

**FOREST GROVE CITY COUNCIL REGULAR MEETING
MARCH 29, 2010 – 7:00 P.M.
COMMUNITY AUDITORIUM
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*Minutes are unofficial until approved by Council.
Council approved minutes as presented April 12, 2010.*

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:00 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas BeLusko, Jr., Thomas Johnston, Camille Miller, Ronald Thompson, Elena Uhing, and Mayor Peter Truax. **COUNCIL ABSENT:** Victoria Lowe, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Tom Gamble, Parks and Recreation Director; Colleen Winters, Library Director; Dan Riordan, Senior Planner; Jeff King, Economic Development Coordinator; Paul Downey, Administrative Services Director (present in the audience); Rob Foster, Public Works Director (present in the audience); Jeff Williams, Police Captain (present in the audience); and Anna Ruggles, City Recorder.

1. A. RETIREMENT AWARD PRESENTATION:

Mayor Truax presented a Certificate of Appreciation and plaque honoring Calvin "Cal" Bowersox, Public Works Superintendent, in recognition of 23 dedicated years of service to the Forest Grove Public Works Department.

2. CITIZEN COMMUNICATIONS: None.

3. CONSENT AGENDA: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).

- A. Approve City Council Regular Meeting Minutes of March 8, 2010.
- B. Accept Public Safety Advisory Commission Meeting Minutes of February 24, 2010.
- C. Planning Commission Meeting Minutes of February 15, 2010.
- D. Community Development Department Monthly Building Activity Informational Report for February 2010.
- E. Library Department Monthly Circulation Statistics Report for March

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2010.

- F. RESOLUTION NO. 2010-29 MAKING APPOINTMENT TO PUBLIC SAFETY ADVISORY COMMISSION (APPOINTING JASON PHILIPP, PACIFIC UNIVERSITY, NON-VOTING REPRESENTATIVE).
- G. Endorse New Liquor License Application (Greater Privilege, Full On-Premises Sales) for Ballard Town Billiards, 2036 Pacific Avenue (Applicant: Chris Christison). *ADDED TO CONSENT AGENDA*
- H. Endorse Liquor License Application (Change in location, Brewery) for Off The Rail Brewing Company, 2040 A Street (Applicant: Antionette Bragdon). *ADDED TO CONSENT AGENDA*

MOTION: Councilor Johnston, moved, seconded by Councilor BeLusko, Jr., to approve the Consent Agenda as amended. **ABSENT:** Councilor Lowe. **MOTION CARRIED 6-0 by voice vote.**

- 4. **ADDITIONS/DELETIONS:**
Ruggles added Consent Agenda Items 3. G. and 3. H. as noted above.
- 5. **PRESENTATIONS:** None.
- 6. **PUBLIC HEARING AND RESOLUTION NO. 2010-30 RESOLUTION AUTHORIZING CITY MANAGER TO ENDORSE MEMORANDUM OF AGREEMENT BETWEEN PACIFIC UNIVERSITY AND CITY OF FOREST GROVE TO ALLOW USE OF LINCOLN PARK FACILITIES FOR INTERCOLLEGIATE FOOTBALL PRACTICES**

Staff Report:

Gamble presented the above-proposed resolution requesting to endorse a Memorandum of Agreement between the City and Pacific University to allow use of Lincoln Park facilities for intercollegiate football, noting the Shared Use Agreement between the City and the University, adopted February 26, 2007, prohibits the University from using the facilities for additional programs without first obtaining permission from the City. Gamble reported the Parks and Recreation Commission (P&R), after numerous discussions, meetings, and public hearings, is recommending to the Council to allow the University to use the facilities for intercollegiate football under certain conditions as noted in the MOA, Section C, Pacific University Obligations. In addition, Gamble

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referenced Exhibit A, which outlined the program schedule by venue, noting the schedule has been discussed with the primary community soccer users and they are satisfied with the time allocations. In conclusion, Gamble noted the time allocations will also relieve pressure from Thatcher Park soccer field and parking areas during the fall.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-30.

Sykes read Resolution No. 2010-30 by title.

MOTION: Councilor BeLusko, Jr., moved, seconded by Councilor Miller, to adopt Resolution No. 2010-30 Authorizing City Manager to Endorse Memorandum of Agreement Between Pacific University and City Of Forest Grove to Allow Use of Lincoln Park Facilities for Intercollegiate Football Practices.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Written Testimony Received:

No written testimony was received.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

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BeLusko expressed his appreciation to staff and the P&R, particularly Susan Taylor, P&R Chair, who was present in the audience, for working in the best interest of the City.

Miller echoed BeLusko's comments.

Johnston expressed his appreciation to staff and the P&R, noting he still has parking concerns; however, he looks forward to having football back in the community, especially during these economic times.

In response to Thompson's concern pertaining to the City complying with the criteria pursuant to public lands conservation act, which requires park land acquired by the State to be maintained perpetually in public outdoor recreation use, Gamble advised the criteria is met as long as the City maintains ownership, scheduling, and keeps the park open to the public.

In response to Uhing's concern pertaining to addressing citizen complaints if they feel they are not receiving fair access to the park, Gamble indicated the P&R will be overseeing complaints and will report back to Council at the end of the two-year term of the MOA.

Mayor Truax pointed out the importance of having a process to ensure everyone can benefit, noting students that attend the University are citizens of Forest Grove.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors BeLusko, Jr., Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Lowe. MOTION CARRIED 6-0.

7. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2010-02 ANNEXING CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF FOREST GROVE AND WITHDRAWING THE TRACT FROM WASHINGTON COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCES DISTRICT, AND THE FOREST GROVE FOREST**

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GROVE RURAL FIRE PROTECTION DISTRICT. THE TERRITORY TO BE ANNEXED CONSISTS OF ONE PARCEL, TOTALING 0.22 ACRES, LOCATED AT 2109 WILLAMINA AVENUE. WASHINGTON COUNTY TAX LOT NO. 1N331BB-01300. APPLICANT: THOMAS HARBOLT, MONK LIVING TRUST. FILE NO. ANX-09-01

The first reading of Ordinance No. 2010-02 by title and motion to adopt occurred at the meeting of March 8, 2010.

Staff Report:

Riordan confirmed the above-noted applicant submitted a Measure 37 waiver covenant as required upon annexing into the City; however, Riordan noted the City Attorney has advised staff that it may be best to repeal the existing Code language as Measure 37 waivers are no longer required pursuant to the passage of Measure 39.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 8, 2010.

Written Testimony Received:

No written testimony was received.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of March 8, 2010.

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Sykes read Ordinance No. 2010-02 by title for second reading.

ROLL CALL VOTE: AYES: Councilors BeLusko, Jr., Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Lowe. MOTION CARRIED 6-0.

8. **PUBLIC HEARING AND ORDER NO. 2010-01 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FOREST GROVE TO REZONE A CERTAIN TRACT OF LAND FROM FD-10 (COUNTY) TO R-7 (SINGLE-FAMILY RESIDENTIAL), ONE PARCEL TOTALING 0.22 ACRES, LOCATED AT 2109 WILLAMINA AVENUE. WASHINGTON COUNTY TAX LOT NO. 1N331BB-01300. APPLICANT: MONK LIVING TRUST. FILE NO. ZC-09-02**

Staff Report:

Riordan presented the above-proposed order requesting to amend the official zoning map to rezone one parcel, totaling 0.22 acres, located at 2109 Willamina Avenue, from FD-10 (County) to R-7 Single-Family Residential, to be effective following the enactment date of the annexation pursuant to Ordinance No. 2010-02.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Order No. 2010-01.

Sykes read Order No. 2010-01 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Uhing, to adopt Order No. 2010-01 Amending the Official Zoning Map of the City of Forest Grove to Rezone a Certain Tract of Land from FD-10 (County) to R-7 (Single-Family Residential), One Parcel Totaling 0.22 Acres, Located at 2109 Willamina Avenue. Washington County Tax Lot No. 1N331BB-01300. Applicant: Monk Living Trust. File No. ZC-09-02.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

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Written Testimony Received:

No written testimony was received.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors BeLusko, Jr., Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Lowe. MOTION CARRIED 6-0.

9. **RESOLUTION NO. 2010-31 AUTHORIZING THE CITY TO APPLY FOR A 2010 LOCAL GOVERNMENT PROGRAM GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR DEVELOPMENT OF A RESTROOM/SHELTER FACILITY AT FERNHILL WETLANDS**

Staff Report:

King and Gamble presented the above-proposed resolution requesting authorization to submit a grant proposal to the Oregon Parks and Recreation Department to build and install a multi-purpose restroom/shelter facility at Fernhill Wetlands. The grant requires a local match of \$189,500, which Clean Water Services will fund \$98,000 and Friends of Fernhill Wetlands will fund \$91,500. Gamble noted the Parks and Recreation Department will maintain the facilities. In addition, Sykes advised that staff is in the process of

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drafting a license agreement for park use for Fernhill Wetlands as required by the State, noting if the grant is not awarded, Fernhill Wetlands will remain as is.

Before proceeding with the Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-31.

Sykes read Resolution No. 2010-31 by title.

MOTION: Councilor Miller moved, seconded by Councilor Thompson, to adopt Resolution No. 2010-31 Authorizing the City to Apply for a 2010 Local Government Program Grant from the Oregon Parks and Recreation Department for Development of a Restroom/Shelter Facility at Fernhill Wetlands.

Council Discussion:

In response to BeLusko's comment pertaining to his sensitivity of staff workload, Gamble indicated that he does not anticipate a huge increase in staff workload as the Parks and Recreation Department is currently providing ongoing maintenance.

In response to Johnston's inquiry pertaining to security of the facilities, Gamble indicated that electronic locks will be installed similar to other City park facilities.

In response to Thompson's inquiry pertaining to utilities, Gamble advised that Clean Water Services will install sewer and water and the City will install power.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors BeLusko, Jr., Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Lowe. MOTION CARRIED 6-0.

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10. DEPARTMENT WORK PLANS FOR 2010-11:

- Library Department:
Winters presented a PowerPoint presentation outlining the Library Department's Work Plan for 2010-11 as noted in her staff report. Winters's report focused on the Library Department's implementation of the SWOT analysis recommendations; evaluating a new volunteer program; promoting the Library's centennial celebration; evaluating various workflow-related issues and patrons' expectations; maintaining current library-related programs; assisting the Library Commission, Library Foundation, and Friends of the Library; participating in Washington County Cooperative Library Services (WCCLS) materials handling assessment; and continuing to examine best practices for library-related services. In addition, Winters reported on WCCLS' proposed levy and other various department-related projects and goals.

- Parks and Recreation Department:
Gamble presented a PowerPoint presentation outlining the Parks and Recreation Department's Work Plan for 2010-11 as noted in his staff report. Gamble's report focused on various ongoing park-related projects; exploring and pursuing various trails development; pursuing various grant opportunities; and other various department-related projects and goals. In addition, Gamble reported on proposing to enact City Code ordinances (i.e., smoking in public parks and horses in public parks); replacement of outdated park signage; and reported that the Parks and Recreation Commission is exploring renaming and/or formally adopting the "Emerald Necklace" moniker.

- Community Development Department:
Sykes rescheduled the Community Development Department's Work Plan presentation to the next meeting of April 12, 2010.

11. CITY MANAGER'S REPORT:

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events. Sykes reported the Federal Energy Regulatory Commission is holding a Town Hall

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meeting on April 20, 2010, 10:00 a.m. in the Community Auditorium, to discuss the Oregon Pipeline Project. In addition, Sykes distributed a draft copy of a lease agreement between the City and Forest Grove Senior and Community Center, noting he plans to ask Council to endorse the lease agreement at the next Council meeting of April 12, 2010. Sykes reported on the inter-departmental budget process, noting he has begun his internal review with department directors. In conclusion, Sykes provided updates on various City department-related projects.

12. COUNCIL COMMUNICATIONS:

BeLusko reported the Public Arts Commission received a \$1700.00 check from the Chamber from the brick sales, noting the monies will be used for art acquisition. In conclusion, BeLusko reported on upcoming meetings he was planning to attend.

Johnston reported on his visit to Washington, D.C., noting he attended the National League of Cities Conference. In addition, Johnston reported on the League of Oregon Cities Finance and Taxation, Washington County Public Safety Coordinating Committee, and Public Safety Advisory Commission meetings. In conclusion, Johnston reported on upcoming meetings he was planning to attend.

Lowe was absent.

Miller reported the Committee for Citizen Involvement is discussing holding a get acquainted BBQ for its members and is discussing ways to reach out to neighborhoods. In addition, Miller reported on upcoming meetings she was planning to attend and various upcoming community-related events.

Thompson reported the Community Forestry Commission will be commemorating its Arbor Day Event on April 9, 2010, at noon in Rogers Park, with a planting of an Oregon White Oak Tree and plans to plant six Oregon White Oak Trees throughout the Clark Historic District. In conclusion, Thompson reported on Ride Connection-related matters and various upcoming meetings he was planning to attend.

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Uhing reported on the Historic Landmarks Board meeting, noting HLB discussed holding a retreat and submitted its Community Enhancement Program grant application. In conclusion, Uhing reported on various upcoming meetings she was planning to attend.

Mayor Truax reported on various local, regional, Metro, and Washington County meetings he attended and reported on various upcoming meetings and community events he was planning to attend. Mayor Truax reported on his visit to Washington, D.C., noting he attended the National League of Cities Conference. In addition, Mayor Truax encouraged everyone to fill out and mail back the 2010 Census information. In conclusion, Mayor Truax fondly remembered Ben Inscore, who recently passed away, noting Mr. Inscore was a long-time educator in Forest Grove and former Mayor of the City of Cornelius.

13. **ADJOURNMENT:**

Mayor Truax adjourned the meeting at 8:42 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder