

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

***Minutes are unofficial until approved by Council.
Council approved minutes as presented March 17, 2014.***

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 Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; Elena Uhing; and Mayor Peter Truax. **STAFF PRESENT:** Michael Sykes, City Manager; Michael Greene, City Attorney; Paul Downey, Administrative Services Director; Colleen Winters, Library Director; Janie Schutz, Police Chief; Mike Herb, Police Captain; George Cress, Light and Power Director (in the audience); Michael Kinkade, Fire Chief (in the audience); Rob Foster, Public Works Director (in the audience); and Anna Ruggles, City Recorder.

1. A. **EMPLOYEE RECOGNITION:**
Mayor Truax and Winters read the commendation and presented a Certificate of Appreciation to Linda Minor, Library Reference Services Supervisor, who is retiring after 23 years of service with the City.

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 Regular Meeting Minutes of January 27, 2014.
 - B. Approve City Council Work Session (CEP Process for FY 2014-15) Meeting Minutes of February 10, 2014.
 - C. Approve City Council Regular Meeting Minutes of February 10, 2014.
 - D. Accept Library Commission Meeting Minutes of January 21, 2014.
 - E. Accept Public Arts Commission Meeting Minutes of

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

December 12, 2013, and January 9, 2014.

F. Library Department Circulation Statistics Report for February 2014.

G. Endorse Liquor License Renewal Applications for Year 2014:

1. 7-Eleven #2362-20715C, (Off-Premises Sales)
2. 76 Forest Grove (Off-Premises Sales)
3. ARAMARK Educational Services (Limited On-Premises Sales)
4. Ballad Town Billiards (Full On-Premises Sales)
5. Bi-Mart (Off-Premises Sales)
6. Circle Inn Tavern (Full On and Limited-On Premises Sales)
7. Cornerstone Pub & Grill (Limited On-Premises Sales and Off-Premises Sales)
8. Diamond Palace Restaurant (Full On-Premises Sales)
9. Forest Grove Elks Lodge #2440 (Full On-Premises Sales)
10. Forest Grove Sushi (Limited On-Premises Sales)
11. Forest Tobacco (Off-Premises Sales)
12. Forest Grove Theater (Limited On-Premises)
13. Godfather's Pizza/Players Pub (Full On-Premises and Off-Premises Sales)
14. Half Moon Sports Bar & New Chinese Cuisine (Full On-Premises Sales)
15. Hello Market (Off-Premises Sales)
16. Izgara Bar and Grill (Full On-Premises Sales)
17. Jade Green Palace Restaurant (Full On-Premises Sales)
18. La Hacienda (Limited On-Premises Sales)
19. La Sierra Mexican Restaurant (Full On-Premises Sales)
20. Maggie's Buns (Limited On-Premises Sales)
21. Mama Jiah's Market (Off-Premises Sales)
22. Mandarin China Restaurant (Limited On-Premises Sales)
23. Mini Mart (Off-Premises Sales)
24. Pac Thai (Limited On-Premises Sales)
25. Phil's 1500 Subs (Limited On-Premises Sales)
26. Pizza Schmizza (Limited On-Premises Sales)
27. Plaid Pantry #20 (Off-Premises Sales)
28. Plaid Pantry #99 (Off-Premises Sales)

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 3**

**29. Rainbow Lanes (Limited On-Premises Sales) –
Item removed for discussion.**

30. Safeway Store #0406 (Off-Premises Sales)

31. The Flag Deli (Limited On-Premises Sales)

32. The Masonic Grand Lodge (Full On-Premises Sales)

33. Urban Decanter (Full On-Premises and Off-Premises
Sales)

34. Winner's Connection (Limited On-Premises Sales and
Off-Premises Sales)

**MOTION: Councilor Kidd moved, seconded by Councilor Johnston,
to approve the Consent Agenda as amended. MOTION CARRIED 7-0
by voice vote.**

3. G. Endorse Liquor License Renewal Applications for Year 2014:

Thompson removed from the Consent Agenda for Council discussion Item 3. G. 29. Rainbow Lanes (Limited On-Premises Sales), to which Mayor Truax indicated the OLCC issued a citation to the above-noted business for selling alcohol to a minor during a recent decoy sting operation. Mayor Truax asked City Recorder Ruggles to issue a warning to the above-noted business that Council takes this type of violation very seriously, noting the business needs to comply with the law, to which Ruggles noted.

Hearing no further discussion from the Council, Mayor Truax asked for a motion to approve the above-noted Consent Agenda Item.

**MOTION: Councilor Thompson moved, seconded by Councilor Kidd,
to approve the above-noted Consent Agenda Item as presented.
MOTION CARRIED 7-0 by voice vote.**

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS:

5. A. FG Police Department Record Management System (ReqJin)

Police Chief Schutz and Captain Herb presented a PowerPoint presentation highlighting the history of the Forest Grove Police Department's Records Management System (RMS), dating back to 1980, noting in 2009, the department joined other Washington County agencies in becoming members of the Portland Police Data System (PPDS). Chief

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 4**

Schutz and Herb reported the City of Portland Police Department is implementing a new RMS, which will replace PPDS, noting Forest Grove Police Department will be grandfathered into the new Regional Justice Information Network (RegJin) RMS when it is implemented. Herb reported the new RegJin RMS has the capability of sharing crime-related data information with potentially over 40 law enforcement agencies that operate within the Portland metropolitan area and between various regional law enforcement agencies, expanding the repository of critical crime data throughout Oregon. Chief Schutz advised management staff is seeking authorization to enter into an Intergovernmental Agreement (IGA) between the City and City of Portland for early implementation of the new RegJin RMS, noting entering into the IGA will allow the City to provide input during the implementation phase of the new RMS. Herb noted entering into the IGA has no costs associated; however, once RegJin is implemented, the costs sharing formula of the new RMS are estimated to be \$55 per sworn officer per month, potentially increasing annual costs to \$19,140. Herb advised the department currently pays \$10,000 annually for PPDS, noting RegJin will allow electronic report writing, electronic ticketing, property and evidence control, crime analysis, and state reporting data; thus, allowing the department to be virtually paperless and will improve staff efficiency and reduce resources. In conclusion of the above-noted staff presentation, Chief Schutz and Herb addressed various Council inquiries and concerns pertaining to the capabilities of the new RMS, transferring existing PPDS data and budgetary resources.

Hearing no further discussion from the Council, Mayor Truax asked for a motion as noted below.

MOTION: Council President Johnston moved, seconded by Councilor Uhing, to authorize the City Manager to enter into the Intergovernmental Agreement between the City and City of Portland for the purpose of implementing a new police records management system, known as Regional Justice Information System. MOTION CARRIED 7-0 by voice vote.

- 5. B.** Annual Financial Audit Report for Year Ending June 30, 2013
Downey introduced Brad Bingenheimer, City Auditor, who presented a PowerPoint presentation outlining the audit process and Financial Audit Report for period ending June 30, 2013, noting he is pleased to report no

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 5**

significant management advisory suggestions were made and no difficulties were encountered while performing and completing the City's audit. Bingenheimer highlighted the City's financial activities and financial position, noting the General Fund reported a fund balance of \$4,238,416, a decrease of \$525,860 from the prior fiscal year. Bingenheimer explained the primary reason for the decrease in fund balance is the purchase of property (Times Litho) for \$800,000, noting funds will be transferred in Fiscal Year 2013-14 to reimburse the General Fund for the property purchase. Bingenheimer highlighted the City's capital assets and long-term debts, noting the City issued no additional debt in Fiscal Year 2013. Bingenheimer highlighted the City's economic factors, noting the City has been able to maintain its General Fund balance due to departments spending less and due to unanticipated vacancies in public safety. Bingenheimer noted new single-family home construction set a record in Fiscal Year 2012-13 with 166 building permits issued; however housing costs are still lower than five years ago, which will impact the growth of property taxes. In conclusion of the above-noted presentation, Bingenheimer commended staff for their assistance and support during the City's audit process.

- 5. C. Quarterly Financial Report for Period Ending December 31, 2013**
Downey presented a PowerPoint presentation outlining the quarterly financial report ending December 31, 2013, noting this is the second quarter of the City's fiscal year ending June 30, 2014. Downey explained the first part of the report is a graphical representation of the quarterly status of the City's major operating departments and funds; the second part of the report contains comments on other funds where material events have or are projected to occur; and the third part of the report is the line item detail, noting the actual revenues received or expenditures disbursed through the end of the quarter are compared to the quarterly budget allotment and expressed in the detail report as both a dollar variance and percent variance. In conclusion of the presentation, Downey highlighted graphs pertaining to the General Fund, Building Services Fund, Information Systems Fund, Light Fund, Street Fund, Sewer Fund, Water Fund, Surface Water Management Fund, Equipment Fund and other funds, noting the General Fund is off to a good start for the second quarter of the fiscal year and overall, revenues are slightly above the allocation for the first two quarters. In response to Mayor Truax's inquiry pertaining to the City having leeway in the Construction Excise Tax collected on behalf of the Forest Grove School District, Downey advised pursuant to the Intergovernmental Agreement, the City

has no leeway on how the tax is collected and cannot reduce or exempt the amount of the excise tax that is required to be collected.

6. RESOLUTION NO. 2014-30 ADOPTING COMMUNITY ENHANCEMENT PROGRAM (CEP) PROCESS FOR FISCAL YEAR 2014-15 AND REPEALING RESOLUTION NO. 2013-21

Staff Report:

Downey presented the above-proposed resolution requesting to adopt the Community Enhancement Program (CEP) process for Fiscal Year 2014-15, noting the proposed changes for Fiscal Year 2014-15 as discussed in Council Work Session on February 10, 2014, and as noted in the staff report, are as follows:

- A. CEP funds will be dedicated to projects that promote sustainability.
- B. CEP funds available will be equal between two groups; projects submitted by City advisory boards and commissions and projects submitted by other organizations.
- C. CEP funds can be reallocated if either group does not use all the funding available.
- D. CEP funding is limited to \$5,000 maximum per project.

In addition, Downey reported the CEP funds available for Fiscal Year 2014-15 are approximately \$57,000, noting each group will be allocated \$28,500 and Council will have \$4,072 to allocate to each group. In conclusion of the above-noted staff report, Downey advised the proposed resolution has no fiscal impact to the City as outlined in the staff report and as proposed in the resolution.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2014-30.

Sykes read Resolution No. 2014-30 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Kidd, to adopt Resolution No. 2014-30 Adopting Community Enhancement Program (CEP) Process for Fiscal Year 2014-15 and Repealing Resolution No. 2013-21.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 7**

Council Discussion:

In response to Lowe's inquiry, Downey referenced Page 1 of the staff report, noting changing the CEP funding allocation does not affect the criteria set by Metro as outlined in the report.

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

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

7. RESOLUTION NO. 2014-31 APPOINTING THE CITY AUDITOR (BOLDT, CARLISLE & SMITH, LLC) FOR FISCAL YEAR 2013-14 THROUGH 2015-16

Staff Report:

Downey presented the above-proposed resolution requesting to consider reappointing the City Auditor (Boldt, Carlisle and Smith (BCS) for fiscal years ending June 30, 2014, through July 1, 2016. Downey reported the City Charter requires Council to appoint the City Auditor, noting staff will recommend conducting a new Request for Proposal at the end of the three-year term ending 2016. In conclusion of the staff report, Downey advised BCS is requesting a four percent increase in its audit fee for the next three years of the new contract as outlined in the staff report and as proposed in the resolution.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2014-31.

Sykes read Resolution No. 2014-31 by title.

MOTION: Council President Johnston moved, seconded by Councilor Kidd, to adopt Resolution No. 2014-31 Appointing the City Auditor (Boldt, Carlisle & Smith, LLC) for Fiscal Year 2013-14 through 2015-16.

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
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 8**

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

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 community-wide events as noted in the City Manager's Report. Sykes noted the Council Retreat will be a joint retreat with Department Directors and is scheduled for Saturday, March 1, 2014. Sykes commended Mayor Truax for his State of the City Address, noting it was an outstanding presentation with over 100 attendees. Sykes gave an update on the Court of Appeals decision to remand four issues pertaining to the Urban/Rural Reserves program, noting staff will be making a presentation to Council at the next Council meeting. Sykes highlighted the budget process, noting Budget Committee meetings have been set for April 24, May 22, May 29 and June 4, 2014. 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 upcoming city-wide events.

9. COUNCIL COMMUNICATIONS:

Council President Johnston reported attending the Forest Grove Rural Fire Protection District meeting, noting the Board paid the last bond payment. Johnston highlighted the first article published by Public Safety Advisory Commission (PSAC), noting the article addressed pedestrians and crosswalk safety. Johnston noted PSAC is going to begin publishing articles in the newspaper on a regular basis pertaining to public safety-related concerns. Johnston commended Mayor Truax on his State of the City Address, noting a number of legislative representatives attended. In addition, Johnston reported on matters of interest and upcoming meetings he was planning to attend.

Kidd reported on Historic Landmarks Board (HLB)-related activities, noting HLB meets tomorrow. In addition, Kidd reported on other matters of interest and upcoming meetings he was planning to attend.

Lowe reported attending the Parks and Recreation Commission (P&R) meeting, noting P&R discussed its proposed goals for 2014 and

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 9**

discussed a proposed ordinance prohibiting smoking in city-related property, including city parks. Lowe noted P&R plans to hold a public meeting on March 20, 2014, 7pm, in the Community Auditorium, to take public testimony on the proposal. In addition, Lowe reported on other matters of interest and upcoming meetings she was planning to attend.

Miller reported attending the Public Arts Commission (PAC) meeting, noting PAC discussed fundraising and has a retreat schedule on March 22, 2014. Miller commended Mayor Truax for his State of the City Address. In addition, Miller reported on other matters of interest and upcoming community-related events and meetings she was planning to attend.

Thompson reported attending the Community Forestry Commission (CFC) meeting, noting CFC identified projects for Tree City USA recognition and conducted its annual goal setting. Thompson reported on Ride Connection and 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 reported attending the Economic Development Commission (EDC) meeting, noting Bob Terry, Washington County Commissioner, was guest speaker. In addition, Uhing reported on 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 highlighted the State of the City Address, noting he and Cornelius Mayor Jef Dalin each gave their State of the City Addresses at the Chamber Luncheon. Mayor Truax highlighted the Annual Town Meeting survey results, noting he was a little disappointment with the attendance. Mayor Truax reported on his plans to attend the National League of Cities Conference in Washington, D. C., noting he will be out March 4 through March 13, 2014. Mayor Truax noted the next Council meeting is scheduled for Monday, March 17, 2014. In addition, Mayor Truax reported on other various local, regional, Metro, and Washington County meetings he attended and distributed a copy of the upcoming meetings and community-related events he was planning to attend.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 24, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 10**

10. ADJOURNMENT:

Mayor Truax adjourned the meeting at 9:02 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder