

REGULAR MEETING

May 1, 2000

CALL TO ORDER:

A regular meeting of the Beaverton City Council was called to order by Mayor Rob Drake in the Forrest C. Soth Council Chambers, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday May 1, 2000 at 6:37 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Evelyn Brzezinski, Dennis Doyle, Forrest Soth, and Cathy Stanton. Also present were Chief of Staff Linda Adlard, City Attorney Mark Pilliod, Human Resources Director Sandra Miller, Finance Director Patrick O'Claire, Engineering Director Tom Ramisch, Operations/Maintenance Director Steve Baker, Police Chief David Bishop, Library Director Shirley George, Development Services Manager Irish Bunnell, Emergency Services Manager Mike Mumaw, Economic Development Manager Janet Young, Fire Battalion Chief Jim Mooney, Assistant City Attorney Ted Naemura, and City Recorder Darleen Cogburn.

CITIZEN COMMUNICATION:

Jake Carlo, 22 SE 26th Portland, Oregon. He said he wanted to let the Council know that he was leaving the *Valley Times*. He thanked the Mayor and Council for the experience and said they had helped him immensely. He said he would still be attending the Council Meetings and planned to talk with each one individually.

Mayor Drake said his comments were appreciated.

COUNCIL ITEMS:

Coun. Brezezinski questioned if everybody was ready to go through the Council appointment meeting May 3, 2000, at 5:30 p.m. to make sure they had their procedure in place. She said the first candidate would arrive at 6:00 p.m. and the last candidate at 9:00 p.m.. She asked if the Council had time to look at the revised scoring sheet that Darleen Cogburn, City Recorder, had distributed. She said she felt Cogburn had put in all the information they had requested during the meeting the prior week. She suggested they not add anything about "the ability to make an unpopular decision," to the criteria. She asked the other Councilors to return to her, the packets with the rating sheets and added that she would bring the questions to the interviews.

Coun. Soth said it looked good to him.

Coun. Stanton reminded them that May 12, 2000, at 7:00 p.m. was the Volunteer Recognition night in the Council Chambers.

Coun. Stanton asked if anyone had heard of a meeting at the Raleigh Hills Town Center about a Wal-Mart.

It was noted that know one had heard of this issue.

Coun. Doyle noted that he would not be at the Recognition night, as he would be in North Dakota.

STAFF ITEMS:

There were none.

PROCLAMATION:

Days of Remembrance

CONSENT AGENDA:

Coun. Brzezinski MOVED, SECONDED by Coun. Doyle that the consent agenda be approved as follows:

Minutes of the regular meeting of February 14, 2000 and the special meeting of March 8, 2000

- 00-144 A Resolution Granting a Franchise for Telecommunications Service to NEXTLINK Oregon, Incorporated
- 00-145 A Resolution Approving the Transportation Annex as Functional Annex T of The City's Emergency Response and Recovery Plan
- 00-146 A Resolution Approving the VIP and Dignitary Coordination Annex as Functional Annex S of The City's Emergency Response and Recovery Plan
- 00-147 Liquor License: Monteaux's Public House – New Outlet
- 00-148 Social Services Funding Recommendations
- 00-149 Utility Underground Text Amendment
- 00-150 Appeal of Planning Commission Decision Upholding Planning Director's Interpretation on Appeal, as Memorialized in Land Use Order No. 1295
- 00-151 Town Center/Transportation System Plan Edit Text Amendment

00-152 2000 Omnibus Text Amendment No. 1

00-153 Bid Award – Mowing and Maintenance of Drainage Facilities

Contract Review Board:

00-154 Contract Award – Art Purchase and Installation under the 1% for the Arts Program at the New City Library Building

00-155 Contract Change Order – Approval of Additional Funds for Legal Services Rendered Bullivant Houser and Bailey, and Transfer Resolution

00-158 Exemption From Competitive Bidding – Purchase of Steelcase Furniture From an Existing Bid Award Through the State of Oregon

Question called on the motion. Couns. Brzezinski, Soth, Doyle and Stanton voting AYE, motion CARRIED unanimous. (4:0)

ORDINANCE:

Suspend Rules:

Coun. Soth MOVED, SECONDED by Coun. Stanton that the rules be suspended, and that the ordinance embodied in AB 00-156 be read for the first time by title only at this meeting, and for the second time by title only at the next regular meeting of the Council. Couns. Brzezinski, Doyle, Soth, and Stanton voting AYE, the motion CARRIED unanimously. (4:0)

Mark Pilliod, City Attorney, read the following ordinance for the first time by title only:

First Reading:

00-156 An Ordinance Adding and Amending, Certain Provisions of Chapters One, Five and Six of the Beaverton Code

Suspend Rules:

Coun. Soth MOVED, SECONDED by Coun. Stanton that the rules be suspended, and the ordinance embodied in 00-157 be read first time in full at that meeting and for the second time by title only at this same meeting. Couns. Doyle, Brzezinski, Soth and Stanton voting AYE, the motion CARRIED unanimously. (4:0)

Pilliod read the following ordinance in full the first time and by title only the second time at this meeting:

First and Second Reading and Passage:

00-157 An Ordinance Repealing Ordinance No. 4079 and Amending Ordinance No. 2050, the Development Code, to Bring the City of Beaverton into Compliance with Metro Code Chapter 3.07, Titles 2 and 8, and Amending Chapter 9 of the Beaverton City Code According to Requirements of the Federal Emergency Management Agency, and to Clarify Other Sections of the Development Code, and Declaring an Emergency

Pilliod noted that section 4 (Declaration of an Emergency) should have been marked section 5.

Coun. Soth MOVED, SECONDED by Coun. Doyle the ordinance embodied in AB 00-157, now pass. Roll call vote. Couns. Soth, Doyle, Brzezinski and Stanton voting AYE, motion CARRIED unanimously. (4:0)

OTHER BUSINESS:

Coun. Stanton asked if anyone was going to respond to Ira Frankel's letter (in the record)

Mayor Drake explained Frankel felt that Photo Radar was illegal and he would like to see Photo Radar stopped, and noted Frankel did not live within the City limits.

Coun. Stanton suggested they send a letter to tell him they support Photo Radar and it had been effective in neighborhoods.

Coun. Brzenzinski said she could call him to let him know that according to several citizen surveys, the citizens supported Photo Radar.

Coun. Stanton agreed to contact Frankel to let him know the citizens were in favor of Photo Radar.

Coun. Doyle noted there was a comment in the letter that indicated the Council was not open to debate and they were not a deliberative body. He said he wanted it clarified that there were extensive debates on a publicized agenda. He stated that when someone came into the meeting to give their input it did not require an immediate reply from the department. He agreed that a note to Frankel would be sufficient.

Linda Adlard, Chief of Staff, reported she had hours of conversation with Frankel and noted his issue was broader than Photo Radar. She reported he thought that Lockheed Martin was not a good company for the City to do business with. She explained that Frankel felt they were militaristic and would influence the citizens of Beaverton to the negative. She stated that he had received numerous files of related information and

she had many discussions with him. She agreed they could send a letter of acknowledgement.

Coun. Soth noted that from the letters he had written and the comments he gave at the Council meetings, it seemed impossible to address the many concerns he had raised. He said it would take several pages to respond.

Coun. Stanton said the discussion about Lockheed was superfluous to Photo Radar, and suggested they just respond with a courtesy letter, telling him that the Council and the citizens support Photo Radar.

Mayor Drake commented that would not satisfy Frankel.

Coun. Stanton clarified that she just wanted a response to him.

Coun. Brzezinski MOVED, SECONDED by Coun. Doyle, that Coun. Stanton call or write Frankel to acknowledge his letter of April 17, 2000. Couns. Brzezinski, Doyle, Stanton and Soth voting AYE, motion CARRIED unanimously. (4:0)

EXECUTIVE SESSION:

Coun. Soth MOVED, SECONDED by Coun. Brzezinski that Council move into executive session in accordance with ORS 192.660 (1) (h), to discuss the legal rights and duties of the governing body with regard to litigation or litigation likely to be filed. Couns. Soth, Brzezinski, Doyle and Stanton voting AYE, motion CARRIED unanimous. (4:0)

RECESS: Mayor Drake called for a brief recess at 7:00 p.m.

Executive session convened at 7:01 p.m.

RECESS:

Mayor Drake called a brief recess of the executive session at 7:26 p.m.

It was clarified that even though Jake Carlo said his term with the *Valley Times* had ended, he is still working for that company and was representing them that evening.

Adlard noted that Carlo needed to clearly understand that he had to comply as always.

Pilliod stated that Carlo would be under the same restrictions as he was under when he was the designated reporter for *The Valley Times*.

RECONVENED:

The executive session reconvened at 7:35 p.m.

Executive session adjourned at 8:05 p.m.

OTHER BUSINESS:

Coun. Doyle MOVED, SECONDED by Coun. Soth that they direct staff to proceed as discussed during executive session. Couns. Doyle, Soth, Stanton and Brzezinski voting AYE, motion CARRIED unanimous. (4:0)

Coun. Brzezinski asked what the scheduled dates for the budget meetings.

Patrick O'Claire, Finance Director, said they were May 22, 23 and 25.

Coun. Brzezinski explained that she would like to take time for the three meetings, since she felt very rushed the last time. She clarified that if it went faster and they did not need the third meeting that would be fine, she just did not want it rushed.

O'Claire clarified that it was scheduled for three meetings at that time.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 8:08 p.m.

Darleen Cogburn, City Recorder

APPROVAL:

Approved this 10th day of July, 2000

Rob Drake, Mayor