



City of Tualatin

TUALATIN CITY COUNCIL

Monday, August 24, 2015

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 5:30 p.m.
BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Monique Beikman

Councilor Wade Brooksby Councilor Frank Bubenik
Councilor Joelle Davis Councilor Nancy Grimes
Councilor Ed Truax

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR AUGUST 24, 2015

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. New Employee Introduction- Dominique Huffman, Project Engineer
2. America's Best Community Grant Update

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Consideration of Approval of the Minutes for the City Council Regular Meeting of July 27, 2015
2. Consideration of Recommendations from the Council Committee on Advisory Appointments
3. Consideration of **Resolution No. 5247-15 Authorizing the City Manager to Execute a Revocable Permit to Allow Construction of a Fence in Right-Of-Way for SW Alabama Street.**
4. Consideration of Approval of a New Liquor License Application for Dotty's #13
5. Consideration of Approval of a New Liquor License Application for Covey Ridge Winery dba Woven Wineworks

6. Consideration of Approval of a New Liquor License Application for Big Eddy Tap House

E. SPECIAL REPORTS

1. 2014-15 Annual Report of the Tualatin Arts Advisory Committee (TAAC)

F. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

G. COMMUNICATIONS FROM COUNCILORS

H. ADJOURNMENT



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 08/24/2015

SUBJECT: Consideration of Approval of the Minutes for the City Council Regular Meeting of July 27, 2015

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Regular Meeting of July 27, 2015.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Meeting Minutes of August 24, 2015](#)



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JULY 27, 2015

Present: Mayor Lou Ogden; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Council President Monique Beikman

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Assistant City Manager Alice Cannon; City Engineer Jeff Fuchs; Building Official Jim Sayers; Finance Director Don Hudson

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:00 p.m.

B. ANNOUNCEMENTS

1. Proclamation Declaring July 2015 as Water Awareness Month

Councilor Truax read the proclamation declaring July 2015 as Water Awareness Month.

2. Introduction of the Tualatin Community Police Foundation

Chad Hastings introduced the Tualatin Police Community Foundation. He stated the foundation is a non-profit organization established in 2014 and incorporated in April 2015. The foundations goals include strengthening community relationships, programming, and providing needed equipment. More information on the foundation can be found at www.tucpf.org.

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

Brett Hamilton spoke to concerns regarding the selection of Aspen Place as part of the Civic Facilities Study. He requested Block C be added to the list of locations for a new facility.

City Manager Lombos stated staff will be back in the Fall with further information on Aspen Place and the Commons locations.

Councilor Davis asked if inquiries could be made to property owners in Block C to see if they are interested in selling the property. Upon further Council discussion it was decided to add this as a discussion item at an upcoming work session.

Kory Jeremoe presented parking concerns occurring in the Roberts Court area. He requested the area be allowed to establish a parking permit zone.

Joel Dulashanti, Military Order of Purple Heart, requested the Council adopt a proclamation declaring Tualatin a Purple Heart City. Mayor Ogden requested Mr. Dulashanti to work with City Manager Lombos to provide more information and begin the process.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Wade Brooksby to adopt the consent agenda.

Aye: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Regular Meeting of July 13, 2015
2. Consideration of **Resolution No. 5240-15** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5210-14
3. Consideration of **Resolution No. 5246-15** Approving the Amended Tualatin Valley Fire and Rescue Fire Prevention Code in the City of Tualatin.
4. Consideration of **Resolution No. 5229-15** Approving Stop Sign Installations for Three Residential Subdivisions: Rayborn Estates, Heather Ridge, and Mission Terrace
5. Consideration of Approval of a New Liquor License for Stafford Hills Management Co., LLC

6. Consideration of Approval of a New Liquor License Application for Red Robin Gourmet Burgers and Brews

E. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Ordinance No. 1383-15** Adopting the Updated Oregon Specialty Codes and Clarifying those Codes within the Tualatin Municipal Code to Comply with State Law.

Assistant City Manager Alice Cannon and Building Official Jim Sayers presented an ordinance to adopt the updated Oregon Specialty Codes and clarify the adopted codes in the municipal code. Building Official Sayers stated the State Building Code Division updated their code in 2014. Upon their update local jurisdictions are required to adopt the codes independently and revise their codes to reflect the most current edition on the state code. The ordinance tonight clarifies items including city code administration, grading, alternate materials and methods, appeals, and updates language to clarify that violations are civil infractions.

Councilor Davis asked if the language was specific to building and construction. Official Sayers stated the ordinance addresses a variety of building topics.

Councilor Grimes clarified the adoption of this code is not optional and is mandatory to meet state guidelines. Official Sayers concurred.

PUBLIC COMMENT

None

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Joelle Davis for first reading by title only.

Aye: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

City Attorney Brady read Ordinance No. 1383-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik for second reading by title only.

Aye: Mayor Lou Ogden, Councilor Ed Truax, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

City Attorney Brady read Ordinance No. 1383-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik to adopt Ordinance No. 1383-15 updating Oregon Specialty Codes and clarifying those codes within the Tualatin Municipal Code to comply with State Law.

Aye: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

2. Consideration of **Ordinance 1384-15** Granting a Non-Exclusive Cable Franchise to Comcast of Oregon II, Inc.

Fred Christ, Metropolitan Area Communications Commission (MACC), presented the updated franchise agreement. Mr. Christ stated the new agreement retains the important financial, service and regulator benefits that member jurisdictions have relied on for the past 15 years. He highlighted a few items in the agreement including technology updates for public broadcasting and a decrease in the public access charge.

Tim Goodman, Director of Government Affairs for Comcast, thanked MACC for their work on the agreement. He believes the new agreement is great for the community and the organizations.

Councilor Davis thanked both gentleman for working through the long bargaining process and reaching a agreement that in the end is the best outcome for all the communities involved.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis for first reading by title only.

Aye: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Council President Monique Beikman (Absent)

MOTION CARRIED

City Attorney Brady read Ordinance No. 1384-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis for second reading by title only.

City Attorney Brady read Ordinance No. 1384-15 by title only.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to adopt Ordinance 1384-15 granting a non-exclusive cable franchise to Comcast of Oregon II, Inc.

Aye: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax
Other: Council President Monique Beikman (Absent)
MOTION CARRIED

F. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

G. COMMUNICATIONS FROM COUNCILORS

Councilor Davis brought up discussion on Ordinance 1381-15 relating to elections, initiatives, referendums, and referrals. She presented concerns with the process for adoption of the ordinance and the lack of community involvement.

MOTION by Councilor Joelle Davis, SECONDED by Councilor Frank Bubenik to repeal Ordinance No. 1381-15 relating to elections, initiatives, referendums, and referrals; amending Tualatin Municipal Code Chapter 1-24; and adding new provisions.

COUNCIL DISCUSSION

Councilor Truax noted he was not at the meeting when the ordinance passed. He stated he will not be voting to rescind the ordinance but would be willing to meet with community members to discuss the ordinance and any potential amendments that could be made.

Aye: Councilor Frank Bubenik, Councilor Joelle Davis
Nay: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Nancy Grimes, Councilor Ed Truax
Other: Council President Monique Beikman (Absent)
MOTION Failed

Councilor Davis requested the discussion of amendments to Ordinance No. 1381-15 be added to a future work session. Council consensus was reached to bring the item back for discussion at the August 24 work session.

Councilor Bubenik reminded citizens that National Night Out is August 4.

Councilor Bubenik thanked the artists, volunteers, and city staff that made ArtSplash a success again this year.

Councilor Bubenik updated the Council on the status of the America's Best Community grant. He noted the group has exceeded the goal of raising \$15,000 and thanked the businesses and citizens for all their generous donations.

Councilor Davis announced the Tualatin Police Community Foundations will be at the Crawfish Festival and encouraged citizens to come visit their booth.

Mayor Ogden thanked the Stone Ridge Neighborhood for their clean-up efforts this past weekend. The event was a success.

H. ADJOURNMENT

Mayor Ogden adjourned the meeting at 8:00 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 08/24/2015

SUBJECT: Consideration of Recommendations from the Council Committee on Advisory Appointments

ISSUE BEFORE THE COUNCIL:

Consideration of appointments to the Tualatin Planning Commission and Architectural Review Board

RECOMMENDATION:

Staff recommends the City Council approve the recommendations from the Council Committee on Advisory Appointments (CCAA).

EXECUTIVE SUMMARY:

The CCAA met and interviewed citizens interested in participating on City advisory committees and boards. The Committee recommends appointing the following individuals:

<i>Individuals</i>	<i>Board</i>	<i>Term</i>
Alan Aplin	Tualatin Planning Commission	Re-appointment Term Expiring 8/31/18
Angela Demeo	Tualatin Planning Commission	New Appointment Term Expiring 8/31/18
Chris Goodell	Architectural Review Board	Re-appointment Term Expiring 6/30/17
Skip Stanaway	Architectural Review Board	Re-appointment Term Expiring 6/30/17

Attachments:



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Tony Doran, Engineering Associate
Alice Cannon, Assistant City Manager

DATE: 08/24/2015

SUBJECT: Consideration of **Resolution No. 5247-15** Authorizing the City Manager to Execute a Revocable Permit to Allow Construction of a Fence in Right-Of-Way for SW Alabama Street.

ISSUE BEFORE THE COUNCIL:

City Council will consider authorizing the City Manager to execute a Revocable Permit to allow construction of a fence in the right-of-way of SW Alabama Street.

RECOMMENDATION:

Staff recommends Council consider the attached resolution.

EXECUTIVE SUMMARY:

A 14-foot wide emergency vehicle and pedestrian access exists within SW Alabama Street connecting to SW Boones Ferry Road within existing right-of-way that varies between approximately 33 and 38 feet wide. There is no planned date for full width road construction. The property owner at the southwest corner of SW Alabama Street and SW Boones Ferry Road, Mr. Eimon, would like to construct a fence approximately five feet north of his property line within SW Alabama Street right-of-way until future construction occurs. In exchange, Mr. Eimon would like to landscape and maintain the area between his fence within the right-of-way to the existing access with plantings as approved by Tualatin's Community Services Department for beautification.

Approval of this resolution will authorize the City Manager to allow Mr. Eimon to construct a fence approximately 5 feet north of his property line within SW Alabama Street right-of-way adjacent to his property until future construction occurs. The property owner is restricted from any construction of structures, planting of trees, or in any way obstructing the right-of-way for future use of public street and underground public utilities. Maintenance of the fenced right-of-way will be the responsibility of the property owner until the street is constructed.

When the City needs to make use of the existing right-of-way for public utilities or construction of SW Alabama Street, the City retains authority to remove the fencing and landscaping with no public costs for removal or replacement of the private fence and landscaping improvements. The

RESOLUTION NO. 5247-15

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE PERMIT TO ALLOW CONSTRUCTION OF A FENCE IN RIGHT-OF-WAY FOR SW ALABAMA STREET

WHEREAS, there is currently no construction timeline for construction of SW Alabama Street; and

WHEREAS, Mr. Eimon has requested to place a fence over the right-of-way, which is adjacent to Mr. Eimon's property located at the southwest corner of SW Boones Ferry Road and SW Alabama Street, 22475 SW Boones Ferry Road, until such time as the City uses the right-of-way; and

WHEREAS, Mr. Eimon has requested to plant and maintain to City specifications the right-of-way between his fence and the paved access within SW Alabama Street;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute a Revocable Permit, which is attached as Exhibit 1 and incorporated by reference.

Section 2. The City Manager is authorized to revoke the permit at any time and for any reason deemed appropriate by the City Manager.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 24th day of August, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

After recording return to:
City of Tualatin, Oregon
18880 SW Martinazzi Ave.
Tualatin, OR 97062-7092



REVOCABLE PERMIT (Right-of-Way)

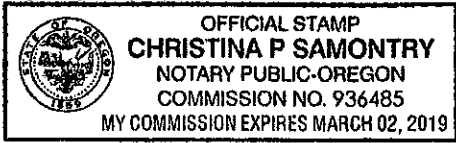
The City of Tualatin (“City”), pursuant to Resolution No. 5247-15, hereby grants Mark and Tanya Eimon (“Permitee”) the right to encroach upon and occupy a portion of public right-of-way, as more particularly described in Exhibit A (“Legal Description”) and as depicted on Exhibit B (“Map”) for the purpose of Fencing and landscaping to City specifications within SW Alabama Street north of 22475 SW Boones Ferry Road (“Encroachment”), subject to the terms and conditions set forth herein.

The City grants the permit on the condition that Permitee promises and agrees to comply with the following terms, conditions, and restrictions:

1. The Encroachment must comply with all applicable Codes of the City of Tualatin including, but not limited to, structural safety, traffic, sanitation, land use, and fire requirements.
2. Permitee agrees to comply with the plans and specifications approved by the City and all applicable permits.
3. The street tree species may be either Scanlon/Bowhall Maple and Eastern Redbud. The shrub species and general theme should at least be similar to the design concepts used around the house and to include the following: Barbery, Viburnum, Knockout Rose, Lavender, Feather Reed Grass.

4. Permittee must maintain the Encroachment in good order and must immediately notify the City of any dangers to person or property, or any dangerous conditions, that exist with regard to the Encroachment, which are either known or discovered by Permittee.
5. Permittee is responsible for installing and maintaining an automatic irrigation system, for providing water and all materials, and for maintaining landscaping within the right-of-way.
6. Permittee assumes all risk of damage to its Encroachment, and any buildings, structures, utilities, or other appurtenances connected to the Encroachment, resulting from, or arising out of, any and all uses of the public right-of-way by the City, its officers, employees, agents, and the general public.
7. Permittee must defend, indemnify, and hold harmless the City, its officers, agents, and employees, against any and all claims for damages of any kind caused or alleged to have been caused as a result of the Encroachment or this Permit, whether such damage or injury results from normal operation or accident or any other cause.
8. The placing of the Encroachment in a portion of the aforesaid public right-of-way will not give to Permittee, or anyone else, any permanent right to its continued or exclusive occupancy.
9. This Permit is revocable for any reason and, when requested to do so by the City, Permittee, at Permittee's own expense, will remove the Encroachment from City's right-of-way; and, failing to do so, the City may cause removal of the Encroachment at the cost and expense of Permittee.
10. Permittee's obligations under the provisions of this Permit are binding upon all of the heirs, successors, and assigns of Permittee.
11. In the event Permittee includes more than one person or entity, all such persons or entities are jointly and severally liable for all conditions herein.
12. Any private construction within the right-of-way requires a Public Works Permit and compliance with all applicable codes and regulations.

ACCEPTED, and the conditions hereof acknowledged and agreed to 24th day of August, 2015.



Mark and Tanya Eimon

By: Mark and Tanya Eimon
Permitee

STATE OF OREGON)
) ss.
County of WASHINGTON)

This instrument was acknowledged before me on August 10, 2015, by CHRISTINA SAMONTRY

[Signature]

Notary Public—State of Oregon
My commission expires: MARCH 02, 2019

Witness my hand this _____ day of _____, 20____.

By: _____
City Manager

STATE OF OREGON)
) ss.
County of _____)

This instrument was acknowledged before me on _____, 20____, by Sherilyn Lombos, as the City Manager for the City of Tualatin, Oregon.

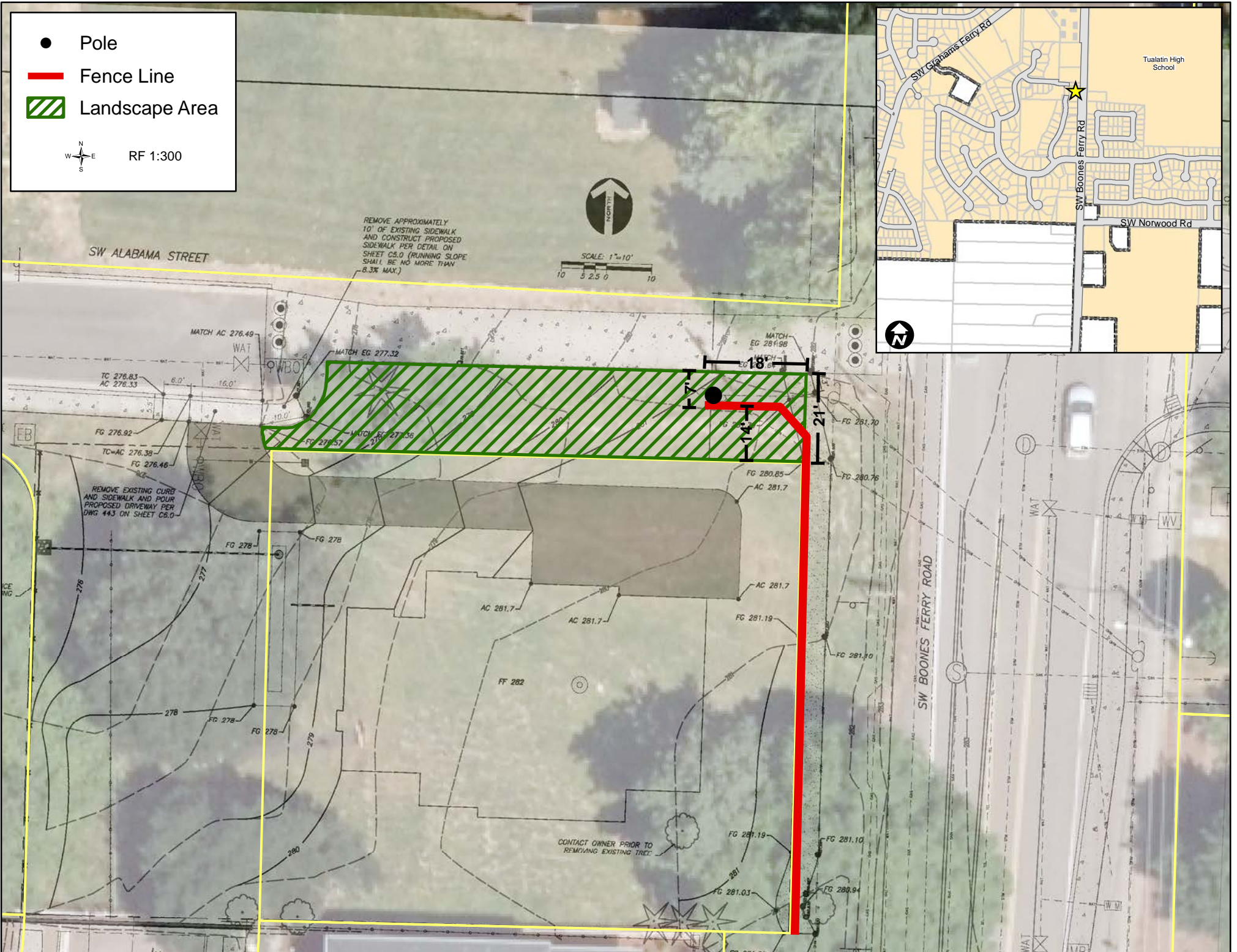
Notary Public—State of Oregon
My commission expires: _____

APPROVED AS TO FORM:

By: _____
City Attorney

- Pole
- Fence Line
- ▨ Landscape Area

RF 1:300





**ORTHWEST
SURVEYING, INC.**

RESIDENTIAL - COMMERCIAL - INDUSTRIAL

Licensed in OR, WA & ID

1815 NW 169th Place, Suite 2090
Beaverton, OR 97006

Telephone: 503-848-2127
Fax: 503-848-2179

Property Description

November 20, 2014
NWS Project Number 1165
Combined Dedication
Page 1 of 2

SW Boones Ferry Road Right-of-way Dedication

A portion of that tract of land described in deed to Gary L. Kilgore and Judith A. Kilgore recorded June 3, 1987 as Document Number 87-028180, Washington County Deed Records, located in the northwest one-quarter of Section 35, Township 2 South, Range 1 West, Willamette Meridian, City of Tualatin, Washington County, Oregon, and being more particularly described as follows:

Commencing at a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying, Inc." located at the northeast corner of Parcel 1 of Partition Plat No. 2008-032, Washington County Plat Records, said point also being at the intersection of the southerly line of said Kilgore property and the westerly right-of-way line of SW Boones Ferry Road (51.00 feet westerly from the centerline thereof, when measured at right angles); Thence along said southerly, North 89°36'14" East 14.00 feet to a point located 37.00 feet westerly from the centerline of SW Boones Ferry Road, when measured at right angles, and the Point of Beginning;

Thence parallel with and 37.00 feet westerly from said centerline, when measured at right angles, North 00°13'37" West 100.15 feet to the north line of said Kilgore property, said line also being the southerly right-of-way line of SW Alabama Street (25.00 feet southerly from the centerline thereof, when measured at right angles), from said point a 5/8 inch iron rod with a yellow plastic cap stamped "Westlake Consultants" bears South 89°32'58" West 13.89 feet; Thence along said southerly right-of-way line, North 89°32'58" East 7.00 feet to the westerly right-of-way line of SW Boones Ferry Road (30.00 feet westerly from the centerline thereof, when measured at right angles); Thence along said westerly right-of-way line, South 00°13'37" East 100.16 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying, Inc." located at the southeast corner of said Kilgore property; Thence along the south line of said Kilgore property, South 89°36'14" West 7.00 feet to the Point of Beginning.

The above described tract of land contains 701 square feet, more or less.

November 20, 2014
NWS Project Number 1165
Combined Dedication
Page 2 of 2

SW 96th Drive Right-of-way Dedication

A portion of that tract of land described in deed to Gary L. Kilgore and Judith A. Kilgore recorded June 3, 1987 as Document Number 87-028180, Washington County Deed Records, located in the northwest one-quarter of Section 35, Township 2 South, Range 1 West, Willamette Meridian, City of Tualatin, Washington County, Oregon, and being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying, Inc." located at the northwest corner of Parcel 1 of Partition Plat No. 2008-032, Washington County Plat Records, said point also being at the intersection of the southerly line of said Kilgore property and the easterly right-of-way line of SW 96th Drive (25.00 feet easterly from the centerline thereof, when measured at right angles); Thence along said southerly line, South 89°36'14" West 50.00 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "Northwest Surveying, Inc." located at the southwest corner of said Kilgore property, also being the most easterly southeast corner of Tract 'B' of "Chilkat Meadow"; Thence along the west line of said Kilgore property, North 00°16'22" West 100.00 feet to the northwest corner thereof, said point also being an angle point on the southerly right-of-way line of SW Alabama Street (25.00 feet southerly from the centerline thereof, when measured at right angles); Thence along said southerly right-of-way line, North 89°32'58" East 50.00 feet to a point located 50.00 feet easterly from the west line of said Kilgore property, when measured at right angles; Thence parallel with and 50.00 feet easterly from said west line, when measured at right angles, South 00°16'22" East 100.05 feet to the Point of Beginning.

The above described tract of land contains 5,001 square feet, more or less.

The basis of bearings for this description is the north line of Parcel 1, Partition Plat No. 2008-032.

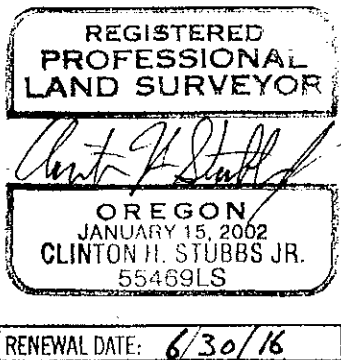


EXHIBIT MAP

LOCATED IN THE NORTHWEST 1/4 OF SECTION 35,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,
CITY OF TUALATIN, WASHINGTON COUNTY, OREGON
DATE: NOVEMBER 20, 2014

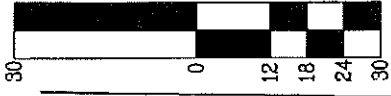
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Clinton H. Stubbs Jr.

OREGON
JANUARY 15, 2002
CLINTON H. STUBBS JR.
55469LS

RENEWAL DATE: 06/30/16

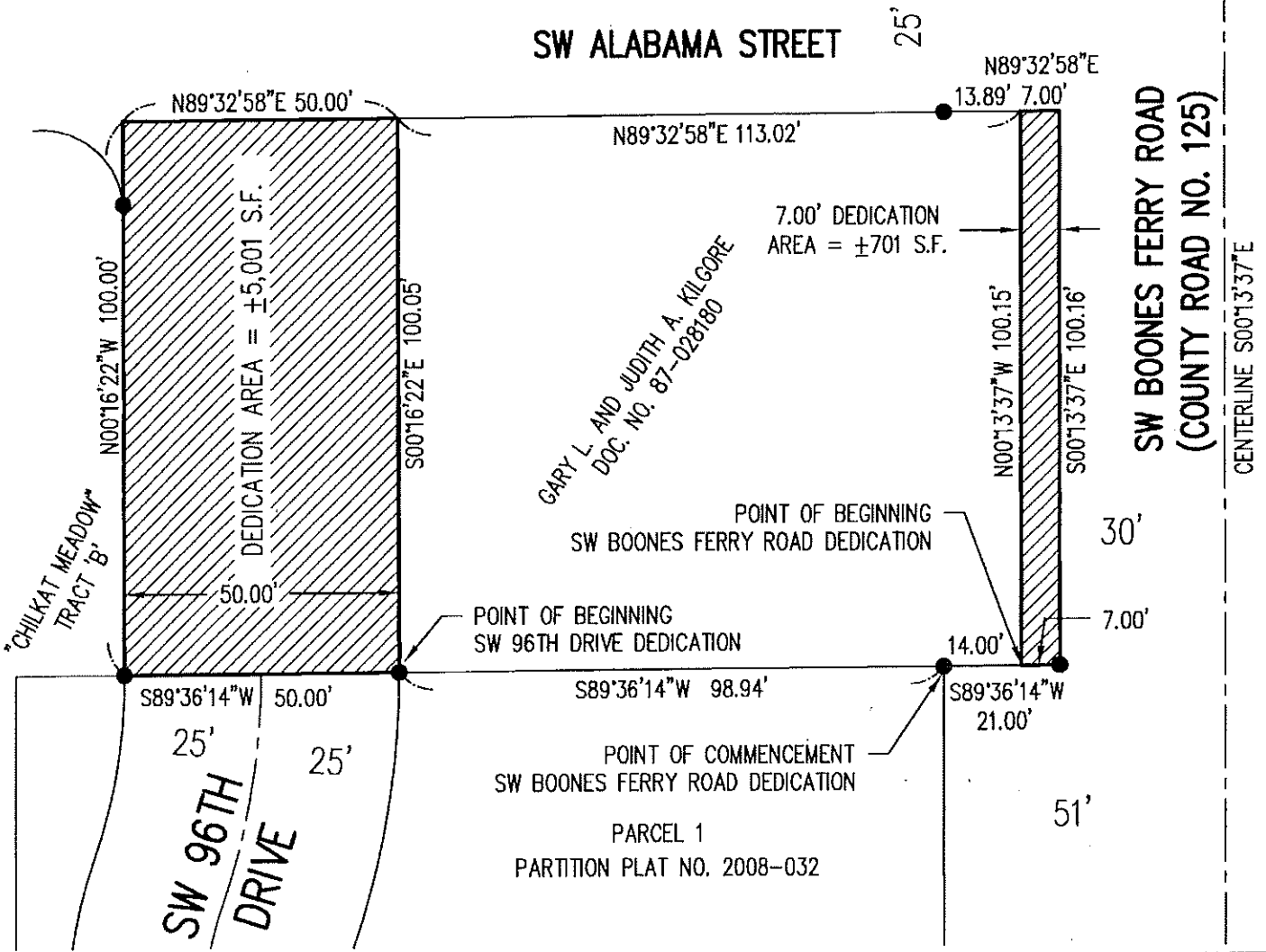
SCALE 1" = 30 FEET



30'

SW ALABAMA STREET

25'



PREPARED FOR:

A-MARK CONSTRUCTION
22389 SW 103RD AVENUE
TUALATIN, OR 97067

JOB NAME: AMARK TUALATIN
 JOB NUMBER: 1165
 DRAWING NUMBER: 1165 EXHIBITS
 DRAWN BY: CHS
 CHECKED BY: SFF

NORTHWEST
SURVEYING, Inc.

1815 NW 169th PLACE,
SUITE 2090
BEAVERTON, OR 97006
PHONE: 503-848-2127
FAX: 503-848-2179
nwsurveying@nwsrvy.com



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 08/24/2015

SUBJECT: Consideration of Approval of a New Liquor License Application for Dotty's #13

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Dotty's #13.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Dotty's #13.

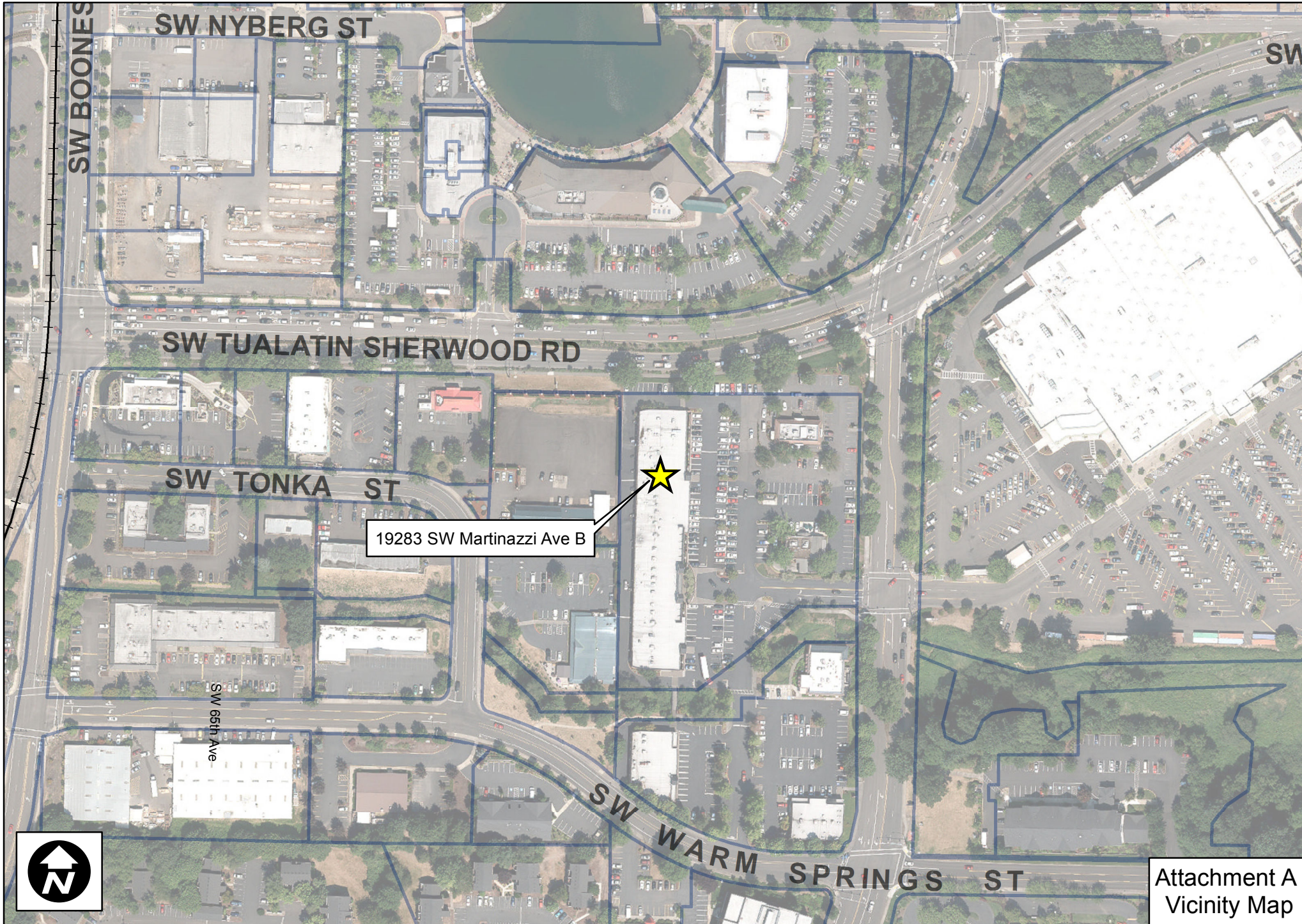
EXECUTIVE SUMMARY:

Dotty's #13 has submitted a new liquor license application under the category of full on-premises. This would permit them to sell and serve distilled spirits, malt beverages, wine, and cider for consumption at their location. They would also be permitted to sell malt beverages for off-site consumption in securely covered containers provided by the customer. The business is located at 19283 SW Martinazzi Ave #B. The application is in accordance with provisions of Ordinance No.680-85 which established a procedure for review of liquor licenses by the Council. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: [Attachment A- Vicinity Map](#)
[Attachment B- License Types](#)
[Attachment C- Application](#)



OREGON LIQUOR CONTROL COMMISSION

LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



Recpt. 894627
\$ 100.00
pd.

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Date 8-7-2015

IMPORTANT: This is a three-page form. You are required to complete all sections of the form.
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
- Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Dotty's #13

Business address 19283 SW Martinazzi Ave # B City Tualatin State OR Zip Code 97062

Mailing address PO Box 4726 City Portland State OR Zip Code 97208

Telephone # 503-228-3058 Fax # _____

Name(s) of business manager(s) First Kelley Middle A Last Sheldon

Date of birth _____ Social Security # _____ ODL# _____ M _____ F X

Home address _____ City _____ State OR Zip Code _____
(attach additional pages if necessary)

Type of business Deli

Type of food served Burgers Chicken strips, salads, wraps, biscuits/gravy

Type of entertainment (dancing, live music, exotic dancers, etc.) Video Lottery

Days and hours of operation Sun 8AM-1200AM Mon-Wed 800AM-130AM Thurs-Sat 800AM-230 AM

Food service hours: Breakfast all Lunch all Dinner all

Restaurant seating capacity 30 Outside or patio seating capacity 0

How late will you have outside seating? 0 How late will you sell alcohol? Closing hours

How many full-time employees do you have? 2 Part-time employees? 2

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants _____

Type of liquor license (refer to OLCC form) _____

Form of entity holding license (check one and answer all related applicable questions):

INDIVIDUAL: If this box is checked, provide full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

PARTNERSHIP: If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.
Full name _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

CORPORATION: If this box is checked, complete (a) through (c).
(a) Name and business address of registered agent.
Full name Oregon Restaurant Services Inc
Business address 2444 NW 24th Ave Portland OR 97210

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

(c) Are there more than 35 shareholders of this corporation? Yes No If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.
Full name of president: DM Fischer Date of birth: [REDACTED]
Residence address: [REDACTED]
Full name of treasurer: Marvin Hofer Date of birth: [REDACTED]
Residence address: [REDACTED]
Full name of secretary: James Thores Date of birth: [REDACTED]
Residence address: [REDACTED]

LIMITED LIABILITY COMPANY: If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.
Full name: _____ Date of birth: _____
Residence address: _____

Full name: _____ Date of birth: _____

Residence address: _____

OTHER: If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

[Redacted Signature]

8/7/15

Signature of Applicant

Date

For City Use Only

Sources Checked:

- DMV by BSH
- DLEDS by BSH
- TuPD Records by BSH
- Public Records by BSH

Number of alcohol-related incidents during past year for location.

Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted

Denied

Cause of unfavorable recommendation: _____

[Redacted Signature]

8/13/15

Signature

Date

Kent W. Barker
Chief of Police
Tualatin Police Department



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 08/24/2015

SUBJECT: Consideration of Approval of a New Liquor License Application for Covey Ridge Winery dba Woven Wineworks

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Covey Ridge Winery dba Woven Wineworks.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Covey Ridge Winery dba Woven Wineworks.

EXECUTIVE SUMMARY:

Covey Ridge Winery dba Woven Wineworks has submitted a new liquor license application under the category of Winery. They must principally produce wine or cider in Oregon. They can manufacture, store, and export wine and cider. This allows for the sale and service of malt beverages, wine, and cider for off-site consumption. The business is located at 9650 SW Herman Road. The application is in accordance with provisions of Ordinance No.680-85 which established a procedure for review of liquor licenses by the Council. Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: [Attachment A- Vicinity Map](#)

Attachment B- License Types

Attachment C- Application



OREGON LIQUOR CONTROL COMMISSION

LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



REC'D
CITY OF TUALATIN
AUG 05 2015
LIQUOR LICENSE APPLICATION

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

MAYOR _____ COUNCIL _____ POLICE _____ ADM _____
FINANCE _____ COMM/DEV _____ LEGAL _____ OPER _____
COMMS/SGS _____ ENG & PLNG _____ LIBRARY _____

Date July 30, 2015

IMPORTANT: This is a three-page form. You are required to complete all sections of the form. If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.

Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
- Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Lovoy Ridge Vineyard LLC, dba Woven Wine works

Business address 9650 SW Hannan Rd City Tualatin State OR Zip Code 97062

Mailing address 41940 NW Lovoy Lane City Banks State OR Zip Code 97106

Telephone # 954-673-2188 Fax # _____

Name(s) of business manager(s) First James Middle Judson Last Allen

Date of birth [redacted] Social Security # [redacted] ODL# N/A M F

Home address [redacted] City [redacted] State OR Zip Code [redacted]

(attach additional pages if necessary)

Type of business winery (storage and shipping location) Oregon wine services

Type of food served None

Type of entertainment (dancing, live music, exotic dancers, etc.) None

Days and hours of operation Not open to the public

Food service hours: Breakfast N/A Lunch N/A Dinner N/A

Restaurant seating capacity N/A Outside or patio seating capacity N/A

How late will you have outside seating? N/A How late will you sell alcohol? N/A

How many full-time employees do you have? 0 Part-time employees? 0

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants _____

Covey Ridge Vineyard, LLC

Type of liquor license (refer to OLCC form) Winery

Form of entity holding license (check one and answer all related applicable questions):

INDIVIDUAL: If this box is checked, provide full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

PARTNERSHIP: If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.
Full name _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

CORPORATION: If this box is checked, complete (a) through (c).
(a) Name and business address of registered agent.
Full name _____
Business address _____

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

(c) Are there more than 35 shareholders of this corporation? Yes No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.
Full name of president: _____ Date of birth: _____
Residence address: _____
Full name of treasurer: _____ Date of birth: _____
Residence address: _____
Full name of secretary: _____ Date of birth: _____
Residence address: _____

LIMITED LIABILITY COMPANY: If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.
Full name: See Attached Date of birth: _____
Residence address: _____

Full name: _____ Date of birth: _____
Residence address: _____

OTHER: If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

Covey Ridge Vineyard, LLC
by  *Exec. Manager* _____ Date July 30, 2015

For City Use Only

Sources Checked:

DMV by *BSK* LEADS by *BSK* TuPD Records by *BSK*
 Public Records by *BSK*

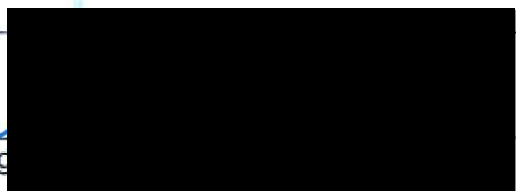
Number of alcohol-related incidents during past year for location.
 Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted

Denied

Cause of unfavorable recommendation: _____

 _____ Date 8/13/15

Kent W. Barker
Chief of Police
Tualatin Police Department

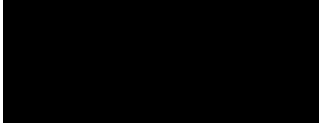
Supplement to City of Tualatin Liquor License Application

Covey Ridge Vineyard, LLC

Form of Entity – Limited Liability Company

Covey Ridge Vineyard, LLC

James J. Allen (Executive Manager)



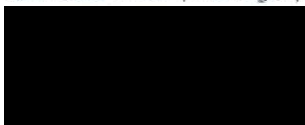
Elaina Joy Spring (Member and Operating Manager)



Covey Ridge, LLC (Member)
4190 NW Covey Lane
Banks, OR 97106

Covey Ridge, LLC (Member of Covey Ridge Vineyard, LLC)

James J. Allen (Manager)



James J Allen Revocable Trust (Member)



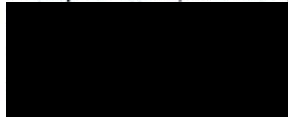
Lynda S Allen Revocable Trust (Member)



Sandra D Allen (Member)



Phillip C Allen (Member)





STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 08/24/2015

SUBJECT: Consideration of Approval of a New Liquor License Application for Big Eddy Tap House

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Big Eddy Tap House.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Big Eddy Tap House.

EXECUTIVE SUMMARY:

Big Eddy Tap House has submitted a new liquor license application under the category of limited on-premises and off premises sales. This would permit them to sell factory-sealed malt beverages, wine, and cider at retail to individuals in Oregon for consumption on and off the licensed premises. They would also be eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. The business is located at 7642 SW Nyberg Road. The application is in accordance with provisions of Ordinance No.680-85 which established a procedure for review of liquor licenses by the Council. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: [Attachment A- Vicinity Map](#)
[Attachment B- License Types](#)
[Attachment C- Application](#)



OREGON LIQUOR CONTROL COMMISSION

LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 8/13/15

This is a three-page form.

If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.

Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
- Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Big Eddy Tap House

Business address 7642 sw Nyberg rd City Tualatin State OR Zip Code 97062

Mailing address _____ City _____ State OR Zip Code _____

Telephone # 503-407-2952 Fax # NA

Name(s) of business manager(s) First Jonathan Middle E Last Aho

Date of birth _____ Social Security # _____ ODL# _____ M F _____

Home address _____ City _____ State OR Zip Code _____

(attach additional pages if necessary)

Type of business Tap House, Restauarant, Growler Fill Station, bottle shop

Type of food served Soup, Pizza, Bratwurst, Salid, Sandwiches, Mac & Cheese, Beer Battered Fry's, etc

Type of entertainment (dancing, live music, exotic dancers, etc.) IPad Music, possibly a solo guitarist

Days and hours of operation M-T: 11-10, F/S: 11-11, Sun: 12-8

Food service hours: Breakfast all hours Lunch all hours Dinner all hours

Restaurant seating capacity approx Approx 30 Outside or patio seating capacity 8-9

How late will you have outside seating? 12pm How late will you sell alcohol? 12pm

How many full-time employees do you have?³ _____ Part-time employees?⁰ _____

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants Aho Enterprises LLC (Jon and Meghann Aho)

Type of liquor license (refer to OLCC form) Off Premises (plus our current limited on-premise)

Form of entity holding license (check one and answer all related applicable questions):

INDIVIDUAL: *If this box is checked, provide full name, date of birth, and residence address.*
Full name _____ Date of birth _____
Residence address _____

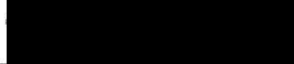
PARTNERSHIP: *If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.*
Full name _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

CORPORATION: *If this box is checked, complete (a) through (c).*
(a) Name and business address of registered agent.
Full name _____
Business address _____

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

(c) Are there more than 35 shareholders of this corporation? ___ Yes ___ No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.
Full name of president: _____ Date of birth: _____
Residence address: _____
Full name of treasurer: _____ Date of birth: _____
Residence address: _____
Full name of secretary: _____ Date of birth: _____
Residence address: _____

LIMITED LIABILITY COMPANY: *If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.*
Full name: Jonathan Aho Date of birth: ██████████
Residence address ██

Full name: Meghann Aho (Madian Jenkins) Date of birth: 
Residence address: _____

OTHER: *If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.*

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

 _____
Signature of Applicant Date 8/13/15


Sources Checked:

DMV by [Signature] LEDS by [Signature] TuPD Records by [Signature]
 Public Records by [Signature]

Number of alcohol-related incidents during past year for location.
 Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted
 Denied
Cause of unfavorable recommendation: _____

 _____
Signature Date 8/13/15

Kent W. Barker
Chief of Police
Tualatin Police Department

City Council Meeting**Meeting Date:** 08/24/2015**SPECIAL** 2014-15 Annual Report of the Tualatin Arts Advisory Committee
REPORTS:

SPECIAL REPORTS

2014-15 Annual Report of the Tualatin Arts Advisory Committee (TAAC)

SUMMARY

The Tualatin Arts Advisory Committee (TAAC) was established by Ordinance 815-90, adopted by Council on October 22, 1990 and incorporated into the Tualatin Municipal Code as Chapter 11-5. The enabling ordinance requires the TAAC to file an annual report with the Council including a summary of the committee's activities during the preceding fiscal year and recommendations the committee requests that the City Council consider.

[2014-15 TAAC Annual Report](#)[2014-15 TAAC Annual Report PowerPoint Presentation](#)



City of Tualatin

2014-15 ANNUAL REPORT

Tualatin Arts Advisory Committee

1. BACKGROUND

The Tualatin Arts Advisory Committee (TAAC) was established by Ordinance 815-90, adopted by Council in 1990 and incorporated into the Tualatin Municipal Code as Chapter 11-5. The enabling ordinance requires the TAAC to file an annual report with the Council including a summary of the committee's activities during the preceding fiscal year and other matters and recommendations the committee deems appropriate.

Members of the TAAC during FY 2014-15 include Buck Braden, Art Barry, Gary Thompson, Dawn Upton, Kristin Erickson, Brett Hamilton and Mason Hall. The Council Liaison is Frank Bubenik.

2. ROLES OF THE COMMITTEE

- A. Stimulate private and public support for programs and activities in the arts
- B. Encourage greater opportunities for recognition of arts in Tualatin
- C. Strive to ensure excellence in the public arts collection

3. ACTIONS AND ACCOMPLISHMENTS IN SUPPORT OF ROLES IN 2014-15

- A. Stimulate Private and Public Support for Programs and Activities in the Arts

1. Produce Arts Programs

- a) ArtSplash 2014

ArtSplash 2014, Tualatin's 19th annual Art Show and Sale, was held at the Tualatin Commons July 18-20, 2014. Thirty-nine local artists sold almost \$17,000 of art. The net revenue from sales in 2014 was approximately \$4,500 after expenses. This revenue was accomplished with local donations and volunteer support. These proceeds are used to support ArtSplash and other programs of the TAAC. More than thirty volunteers donated their time and energy to support this community event.





Over 2,000 enthusiasts attended the three-day event that was filled with art, music, and activities for children. The musical group New Horizons played a complimentary concert and children were invited to participate in a free art activity called Chalk It Up. Fine Art Starts sponsored a kids art workshop which featured free art projects for children.

b) Concerts on the Commons 2014

The Concerts on the Commons weekly outdoor summer concert series held at the Tualatin Commons every Friday night during July and August continued to be sponsored by the TAAC and 33 other local businesses. The concerts in summer 2014 were funded with \$17,000 in monetary and in-kind sponsorships.



Ten concerts were held in a variety of genres with each concert attended by an average of 1,000 people of all ages.

c) ArtWalk

Artwalk is a self-guided tour of Tualatin's diverse public art, natural and cultural history throughout the downtown Tualatin area on four independent and interconnected marked trails.

The Ice Age Discovery Trail Master Plan, which is an extension of the ArtWalk to explore and educate the public about the Ice Age Floods, has been completed and work on land acquisition and easements to build the trail continue.

Updates to the ArtWalk directional poles and a new Giant Sloth and Ice Age Erratic interpretive panels were installed in June 2015.



d) Visual Chronicle

The purpose of the Tualatin Visual Chronicle is to create a visual record of Tualatin in various mediums including prints, drawings, paintings and photographs which document the life of the Tualatin community, capturing elements of the past and present, thereby providing an archival record and resource. The Chronicle was started in 1995.

The City now has over 220 pieces of art in the Visual Chronicle which has three sections: General Collection, Historical Collection, and Student Collection.

General and Historical Collections

Three new pieces of artwork were added to the General Collection in 2014-15, "Tualatin Greenway Path" and "SP4447 April 2007" by Phil Juttelstad and "Canadian Geese on Parade at the Tualatin Commons" by Anna Lancaster.



"SP4447 April 2007" by Phil Juttelstad



"Canadian Geese on Parade at the Tualatin Commons" by Anna Lancaster



"Tualatin Greenway Path" by Phil Juttelstad

Student Collection

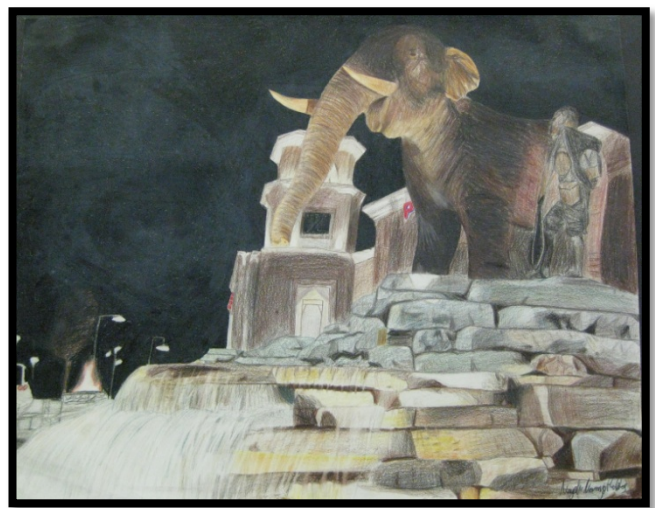
In partnership with Tualatin High School, 2014-15 marks the eighth year of the student section of the Visual Chronicle. Councilor Frank Bubenik presented the students with awards at a reception held at the Tualatin Public Library Teen Room on May 28, 2015.

Students in grades 9 through 12 at Tualatin High School participated in the program. Along with their submitted artwork, students were asked to submit a short essay describing their art and explaining why they chose the location of their project. This year the program received an unprecedented number of entries- almost fifty.

Two pieces of artwork were purchased from the student art submissions, shown below.



*"Memories of Tualatin High School" - Acrylic painting
by Catherine Hancock*



"7:24" - Colored Pencil Drawing by Nayeli Naranjo-Robles

2. Partnership in support of arts in the community

TAAC partners with the Tualatin Heritage Center to support art programs.

The annual contribution of \$1,000 allows the Heritage Center to offset their building rental costs and helps to provide high-quality creative art programs, performances, and exhibits.



3. Contributions to other arts organizations

The Arts Advisory Committee made direct contributions this year to five outside agencies who make significant contributions to the arts in Tualatin:

- a. \$100 to Broadway Rose Theatre Company, a local non-profit theater group
- b. \$280 to Konty Enterprises Inc., providing School of Rock guitar lessons for children
- c. \$200 to Mask & Mirror Community Theatre, a community theatre group promoting arts in Tigard Tualatin area
- d. \$200 to S & A Irish Entertainment and Events, a community group providing music, workshops and dance
- e. \$220 to Willowbrook Arts Camp, an art organization providing camp for children in Brown's Ferry Park every summer

B. Encourage Greater Opportunities for Recognition of Arts in Tualatin

1. Living Room Gallery



The purpose of the Living Room Gallery is to support and encourage the pursuit and appreciation of creativity by displaying the finest examples of artwork created in and around our community. It provides an opportunity to honor and celebrate cultural aspects of our community.

The exhibit space is located in the central fireplace area at the Tualatin Library. The first artist display was in June 2012. Art exhibits are currently featured for 3-6 month display periods. Thirteen local artists have displayed their art in the Living Room Gallery since the beginning of the program.

2. Community Enhancement Award

The TAAC developed the Community Arts Enhancement Commendation to publicly recognize significant contributions to the enhancement of the arts in the community.

Past award recipients include Lumiere Players, Willowbrook, Don Armstrong with McDonald's Restaurants, the Healing Gardens at Legacy Meridian Park and Jeannine Miller with Tualatin High School.

This year's award went to CenterCal Properties, LLC for its artistic contribution of the "I Wonder" bronze mastodon sculpture at the Nyberg Rivers shopping center.



CenterCal Properties also commissioned a children's book, also called "I Wonder," to accompany the sculpture and provided copies for sale by the City of Tualatin, Tualatin Library Foundation, Tigard-Tualatin Schools and the Tualatin Historical Society. Profits go toward the efforts of the aforementioned organizations.

C. Strive to Ensure Excellence in the Public Arts Collection

1. Administer collections management program

This includes maintaining the inventory and ensuring proper maintenance of the current collection, rotating the Visual Chronicle art collection throughout City buildings, and expanding the Visual Chronicle art.

2. Explore percent for art program

As time allows, explore a percent for art option to partially finance public art.

3. Expand public art plan

As time allows, update the Tualatin Public Art Plan.

4. ACTION PLAN FOR 2015-16

A. Continue to Produce Art Events

- a) ArtSplash
- b) Concerts on the Commons

B. Conclude Improvements to Commons Park for the Lazy River Sculpture

The “Lazy River” Centennial Sculpture was installed and dedicated in August 2014. The final component of this installation is to design and build a pathway, lighting and an interpretive sign for the sculpture. The design for the pathway and lighting has been completed and construction is scheduled to begin in August 2015.



C. Continue to Produce Art Programs

The TAAC will continue this year with a new Visual Chronicle Call for Artists. Staff is developing art maintenance procedures for ArtWalk and other art installations.

D. Support Gateway Artwork in Tualatin Near Highway 99/Pacific Highway

TAAC recommends that the Council consider directing staff to explore options for installing public gateways with artistic elements near Highway 99 and near the Interstate 5 overpass at Exit 290.

E. Incorporate a public art plan in the Parks and Recreation Master Plan

An update of the Parks and Recreation Master Plan will be underway in the next year which will include a public art program element.

Tualatin Arts Advisory Committee (TAAC)

2014-15 Annual Report

Committee Members

- Buck Braden, Chair
 - Dawn Upton, Vice-Chair
 - Art Barry
 - Kristin Erickson
 - Mason Hall
 - Brett Hamilton
 - Gary Thompson
- Council Liaison – Frank Bubenik
Staff – Kelsey Lewis

Committee Role

The role of the TAAC is to:

- Stimulate private and public support for programs and activities in the arts.
- Encourage greater opportunities for recognition of arts in Tualatin.
- Strive to ensure excellence in the public arts collection.

Stimulate private and public support for programs and activities in the arts

Produce Arts programs such as ArtSplash, Concerts on the Commons, ArtWalk, and the Visual Chronicle.



ArtSplash



Visual Chronicle

Stimulate private and public support for programs and activities in the arts

Partnership in support of arts in the community

- Tualatin Heritage Center



Contributions to other arts organizations

- Broadway Rose Theatre
- Konty Enterprises
- Mask and Mirror
- S & A Irish Entertainment & Events
- Willowbrook Arts Camp



Encourage Greater Opportunities for Recognition of Arts in Tualatin

Living Room Gallery

- Gallery space at Tualatin Library to support local artists of our community.



Community Enhancement Award

- This year's award went to CenterCal Properties, LLC for its artistic contribution of the "I Wonder" bronze mastodon sculpture at the Nyberg River shopping center.



Strive to Ensure Excellence in the Public Arts Collection

Administer collections management program

- Maintain and rotate Visual Chronicle art.

Explore percent for art program

- As time allows, explore a percent for art option to partially finance public art.

Expand public art plan

- As time allows, update the Tualatin Public Art Plan.

Action Plan for 2015-16

Continue to Produce Art Events and Programs

- Continue ArtSplash, Concerts on the Commons, Visual Chronicle and public art programs.

Conclude Improvements for the Lazy River Sculpture

- Complete construction of a pathway and lighting.

Support Gateway Artwork in Tualatin

- Support and pursue the installation of gateway artwork near Highway 99 and near the Interstate 5 overpass at Exit 290.

Incorporate Public Art Plan in the Parks & Recreation Master Plan Update

- Include a public art element in the master planning process.