

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 11, 2010 – 7:00 P.M.
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*Minutes are unofficial until approved by Council.
Council approved minutes as presented October 25, 2010.*

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:02 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas BeLusko, Jr., Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; Kerry Aleshire, Police Chief (in the audience); Aaron Ashbaugh, Police Captain (in the audience); Richard Matzke, Interim Light and Power Director (in the audience); Linda Christensen, Administrative Services Manager (in the audience); Susan Cole, Administrative Services Assistant Director (in the audience); and Anna Ruggles, City Recorder.

1. A. EMPLOYEE RECOGNITION:

Mayor Truax read the commendation and presented a Certificate of Appreciation to Linda Christensen, Administrative Services Manager, who was recognized for 25 years of service with the City.

2. CITIZEN COMMUNICATIONS:

David Morelli, Forest Grove, presented documentation referencing Oregon Administrative Rules and Oregon Supreme Court ruling pertaining to land use hearing laws, noting he received notification from the City advising him the joint work session was cancelled because land use law prohibits the Council and Commission from discussing new testimony heard at the Council Public Hearing regarding the Transportation System Plan (TSP) Update. Morelli questioned which land use law the City was citing, noting his research indicates that adoption of the TSP is a "legislative land use decision" not a "quasi-judicial land use decision". In response to Morelli's testimony, Mayor Truax indicated that he would take his testimony under advisement.

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

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Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).

- A. Approve City Council Work Session (Transportation Development Tax) Meeting Minutes of September 27, 2010.
- B. Approve City Council Regular Meeting Minutes of September 27, 2010.
- C. Library Department Circulation Statistics Report for October 2010.

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

4. **ADDITIONS/DELETIONS:** None.

5. **PRESENTATIONS:**

Lisa Amato and Mary Jo Morelli, Friends of Historic Forest Grove, provided a presentation on their new pictorial history book titled "Images of America: Forest Grove", which they co-authored. The book contains 10 chapters, each chapter showcasing a different part of Forest Grove's history, dating back to when the first settlers arrived in 1841 and when the City was incorporated in 1872. In conclusion, Amato and Morelli highlighted on Forest Grove's history, noting Forest Grove has been home to many prominent citizens and figures, from missionaries, educators, inventors, and congressional representatives to Olympians and musicians as well as a victim of the *Titanic*. The profits from the book sales will support preservation and restoration of the Alvin T. Smith House, which is owned by Friends of Historic Forest Grove.

6. **RESOLUTION NO. 2010-79 AUTHORIZING THE EXPENDITURE OF DEBT SERVICE FUNDS WITHIN THE GENERAL DEBT SERVICE FUND AND THE EXPENDITURE OF BOND REFINANCING PROCEEDS FOR ISSUANCE EXPENSES WITHIN THE GENERAL FUND**

Staff Report:

Downey presented the above-proposed resolution authorizing to appropriate funds and authorizing expenditures to pay for refinancing the 1994 and 1999

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general obligation bonds. Downey reported the City has successfully sold the refinancing bonds for the 1994 and 1999 general obligation bonds, resulting in a net savings to the City of \$359,220 over the remaining life of the original bonds. Downey noted the interest rate the City will be paying on the new bonds is 1.46 percent, compared to 4.8 percent on the original bonds. In conclusion, Downey reported the City would receive \$11,980 in proceeds, less \$7,650 in fees for the bond refinance, noting the remaining \$4,330 will put into the General Debt Service Fund to help pay future debt service costs.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-79.

Sykes read Resolution No. 2010-79 by title.

MOTION: Councilor Lowe moved, seconded by Councilor BeLusko, Jr., to adopt Resolution No. 2010-79 Authorizing the Expenditure of Debt Service Funds within the General Debt Service Fund and the Expenditure of Bond Refinancing Proceeds for Issuance Expenses within the General Fund.

Council Discussion:

Mayor Truax commended staff for securing an interest rate of 1.46 percent, noting the interest rate on the refinancing of the bonds is an outstanding deal.

BeLusko commended staff for bringing the proposal forward, noting the refinancing of the bonds is a win-win situation for the City.

Johnston suggested submitting a press article to the newspaper informing citizens of the cost savings to the City, to which Downey concurred.

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

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7. RESOLUTION NO. 2010-80 ADOPTING POLICY AUTHORIZING APPROPRIATE SIGNAGE ON CITY STREET SIGNS AND OTHER STREET POLES

Staff Report:

Holan and Sykes presented the above-proposed resolution for Council consideration, noting staff is proposing to adopt a written policy that would allow signage to be posted on City street poles located in publicly-owned rights-of-way, noting the Development Code does not regulate signs in publicly-owned rights-of-way. Holan reported since the adoption of the new sign code in November, 2009, certain businesses have asked the City to explore the possibility of allowing directional signage for those businesses that do not have direct exposure on the main corridors, noting the existing sign code prohibits signage to be placed offsite. Holan advised that during the adoption of the new sign code, Council recommended the Wayfinders Committee consider integrating these types of sign requests within the Wayfinders signage program; however, the Committee's focus is on districts and areas rather than individual businesses. Holan outlined the specifics of the City's proposed policy, noting the existing sign code does not require an amendment to implement the proposed policy and explained the proposed policy would be limited to businesses that are located at least two blocks north of Pacific Avenue or two blocks south of 19th Avenue and the policy allows only one sign per street pole. Holan referenced pictures of church-related signage currently allowed by the City and "blue" tourist-oriented directional signage currently allowed by the State and a map depicting the location of commercial uses in the downtown area and along the corridor. Holan explained the City's policy is similar to the State's tourist-oriented directional signage and retains the existing signs previously allowed to be placed in publicly-owned rights-of-way, such as the existing church-related signage, and allows new signage for tourist-oriented businesses, such as businesses that offer a cultural, historical, recreational, educational, entertainment, food service activity, or unique and unusual commercial activity whose major portion of income or visitors is derived from motorists not residing in the immediate area of the business. In conclusion, Holan advised if Council adopts the proposed policy, staff would bring back a separate resolution setting fees to cover the costs to manufacture and install the tourist-oriented directional signage.

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Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to whether or not to adopt a policy that would allow signage on City street poles in publicly-owned rights-of-way. Sykes advised that staff has been meeting and exploring options with certain businesses that do not have direct exposure on the main corridors, noting staff drafted the proposed policy at Council's request after hearing testimony under Citizen Communications. Sykes reported the Economic Development Commission (EDC) reviewed the proposed policy at its last meeting. Sykes referenced a copy of the EDC meeting notes, noting the EDC voiced concern of amending the sign code after nearly two years of research and only six months of enforcement. As a result, the EDC passed a motion requesting that Council discuss the proposed policy in work session and table the resolution until more discussion could occur. Sykes referenced a copy of an e-mail submitted by Forest Grove Chamber of Commerce urging the Council to vote in opposition of the proposed policy. The Chamber's e-mail voiced concern the proposed policy would have an unintended negative impact on other businesses, whether located on main thoroughfares or not, and stated the submitted sign concerns had already been heard, discussed at length, and reviewed prior to approval of the sign code by both the Planning Commission and Council through endless meetings and public hearings.

Miller stressed the point and purposes of the lengthy public outreaches, meetings, and educational processes the City underwent prior to the adoption and implementation of the sign code, noting while she appreciates staff bringing forward a proposal, she is opposed to adopting this policy because she cannot find any appropriate reasons that mitigate amending the adopted sign code. In response to Thompson's comments noted below, Miller indicated that she does not have an issue addressing separately tourist-related signage but she is unsupportive of amending the adopted sign code.

Thompson stressed if Forest Grove is going to market itself as a tourist and wine community, the City needs to allow tourist-related signage, noting he supports adopting a policy that is similar to the State's tourist-oriented directional signage as long as the color standards are the same as the State's. Thompson described the State's standard colors for tourist-oriented directional signage and stressed the fact that tourist-related signage is

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completely different from sign code regulations. In addition, Thompson pointed out there currently is an existing “blue” tourist-oriented directional signage for lodging upon entering Forest Grove, which was placed when Oregon Department of Transportation had jurisdiction of the roadway, and questioned why the Council did not consider implementing the national standards for tourist-oriented directional signage at the same time the new sign code was adopted.

BeLusko stressed the point that the Planning Commission, EDC, and Council have already heard, discussed at length, and reviewed all the signage concerns and also held numerous public processes prior to the adoption and implementation of the sign code, noting while he appreciates staff bringing forward a proposal, he is opposed to amending the adopted sign code. In addition, BeLusko voiced concern the proposed policy would have a negative impact and an unequal benefit to other businesses located outside of the proposed perimeters.

Lowe stressed the point and purposes of the lengthy public outreaches, meetings, and educational processes the City underwent prior to the adoption and implementation of the sign code, noting she is opposed to amending the adopted sign code at this time, especially after nearly two years of research and only six months of enforcement. Lowe suggested waiting at least one year to determine if the adopted sign code is implementable and workable before suggesting amendments, noting after a one-year period if there is sufficient concerns generated, EDC, as a representative to business community, could bring those concerns back to Council for review at that time.

Johnston voiced concern of the real estate agencies and home businesses who testified at the public hearings during the adoption of the sign code, noting these types of businesses would be at a disadvantage if this proposed policy is adopted. Johnston suggested tabling the proposed resolution in order to allow more discussion and public input on the proposed policy, noting there are too many unanswered questions that still need to be addressed.

Hearing no further discussion from the Council, Mayor Truax asked for a motion to table Resolution No. 2010-80.

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MOTION: Council Johnston moved, seconded by Councilor Lowe, to Table Indefinitely Resolution No. 2010-80 Adopting Policy Authorizing Appropriate Signage on City Street Signs and Other Street Poles.

Council Discussion:

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

8. 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 provided an update on the Light and Power Director hiring process, noting interviews are scheduled to occur in November. Sykes provided an update on the City's Volunteer Program and various grant opportunities. In conclusion, Sykes reported on various meetings he attended and provided updates on various City department-related activities and projects.

9. COUNCIL COMMUNICATIONS:

BeLusko highly commended the Public Arts Commission for the outstanding job they did overseeing the purchasing and unveiling ceremony of the new benches. BeLusko reminded everyone to attend the upcoming B Street Trail Dedication. BeLusko spoke about his volunteer-related participation with Ride Connection. In addition, BeLusko reported on various meetings and community-related events he attended and upcoming meetings and community-related events he was planning to attend.

Johnston reported on the Public Safety Advisory Commission meeting, noting the Commission supported the proposed Intergovernmental Agreement between the City and Cornelius regarding sharing Fire Chief administrative services. Johnston spoke about the importance of supporting the levies on the November ballot, noting the ballots will be mailed soon. In addition, Johnston reported on various upcoming meetings and community-related

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events he was planning to attend.

Lowe provided an update on Joint Water Commission-related matters and the upcoming Mayor's Dinner and Auction, noting the event will be held at the Forest Grove Senior and Community Center. In addition, Lowe reported on various upcoming meetings and community-related events she was planning to attend.

Miller reported on various upcoming meetings and community-related events she was planning to attend.

Thompson reported on Ride Connection-related matters and its volunteer ridership program. In addition, Thompson reported on various upcoming meetings and community-related events he was planning to attend.

Uhing was absent.

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. In addition, Mayor Truax spoke about his volunteer-related participation with Ride Connection and the upcoming Mayor's Dinner and Auction, noting the event will be held on October 30, 2010, at the Forest Grove Senior and Community Center.

10. **ADJOURNMENT:**

Mayor Truax adjourned the meeting at 8:17 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder