

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
OCTOBER 28, 2013 – 7:00 P.M.  
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***Minutes are unofficial until approved by Council.  
Council approved minutes as presented November 25, 2013.***

**1. ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:04 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; Brenda Camilli, Human Resources Manager; Rob Foster, Public Works Director (in the audience); George Cress, Light and Power Director (in the audience); Tom Gamble, Parks and Recreation Director (in the audience); Michael Kinkade, Fire Chief (in the audience); Colleen Winters, Library Director (in the audience); and Anna Ruggles, City Recorder.

Before proceeding with the Council meeting, Mayor Truax paused in memory of Anna Dieter-Eckerdt, 6, and her sister Abigail Robinson, 11, who were killed in a hit-and-run crash while playing in a pile of leaves across the street from their family home on October 20<sup>th</sup> at the 1700 block of Main Street. Mayor Truax commended the level of professionalism of first responders and city and school officials on their initial response and aftermath of the tragic incident. In addition, Mayor Truax gave a heartfelt thanks to the community for their outpour of support in the aftermath of the sisters' death, noting this is a compassionate community, and we will forever hold the memories of Anna and Abigail in our hearts.

**2. CITIZEN COMMUNICATIONS:**

Dale Feik, Forest Grove, addressed Council requesting Council endorsement of *Neighbors For Clean Air Petition*, noting the petition is addressed to the attention of Governor Kitzhaber and states: "INTEL failed to report fluoride emissions for almost 30 years. The company must be held to the highest standard of emission controls and testing". Feik indicated the public deserves assurances that Intel is doing all that it can to reduce emissions and protect its neighbors from unnecessary exposure to toxic air pollution.

Kathleen Shaw, Forest Grove, addressed Council requesting the City

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ban backyard burning, to which Mayor Truax advised the discussion of banning backyard burning was put on hold pending the City's island annexation efforts, noting the Council plans to resume backyard burning discussions in a Work Session scheduled in January, 2014.

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 Negotiations) Meeting Minutes of October 14, 2013.
- B. Approve City Council Executive Session (Litigation) Meeting Minutes of October 14, 2013.
- C. Approve City Council Executive Session (Real Estate Transactions) Meeting Minutes of October 14, 2014.
- D. Approve City Council Work Session (Times Litho Update) Meeting Minutes of October 14, 2013.
- E. Approve City Council Regular Meeting Minutes of October 14, 2013.
- F. Accept Committee for Citizen Involvement Meeting Minutes of July 18, August 20, and September 19, 2013.
- G. Accept Economic Development Commission Meeting Minutes of May 2 and June 6, 2013.
- H. Accept Parks and Recreation Commission Meeting of August 21, 2013.
- I. Accept Resignation on Public Safety Advisory Commission (Allyn Clark, At-Large, Term Expiring December 31, 2016).
- J. Fire Department Monthly Report for September 2013.
- K. **RESOLUTION NO. 2013-67 MAKING APPOINTMENT TO ECONOMIC DEVELOPMENT COMMISSION (APPOINTING JOHN HAYES, PRIMARY, AND CONNIE POTTER, ALTERNATE, REPRESENTING FOREST GROVE SCHOOL DISTRICT, TERM EXPIRING DECEMBER 13, 2014).**

**MOTION:** Councilor Lowe moved, seconded by Councilor Kidd, to approve the Consent Agenda as presented. **MOTION CARRIED 7-0**

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by voice vote.

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

5. **PRESENTATIONS:**

5. A. Bob Terry, Washington County Commissioner District 4, was unable to attend this meeting and instead rescheduled his presentation to Monday, November 25, 2013, Council Meeting.

5. B. Forest Grove Sustainability Action Plan, Ad-Hoc Committee  
Elaine Cole, PhD, Sustainability Ad-Hoc Committee Chair, introduced several members of the Ad-Hoc Committee who were present in the audience. Cole presented a PowerPoint presentation outlining the Executive Summary of the proposed Forest Grove Sustainability Action Plan, developed by the Ad-Hoc Committee, noting the Action Plan's vision statements focus on six topic areas: Materials Management; Energy Conservation and Green Building; Food; Social Equity; Natural Resources; and Transportation. In conclusion of the above-noted presentation, Cole recommended Council accept the proposed Sustainability Action Plan and create a Sustainability Commission to advise the community and Council regarding the implementation of the Sustainability Action Plan.

6. **REQUESTING CONTINUATION OF PUBLIC HEARING FROM  
OCTOBER 14, 2013, TO DECEMBER 9, 2013: SECOND READING OF  
ORDINANCE NO. 2013-12 ANNEXING A TRACT OF LAND INTO THE  
CITY LIMIT OF FOREST GROVE AND WITHDRAWING THE TRACT  
FROM WASHINGTON COUNTY ENHANCED SHERIFF PATROL  
DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCES  
DISTRICT, AND FOREST GROVE RURAL FIRE PROTECTION  
DISTRICT. THE TERRITORY TO BE ANNEXED CONSISTS OF ONE  
PARCEL, TOTALING 5.6 ACRES, LOCATED AT 3351 THATCHER  
ROAD. WASHINGTON COUNTY TAX LOT NO. 1N426000400.  
APPLICANT: BRADFORD AND LINDA TAYLOR, OWNER-INITIATED.  
FILE NO. ANX-12-01074**

The first reading of Ordinance No. 2013-12 by title occurred at the meeting of October 14, 2013.

**Staff Report:**

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Holan submitted a request for continuation of the Public Hearing from October 14, 2013, to the Council meeting of Monday, December 9, 2013, noting the request is for the applicant and staff's behalf. In addition, Holan asked Council to submit their questions/concerns to staff regarding the proposed annexation by November 1, 2013, so staff has sufficient time to research specific issues raised and to prepare a written staff report prior to the Council meeting of Monday, December 9, 2013.

Before proceeding with Council discussion, Mayor Truax asked for a motion to approve continuation of the Public Hearing from October 14, 2013, to the Council meeting of Monday, December 9, 2013.

**MOTION: Councilor Kidd moved, seconded by Councilor Lowe, to approve Continuation of Public Hearing from October 14, 2013, to the Council meeting of Monday, December 9, 2013: Second Reading of Ordinance No. 2013-12 Annexing a Tract of Land into the City Limit of Forest Grove and Withdrawing the Tract from Washington County Enhanced Sheriff Patrol District, Washington County Urban Roads Maintenances District, and Forest Grove Rural Fire Protection District. The Territory to be Annexed Consists of One Parcel, Totaling 5.6 Acres, Located at 3351 Thatcher Road. Washington County Tax Lot No. 1N4260000400. Applicant: Bradford and Linda Taylor, Owner-Initiated. File No. ANX-12-01074.** The second reading of Ordinance No. 2013-12 by title and final vote is scheduled to occur at the Council meeting of Monday, December 9, 2013.

**Council Discussion:**

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

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

**Public Hearing Continued:**

As requested by staff, Mayor Truax continued the Public Hearing from the meeting of October 14, 2013, to the Council meeting of Monday, December 9, 2013.

**7. RESOLUTION NO. 2013-68 ACCEPTING THE FOREST GROVE SUSTAINABILITY ACTION PLAN**

**Staff Report:**

Holan presented the above-proposed resolution accepting the Forest Grove Sustainability Action Plan (Exhibit A), noting the acceptance of the Action Plan is to acknowledge the excellent work of the Sustainability Ad-Hoc Committee and to allow further review and refinement of the Action Plan by the proposed Sustainability Commission. Holan provided an Executive Summary pertaining to the Ad-Hoc Committee's work as outlined in the Action Plan, noting the City initiated a community-based sustainability effort by convening a Sustainability Institute on October 8, 2011, which resulted in the formation of a Sustainability Ad-Hoc Committee. Holan reported the committee decided early on that its main purpose would be developing a Sustainability Action Plan focusing on implementing sustainable practices in the community. Holan reported during 2012-13, the Ad-Hoc Committee held three Sustainability Summits and Annual Town Meeting, noting approximately 200 people attended the meetings. Holan explained the Action Plan consists of six topic areas as follows: Materials Management; Energy Conservation and Green Building; Food; Social Equity; Natural Resources; and Transportation, noting the topic areas and vision statements emerged from the series of public meetings held. In conclusion of the above-noted staff report, Holan advised the City's fiscal impact has yet to be determined, noting it is likely City resources will be required to fund some of the strategies identified in the Action Plan and forming the Sustainability Commission will require at least one staff liaison to support the Commission and carry out activities identified by the Commission.

**Public Input:**

Mayor Truax opened the floor and accepted public input.

Kathryn Harrington, Metro Council District 4, voiced support of Council's acceptance of the Sustainability Action Plan and commended the City for its sustainability efforts. In addition, Harrington provided insight on the grant awarded by Metro, which helped support the Sustainability Summits.

Dale Feik, Ad-Hoc Committee member, commended the Ad-Hoc Committee for their work and thanked Council and citizens who participated and attended the sessions.

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Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-68.

Sykes read Resolution No. 2013-68 by title.

**MOTION: Councilor Kidd moved, seconded by Councilor Lowe, to approve Resolution No. 2013-68 Accepting the Forest Grove Sustainability Action Plan.**

**Council Discussion:**

Mayor Truax highlighted each of topic areas and vision statements outlined in the proposed Action Plan and commended the Ad-Hoc Committee for their work.

Council President Johnston thanked Harrington for her testimonial support of the proposed Action Plan.

Kidd commended the Ad-Hoc Committee for their work over the last two years and voiced support of accepting the proposed Action Plan.

Uhing commended the Ad-Hoc Committee for their work, noting it was exciting watching the committee grow.

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

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

**8. RESOLUTION NO. 2013-69 ESTABLISHING THE FOREST GROVE SUSTAINABILITY COMMISSION AND BYLAWS AND AMENDING RESOLUTION NO. 2006-10**

**Staff Report:**

Holan presented the above-proposed resolution establishing the Sustainability Commission and Bylaws to carry forward the efforts of the Sustainability Ad-Hoc Committee and Sustainability Action Plan, noting the Sustainability Commission will be a City advisory board consisting of

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13 members appointed by Council, serving a four-year term and representing the following groups (not every group needs to be represented and membership may represent more than one group):

- Pacific University
- Non-Profit public service organizations (i.e., Adelante Mujeres, faith-based organization)
- Clean Water Services
- Forest Grove School District
- Educators
- Persons with Diversity of Ethnic and Cultural Affiliations
- Persons with Diverse Economic Backgrounds and Interests
- Pacific University and Forest Grove High School Students
- Members of Community or Neighborhood Groups

In addition, Holan advised as with other City advisory boards, the Mayor appoints a Council Liaison and City Manager appoints a staff liaison, noting due to the size of the Sustainability Commission's membership and envisioned activities, the Commission's Bylaws require only four meetings per year; although, the Commission could decide to meet more often. In conclusion of the above-noted staff report, Holan advised the City's fiscal impact has yet to be determined, noting forming the Sustainability Commission will require at least one staff liaison to support the Commission and carry out activities identified by the Commission.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-69.

Mayor Truax asked Lowe to read Resolution No. 2013-69 by title, to which Lowe read Resolution No. 2013-69 by title.

**MOTION: Councilor Lowe moved, seconded by Council President Johnston, to approve Resolution No. 2013-69 Establishing the Forest Grove Sustainability Commission and Bylaws and Amending Resolution No. 2006-10.**

**Council Discussion:**

Council President Johnston commended Lowe for all her hard work and efforts in achieving sustainability goals.

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Mayor Truax advised once the Sustainability Commission is formed, he would like the Commission to review a ban on backyard burning.

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

**9. RESOLUTION NO. 2013-70 AUTHORIZING EXECUTION OF A LABOR AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE FOREST GROVE PAID FIREFIGHTER'S ASSOCIATION (FGPFA), EFFECTIVE JULY 1, 2013, AND EXPIRING JUNE 30, 2015**

**Staff Report:**

Camilli and Downey presented the above-proposed resolution requesting authorization to execute the labor agreement between the City and Forest Grove Paid Firefighters Association (FGPFA), effective July 1, 2013, through June 30, 2015. Camilli reported staff met with FGPFA and negotiated a new labor agreement, noting modifications to the agreement include cost-of-living (COLA) increase of 2.5 percent (2.5%) for all classifications each of the two years of the agreement and FGPFA will participate in both a city-wide health insurance committee and public safety retirement committee for the purposes of evaluating potential changes in structure and/or types of health plans offered by the City and potential changes in retirement benefit structure for future public safety employees. In conclusion of the above-noted staff report, Camilli advised the costs to implement the new labor agreement are within the parameters set by Council and funds have been identified in the 2013-14 budget and are within the five-year fiscal plan.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-70.

Sykes read Resolution No. 2013-70 by title.

**MOTION: Councilor Miller moved, seconded by Councilor Uhing, to adopt Resolution No. 2013-70 Authorizing Execution of a Labor Agreement between the City of Forest Grove and the Forest Grove Paid Firefighter's Association (FGPFA), Effective July 1, 2013, and Expiring June 30, 2015.**

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**Council Discussion:**

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

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

**10. RESOLUTION NO. 2013-71 APPROVING TO CANCEL CITY COUNCIL MEETING OF TUESDAY, NOVEMBER 12, 2013**

**Staff Report:**

Sykes presented the above-proposed resolution requesting that Council consider cancelling the November 12, 2013, regular City Council meeting due to a light meeting agenda and Councilmembers who are unable to attend.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2013-71.

Sykes read Resolution No. 2013-71 by title.

**MOTION: Councilor Kidd moved, seconded by Councilor Uhing, to adopt Resolution No. 2013-71 Approving to Cancel November 12, 2013, City Council Meeting.**

**Council Discussion:**

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

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

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

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and community-wide events as noted in the City Manager's Report. Sykes apologized for his inability to attend the October 14, 2013, Council Meeting, noting his mother passed away. Sykes highlighted various topics mentioned at the Council/Department Directors' Training Retreat, held on October 8, 2013,

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noting he has asked directors to identify their top five goals to share with Council at Council's Goal-Setting Retreat, which has been scheduled for Saturday, March 1, 2013. Downey, at Sykes's request, distributed an order form to Council for the Council iPads, noting the iPads will be ordered next week. Sykes commended various staff for their excellent work on coordinating the City-wide Public Safety Open House, noting the event was a huge success with an estimated 1,000 people attending. Sykes reported attending the Fernhill Wetlands Birds and Brew event, noting he was very impressed with the quality of improvements that Clean Water Services has done at Fernhill Wetlands. 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 upcoming city-wide events.

**12. COUNCIL COMMUNICATIONS:**

Council President Johnston reported attending the Washington County Public Safety Coordinating Committee meeting, noting the new 911 dispatch fees are awaiting County approval. Johnston announced he was appointed to the Governor's Inoperability Committee. Johnston commended the level of professionalism of first responders on their initial response and aftermath of the fatal hit-and-run incident that occurred on October 20<sup>th</sup> at the 1700 block of Main Street. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Kidd reported Historic Landmarks Board plans to meet October 29, 2013. Kidd highlighted events planned for the Nyuzen Student Delegation Visit, which is scheduled for October 31 through November 4, 2013. In addition, Kidd reported on other matters of interest and upcoming meetings he was planning to attend.

Lowe reported attending the Watershed Tour on October 18, 2013, noting this year's timber harvest is the first harvest to occur under the new Watershed Stewardship Management Plan. In addition, Lowe reported on other matters of interest and upcoming meetings she was planning to attend.

Miller reported on Chamber of Commerce-related activities, noting the Chamber Board is considering changing the Corn Roast event date to coincide with Chalk Art event. In addition, Miller reported on other

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matters of interest and upcoming community-related events and meetings she was planning to attend.

Thompson reported on Community Forestry Commission (CFC)-related activities, noting CFC is working on an article pertaining to sustainable tree planting and is assisting the Library Department by providing salvaged wood for its new art sculpture. In addition, Thompson reported on other matters of interest and upcoming community-related events and meetings he was planning to attend.

Uhing reported attending the Tourism Committee's tour, noting the group visited three different sites to view possible scenarios and development plans for 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. Mayor Truax encouraged Forest Grove businesses to apply for Metro's *Get Street Smart Grant*, noting the program provides grants for storefront improvements. Mayor Truax reported attending the open houses for Council Creek Regional Trail, noting he would like to see brochures published bilingually. Mayor Truax reported on his plans to attend the National League of Cities Conference, noting the conference will be held in Seattle, November 13-16, 2013. Mayor Truax referenced a list of partnerships who are working effortlessly to end homelessness. In addition, Mayor Truax reported on various local, regional, Metro, and Washington County meetings he attended and upcoming meetings and community-related events he was planning to attend.

**13. ADJOURNMENT:**

Mayor Truax adjourned the meeting at 8:40 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder