

**FOREST GROVE CITY COUNCIL REGULAR MEETING**  
**May 14, 2012 – 7:00 P.M.**  
**COMMUNITY AUDITORIUM**  
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*Minutes are unofficial until approved by Council.  
Council approved minutes as presented May 29, 2012.*

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, Council President, Victoria Lowe, Camille Miller, Ronald Thompson, Elena Uhing, and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Kerry Aleshire, Police Chief; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Michael Kinkade, Fire Chief; George Cress, Light and Power Director (in the audience); Colleen Winters, Library Director (in the audience); and Anna Ruggles, City Recorder.
1. A. **POLICE OFFICER SWEARING-IN CEREMONY:**  
Ruggles administered the Oath of Office to Jeremy Lazenby who was sworn-in as Police Officer. Police Chief Aleshire read the biography and introduced, welcomed and presented Officer Lazenby with his official Police badge.
1. B. **EMPLOYEE RECOGNITION:**  
Mayor Truax and City Manager Sykes presented a Certificate of Appreciation and a plaque honoring Kerry Aleshire, Police Chief, in recognition of his dedicated years of service as Police Chief, noting Chief Aleshire was hired in 2008 and his last day with the City is May 21, 2012. Sykes commended Chief Aleshire, noting Chief Aleshire was very instrumental in raising citizen awareness and citizen participation, crediting Chief Aleshire for implementing the Citizens' Police Academy and Police Officer Reserve Program as well recognizing him for other significant accomplishments.
1. C. **INTERIM POLICE CHIEF SWEARING-IN CEREMONY:**  
Ruggles administered the Oath of Office to Bill Steele who was sworn-in as Interim Police Chief. Police Chief Aleshire read the biography and introduced, welcomed and presented Chief Steele with his official Police badge. Sykes welcomed Steele, noting Steele is a Washington County Sheriff's Office Chief Deputy temporarily assigned as Interim Police Chief, through an Intergovernmental Agreement with Washington County, for five

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months while the City is recruiting for a new Police Chief.

**1. D. PROCLAMATIONS:**

*National Police Week*

Council President Johnston read the proclamation proclaiming May 13 – May 19, 2012, as “National Police Week in Forest Grove”. Johnston presented the proclamation to Police Chief Aleshire who accepted the proclamation on behalf of the Forest Grove Police Department.

*Forest Grove Fire and Rescue Emergency Medical Services Week*

Council President Johnston read the proclamation proclaiming May 20 – May 26, 2012, as “Fire and Rescue Emergency Medical Services Week” in Forest Grove”. Johnston presented the proclamation to Fire Chief Kinkade who accepted the proclamation on behalf of the Forest Grove Fire and Rescue Department.

**CIVILIAN APPRECIATION CERTIFICATE (ADDED TO AGENDA):**

Fire Chief Kinkade read the Citation of Merit honoring Phoebe Reinecker, Reinecker Nursery, for a recent act involving saving the life of one of their employees, who gone into cardiac arrest, by administering effective CPR. Chief Kinkade presented the Civilian Appreciation Certificate to Reinecker and commended her for her courageous act and heroic deed.

*Emergency Medical Services Week*

Council President Johnston read the proclamation proclaiming May 20 – May 26, 2012, as “Emergency Medical Services Week” in Forest Grove”. Johnston presented the proclamation to Robert Breihoff who accepted the proclamation on behalf of Metro West Ambulance. Metro West Ambulance presented a Certificate of Appreciation to Johnston who accepted the plaque on behalf of the City.

*National Historic Preservation Month*

Councilor Uhing read the proclamation proclaiming the month of May, 2012, as “National Historic Preservation Month”. Neil Poulsen, Chair, and Holly Tsur, Vice Chair of Historic Landmark Board (HLB), accepted the proclamation on behalf of HLB.

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**1. E. ERIC G. STEWART AWARD PRESENTATION:**

Mayor Truax presented the “2012 Eric G. Stewart Award” to Ismoon Hunter-Morton, City Librarian, and her Team of Volunteers, including: Casey Kolakowski, Linda Lee, Mitch Perdue, Chris Potter, Chuck Prichard, Don Santo, Jessie Sweeney, and Jane Zilk, in recognition of outstanding service and support of historic preservation in Forest Grove. Hunter-Morton and her Team of Volunteers spent literally hundreds of hours preserving, indexing, and archiving the Eric Stewart Historical Collection (chronicling the history of Forest Grove), which was gifted to the City approximately 20 years ago. The collection will be available for public viewing in the Stewart History Room at the Forest Grove Library.

**1. F. IF I WERE MAYOR 2012 AWARD PRESENTATION:**

Mayor Truax announced the 2012 “If I Were Mayor Contest” winner Jordan Kollar, Harvey Elementary School, noting Kollar is awarded a \$50 cash prize for submitting a Poster, with the theme “*If I Were Mayor, After-School Would Be...*”. Mayor Truax noted the Oregon Mayors Association sponsors the contest and all entries are submitted into the State level contest for a chance to win a laptop computer.

**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 Executive Session (Labor) Meeting Minutes of April 23, 2012.
- B. Approve City Council Work Session (Subdivision Analysis) Meeting Minutes of April 23, 2012.
- C. Approve City Council Regular Meeting Minutes of April 23, 2012.
- D. Accept Community Forestry Commission Meeting Minutes of March 21, 2012.
- E. Accept Historic Landmarks Board Meeting Minutes of March 27, 2012.
- F. Accept Parks and Recreation Commission Meeting Minutes of

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March 22, 2012.

- G. Accept Planning Commission Meeting Minutes of March 5, 2012.
- H. Community Development Department Monthly Building Activity Informational Report for April 2012.
- I. Library Department Monthly Circulation Statistics Report for May 2012.

**MOTION: Councilor Lowe moved, seconded by Council President Johnston, to approve the Consent Agenda as presented. MOTION CARRIED 7-0 by voice vote.**

- 4. **ADDITIONS/DELETIONS:** None.
- 5. **PRESENTATIONS:** None.
- 6. **PUBLIC HEARING AND FIRST AND SECOND READING OF ORDINANCE NO. 2012-03 SPECIFYING THE ASSESSMENTS TO BE MADE ON PROPERTIES SPECIALLY BENEFITED BY THE CONSTRUCTION OF CERTAIN SIDEWALK IMPROVEMENTS; SETTING SIXTY (60) MONTH AND ONE HUNDRED TWENTY (120) MONTH PERIODS FOR INSTALLMENT PAYMENTS; SETTING THE INSTALLMENT FINANCING RATE AT FOUR AND ONE-QUARTER PERCENT (4.25%) AND SIX AND ONE-HALF PERCENT (6.50%) RESPECTIVELY; DECLARING AN EMERGENCY**

**Staff Report:**

Foster and Downey presented the above-proposed ordinance for Council consideration, noting the proposed ordinance is assessing the final costs to property owners (listed in Exhibit A) who voluntarily consented to sidewalk repairs pursuant to the City-Wide Voluntary Sidewalk Local Improvements District Program. Foster reported the second phase of the program resumed January, 2012, and is now completed, noting staff is submitting for Council consideration the completed projects on a monthly basis so reimbursement costs to the City can be assessed immediately thereafter. Downey outlined the repayment terms, noting property owners who submit installment agreements for payment option 1B, pursuant to Resolution No. 2010-67, the installment period will be 60 months at an interest rate of 4.25% with no pre-payment penalty. For property owners

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who submit installment agreements for payment option 1C, the installment period will be 120 months at an interest rate of 6.50% with no pre-payment penalty. Property owners whose payment becomes delinquent will be assessed a penalty of \$10 per every 30-day period payments are or remain delinquent. Downey advised the assessments would be listed in the City's lien docket and if unpaid (along with accrued and unpaid interest and penalties), the City could lien pursuant to ORS. In conclusion, Foster and Downey advised staff is recommending Council declare the proposed ordinance as an emergency in order for the City Recorder to file the assessment liens in a timely manner.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2012-03 for first and second reading, declaring an emergency pursuant to City Charter.

Sykes read Ordinance No. 2012-03 by title for first and second reading, declaring an emergency pursuant to City Charter.

**MOTION: Councilor BeLusko, Jr., moved, seconded by Councilor Miller, to approve First and Second Reading and adopt Ordinance No. 2012-03 Specifying the Assessments to be made on properties specially benefited by the construction of certain sidewalk improvements; Setting Sixty (60) Month and One Hundred Twenty (120) Month Periods for Installment Payments; Setting the Installment Financing Rate at Four and One-Quarter Percent (4.25%) and Six and One-Half Percent (6.50%), respectively; and Declaring an Emergency.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Written Objections Received:**

No written objections to the assessments were received prior to the published deadline of May 14, 2012, 7:00 p.m.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

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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, Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

**7. PUBLIC HEARING ADOPTING CITY MANAGER ANNUAL PERFORMANCE EVALUATION STANDARDS AND CRITERIA**

**Staff Report:**

Mayor Truax reported that pursuant to the City Manager's Employment Agreement, Section 6, the Council must evaluate the City Manager's annual performance and establish the performance evaluation criteria, standards, policy directives, and compensation in an open meeting. Mayor Truax outlined the City Manager performance evaluation process as follows, which is the same process as previous years:

1. City Manager is directed to prepare a self-evaluation.
2. Department Directors are asked to submit input with an option to remain confidential. Council has named the City Attorney, as third-party person, who will prohibit disclosure of information submitted in confidence as provided by ORS 192.502(4).
3. City Attorney compiles submitted comments into a single document and distributes results in a sealed envelope directly to Council.
4. Council reviews compiled responses with City Manager in Executive Session.
5. Each Councilmember submits an evaluation form to Mayor.
6. Mayor and Council President tabulate and summarize results of Council evaluations and present performance appraisal to City Manager in Executive Session.

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In addition, Mayor Truax reported Council will hear the City Manager's self-evaluation and review the compiled responses and comments with the City Manager in Executive Sessions tentatively scheduled for May 29 and June 11, 2012, and after concluding the performance appraisal in the Executive Session scheduled for June 25, 2012, Council will return into open meeting to give a summary of the City Manager's performance appraisal.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing.

**Proponents:**

No one wished to testify and no written comments were received.

**Opponents:**

No one wished to testify and no written comments were received.

**Others:**

No one wished to testify and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

BeLusko mentioned that he recalled the Council discussing last year about having a team look at redoing the performance evaluation form, noting he volunteered to be on the review team, to which Mayor Truax replied he recalls discussing the evaluation process but not formally redoing the form.

Mayor Truax indicated Council did look at various forms but did not find a better tool, noting he believes the current form is serving Council's purpose.

Council President Johnston mentioned that he recalled Council also discussing having reviews two or three times a year instead of waiting all year to complete the City Manager's performance appraisal, noting it is important to highlight the important things as they occur.

Thompson mentioned as a reminder that Council is receiving updates from all departments from the City Manager in his bi-monthly reports to Council,

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noting Council could summarize what has been recorded in the City Manager's updates.

In conclusion of the above-noted discussion, Mayor Truax asked staff to remind him to put the City Manager's evaluation performance on their October/November Agenda for discussion and again in February/March Agenda to review the overall process. In addition, Mayor Truax advised that he might ask one more Councilor to assist with the summary and tabulation.

**MOTION BY CONSENSUS:** Mayor Truax asked for Council consensus to adopt the above-proposed City Manager's performance evaluation standards and criteria as noted above.

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, Uhing, and Mayor Truax. **NOES:** None.  
**MOTION CARRIED 7-0.**

**8. RESOLUTION NO. 2012-30 AUTHORIZING CITY MANAGER TO ENDORSE INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FOREST GROVE AND THE CITY OF CORNELIUS RELATING TO THE COMPLETION OF A WATER LINE PROJECT (TV HIGHWAY WATERLINE PROJECT)**

**Staff Report:**

Downey and Foster presented the above-proposed resolution for Council consideration, noting the proposed resolution authorizes the City to enter into an Intergovernmental Agreement (IGA) with the City of Cornelius for the purpose of completing a waterline project along Tualatin Valley Highway (TV Highway 8), on the east side of town near Taco Bell and the future Prime Time Restaurant. Foster reported the City of Cornelius recently identified a water project that they would like to complete in the same vicinity but within their City limits, noting both cities would like having the projects completed prior to the Oregon Department of Transportation's repaving project. Foster explained the City of Cornelius will bid the project and manage the construction and the City will reimburse Cornelius of its portion of the project as noted below. In conclusion, Downey referenced

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the IGA (Exhibit A) outlining the cost of each projects, noting the City's share is \$68,396 for its waterline project and Cornelius's share is \$42,495 for its waterline project.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2012-30.

**MOTION: Council President Johnston moved, seconded by Councilor Lowe, to adopt Resolution No. 2012-30 Authorizing City Manager to Endorse Intergovernmental Agreement (IGA) between the City of Forest Grove and the City of Cornelius relating to the Completion of a Water Line Project (TV Highway Waterline Project).**

**Council Discussion:**

BeLusko commended staff for coordinating the projects, noting this is a great example of entities working together.

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, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

**9. DISCUSS AND DETERMINE DISTRIBUTION OF FUNDING FOR COMMUNITY ENHANCEMENT PROGRAM (CEP) PROJECTS FOR FISCAL YEAR 2012-13**

**Staff Report:**

Downey reported the purpose of the above-noted agenda item was to discuss designating the 2012-13 Community Enhancement Program (CEP) projects and funding allocations. Downey reported the City received 24 applications totaling \$129,350 and the CEP funds available to disburse are \$57,000. Downey reported the Council heard the CEP project presentations on April 17, 2012, and Councilors submitted their individual recommended funding allocations for the various CEP projects.

**Council Discussion:**

Mayor Truax opened the floor and roundtable discussion ensued

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pertaining to designating the 2012-13 CEP projects and allocation of the CEP funds based on the funding allocation methodology adopted by Council. Downey presented an overhead copy of the worksheet outlining each of the Councilmember's recommended funding allocations for each of the CEP projects. Downey advised some of the projects did not receive funding from at least four Councilors as required by the funding allocation methodology adopted by Council, noting projects are subject to drop off the list unless funds are reallocated from at least four Councilmembers. Discussion ensued as Council assessed the projects and reallocated individual funds available for reallocation. At the conclusion of the above-noted assessment, Council collectively allocated the following funding amounts to each of the CEP projects as noted below:

**2012-13 COMMUNITY ENHANCEMENT GRANT FUNDING**

PROJECT	SPONSOR	AMOUNT FUNDED
Housing Rehab, Repair & Access Modifications	Rebuilding Together * Washington County	\$3,086
Emergency Overnight Housing	St. Vincent dePaul Society	\$872
Old Glory	FG Firefighters Association	\$1,913
Sidewalk Chalk Art Festival	Valley Art Association	\$3,606
Food Service Equipment Replacement/Conversion	FG Senior & Community Center	\$3,400
The Main Course - A Celebration of NW Wine & Food	FG Foundation Main Course Team	\$1,847
FGSD Mentoring Program	Big Brothers Big Sisters Columbia NW	\$2,530
HLB Grant Program	Historic Landmarks Board	\$4,050
Farmers Market Revitalization: Increasing Community Opportunities	Adelante Mujeres	\$5,264
Register of Significant Tree Inspections	Community Forestry Commission	\$1,250
WESTCO	Community Action Organization	\$4,203
Football Tackle Dummies/Blocking Sleds	Little Guy Football	\$1,252

Building Permit Fees for Low Income Housing	West Tuality Habitat For Humanity	\$4,904
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Ticket Booth Renovation	Theatre in the Grove	\$1,376
Youth Empowerment Program	Adventures Without Limits	\$1,750
Adelante Chicas Summer Day Camps	Adelante Mujeres	\$1,350
Downtown Attraction / First Wednesday	City Club	\$2,525
Art Alive in Forest Grove	Public Arts Commission	\$3,150
FG Community Garden- Maintenance and Compost	Community Garden Committee	\$912
Art Education in Forest Grove	Valley Art Association	\$1,850
Old Train Station Exterior Renovation	Friends of Historic Forest Grove	\$2,346
FGLL Uniforms and Gear	Forest Grove Little League	\$1,500
Fernhill Wetlands Viewing Shelter Replacement	Fernhill Wetlands Council, Inc.	\$2,064
TOTAL FUNDS AWARDED FOR FY 2012-13		\$57,000

At the conclusion of the above-discussion, Downey advised staff would bring back a proposed resolution making the above CEP allocations for Council consideration at the next meeting, at which time the Public Hearing would also be held.

**10. CITY MANAGER'S REPORT:**

City Manager Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events. Sykes reported the first Budget Committee Meeting is scheduled for Wednesday, May 23, 2012, at 7:00 p.m., noting the proposed budget books will be distributed May 16, 2012. Sykes reported staff has been examining merging the City of Cornelius's Municipal Court with Forest Grove's Municipal Court, noting by doing this merge, it will allow the City to keep a full-time staff person. Sykes commended and thanked Police Chief Aleshire for his tenure with the City and expressed his appreciation of having Bill Steele as Interim Police Chief, noting he will be conducting a national recruitment for a new Police Chief and will use the same process as he has in the past, i.e., three panels and technical committee.

In addition, Sykes distributed a copy of his written report, which outlined various meetings he attended and provided updates on various City department-related activities, projects, and other upcoming

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city/community-wide events.

**11. COUNCIL COMMUNICATIONS:**

BeLusko reported he was unable to attend the Public Arts Commission meeting. BeLusko reported on Economic Development Commission-related activities, noting the Business Incentive Program will be coming back to Council for consideration to renew/extend the program. BeLusko reported May 22, 2012, is the next Downtown Revitalization meeting, noting the program is being conducted by Metro on the City's behalf. In addition, BeLusko reported on other matters of interest and upcoming meetings he was planning to attend.

Council President Johnston reported on matters of interest and upcoming meetings he was planning to attend.

Lowe reported on Fernhill Wetlands-related activities, noting Clean Water Services is working on a documentary about Fernhill Wetlands. In addition, Lowe reported on other matters of interest and upcoming meetings she was planning to attend.

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

Thompson reported on Forest Grove Senior and Community Center-related activities. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing commended Jeff King, Economic Development Coordinator, for his work and the remarkable relationships he has developed with local business owners. Uhing reported on Historic Landmarks Board (HLB)-related activities, noting approximately 30 people and 14 vendors attended HLB's Preservation Fair event on Saturday, May 5, 2012.

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 advised the League of Oregon Cities would be sending out soon its list of proposed legislative topics to be scored and returned to the Board for consideration. Mayor Truax reported on Library Commission meeting, noting the Commission is working on its mission statement. Mayor Truax

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reported the Washington County Visitors Association has hired a new Executive Director, Carolyn McCormick, who will be visiting Forest Grove on Wednesday, May 16, 2012. In addition, Mayor Truax highlighted various upcoming Council Calendar events and other community-related matters of interest. In conclusion, Mayor Truax reminded everyone to vote by May 15, 2012, Primary Election.

**12. ADJOURNMENT:**

Mayor Truax adjourned the meeting at 8:54 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder