

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 1**

*Minutes are unofficial until approved by Council.  
Council approved minutes as presented July 12, 2010.*

**1. ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:10 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas BeLusko, Jr., Victoria Lowe, Camille Miller, Ronald Thompson, Elena Uhing, and Mayor Peter Truax. **COUNCIL ABSENT:** Thomas Johnston, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Chris Crean, City Attorney; Paul Downey, Administrative Services Director; Susan Cole, Assistant Finance Director; Rob Foster, Public Works Director; Michael Kinkade, Fire Chief; Jeff King, Economic Development Coordinator; Aaron Ashbaugh, Police Captain (present in the audience); Richard Matzke, Engineer Supervisor (present in the audience); and Anna Ruggles, City Recorder.

**1. A. AWARD PRESENTATIONS:**

**Certificate of Appreciation:**

BeLusko read a Certificate of Appreciation, awarded on behalf of Council and Public Arts Commission, recognizing Bonnie McCabe for her dedicated community service during her tenure at Forest Grove High School, 1994-2010 as a Theater Arts Instructor, and for inspiring students through her teaching and dramatic theater art productions.

**1. B. If I Were Mayor 2010 Student Contest:**

Mayor Truax announced the following 2010 "If I Were Mayor Contest" winners: Madelyn Wallner, Harvey Clarke Elementary School, 3<sup>rd</sup> grade, and Chance Wallner, Harvey Clarke Elementary School, 4<sup>th</sup> grade. Both students won first place in the poster category and were awarded a \$50.00 cash prize. Mayor Truax reported there were no entries submitted for essay and PowerPoint categories, noting the contest is sponsored by the Oregon Mayors Association.

**2. CITIZEN COMMUNICATIONS: None.**

**3. CONSENT AGENDA: Items under the Consent Agenda are considered routine**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 2**

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 Work Session (B&C Interview) Meeting Minutes of June 14, 2010.
- B. Approve Work Session (City Manager Evaluation Process) Meeting Minutes of June 14, 2010.
- C. Approve Work Session (Fire Strategic Plan SWOT Analysis) Meeting Minutes of June 14, 2010.
- D. Approve City Council Regular Meeting Minutes of June 14, 2010. *ITEM REMOVED, REFER BELOW.*
- E. Accept Committee for Citizen Involvement Meeting Minutes of May 18, 2010.
- F. Accept Historic Landmarks Board Meeting Minutes of May 25, 2010.
- G. Accept Planning Commission Meeting Minutes of June 7, 2010.
- H. Accept Public Arts Commission Meeting Minutes of May 13, 2010.
- I. Accept Public Safety Advisory Commission Meeting Minutes of May 26, 2010.
- J. RESOLUTION NO. 2010-45 AUTHORIZING CITY MANAGER TO TEMPORARILY WAIVE BICYCLE LICENSE REGISTRATION FEE DURING NATIONAL NIGHT OUT EVENT.

MOTION: Councilor Miller moved, seconded by Councilor Uhing, to approve the Consent Agenda as amended. ABSENT: Councilor Johnston. MOTION CARRIED 6-0 by voice vote.

3. D. APPROVE CITY COUNCIL REGULAR MEETING MINUTES OF JUNE 14, 2010  
BeLusko removed the above-noted item from the Consent Agenda due to a clerical error, to which Ruggles concurred, noting she would amend Agenda Item 13 to reflect his no vote.

Hearing no further discussion from the Council, Mayor Truax asked for a

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 3**

motion and vote on Consent Agenda Item 3. D. as amended.

**MOTION:** Councilor BeLusko, Jr., moved, seconded by Councilor Lowe, to approve Consent Agenda Item 3. D. as amended. **ABSENT:** Councilor Johnston. **MOTION CARRIED 6-0 by voice vote.**

**4. ADDITIONS/DELETIONS:**

Sykes added the following item to the agenda.

- 4. A. RESOLUTION NO. 2010-59 AUTHORIZING THE CITY OF FOREST GROVE TO MAKE APPLICATION TO OREGON DEPARTMENT OF TRANSPORTATION FOR A BICYCLE AND PEDESTRIAN GRANT FOR SIDEWALK INFILL CONNECTIONS AND BICYCLE LANE SAFETY ENHANCEMENTS ON GALES CREEK ROAD**

**Staff Report:**

King presented the above-noted resolution requesting authorization to submit an application to the Oregon Department of Transportation for a bicycle and pedestrian grant for sidewalk infill connections and bicycle lane safety enhancements on Gales Creek Road, connecting to the existing Highway 47 and B Street trail system, noting Gales Creek Road has been identified as a high priority as the roadway provides recreational and transportation opportunities for urban citizens within the region. In conclusion, King reported the City applied two years ago for the same grant, noting staff has rewritten the grant in an attempt that the ODOT will award the grant.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-59

Crean read Resolution No. 2010-59 by title.

**MOTION:** Councilor Lowe moved, seconded by Councilor Miller, to adopt Resolution No. 2010-59 Authorizing the City of Forest Grove to Make Application to Oregon Department of Transportation for a Bicycle and Pedestrian Grant for Sidewalk Infill Connections and Bicycle Lane Safety Enhancements on Gales Creek Road.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 4**

**Council Discussion:**

In response to Uhing's concern pertaining to the amount the City must match, King indicated the total estimated project cost is \$280,000, including City match of \$14,000 (5% match).

In response to BeLusko's concern pertaining to a priority goal of installing a pedestrian safety crossing at Thatcher Park/Road, Sykes advised that staff is currently working on a Transportation Enhancement Program grant to build a pedestrian underpass crossing at Thatcher Road, noting the grant application will be coming before Council soon.

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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

5. **PRESENTATIONS:** None.
  
6. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2010-06 ADOPTING THE CITY OF FOREST GROVE EMERGENCY OPERATIONS PLAN AS THE OFFICIAL PLAN FOR THE CITY OF FOREST GROVE AND REPEALING ORDINANCE NO. 1994-04**  
The first reading of Ordinance No. 2010-06 by title and motion to adopt occurred at the meeting of June 14, 2010.

**Staff Report:**

Kinkade had nothing further to report.

**Public Hearing Continued:**

Mayor Truax continued the Public Hearing from the meeting of June 14, 2010.

**Written Testimony Received:**

No written testimony was received.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 5**

**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 June 14, 2010.

Crean read Ordinance No. 2010-06 by title for second reading.

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

**7. A. RESOLUTION NO. 2010-46 ADOPTING BUDGET FOR FISCAL YEAR COMMENCING JULY 1, 2010, AND ENDING JUNE 30, 2011**

**Staff Report:**

Downey and Cole presented the above-proposed resolution and reported the Budget Committee approved at its May 26, 2010, meeting a proposed budget of \$66,514,695 for Fiscal Year commencing July 1, 2010, and ending June 30, 2011. Downey and Cole advised that staff is proposing changes to the approved budget as outlined in the staff report and as proposed in the resolution, which would increase the budget to \$66,538,695.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-46.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 6**

Crean read Resolution No. 2010-46 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Lowe, to approve Resolution No. 2010-46 Adopting Budget for Fiscal Year Commencing July 1, 2010, and Ending June 30, 2011.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

7. B. **RESOLUTION NO. 2010-47 MAKING APPROPRIATIONS FOR THE CITY OF FOREST GROVE, WASHINGTON COUNTY, OREGON, FOR THE FISCAL YEAR COMMENCING JULY 1, 2010, AND ENDING JUNE 30, 2011**

**Staff Report:**

Downey and Cole presented the above-proposed resolution making the necessary appropriations for Fiscal Year commencing July 1, 2010, and ending

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 7**

June 30, 2011, as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-47.

Crean read Resolution No. 2010-47 by title.

**MOTION:** Councilor Miller moved, seconded by Councilor Lowe, to adopt Resolution No. 2010- 47 Making Appropriations for the City of Forest Grove, Washington County, Oregon, for the Fiscal Year Commencing July 1, 2010, and Ending June 30, 2011.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 8**

7. C. RESOLUTION NO. 2010-48 LEVYING AND CATEGORIZING TAXES FOR FISCAL YEAR COMMENCING JULY 1, 2010, AND ENDING JUNE 30, 2011

**Staff Report:**

Downey and Cole presented the above-proposed resolution levying and categorizing the taxes imposed at the rate of \$5.3054 per \$1,000 of assessed value for Fiscal Year commencing July 1, 2010, and ending June 30, 2011, as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-48.

Crean read Resolution No. 2010-48 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Thompson, to adopt Resolution No. 2010-48 Levying and Categorizing Taxes for Fiscal Year Commencing July 1, 2010, and Ending June 30, 2011.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**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.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 9**

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

**8. RESOLUTION NO. 2010-49 ADOPTING FISCAL YEAR 2010-15 CAPITAL IMPROVEMENTS PROGRAM**

**Staff Report:**

Downey and Cole presented the above-proposed resolution adopting the Fiscal Year 2010-15 Capital Improvements Program (CIP), noting the CIP forms the basis for planning capital projects over a five-year period and the projects to be accomplished for Fiscal Year 2010-11 are identified in the appropriate fund in the adopted budget.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-49.

Crean read Resolution No. 2010-49 by title.

**MOTION:** Councilor Lowe moved, seconded by Councilor Miller, to approve Resolution No. 2010-49 Adopting Fiscal Year 2010-15 Capital Improvements Program.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**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.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 10**

**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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

9. A. **RESOLUTION NO. 2010-50 DECLARING CITY'S ELECTION TO RECEIVE STATE REVENUES**

**Staff Report:**

Downey and Cole presented the above-proposed resolution declaring the City's intent to receive State Revenue Sharing and certifying the services for Fiscal Year 2010-11 as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-50.

Crean read Resolution No. 2010-50 by title.

**MOTION:** Councilor Lowe moved, seconded by Councilor Miller, to adopt Resolution No. 2010-50 Declaring City's Election to Receive State Revenues.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 11**

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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

9. B. **RESOLUTION NO. 2010-51 CERTIFYING SERVICES PROVIDED BY THE CITY OF FOREST GROVE**

**Staff Report:**

Downey and Cole presented the above-proposed resolution certifying services provided for Fiscal Year 2010-11 as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-51.

Crean read Resolution No. 2010-51 by title.

**MOTION:** Councilor Thompson moved, seconded by Councilor Lowe, to adopt Resolution No. 2010-51 Certifying Services Provided by the City Of Forest Grove.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 12**

**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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

10. **PUBLIC HEARING AND RESOLUTION NO. 2010-52 ADOPTING CAPITAL IMPROVEMENTS PROGRAM EXCISE TAX AND REPEALING RESOLUTION NO. 2009-43**

**Staff Report:**

Downey and Cole presented the above-proposed resolution imposing a Capital Improvements Program (CIP) Excise Tax for the purpose of funding public safety and general government programs within the CIP. Downey reported the City expects to collect approximately \$202,000 in revenue from the CIP Excise Tax in Fiscal Year 2010-11, noting no increase in rates are being proposed for the Fiscal Year 2010-11 budget.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-52.

Crean read Resolution No. 2010-52 by title.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 13**

**MOTION:** Councilor Miller moved, seconded by Councilor Lowe, to approve Resolution No. 2010-52 Adopting Capital Improvements Program Excise Tax and Repealing Resolution No. 2009-43.

**Public Hearing Opened:**  
Mayor Truax opened the Public Hearing.

**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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

**11. RESOLUTION NO. 2010-53 TRANSFERRING APPROPRIATIONS WITHIN VARIOUS FUNDS FOR FISCAL YEAR 2009-10**

**Staff Report:**  
Downey and Cole presented the above-proposed resolution transferring the various appropriated amounts for Fiscal Year 2009-10 as outlined in the staff report and as proposed in the resolution. In conclusion, Downey addressed inquiries pertaining to the various expenditures and changes to the City's

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 14**

medical insurance plan.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-53.

Crean read Resolution No. 2010-53 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Thompson, to adopt Resolution No. 2010-53 Transferring Appropriations within Various Funds for Fiscal Year 2009-10.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

12. **RESOLUTION NO. 2010-54 ADOPTING SUPPLEMENTAL BUDGET AND AUTHORIZING THE EXPENDITURE OF TRANSPORTATION SERVICES FUNDS**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 15**

**Staff Report:**

Downey and Cole presented the above-proposed resolution authorizing the expenditures of transportation services grant funds received from the Department of Human Services for the purpose of Ride Connection's transit services as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-54.

Crean read Resolution No. 2010-54 by title.

**MOTION:** Councilor Uhing moved, seconded by Councilor Lowe, to approve Resolution No. 2010-54 Adopting Supplemental Budget and Authorizing the Expenditure of Transportation Services Funds.

**Declaration of Abstention:**

Thompson disclosed he serves on the Ride Connection board; therefore, he was abstaining due to a potential conflict of interest.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**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:**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 16**

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., Lowe, Miller, Uhing, and Mayor Truax. NOES: None. ABSTAINED: Councilor Thompson. ABSENT: Councilor Johnston. MOTION CARRIED 5-0.

13. **RESOLUTION NO. 2010-55 AUTHORIZING THE EXPENDITURE OF OFFICE OF STATE FIRE MARSHAL FUNDS FOR FIREFIGHTER TRAINING IN THE GENERAL FUND**

**Staff Report:**

Downey and Cole presented the above-proposed resolution authorizing the expenditures of training grant funds received from the Office of State Fire Marshal for the purpose of providing training to firefighters as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-55.

Crean read Resolution No. 2010-55 by title.

**MOTION:** Councilor Lowe moved, seconded by Councilor BeLusko, Jr., to adopt Resolution No. 2010-55 Authorizing the Expenditure of Office of State Fire Marshal Funds for Firefighter Training in the General Fund.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 17**

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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

14. **RESOLUTION NO. 2010-56 ADOPTING SUPPLEMENTAL BUDGET AND AUTHORIZING THE EXPENDITURE OF EXCISE TAX FUNDS WITHIN THE GENERAL FUND AND SEWER SDC (SYSTEM DEVELOPMENT CHARGES) FEES WITHIN THE SEWER SDC FUND**

**Staff Report:**

Downey and Cole presented the above-proposed resolution authorizing the expenditures of building activity excise tax funds collected on behalf of Metro and Forest Grove School District and sewer system development charges collected on behalf of Clean Water Services as outlined in the staff report and as proposed in the resolution.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-56.

Crean read Resolution No. 2010-56 by title.

**MOTION:** Councilor Lowe moved, seconded by Councilor Thompson, to approve Resolution No. 2010-56 Adopting Supplemental Budget and Authorizing the Expenditure Of Excise Tax Funds within the General Fund and Sewer SDC (System Development Charges) Fees within the Sewer SDC Fund.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 18**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

**15. RESOLUTION NO. 2010-57 DIRECTING CITY ENGINEER TO PROVIDE WRITTEN REPORT ON THE STATE OF THE SIDEWALKS THROUGHOUT THE CITY**

**Staff Report:**

Foster, Cole and Downey presented the above-proposed resolution seeking Council approval to implement a city-wide Sidewalk Improvement Program, noting staff would like to proceed with a voluntary program in an effort to repair approximately 600 defective sidewalks throughout the City. Staff presented a draft copy of the Engineer's Report, sidewalk plans and specifications, map and list outlining the sidewalk assessments, and a report outlining the proposed method of assessment, noting the program is designed for only sidewalk segments corresponding to specific parcels that need repair. Staff reported the cost to complete the repair of all the affected sidewalks is

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 19**

estimated at \$1.3 million, for an estimated average of \$2,100 per property owner who volunteers to participate in the program, noting staff is proposing the City use an inter-fund loan (Capital Projects Fund) to pay for the program. Staff explained the cost to the property owner, unless fully paid at the time of the repair, would be treated as an assessment lien on the property, noting property owners would be asked to sign a contract with the City, agreeing to the repair and agreeing to pay the cost either in full or financed, plus interest, by the City over five or ten years. Once the assessment is paid in full, the City would release the lien. In conclusion, staff asked for Council consent to proceed with advertising the program and obtaining feedback from interested property owners, noting staff will bring back a finalized Engineer's Report for Council consideration for the meeting of July 12, 2010.

Before proceeding with the Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-57.

Crean read Resolution No. 2010-57 by title.

**MOTION:** Councilor Miller moved, seconded by Councilor Lowe, to adopt Resolution No. 2010-57 Directing City Engineer to Provide Written Report on the State of the Sidewalks throughout the City.

**Council Discussion:**

Thompson gave an overview of the tour he took with staff to assess Pendleton's sidewalk improvement program, noting Pendleton's program was well received by the citizens and has been very successful.

In response to Lowe's inquiry pertaining to assessing areas without sidewalks, Foster explained the program is designed for only those assessed areas within the City that currently have existing sidewalks that are in disrepair. In addition, Lowe commended staff for bringing forward a program that provides extensive public education and outreach as well as public input.

In response to BeLusko's concern pertaining to the City's liability now that the City has an inventory of disrepair sidewalks, Foster indicated he was

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 20**

uncertain if the City's liability would change, since the Code requires property owners to be responsible for maintenance and repair of the sidewalks and to be held liable if a person is injured due to the property owner's negligence; however, Foster advised that he would seek a legal opinion and report back to Council at the meeting of July 12, 2010.

Mayor Truax commented that most property owners are aware it is their responsibility to maintain their adjacent sidewalk, noting he is pleased the program will provide voluntary partnership with the City.

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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

16. **RESOLUTION NO. 2010-58 APPROVING TO RESCHEDULE THE AUGUST 9, 2010, CITY COUNCIL MEETING TO MONDAY, AUGUST 23, 2010**

**Staff Report:**

Sykes presented the above-proposed resolution and asked City Council to consider rescheduling the August 9, 2010, regular City Council meeting to Monday, August 23, 2010, due management staff vacation and Mayor's inability to attend the August 9<sup>th</sup> meeting.

Before proceeding with the Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-58.

Crean read Resolution No. 2010-58 by title.

**MOTION:** Councilor BeLusko, Jr., moved, seconded by Councilor Uhing, to adopt Resolution No. 2010-58 Approving to Reschedule the August 9, 2010, City Council Meeting to Monday, August 23, 2010.

**Council Discussion:**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 21**

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., Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Johnston. MOTION CARRIED 6-0.

17. **DETERMINE CITY COUNCIL'S TOP FOUR LEGISLATIVE ISSUES TO BE SUBMITTED TO THE LEAGUE OF OREGON CITIES FOR THE 2011 LEGISLATIVE AGENDA**

**Staff Report:**

Sykes reported the Council and management staff has had an opportunity to review the 28 legislative objectives set forth by the League of Oregon Cities (LOC) for the 2011 Legislative Agenda, noting the Council is being asked to select its top four issues that they would like to see the LOC focus on during the 2011 legislative session.

**Council Discussion:**

Mayor Truax opened the floor and roundtable discussion ensued as Council reviewed the legislative objectives that were identified by Councilmembers and staff as having high priority. At the conclusion of the above discussion, Council reached consensus to submit the following four issues.

**MOTION:** Councilor Thompson moved, seconded by Councilor Uhing, to submit to the League of Oregon Cities as Forest Grove's top four legislative issues for the 2011 legislative session: Item F and G, Finance and Taxation; Item R, Telecommunications; and Item BB, Water/Wastewater. ABSENT: Councilor Johnston. MOTION CARRIED 6-0 by voice vote.

18. **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 that Janet Lonneker, Light and Power Director, has submitted her resignation and a Farewell Reception has been scheduled for July 8<sup>th</sup>. In

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 22**

addition, Sykes reported that staff is proposing to draft an ordinance that would allow the City to provide water service to areas outside of the City limits if a hardship exists, noting the Gales Creek Tavern is requesting to hook up to City water. In conclusion, Sykes reported on various meetings he attended and provided updates on various City department-related activities and projects.

**19. COUNCIL COMMUNICATIONS:**

BeLusko commended the ceremonial opening of the new Dog Park at Thatcher Park and provided an update on the B Street Trail bridge work. In addition, BeLusko reported on various meetings and events he attended and upcoming meetings he was planning to attend.

Johnston was absent.

Lowe reported on the opening ceremony of the new Recreational Vehicle Dump Station, noting she was very impressed with the design of the facility. In addition, Lowe reported on various meetings she attended and upcoming meetings she was planning to attend.

Miller reported on the Committee for Citizen Involvement meeting, noting staff provided an update on the City's social communication plan. In addition, Miller reported on various meetings she attended; various upcoming meetings she was planning to attend; and various upcoming community-related events.

Thompson reported the Community Forestry Commission was unable to meet due to lack of a quorum. Thompson reported on Ride Connection-related matters, noting a ribbon-cutting ceremony is being planned for the opening of the Forest Grove site. In addition, Thompson reported on various meetings he attended and upcoming meetings he was planning to attend.

Uhing reported on the Historic Landmarks Board meeting, noting the Board plans to present to Council the Walker/Naylor Historic District Nomination proposal at the next Council meeting of Monday, July 12<sup>th</sup>. In addition, Uhing reported on various meetings she attended and upcoming meetings she was

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
JUNE 28, 2010 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 23**

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-related events he was planning to attend. Mayor Truax noted he is asking Tom Gamble, Parks and Recreation Director, to select a nominee for the Governor's Fitness Leadership Award. In addition, Mayor Truax commended the ceremonial opening of the new Recreational Vehicle Dump Station, noting the station will enhance the City's tourism. In conclusion, Mayor Truax reported on other various upcoming community-related events.

20. **ADJOURNMENT:**

Mayor Truax adjourned the meeting at 9:30 p.m.

Respectfully submitted,



---

Anna D. Ruggles, CMC, City Recorder