep the PTA moving forward. He stated some members didn't like the perception of a cannabis business near the entrance to the city.

Councilor Reyes asked if the main concern from the Planning Commission was about the appearance of this type of business at the entrance to the City. Chair Beers stated it was one of the concerns but was not the main driver. Councilor Reyes asked if the fact that Stars Cabaret is in that area was brought up. Chair Beers stated it was not brought up but the discussion about the proximity to other cannabis facilities in other cities was considered.

Council President Grimes expressed concerns with this type of business locating on the west side of I-5. She stated she would be in favor of increasing the area in the industrial area.

Councilor Morrison spoke in opposition of having cannabis businesses near the gateway to the city. He stated he agrees with the Planning Commission recommendation.

Councilor Brooks expressed concerns with limiting where businesses can be located.

PUBLIC COMMENT

Julia Wellborn spoke in opposition of the proposed changes.

Cyndy Hillier spoke on behalf of Tualatin Together and shared their support for the Planning Commission recommendations.

Anthony Stewart, Western Oregon Dispensary, stated all OLCC businesses are subject to the same aesthetics as any other businesses in Tualatin and he noted there are stringent rules in regards to advertisements for cannabis businesses. He requested the Council consider the element of allowing retail facilities in a small portion of the commercial zone.

COUNCIL DELIBERATIONS

Council President Grimes asked if there is willingness from other Councilors to consider the Planning Commission's recommendation and increase the area in the industrial area.

Councilor Pratt asked where the Planning Commission 2,000 foot exclusion was located. Chair Beers stated it is all around I-5. Councilor Pratt asked if a business located on the east side if it would eliminate everything on the west side with the thousand foot buffer. Mayor Bubenik stated it would preclude any facilities locating in the center.

Councilor Morrison stated he is interested in developing businesses in areas where we need business.

Council President Grimes asked if there is support for removing the Bridgeport area off the table for siting cannabis facilities.

Council President Grimes motioned to accept the recommendation from the Tualatin Planning Commission to allow a cannabis industry to be sited along the east side of I-5 and exclude the Bridgeport area.

MOTION failed for lack of a second.

Motion to approve Plan Text Amendment PTA 20-0006 Amending Tualatin Development Code Chapter 80- Cannabis Regulations made by Councilor Kellogg, Seconded by Councilor Brooks. Voting Yea: Mayor Bubenik, Councilor Brooks, Councilor Kellogg, Councilor Reyes, Councilor Pratt

Voting Nay: Council President Grimes, Councilor Morrison

MOTION PASSED

General Business

1. Consideration of **Ordinance No. 1445-20** an Ordinance Relating to Cannabis Regulations; Amending Tualatin Development Code Chapter 80; and Making Minor Amendments to Other Tualatin Development Code Chapters

City Attorney Brady stated this implements PTA 20-0006 and implements minor amendments to change the language from marijuana to cannabis.

Councilor Brooks thanked staff for their work on this item.

Councilor Kellogg stated he is voting in favor of this ordinance to adhere to state law and allowing for legitimate businesses.

Motion for first reading by title only made by Councilor Kellogg, Seconded by Councilor Brooks. Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion for second reading by title only made by Councilor Kellogg, Seconded by Councilor Brooks.

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

MOTION PASSED

Motion to adopt Ordinance No. 1445-20 relating to cannabis regulations; amending Tualatin Development Code Chapter 80; and making minor amendments to other Tualatin Development Code Chapters made by Councilor Kellogg, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Councilor Brooks, Councilor Kellogg, Councilor Reyes, Councilor Pratt

Voting Nay: Council President Grimes, Councilor Morrison

MOTION FAILED for lack of unanimity

2. Consideration of **Resolution No. 5525-20** Authorizing the City Manager to Approve and Sign the Furnishings Package for the Tualatin City Services Project

Facilities Manager Clay Reynolds presented an update on the Tualatin City Services center. He stated the center is currently under construction and running about 3-4 weeks behind schedule. Manager Reynolds stated the project is expected to be completed by April 1. He stated tonight they are asking for Council approval for a furnishings package with Harris Work-Systems. Manager Reynolds stated the contract is above the City Manager's purchasing authority which requires Council approval but is still within the projects budget.

Councilor Morrison thanked the team for all the work they have done on the center.

Councilor Brooks asked if there are opportunities to use the new space for community gatherings. Manager Reynolds stated the meeting rooms will allow for after hour access to community groups.

Motion to adopt Resolution No. 5525-20 authorizing the City Manager to approve and sign the furnishings package for the Tualatin City Services Project made by Councilor Pratt, Seconded by Councilor Brooks.

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

MOTIN PASSED

Council Communications

Council Morrison stated TTSD has made a childcare grant available in addition to the Tualatin childcare grant, information is available on their website.

Councilor Brooks thanked all Veteran's for their sacrifice and service.

Adjournment

Mayor Bubenik adjourned the meeting at 8:57 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor