

CITY OF KING CITY
CITY COUNCIL MINUTES
City Council Chambers
City Hall

February 1, 2017

Call to Order: Council President Olmstead called the regular council meeting to order at 7:00 p.m.

Roll Call: Present: President Bob Olmstead, Councilor Reynolds, Councilor Ocholi, Councilor Buehner, and Councilor Boylston.

Absent: Mayor Ken Gibson, Councilor Nguyen-Ventura

Agenda Item 4: Approval of Minutes from January 13, 2017

MOTION MADE BY COUNCILOR BUEHNER TO APPROVE WITH MODIFICATIONS THE MINUTES FROM JANUARY 13,2017 REQUESTING TO ADD THE WORD "METRO" PRIOR TO POLICY ADVISORY COMMISSION (MPAC), SECONDED BY COUNCILOR BOYLSTON, TO APPROVE THE MINUTES OF JANUARY 13, 2017

Roll Call: All Ayes (5-0)

The motion passed.

Approval of Minutes from January 18, 2017

MOTION MADE BY COUNCILOR BUEHNER TO APPROVE THE MINUTES FROM JANUARY 18, 2017 SECONDED BY COUNCILOR REYNOLDS, TO APPROVE THE MINUTES OF JANUARY 18, 2017

Roll Call: All Ayes (5-0)

The motion passed.

Agenda Item 5: **Open Forum:**

Jerry Crane a resident from the Highlands rose concerns about streets and roads and the City's ability to maintain the streets and roads that the city is considering maintaining. Mr. Crane would requested to know the city's plan for maintaining the roads within the City.

City Manager (CM) Weston described the City's Street Maintenance Matrix and plans for maintaining the streets within the City.

Rod Bartholomew of the Highlands raised questions regarding the timeframe for repairs of the streets based on CM Weston's explanation of the Maintenance Matrix. Mr. Bartholomew identified a couple cul-de-sacs and Bexley Road as being of the main concerns in the Highlands.

Councilor Buehner described the evaluation process that roads within King City are assessed and plugged into the Matrix

Agenda Item 6: **Unfinished Business:** Jordan Way Parking – CM Weston announced the four members of the Committee Gerry Feickert, Kay Gooding, Paul Lakin, and Kevin Deever. CM Weston also announced the first meeting of the Committee, which is scheduled for Tuesday February 14, 2017 at 2 PM. The Committee will seek to resolve the differences between parties associated with the Parking Plan.

Agenda Item 7: New Business:

7.1 CM Weston read Ordinance 2017-01 into the Record:

ORDINANCE NO. 2017-01

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF THE CITY OF KING CITY AND WITHDRAWING THE TRACT FROM TIGARD WATER DISTRICT, TERRITORY OF THE WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, THE WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT AND THE WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS

7.2 Staff Consultant Ken Martin from KSM Consulting presented the Staff Report for Ordinance 2017-01 regarding the annexation of the Highlands to the City Council. Mr. Martin explained the procedures for annexation and the overall size and dimension of the area to be annexed. Mr. Martin also described the conditions in which the Highlands will be annexed and described the State Statues and Metro Code. Mr. Martin Explained that the city went well beyond the basic requirements for the Annexation

Mr. Martin noted an error in the Staff Report acknowledging the Withdrawal from the Tigard Water District. Mr. Martin indicated that the error was addressed in the Ordinance and has been noted in the record.

Councilor Buehner asked if it was necessary to call out the total number of Equivalent Dwelling Units (EDUs) in the annexation area, so there are no errors with the Department of Revenue.

Mr. Martin responded that it was not necessary as long as the boundaries were clearly defined.

7.3 President Olmstead opened the Public Hearing asking Councilors to declare any ex parte contacts or perceived conflicts. Councilor Buehner announced that she was familiar with the area but did not feel it influenced her ability to be impartial in the hearing.

President Olmstead requested comments from Public Agencies: Hearing None

President Olmstead requested comments from Proponents of the Annexation:

Gordon Keeney from 16128 SW Refectory Place– Mr. Keeney believed that the annexation was a good thing due to the addition of enhanced police coverage, feeling of community, and local representation. Mr. Keeney, announced that while he is in favor of the annexation, he is not certain about the proposed parking plan of the Highlands Board and would request that the Council give the proposal due consideration before adopting an overly restrictive parking plan.

Mr. Jerry Crane from the Highlands posed a question about President Olmstead's Public Hearing Announcement. In particular, Mr. Crane wanted clarification on the clause:

"Failure to raise an issue that is intended to provide a basis for appeal must be raised prior to the close of the hearing, in person or by letter, with sufficient specificity to afford the hearing body and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue."

CM Weston addressed Mr. Crane's question, explaining that the language is a standard script for public hearings and addresses the legal status of the hearing. CM

Weston also explained that the language does automatically preclude potential appellants from raising legal issue at a later date, but that an appeals court may determine to hear an appeal based solely on the record. CM Weston also explained that the intent of the code is to ensure the public understands that this is their opportunity to have their concerns addressed and raise any legal issues with the annexation.

Mr. Crane asked if there would be future opportunities to present written comments.

CM Weston explained that his request would be at the discretion of the hearing body at the end of the hearing.

President Olmstead requested comments from Opponents of the Annexation:

Rod Bartholomew addressed the Council and explained his concern for the parking plan being proposed by the Highlands Board.

Councilor Buehner explained that the Parking Plan was not what was being considered in the Hearing. Further explaining that the Council can only consider the criteria relating to the annexation and the legal matters surrounding that issue. Since the area is not yet a part of King City the Council has no authority over the roads and cannot consider implementing parking requirements/restrictions until such time as the area in question is actually annexed into the city.

Councilor Boylston explained to the audience that this is their opportunity to lodge legal objections to the annexation. Stating that, 'if they are simply opposed to the annexation they are always welcome to submit letters to the council objecting to the annexation, but the purpose of this hearing is to address the legal proceedings to establish any legal arguments for or against the annexation for any proceedings down the road.'

President Olmstead asked if the Staff had any Rebuttal: Hearing None

PRESIDENT OLMSTEAD REQUESTED A MOTION TO CLOSE PUBLIC TESTIMONY AND CONTINUE THE HEARING TO FEBRUARY 15, 2017, COUNCILOR BOYLSTON MOVED AND COUNCILOR BUEHNER SECONDED.

ROLL CALL: (5-0) ALL AYES

THE MOTION PASSED UNANIMOUSLY

Agenda Item 8: Police Chief's Report

- Chief Fessler addressed a couple questions from the Council.
- Chief Fessler gave a brief update regarding signs and procedures for notifying the City regarding Signs.

Agenda Item 9: City Manager's Report

- CM Weston reminded the Council of the Open House at 6 PM on February 6, 2017 and updated the Council on the URA planning efforts.
- CM Weston asked permission from the Council to acquire some GIS Software and implement the technology on the City's web page, using the line item for Web Development to pay for the GIS implementation. CM Weston presented the Bid from Global Data Link to the Council for consideration. The Amount was approximately \$12,500 with recurring maintenance fees of 3-4 thousand annually.

COUNCILOR BUEHNER MOVED AUTHORIZE THE CITY MANAGER TO APPROVE THE PURCHASE OF THE SERVER AND SOFTWARE TO IMPLEMENT THE GIS PLATFORM, COUNCILOR OCHOLI SECONDED.

ROLL CALL: (5-0) ALL AEYS
THE MOTION PASSED UNANIMOUSLY

Agenda Item 10: Mayor and Councilor's Reports

Councilor Boylston: Nothing to Report

Councilor Reynolds: Discussed the nice Temperatures in Arizona

Councilor Ocholi: Nothing to Report

Councilor Buehner: Presented and discussed a memo to the Council updating her activity over the past couple weeks appended hereto as Exhibit A, and by this reference made a part hereof.

Council President Olmstead: Reported his activity at the MACC commission and discussed the topic of Frontier and their negotiations with channels 2 & 6. Councilor Olmstead announced that Frontier may drop channels 2 & 6, if they cannot come to a reasonable agreement.

Agenda Item 11: COUNCILOR REYNOLDS MOVED - COUNCILOR OCHOLI SECONDED TO ADJOURN, THE MEETING WAS ADJOURNED AT 7:42 P.M

Respectfully Submitted

Michael Weston, City Manager/City Recorder