

City Council Minutes
August 14, 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, August 14, 2000, at 6:32 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Dennis Doyle, Forrest Soth, Cathy Stanton and Fred Ruby. Coun. Evelyn Brzezinski was excused. Also present were City Attorney Mark Pilliod, Chief of Staff Linda Adlard, Human Resources Director Sandra Miller, Finance Director Patrick O'Claire, Community Development Director Joe Grillo, Operations/Maintenance Director Steve Baker, Library Director Shirley George, Police Captain Wes Ervin, City Engineer Terry Waldele, Project Engineer James Brink, Assistant City Attorney Ted Naemura, and City Recorder Darleen Cogburn.

CITIZEN COMMUNICATION:

Henry Kane, 12077 SW Camden Lane, commented on the Washington County, Beaverton to Wilsonville Commuter Rail Project. He said there would be one hearing only in Tigard and suggested the City put an advertisement in the newspaper to announce it. He said it particularly impacted downtown Beaverton because it called for the displacement of eight or more businesses and destruction of the Lombard Street extension, as well as other things that would be harmful to the business community. He noted that the City spent approximately \$25 million in Urban Renewal funds to move Southern Pacific Railroad tracks off of Canyon Road and now the Commuter Rail project would bring in trains that would block traffic. He said he had talked to the assistant director of transportation for Washington County and she had confirmed that the only hearing would be held in Tigard. He suggested a hearing should also be in Beaverton because the business and residential communities would be impacted negatively. He commented that the feasibility studies said nothing and he claimed they pulled a figure out of the air and it was unsupported.

Kane said Tri-Met did not serve Wilsonville and wondered who would pay for the costs once the construction costs were incurred. He said the

dollar amount would escalate to over one-tenth of a billion dollars to pay off Beaverton businesses and rebuild streets to transport an undefined but very small number of people who already used the bus lines.

Coun. Stanton said she would not respond to everything Kane said, but Wilsonville had their own bus service and a public transportation transfer agreement with Tri-met. She asked where the meeting would take place.

Kane replied it would be at the Water District Building in Tigard at 7:00 p.m. on Thursday, August 17, 2000.

Coun. Stanton said that was the information that people needed.

COUNCIL ITEMS:

Coun. Stanton announced the Beaverton Christian Church was hosting a neighborhood appreciation barbecue to thank the community for their support on Thursday, August 17, 2000. She noted that especially those people in the Highland, South Beaverton and Vose neighborhoods were invited. She said they would have several activities, including Tualatin Valley Fire and Rescue (TVF&R) fire trucks, and Beaverton Police vehicles. She explained there would be a free clothes closet and school supplies give-away for children going back-to-school.

Coun. Soth spoke as the Chair of Washington County's 9-1-1 Board and said there had been a power loss to the main dispatch center the past week. He reported that they did not lose any 9-1-1 calls and through the cooperative agreement with their alternate agency in Hillsboro, they were able to bring up their systems in a matter of minutes. He pointed out this was a once in a lifetime situation, but they had two similar situations within a couple of weeks. He thanked TVF&R for their assistance in resolving the situation and their help in the technical aspects. He emphasized that the system was now up and running and back to normal.

STAFF ITEMS:

Linda Adlard, Chief of Staff, noted that they had put out a Request for Proposal (RFP) for the Red Light Photo Enforcement and speed enforcement programs. She reported that the number of speeding citations issued by photo radar were down, and only 2% - 2.5% of the total traffic through neighborhoods were receiving citations. She noted that those statistics showed that perseverance had made Beaverton neighborhoods safer. She said they would schedule a work session to talk about where they might want to put Photo Radar in the future to help other areas where there was concern with speeding.

PROCLAMATION:

August 14, 2000 as Social Security Day

Mayor Drake noted that President Franklin D. Roosevelt signed Social Security into law in 1935. He reported there were 45,000 people in Washington County currently on Social Security.

Coun. Soth said he had been a member of Social Security since it was founded, and was one of the first people to get a card.

PRESENTATIONS:

00-257 Name the Recycling Beaver Contest Award (carried from 7/24/00)

Adlard announced they were honored to have special guests in attendance that evening. She explained the Name the Recycling Beaver Contest had been held to name the mascot used to teach Beaverton elementary students about proper recycling guidelines and why recycling was important. She noted that the City was very proud to have the program and added that the community was very actively involved.

Mayor Drake introduced Julie Wachter as the winner of the contest. He noted that she was seven years old and had come up with the name B.E.R.T, an acronym for Beaverton's Excellent at Recycling Trash. He announced that Andrew Rakestraw, eleven years old, suggested JR (Just Recycle) and Stephanie Lemmons, twelve years old, had suggested the name Bucky. He noted they were second and third place winners respectively. He presented the winners with donated prizes which included complementary passes to the Oregon Zoo, Nike backpack, admission to the Nike Employee Store, as well as a reusable lunch bag and water bottle from the City.

Mayor Drake also presented Julie with an award certificate for naming B.E.R.T. He asked her where she went to school, what she like to do in her spare time and what she had been doing during the summer.

Julie replied that she went to St. Thomas Moore School and liked Gymnastics and Soccer. She said would be going to Sun River and Flat Head Lake during the summer.

Mayor Drake congratulated and thanked her for submitting the name.

00-283 Cooperative Public Agencies of Washington County (CPAWC)

Mayor Drake said this was a program he was especially proud of and he explained that it had started his first year as Mayor and came out of efforts to work cooperatively with other agencies.

Steve Baker, Operations Director, introduced Dave Chrisman, Operations Manager for Tualatin Hills Park and Recreation District (THPRD). He said Chrisman was also chair of the Cooperative Public Agencies of Washington County (CPAWC).

Baker explained that the City of Beaverton had been cooperating with other public agencies for over 25 years, so CPAWC was not new, but had recently expanded to include 15 agencies (listed in the brochure in record). He noted that all of the agencies had identified goals within their specific agency or as a cooperative. He said the goals became clearer as they looked at population increases and other factors. He commented that it had been extremely successful and all agencies participated at some level, and at the monthly meetings. He said the brochure (in record) gave a brief description of what it was all about and then noted that he distributed a sheet (in record) regarding the workshop they would be having in the fall. He said each agency was represented by one individual who attended the monthly meetings held at various locations throughout the County, and described some of the activities that took place at the meetings. He noted that Chrisman had assigned the task of developing a plan for the Public Works Week in May 2001. He said the nice thing about the formal agreement was that it allowed them to work with various agencies and identify specific needs and costs, without having to exchange funds. He explained that it allowed them to work the specific costs off thereby equaling out the dollar amount that each agency had identified.

Chrisman thanked them for the opportunity to be there and reported on some of the exchanges with THPRD. He said the City of Beaverton had done a couple of asphalt patching and paving projects for THPRD and in return THPRD had mowed approximately 20 acres of City owned land. He gave a brief report on CPAWC activities including producing a website. He noted they would also discuss equipment disposal opportunities for all of the agencies involved. He said it was a good sounding board and it broke down barriers between agencies allowing for better communication.

Baker and Chrisman presented a video and Chrisman said students at Century High School in Hillsboro developed the video. He noted the video project took the students a full school year to produce with CPAWC's direction.

Coun. Stanton referred to the CPAWC activity sheet (in record) and commented that it was a good way to show how this had worked for the City. She questioned, under the heading "Facilities," if the dump trucks were used to remove debris from houses torn down to make room for the library parking lot.

Baker replied that was correct and explained it referred to the houses along Washington Street. He said they borrowed dump trucks from the City of Tigard.

The video was played for 12 minutes.

Baker said the intent of the presentation was to inform the Council and the public of the participation that took place between agencies. He said the cooperation and participation in CPAWC was tremendous, and pointed out that he could potentially call any of the agencies and they would do everything possible to accommodate the City of Beaverton's needs. He noted that in the Operations Department budget they were able to maintain or reduce the costs for rents and leases because of the CPAWC.

Coun. Stanton said she had always appreciated the CPAWC Cooperative and asked that they convey congratulations to Century High School on a very well done video. She referred to the Oregon Department of Transportation (ODOT) being on the list and asked if that meant Region One only.

Baker said ODOT was in Washington County in the sense of some of their facilities. He said they had a stockpile of sanding rock on Hwy. 217 and Hall Blvd. and the City would remove rock from that Washington County site and then replenish it. He noted that it was only Region One.

Coun. Doyle said he wanted to extend his appreciation to Baker and Chrisman and all of the agencies involved with CPAWC. He noted that as a citizen on the THPRD Board he had strongly urged them to do things cooperatively and he hoped they would continue to grow. He said he hoped the press would get the word out to all the taxpayers that the City and the members of CPAWC tried to use resources in ways that allowed them to bring high levels of service to citizens.

Coun. Soth said CPAWC had fulfilled a dream that he had for a number of years and he had not been able to understand why more cooperative efforts were not done, especially in Washington County. He said they were seeing more of it and people were realizing they were all interdependent and it was a wise use of taxpayers dollars.

CONSENT AGENDA:

Mayor Drake noted that Coun. Stanton had asked that AB 00-287 be pulled for separate consideration.

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

- 00-284 Liquor License: Greater Privilege–Studio Eleven Café
- 00-285 Authorize the Mayor to Enter into an Intergovernmental Agreement with ODOT for CIP Project No. 3302, Farmington Road (Murray to Hocken)
- 00-286 A Resolution Authorizing the Mayor to Sign an Intergovernmental Agreement with Washington County to Share with the County and Others in Consultant Costs to Coordinate a County-Wide Approach to

Addressing Issues Related to Metro's Regional Goal 5 Programs and
Federal Endangered Species and Clean Water Acts

- 00-287 CPA 2000-0003 Comprehensive Plan Text Amendment – Transportation Element Text Clarification (Pulled for separate consideration later at this meeting.)
- 00-288 TPP 99-0008 Waterhouse 5 Tree Preservation Plan
- 00-289 APP 2000-0009 Cascade Enforcement Agency
- 00-290 CUP 2000-0014 Gramor CUP Conditions of Approval Modifications
- 00-291 CUP 2000-0015 International House of Pancakes Conditional Use Permit
- 00-292 Bid Award – Demolition of House at 7466 SW 152nd Avenue
- 00-293 Bid Award – Install Window Flashing and Repair and Paint the Exterior of City Hall
- 00-294 Bid Award – Floor Coverings for City Attorney, Finance, Information Services, Court and Technical Services Work Areas at City Hall
- 00-295 Appeal 2000-0011, Fountaincourt PUD, Request For An On The Record Appeal.
- 00-305 A Resolution Granting a Franchise for Telecommunications Service to Metromedia Fiber Network Services, Inc.

Contract Review Board:

- 00-296 Waiver of Sealed Bidding – Purchase Six Vehicles From the State of Oregon Price Agreement
- 00-297 Contract Change Order – Ratify Work Performed and Approve Additional Work at the New Library Building to Install a Panic Alert and Intrusion Security System
- 00-298 Contract Change Order – Authorize Additional Work to be Performed Under the City Park Expansion Contract

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

Separate Consideration:

- 00-287 CPA 2000-0003 Comprehensive Plan Text Amendment – Transportation Element Text Clarification

Coun. Stanton explained that she had asked for AB 00-287 to be pulled for separate consideration, because barring some real new information, she wanted to vote against it and put her reason on the record. She said she had read the memo from City Engineer Terry Waldele dated August 14, 2000 (in record) and Senior Planner at Washington County Department of Land Use and Transportation Blair Crumpacker's memo dated August 8, 2000 (in record). She stated that she found the language very beneficial and hoped it could be incorporated as an amendment to the agenda bill. She noted that she had voted against the Capital Improvement Plan (CIP) agenda bill at a previous Council meeting because some of the issues had been on the CIP for so many years. She pointed out that items that had been on the CIP list too long were being superseded by newer projects.

Coun. Stanton declared that she would vote against passing AB 00-287 because she found the clarification would provide more opportunity for the Planning Commission (PC) and Council to find worthy projects other places in the City, outside of those projects that the City had already determined to be valuable, by designation of the Comprehensive Plan. She said there was always something that would take the funding that was available for a project that had been around for a long time.

Coun. Soth asked about the language that Crumpacker had proposed and said he did not see that in the attachment of the agenda bill.

Waldele explained that the proposed text was in bold type in the memo and would be an amendment to the recommended action.

Mayor Drake noted that Coun. Soth was referring to the letter from Crumpacker dated August 8, 2000. He said the recommended changes would be incorporated in the agenda bill (with Council approval).

Coun. Soth MOVED, SECONDED by Coun. Stanton, that AB 00-287 be amended to incorporate the language suggested by Crumpacker in his letter dated August 8, 2000.

Mayor Drake repeated the motion as including passage of the agenda bill.

Coun. Soth said that was correct.

Coun. Stanton said she would vote in support of the amendment.

Mayor Drake asked if they could make two motions.

Consensus was that it could be two motions.

Coun. Soth said the purpose of his motion was to be sure that the amendment would be incorporated in the Council's final decision.

The vote was taken on the amendment to the language in the Comprehensive Plan Text Amendment. Couns. Doyle, Stanton, Soth and Ruby voting AYE, the motion CARRIED unanimously. (4:0)

Coun. Doyle MOVED, SECONDED by Coun. Soth, to approve the amended AB 00-287.

Question called on the motion. Couns. Doyle, Ruby and Soth voting AYE, Coun. Stanton voting NAY. The motion CARRIED. (3:1)

RECESS:

Mayor Drake called for a recess at 7:25 p.m.

RECONVENED:

The meeting was reconvened at 7:40 p.m.

PUBLIC HEARING:

00-299 ECP 97002, ECP 97003; Remand of a Portion of the Oregon Court of Appeals Decision on the Appeal of the Sexton Mountain Expedited Comprehensive Plan Amendments (ECP's)

Mayor Drake read the required procedures for the public hearing (in record), and explanation of the process.

There were no challenges to any Councilor's right to hear the matter and no Councilors who wished to abstain due to impartiality.

Joe Grillo, Community Development Director, gave the staff report and noted that the Council had received the entire staff report dated July 25, 2000 (in record). He said that on June 28, 2000, the Court of Appeals affirmed LUBA's decision of the Expedited Comprehensive Plan Amendments with one exception. He noted the Court did not uphold the City's approach embodied in Section 3 of Ordinance 4032 that required the approved Comprehensive Plan designations to automatically revert to the previous designations without subsequent action to the Council.

Grillo explained that the effect of the remand was that this was not in the proceedings on the Haggen's initial Expedited Comprehensive Plan Amendments, instead the Council must once again make a final, local decision on both the Plan Amendments, which they had before them that evening. He noted as the Court of Appeals affirmed the Council's original decision in every other aspect, staff advised Council to receive evidence or argument solely on the basis of the "Automatic Plan Designation Reversion" issue. He said for Council to receive evidence on other issues already decided by the Council and affirmed by the court would be redundant. He noted the staff report listed three options for the Council

(in record) and reviewed them. He said the staff's recommendation to the Council was option three.

Coun. Soth asked for clarification, on page 42, Exhibit A, in the middle of the page at the paragraph beginning "155th," the last portion, where it referred to "625 trips to 80 trips," he wondered if those were *trip-ends* as used in traffic engineering.

Grillo said he was not sure he could answer that question.

Coun. Soth explained that he had asked because to differentiate from 625 automobiles (for instance) to 312.5 automobiles, it would be one trip in and one trip out.

Grillo said that if he read the paragraph in total he would reach the same conclusion that Coun. Soth had reached.

Mayor Drake opened the public hearing.

Applicants:

Jack Orchard, Briar Development/Polygon NW, 1100 One Main Place, 101 SW Main St., Portland, said he represented the original applicants and noted that the applicants agreed with staff. He referred to Jeff Kleinman's (the attorney representing Neighbors for Livability) memo dated August 14, 2000, and said it was in error that the Court of Appeals said that the Council's action was incorrect. He said if you read the Court Of Appeals order, it affirmed everything from the Council and the Land Use Board of Appeals (LUBA) in every respect, other than the single issue Grillo had previously described. He said it was a housekeeping matter and the land use applications had occurred many months ago and those matters had gone through the Planning Commission (PC), Board of Design Review (BDR) process and would be heard by Council as soon as it was legally possible.

Coun. Soth referred to the ordinance, on page 21, item b, and asked (in Orchard's viewpoint and with the staff's recommendation) did the first sentence clarify or duplicate what was in Section 1, in a and b.

Orchard read the section, and concluded that it probably did duplicate. He said he did not have any problem with it; he did not have an opinion to whether or not it should be deleted.

Coun. Soth asked Pilliod the same question he had asked Orchard, if it was a duplication or amplification of Section 1, a and b.

Pilliod said it seemed to be more amplification, in that they were talking about the relocation of commercial and residential designations. He said the provisions in Sections 1 and 2 spoke in terms of what the final configuration would be, not that there was a "swap." He noted that it was merely amplification and it did no harm to leave it in.

Mayor Drake asked if there were other questions or comments for Orchard.

There were none.

Mayor Drake asked if there was anyone present who wished to support the original proponent or applicant's position on the remand.

No one came forward to speak.

Opponents:

Jeff Kleinman, 1207 SW 6th Ave., Portland, said he represented Neighbors For Livability (NFL). He noted they had distributed a memorandum dated August 14, 2000, (in record) that listed a fourth option, and stated the Council had a basis for denying the applications if they wished. He said he was not sure that Orchard characterized his memo correctly. He stated that NFL did not mean to suggest that all Council's proceedings as well as the PC's proceedings on the Plan Amendments were void, and that must be started over again. He said he thought Orchard was alluding to part two of his memorandum. He clarified that what they were saying was the applicant had taken a significant risk, knowingly, in filing all the other applications that were filed, not the Plan Amendments themselves, but all of the things that had come in since. He pointed out that the risk was that ultimately an appeal would be sustained and the Plan Amendments would be remanded to the City. He noted that was exactly what had occurred. He stated that under Oregon law, the applicant must, if they wished to proceed with the rezoning and the Conditional Use Permits (CUPs) and the Design Review, start that process over again.

Coun. Soth asked for clarification about NFL's position on the remand. He asked, if regardless of whether it was on the entirety or a portion, the applicant should start the rezone application process over again.

Kleinman replied that was correct.

Coun. Soth asked, for further clarification, if Kleinman meant the applicant would start the pre-application conferences, etc. that were required until that application was complete in its entirety to go forward in the usual manner.

Kleinman said he did not know what staff would require, but the applications must be resubmitted or they must be denied, because the law which applied to all of the applications was the law which existed before the plan amendments took effect. He noted therefore that both zonings were improper as well as the CUPs and all of the design review decisions.

Coun. Stanton referred to Kleinman's memo dated August 14, 2000, on page 2, under the ORS 197.625(1), the last sentence, and read from it (in record). She said the Plan Amendment was upheld on appeal and in the Court of Appeals, and asked if all those pieces that were upheld were still valid.

Pilliod said the section that pertained was one that was not referred to in Kleinman's memo (ORS 197.625(3)). He replied to Coun. Stanton's question directly by saying they were valid since the Council adopted an ordinance, but they were not acknowledged as being in compliance with statewide planning goals, so they could not be used to support a series of applications on which they would rely, unless the underlying Plan Amendments were ultimately acknowledged. He pointed out that there was a process by which that had to occur. He said the risk was that if they were not ultimately acknowledged then the developer was precluded from relying on the Council's underlying Plan Amendment and would have to remove any improvements that were based on that unacknowledged Plan Amendment.

Coun. Stanton asked if the whole plan amendment was unacknowledged at that point because of the one piece under discussion that evening.

Pilliod said that was correct.

Mayor Drake asked if anyone who supported the opponent's position wished to testify.

No one stepped forward to speak.

Rebuttal:

Orchard addressed Kleinman's comments relating to the Court of Appeals action. He pointed out that the Council did not have the ability to deny the Plan Amendments and Kleinman elected not to proceed to the Supreme Court. He said when there was a final action; other than on that condition, then that bound all parties. He said no one could ask for a change in it, so the fourth option of denying something was a condition they could work with, but that was all that was allowed to be worked with. He noted that was the way Kleinman chose to frame the appeals in this case. He said they had "turned a lot of dirt over" in the 11 proceedings in this process and there was nothing in Oregon law that said they had to go back and "turn it over again." He said the Court of Appeals could have said the Plan Amendments had to be re-heard, but they did not do that. He clarified that, instead, the City Council's decision and the Land Use Board of Appeals (LUBA) decision were affirmed in all respects other than the single housekeeping condition that was in front of Council that evening.

Mayor Drake said he did not hear anything new on rebuttal.

Mayor Drake closed the Public Hearing.

Coun. Soth MOVED, SECONDED by Coun. Ruby, that Council amend Ordinance 4032, by removing the Subsections, 3, b, c, d, but with the provision that Section 3, b, the first sentence be incorporated in Section 1, as a sub c, to clarify the intent of the Council regarding those properties.

Mayor Drake asked Coun. Soth if he was referring to the whole section b, or the first sentence.

Coun. Soth clarified that it was the first sentence only (of Section 3, page 21), and read the sentence for clarification: The Council also intends that the previous commercial designation of properties described in Section 2, be relocated to the site described in Section 1, a, and that the previous residential designation of approximately the same amount of property described in Section 1, be relocated to the previously commercial property described in Section 2.

Mayor Drake repeated the motion as follows: Coun. Soth MOVED, SECONDED by Coun. Ruby, to delete subsection 3, b, c, and d of Ordinance 4032, and add from page 21 of the staff report dated August 14, 2000, to section 1, create a new subsection c, removing from Section 3 below, b, the first sentence which reads (as read by Coun. Soth above).

Coun. Soth explained that he included that to amplify what was already included in section 1, a and b as well as in section 2. He said the only thing the Council was considering that evening was that portion of Ordinance 4032, and the portion of the proceedings the Court of Appeal remanded and that regarded the "reversion clause."

Coun. Doyle said he would support the motion, and noted it was a clarification and housekeeping task, and thought it was put in at his insistence two years ago.

Mark Pilliod clarified that staff would return at the August 28, 2000, meeting with the ordinance enacting the order, and his expectation was that the Council would conduct first and second readings so it would be effective 20 days from August 28, 2000.

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

ORDINANCES:

Suspend Rules:

Coun. Soth MOVED, SECONDED by Coun. Stanton that the rules be suspended and the ordinances embodied in ABs 00-300, 301, 302, 303, and 304, 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. Doyle, Soth, Stanton, and Ruby voting AYE, motion CARRIED unanimously (4:0)

First Reading:

- 00-300 An Ordinance Amending Ordinance No. 1800, the Comprehensive Plan by Amending the Comprehensive Plan Text to Establish A South Tektronix Station Community District Multiple Use Comprehensive Plan Designation; CPA 98013 (APP 9900009)
- 00-301 Ordinance Amending Ordinance No. 1800, The Comprehensive Plan Map, by Redesignating Selected Parcels to A Station Community Multiple-Use Plan Designation; CPA 98014 (APP 9900010)
- 00-302 An Ordinance Amending Ordinance No. 2050, the Development Code, To Implement the South Tektronix Station Community District by Amending Section 20.20.60, Special District Development Approvals and Section 20.20.90, Natural Resource Protection and Enhancements, in Addition to Other Related Modifications; TA 980002 (APP 9900007)
- 00-303 An Ordinance Amending Ordinance No. 2050, The Zoning Map to Rezone Selected Parcels in the South Tektronix Station Community to Station Community Multiple-Use (SC-MU) and Station Community High-Density Residential (SC-HDR) Zoning Districts; RZ 98013 (APP 9900008)
- 00-304 An Ordinance Vacating a Public Right-of-way Within the Waterhouse South #6 Subdivision; SV 2000-001

Second Reading and Passage:

- 00-280 An Ordinance Amending Ordinance No. 1800, The Comprehensive Plan Map and Ordinance No. 2050, The Zoning Map, To Reassign Washington County's Planning Designations to City Comprehensive Plan and Zoning for Property at 430 SW 150th Avenue; CPA 2000-0002 and RZ 2000-0005
- 00-281 An Ordinance Annexing 1.5 Acres of Land Lying Generally Outside of the Existing City Limits to the City of Beaverton; ANX 2000-0002, (430 SW 150th Avenue)

First and Second Reading

Coun. Soth MOVED, SECONDED by Coun. Stanton. That the ordinance embodied in AB 00-282 be read for the first time by title

only at this meeting and for the second time in full at this meeting. Couns. Soth, Ruby, Doyle, and Stanton voting AYE, the motion CARRIED unanimously. (4:0)

Pilliod read the ordinance by title only and then in full at this meeting, and noted that there was a legislative memorandum attached and read the amendments (in record).

00-282 An Ordinance Amending Ordinance No. 2050, the Development Code, to Establish Requirements for Underground Placement of Private Utilities TA 2000-0003

Coun. Soth MOVED, SECONDED by Coun. Doyle that the ordinances embodied in ABs 00-280, 281 and 282, now pass. Roll call vote. Couns. Soth, Doyle, Ruby and Stanton voting AYE, motion CARRIED unanimously. (4:0)

EXECUTIVE SESSION:

No executive session was necessary.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 8:38 p.m.

Darleen Cogburn, City Recorder

APPROVAL:

Approved this 9th day of October, 2000

Rob Drake, Mayor