

**FOREST GROVE CITY COUNCIL REGULAR MEETING
APRIL 22, 2013 – 7:00 P.M.
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***Minutes are unofficial until approved by Council.
Council approved minutes as presented May 13, 2013.***

1. ROLL CALL:

Mayor Peter Truax called the regular City Council to order at 7:02 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; Elena Uhing, and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Susan Cole, Administrative Services Assistant Director; Rob Foster, Public Works Director; Tom Gamble, Parks and Recreation Director; Jon Holan, Community Development Director; Michael Kinkade, Fire Chief; Janie Schutz, Police Chief; Colleen Winters, Library Director; George Cress, Light and Power Director (in the audience); and Anna Ruggles, City Recorder.

1. A. POLICE EMPLOYEE INTRODUCTIONS AND PROMOTIONS:

Chief Schutz administered the Oath of Office to newly promoted Police Captain Kevin Ellingsburg and newly promoted Police Sergeant Michael Hall. Chief Schutz also presented special recognition awards to Police Records Supervisor Lisa Cannon for “Tenacity” and Captain Mike Herb for being the “pyramid base” of the Police Department.

1. B. PROCLAMATION:

Council President Johnston publicly proclaimed the week of May 5 – 12, 2013, as “National Police Week”. Police Chief Schutz accepted the proclamation on behalf of the Police Department.

MOMENT OF SILENCE:

Mayor Truax led a moment of silence in remembrance of the Massachusetts Institute of Technology police officer who was killed in the line of duty in the Boston Marathon bombing.

1. C. IF I WERE MAYOR 2013 AWARD PRESENTATION:

Mayor Truax announced the 2013 “If I Were Mayor Contest” winner Bailey Hill, Poster (grades 4 – 6), who attends Forest Hills Lutheran School. Mayor Truax presented Hill with a \$50 cash prize on behalf of the City, noting Hill’s entry will be submitted into the Oregon Mayors Association state level competition for a chance to win a laptop

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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 (Litigation) Meeting Minutes of April 8, 2013.
- B. Approve City Council Work Session (Transit Study) Meeting Minutes of April 8, 2013.
- C. Approve City Council Regular Meeting Minutes of April 8, 2013.
- D. Accept Library Commission Meeting Minutes of February 14, 2013.
- E. Accept Planning Commission Meeting Minutes of February 4, 2013.
- F. Accept Public Arts Commission Meeting Minutes of February 14, 2013.
- G. Community Development Department Monthly Building Activity Informational Report for March 2013.
- H. Endorse New Liquor License Application for Prime Time Enterprises, Inc., 4450 Pacific Avenue (Full On-Premises Sales). *(ITEM REMOVED; REFER BELOW)*
- I. **RESOLUTION NO. 2013-26 MAKING APPOINTMENT TO PUBLIC SAFETY ADVISORY COMMISSION (APPOINTING GUY STORMS, FOREST GROVE CHAMBER OF COMMERCE, NON-VOTING REPRESENTATIVE.**

MOTION: Councilor Kidd moved, seconded by Councilor Lowe, to approve the Consent Agenda with the exception of Item 3. H.
MOTION CARRIED 7-0 by voice vote.

3. H. ENDORSE NEW LIQUOR LICENSE APPLICATION FOR PRIME TIME

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ENTERPRISES, INC., 4450 PACIFIC AVENUE (FULL ON-PREMISES SALES)

Lowé removed the above-noted item from the Consent Agenda, noting she is pleased to see progress and the rebuilding of Prime Time Restaurant, which was destroyed in a fire in 2011.

Hearing no further discussion from the Council, Mayor Truax asked for a motion and vote to approve Consent Agenda Item 3. H. as presented.

MOTION: Councilor Lowé moved, seconded by Councilor Miller, to approve the Consent Agenda Item 3. H. as presented. MOTION CARRIED 7-0 by voice vote.

4. ADDITIONS/DELETIONS:

Sykes deleted from the Council Meeting Agenda earlier an Executive Session (Litigation) scheduled for 6:00 p.m.

5. PRESENTATIONS:

5. A. Forest Grove Watershed Stewardship Management Plan Update:

Foster and Cole presented a PowerPoint presentation highlighting the findings of the Forest Grove Watershed Stewardship Management Plan Update, which was conducted by the Watershed Ad-Hoc Committee. Staff introduced Scott Ferguson, Trout Mountain Forestry, City's Watershed Consultant, who advised and guided the Ad-Hoc Committee through the update process. Staff reported the Ad-Hoc Committee met twice a month from January 2012 through June 2012, and reviewed the 10-year history of the watershed management plan; completed inventory of the watershed; and toured the watershed. Staff reported the draft Plan was posted on the City's Website and Facebook for public review, noting 215 Facebook views were counted. In addition, staff reported the Ad-Hoc Committee met in two joint work sessions with Council to discuss the updates to the Plan, noting the Ad-Hoc Committee made the following recommendations to the Plan:

- No changes to the Plan's management goals.
- Modified zoning of the watershed from three zones (Reserve Areas, Special Management Areas, and Active Management Areas) to two zones (Reserve Areas and Active Management Area).

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- Added Desired Future Conditions (DFC) of the watershed (DFC defines how the two management areas are desired to look and function over time, in terms of ages of trees, species of trees, riparian areas, understory, woody debris, etc.).
- Clarified resource protection (erosion/impacts from roads, water quality, vegetative understory, and soils).
- Modified the annual harvest volumes so it would be controlled by volume and acres (1.7 to 2.25 million board feet annual average; 80 to 130 acres/year thinned; 20 to 25 acres/year of < 5 acre patches or Variable Retention).
- Added annual operational plans and a 10-year forest operations plan.
- Modifications were made for carbon storage (harvest openings 3 acres or greater will retain 15 percent of original stand).
- Added more specific monitoring plans to allow for adaptive management and evaluating the effectiveness of the Plan in achieving goals (carry forward researching minimum flows on Clear Creek, update 2001 plant survey and annual inventory of juvenile fish).

In conclusion of the above-noted presentation, Foster and Cole reported the Ad-Hoc Committee's recommendations have been incorporated into the Draft Watershed Stewardship Management Plan Update, noting staff is planning to bring a proposed resolution for Council consideration and formal adoption of the Watershed Stewardship Management Plan Update.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Council discussed with staff, Ferguson, and Ad-Hoc Committee members present, Lou Karabinus and Dallas Boge, the above-noted recommendations made to the Watershed Stewardship Management Plan Update. Staff and Ferguson responded to various inquiries, concerns, and scenarios the Council presented pertaining to the proposed harvest volumes; controlling invasive plant species; biologist's inventory of juvenile fish; certified lumber; fire protection plan; annual operational plans; and future acquisition of land adjacent to the watershed.

Mayor Truax commented that the research and education parts of the Watershed Management Plan, such as log restoration, fish counts,

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measurement of trees, would all contribute to a more sustainable future. In addition, Mayor Traux asked Karabinus and Boge if they would like to comment, to which Karabinus commended Ferguson for his consultation work during the previous 10 years under the current Plan. Boge had no comments, noting he supports the Plan update and recommendations.

Mayor Truax and Council collectively commended the excellent work of staff, Ferguson and Ad-Hoc Committee. In conclusion of the above-noted discussion, Council and staff discussed scheduling an additional work session so Council could have additional opportunity to review the red-lined draft of the Plan before considering formal adoption.

6. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2013-03 AMENDING FOREST GROVE DEVELOPMENT CODE, CHAPTER 10, ZONING TEXT AMENDMENT. FILE NO. ZNC-12-01070

Staff Report:

Holan requested postponing the Public Hearing and second reading of the above-noted Ordinance No. 2013-03 to the next Council meeting of Monday, May 13, 2013, in order to allow time for the City Attorney to complete its legal review of the proposed amendments.

Public Hearing Continuance:

Mayor Truax announced the Public Hearing and Second Reading of Ordinance No. 2013-03 would be continued to the next Council meeting of Monday, May 13, 2013, as requested by staff.

7. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2013-04 AMENDING FOREST GROVE CODE SECTION 3.105, MODIFYING THRESHOLD COST AND ADDING CRITERIA FOR THE INSTALLATION OF SIDEWALKS; AND REPEALING ORDINANCE NO. 1976-27. FILE NO. ZNC-12-01070

Staff Report:

Holan requested postponing the Public Hearing and second reading of the above-noted Ordinance No. 2013-04 to the next Council meeting of Monday, May 13, 2013, in order to allow time for the City Attorney to complete its legal review of the proposed amendments.

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Public Hearing Continuance:

Mayor Truax announced the Public Hearing and Second Reading of Ordinance No. 2013-04 would be continued to the next Council meeting of Monday, May 13, 2013, as requested by staff.

8. PUBLIC HEARING AND RESOLUTION NO. 2013-25 SETTING FEES AND CHARGES FOR AQUATIC CENTER, EFFECTIVE JULY 1 2013, AND REPEALING RESOLUTION NO. 2012-28

Staff Report:

Gamble and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution would increase Aquatic Center fees and charges by four percent (4%), rounded to the nearest increment, effective July 1, 2013. For in-City (18-64) public and fitness swim, the fee would increase from \$4.50 to \$4.75. For in-City (2-17 years); Senior and Disabled Veteran, the fee would increase from \$3.00 to \$3.25. In addition, staff proposed adding a new fee for Lifeguard Challenge of \$50 to recoup costs for providing this test and Mat Rental Fee was dropped because the Aquatic Center is no longer renting mats. In conclusion, Downey noted the fee request at this time is to allow the Aquatic Center the ability to post the new fee schedule in its summer brochure.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-25.

Sykes read Resolution No. 2013-25 by title.

MOTION: Council President Johnston moved, seconded by Councilor Kidd, to adopt Resolution No. 2013-25 Setting Fees and Charges for Aquatic Center, Effective July 1 2013, and Repealing Resolution No. 2012-28.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Written Testimony Received:

No written testimony was received.

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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:

Council President Johnston thanked staff for recognizing the need of keeping the fees low for seniors and disabled veterans.

Mayor Truax suggested staff look at setting the same fee as in-city for out-of-city disabled veterans, to which Gamble concurred taking Mayor Truax's suggestion to the Parks and Recreation Commission for discussion and consideration.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

9. DEPARTMENT WORK PLANS FOR FISCAL YEAR 2013-14:

Community Development Department:

Holan presented a PowerPoint presentation outlining the Community Development Department's Work Plan for 2013-14 as noted in his staff report. Holan's report focused on Community Development-related work plan, activities and current programs (Periodic Review, Transportation System Plan Update, Urban Renewal Program, Transit Study, and Transit Implementation), new programs (Transportation System Plan Code Amendments, Westside Planning Study, Sustainability Plan, Development Process and Assessment, Historic Design Guidelines, Affordable Housing, Community Gardens, and Permanent Sustainability Committee); ongoing tasks (Planning Commission, Committee for Citizen Involvement, Community Forestry Commission, Historic Landmarks Board and Sustainability Committee support, Code Enforcement of noxious

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vegetation and Development Code compliance, grading permits, erosion control, processing land use permits and building permits, maintaining land use database, counter coverage, tree permits and inspection, street trees, public outreach and GIS maintenance); providing support for other departments (transportation-related projects; Town Center Revitalization, High Capacity Transit, Economic Development and Business License); and participating and monitoring county, regional and state agencies. In addition, Holan reported on other various department-related projects and goals and addressed Council inquiries and comments pertaining affordable housing and various transportation-related projects.

Library Department:

Winters presented a PowerPoint presentation outlining the Library Department's Work Plan for 2013-14 as noted in her staff report. Winters's report focused on library-related work plan, activities and programs; conducting safety and security audit (patrons, staff, building and collections); implementing solutions for recurring security and safety-related issues (police officer walk-throughs); Washington County Cooperative Library Services post RFID evaluation (identify efficiencies and identify benefits to patrons and taxpayers); Library Foundation (Ed Carpenter Art project, finalizing funding strategy, sign contract, partner with Public Arts Commission, reschedule fund-raising events and celebrate installation); and collection development analysis (inventory collection post RFID, consider formats, evaluate usage statistics and reconsider current policy). In addition, Winters reported on other various department-related projects and goals and addressed Council inquiries and comments pertaining to security and safety-related issues and new self-check out system.

Mayor Truax called for Council consensus to suspend Council's 9:00 p.m. curfew rule, to which, Council collectively agreed to continue the meeting.

Fire Department:

Chief Kinkade presented a PowerPoint presentation outlining the Fire Department's Work Plan for 2013-14 as noted in his staff report. Kinkade's report focused on fire-related work plan and action items outlined in the Cornelius/Forest Grove Fire and Rescue Strategic Plan for Fiscal Year 2013-14 (implementation of records management system, various grant applications; apparatus maintenance and equipment programs; vehicle replacement program; fire inspection/investigation

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program; facilities maintenance; pre-incident plans, disaster risk assessments, evaluating accreditation feasibility; various public education programs, and other department/employee-related programs).

Engineering/Public Works Department:

Foster presented a PowerPoint presentation outlining the Engineering, Public Works, and Water Treatment Department's Work Plans for 2013-14 as noted in his staff report. Foster's report focused on transportation-related projects (county road jurisdiction transfer, street maintenance funding study, David Hill Road Extension, Safe Routes to School Grant – B Street sidewalks, crosswalks at Thatcher Road and Gales Creek Road, College Way Open House, Annual Street Overlay Program and Council Creek Regional Trail); water-related projects (large meter replacement program and water transmission line replacement); sewer-related projects (23rd Avenue – Phase I); watershed-related activities (annual timber harvest 2013, update to Watershed Management Plan and request for proposal for forest manager contract); and engineering-related projects (public improvements design review projects and ongoing administrative-related activities, including water/sewer as-built locations, Traffic Control Review Board, sign permits, tourist-orientated signs and rights-of-way permits). In addition, Foster reported on other various department-related projects and goals and addressed Council inquiries and comments pertaining street-related projects, project cost estimates, re-defining the title of College Way Open House to identify overall purpose (i.e., downtown traffic circulation) and providing information to Council on large street improvement projects and maintenance needs of City streets.

Administrative Services Department:

Downey presented a PowerPoint presentation outlining the Administrative Services Department's Work Plan for 2013-14 as noted in his staff report. Downey's report focused on finance and budget-related tasks and management-related tasks. In addition, Downey reported on other various department-related projects and goals and addressed Council inquiries and comments pertaining to code enforcement-related issues and updates to the City Code.

10. CITY MANAGER'S REPORT:

City Manager Sykes reported on upcoming meetings and events as noted in the Council calendar and reported on dates of significant events of interest as noted in the City Manager's Report. Sykes reminded Council of

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the upcoming Budget Informational Meeting scheduled for Wednesday, April 24, 2013. Sykes reported the City has hired Johnson Reid to complete the market analysis and redevelopment study for Times Litho project. Sykes commended Department Directors for their work plan presentations, noting he is very impressed with the work of all departments as reflected in their work plans and department updates. Sykes commended Gamble and King for successfully obtaining the Oregon Parks and Recreation grant for B Street trail. Sykes provided an update on the annexation open houses, noting the meetings have been very positive. Sykes noted the City Attorney has until May 6th to prepare a response pertaining to the annexation appeal. In conclusion of the above-noted report, 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 city/community-wide events.

11. COUNCIL COMMUNICATIONS:

Council President Johnston thanked Police Chief Schutz for conducting the staff promotion introductions earlier in the Council Meeting. Johnston reported attending Bonamici's Town Hall Meeting. In addition, Johnston reported on other matters of interest, upcoming community-related events, and upcoming meetings he was planning to attend.

Kidd announced Historic Landmarks Board is sponsoring its 3rd Annual Preservation Fair, Saturday, April 27, 2013, 9am, 1728 Main Street. Kidd reported attending Bonamici's Town Hall Meeting and reported completing the Police Department's Citizen Academy, noting his participation gave him an opportunity to see first hand the department's proficiency. In addition, Kidd reported on other matters of interest and upcoming meetings he was planning to attend.

Lowe reported attending the Sustainability Summit; joint work session with Parks and Recreation Commission/Community Forestry Commission; and Bonamici's Town Hall Meeting. Lowe briefly reported on Fernhill Wetlands-related activities and upcoming events. In addition, Lowe reported on legislative-related issues, other matters of interest and upcoming meetings she was planning to attend.

Miller reported the Forest Grove Chamber of Commerce is now Forest Grove/Cornelius Chamber of Commerce and the Chamber Board has

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hired Howard Sullivan as the new Executive Director. Miller commended Public Works staff for immediately addressing on her behalf a roadway-related complaint. In addition, Miller reported on upcoming community events and upcoming meetings she was planning to attend.

Thompson reported the Community Forestry Commission held its Arbor Day Tree Planting Event earlier today, Monday, April 22nd, noting it was an excellent event. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing reported attending the Times Litho Ad-Hoc Committee meeting, noting the Committee viewed the property and there is going to be a market analysis done, as well as new signage was posted at the site prohibiting overnight parking. Uhing requested from the City Manager a financial/expense-related report on the Times Litho property. In addition, Uhing reported on other matters of interest and upcoming meetings she was planning to attend.

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar, noting Senator Bruce Starr's Town Hall is scheduled for Monday, April 29, 2013, 6:30 pm, Community Auditorium. Mayor Truax reported no quorum was present at the last Committee for Citizen Involvement meeting. Mayor Truax reported attending the Friends of the Library Meet and Greet. In addition, 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.

12. ADJOURNMENT:

Mayor Truax adjourned the meeting at 10:20 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder