

**FOREST GROVE CITY COUNCIL REGULAR MEETING
APRIL 14, 2014 – 7:00 P.M.
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***Minutes are unofficial until approved by Council.
Council approved minutes as presented April 28, 2014.***

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:10 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 Elsner, City Attorney; George Cress, Light and Power Director; Paul Downey, Administrative Services Director; Tom Gamble, Parks and Recreation Director; Jon Holan, Community Development Director; Janie Schutz, Police Chief; Colleen Winters, Library Director; Jeff King, Economic Development Coordinator; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

1. A. PROCLAMATION:

National Arbor Day

Mayor Truax publicly proclaimed April 25, 2014, as “National Arbor Day” in Forest Grove”. Mayor Truax noted this is the 24th consecutive year the City has received the national “*Tree City USA*” award recognition. Councilor Thompson and Riordan accepted the proclamation on behalf of Community Forestry Commission (CFC) and reported CFC sponsored tree planting and tree pruning events this year in recognition of Arbor Day.

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 Work Session (B&C Interviews)
Meeting Minutes of March 17, 2014.

B. Approve City Council Work Session (Council Goal-Setting)

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- Meeting Minutes of March 17, 2014.
- C. Approve City Council Regular Meeting Minutes of March 17, 2014.
 - D. Accept Community Forestry Commission Meeting Minutes of February 19, 2014.
 - E. Accept Economic Development Commission Meeting Minutes of October 3, November 7, and December 5, 2013, and January 9 and February 6, 2014.
 - F. Accept Parks and Recreation Commission Meeting Minutes of February 19, 2014.
 - G. Accept Planning Commission Meeting Minutes of March 3, 2014.
 - H. Accept Public Arts Commission Meeting Minutes of February 13, 2014.
 - I. Community Development Monthly Building Activity Report for March 2014.
 - J. Library Department Monthly Circulation Statistics Report for March 2014.
 - K. **Resolution No. 2014-35 Making Appointment to Historic Landmarks Board (Appointing Kaylene Toews, Term Expiring December 31, 2014).**
 - L. Accept Resignation on Parks and Recreation Commission (Nathan Seable, NE, Term Expiring December 31, 2015).
 - M. **Resolution No. 2014-36 Making Appointments to Parks and Recreation Commission (Appointing Jeremiah Toews, NE, Term Expiring December 31, 2015, and Todd Winter, SW, Term Expiring December 31, 2017).**
 - N. **Endorse Liquor License Renewal Applications for Year 2014:**
 - 1. 1910 Main An American Bistro (Full-On Premises Sales and Off-Premise Sales)
 - 2. My Place Tavern (Limited On-Premises Sales)
 - 3. Tienda La Rosa (Off-Premises Sales)
 - 4. **Endorse Liquor License Change of Ownership Application**, The Britannia Pub, dba Grendel's, 2004 Main Street (Full On-Premises Sales) (Applicant: Leslie Coleman).

Council Discussion:

Lowé welcomed newly-appointed Parks and Recreation Commission member Jeremiah Toews (Item 3. M.) who was present in the audience.

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

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

4. **ADDITIONS/DELETIONS:** None.
5. **PRESENTATIONS:**
 5. A. **Forest Grove Library Foundation Update:**

Rod Fuiten, Forest Grove Library Foundation President, gave an update on the Forest Grove Library Foundation fundraising activities, grants and provided a status update on the Ed Carpenter art project, known as Mollie's Garden. In addition, Fuiten addressed various Council inquiries and invited Council to attend the annual Library Commission/Library Foundation joint meeting scheduled for May 29, 2014.
6. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2014-04 OF THE CITY OF FOREST GROVE IMPOSING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES WITHIN THE CORPORATE BOUNDARIES OF THE CITY; DECLARING AN EFFECTIVE DATE**

Staff Report:

Holan and Police Chief Schutz presented the above-proposed ordinance requesting to impose a one-year moratorium for the establishment and operation of medical marijuana facilities in Forest Grove pursuant to Senate Bill (SB) 1531. Holan reported the State adopted a new law in 2013 (ORS 475.314) regulating medical marijuana facilities, noting SB 1531 amends the ORS by allowing jurisdictions to adopt a one-year moratorium to prevent the establishment of medical marijuana facilities until May 1, 2015. Holan explained the moratorium is intended to allow jurisdictions the opportunity to develop and adopt the appropriate local regulations addressing areas of the law, i.e., hours of operation, location, and manner in which the facilities may dispense medical marijuana. Holan advised to establish a one-year moratorium, the City must adopt an ordinance no later than May 1, 2014. Holan referenced attachments to the staff report, noting the three attachments include a copy of State

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law (ORS 475.314); a copy of SB 1531; and a map showing the 1000' buffer area from school sites within the City's Commercial and Town Center zoning designations. Holan added from a City zoning prospective, there could be two different use categories under which medical marijuana facilities could be authorized, general retail (Neighborhood Commercial District) and medical centers (Community Commercial District), noting State law prohibits medical marijuana facilities within 1000' of public and private educational facilities. In addition, Holan highlighted other concerns pertaining to areas where medical marijuana facilities may be located, noting the moratorium would provide staff an opportunity to interpret the State's buffer requirements and the City's zoning regulations. Chief Schutz added from a law enforcement perspective, all enforcement officers must have enhanced training, i.e., Advanced Roadside Impaired Driving Enforcement (ARIDE), to detect drug-impaired drivers. Chief Schutz advised there currently is no chemical test that can be used in the field to detect marijuana impairment, so enforcement officers must be able to quickly and efficiently determine impairment. Chief Schutz reported there is also the possibility of medical marijuana dispensaries causing a rise in calls for police services, noting the Police Department currently faces minimum staffing on all shifts approximately 60 percent of the time. In addition, Chief Schutz highlighted other law enforcement concerns, noting the moratorium would provide staff an opportunity to establish clear procedures and methods that are needed for law enforcement to properly regulate State law requirements. In conclusion of the above-noted staff report, Holan advised there is no fiscal impact to the City by enacting a moratorium; however, there may be administrative costs for implementing regulations and law enforcement training costs, but these costs, if any, are unknown at this time.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2014-04.

Elsner read Ordinance No. 2014-04 by title for first reading.

MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopt Ordinance No. 2014-04 of the City of Forest Grove Imposing a Moratorium on Medical Marijuana Facilities Within the Corporate Boundaries of the City; Declaring an Effective Date. The second reading of Ordinance No. 2014-04 by title and final vote is scheduled to occur at

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the meeting of Monday, April 28, 2014.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

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.

Council Discussion:

Uhing pointed out the moratorium is only to allow the City time to get up to speed with the new State law regulations, noting the purpose of the moratorium is not to deny medical marijuana facilities.

Hearing no further discussion from the Council, Mayor Truax recessed the Public Hearing for Ordinance No. 2014-04 as noted below.

Public Hearing Recessed:

Mayor Truax recessed the Public Hearing until the next Council meeting of Monday, April 28, 2014.

7. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2014-05 DECLARING THAT BLIGHTED AREAS EXIST WITHIN THE CITY OF FOREST GROVE, RECOGNIZING THE NEED FOR AN URBAN RENEWAL AGENCY TO FUNCTION WITHIN THE CITY OF FOREST GROVE AND PROVIDING FOR THE EXERCISE OF THE AGENCY'S POWERS BY THE CITY COUNCIL OF THE CITY OF FOREST GROVE; AMENDING FOREST GROVE CITY CODE, CHAPTER 2, BY ADDING NEW CODE SECTIONS 2.10.005 THROUGH 2.10.009, TITLED "URBAN RENEWAL AGENCY**

Staff Report:

Holan and Riordan presented the above-proposed Ordinance requesting to amend City Code, Chapter 2, by adding new Code Sections 2.10.005 through 2.10.009, in order to establish an Urban Renewal Agency, noting

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the above-noted proposed Ordinance is declaring that blighted areas exist within the City and designates Council to oversee the governance of the Urban Renewal Agency. Riordan presented a PowerPoint presentation outlining the next steps and timeline if the City creates an Urban Renewal Agency, noting a draft of the urban renewal plan would be sent to taxing districts in May, so taxing districts could review the potential financial impacts to proposed areas within the taxing districts, and the urban renewal plan would be submitted to the Planning Commission for review to ensure the plan complies with the City's adopted Comprehensive Plan. In conclusion of the above-noted staff report, Holan and Riordan advised staff is recommending adoption of the proposed Code amendments and Findings as outlined in Exhibit A of Ordinance No. 2014-05.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2014-05.

Elsner read Ordinance No. 2014-05 by title for first reading.

MOTION: Council President Johnston moved, seconded by Councilor Kidd, to adopt Ordinance No. 2014-05 Declaring that Blighted Areas Exist Within the City of Forest Grove, Recognizing the Need for an Urban Renewal Agency to Function Within the City of Forest Grove and Providing for the Exercise of the Agency's Powers by the City Council of the City of Forest Grove; Amending Forest Grove City Code, Chapter 2, by Adding New Code Sections 2.10.005 through 2.10.009, Titled "Urban Renewal Agency. The second reading of Ordinance No. 2014-05 by title and final vote is scheduled to occur at the meeting of Monday, April 28, 2014.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

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Others:

No one testified and no written comments were received.

Council Discussion:

Council President Johnston noted the Council has held numerous work sessions and staff held open houses on the urban renewal proposal, noting it is time for Council to enact. In response to Council President Johnston's inquiry pertaining to notifying adjacent property owners, Riordan affirmed a citywide notice would be sent to all property owners.

In response to Uhing's inquiry pertaining to timelines, Riordan referenced the PowerPoint presentation outlining the next steps of the process once the Urban Renewal Agency is formed.

In response to Lowe's inquiry pertaining to taxing districts, Riordan indicated the taxing districts include Washington County, Port of Portland, Portland Community College, TriMet, Metro, Northwest Education Services and Forest Grove School District.

Hearing no further discussion from the Council, Mayor Truax recessed the Public Hearing for Ordinance No. 2014-05 as noted below.

Public Hearing Recessed:

Mayor Truax recessed the Public Hearing until the next Council meeting of Monday, April 28, 2014.

8. DEPARTMENT WORK PLANS FOR FY 2014-15:

Library Department:

Winters presented a PowerPoint presentation outlining the Library Department's Work Plan for 2014-15 as noted in her staff report. Winters's report focused on 2012-13 usage statistics (389,340 items checked out, 15,674 reference questions answered, 28,802 number of public internet use sessions, 217,056 persons visited the library, 147,947 items borrowed for patrons, 115,660 items shipped to other WCCLS libraries, 13,526 registered borrows, and 51 volunteers working 5,903 hours); evaluation of reference services, staffing, services and programs; library visioning process and goal setting; Washington County Cooperative Library Services (WCCLS) 2015 levy proposal; and completion of library art project. In addition, Winters reported on other

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various department-related projects and library-related work plan.

Light and Power Department:

Cress presented a PowerPoint presentation outlining the Light and Power Department's (L&P) Work Plan for 2014-15 as noted in the staff report. Cress's report focused on substation equipment replacement projects; aging pole replacement program (120 poles replaced, approximately 200 poles remaining); energy conservation programs (incentive upgrades, rebates, and renewable energy options); Supervisory Control and Data Acquisition System (SCADA) installation program; upgrades to Pacific University campus; evaluating potential sites for City solar generation facility; and assisting as staff liaison to the newly-created Sustainability Commission. In addition, Cress reported on other various department-related action plans and addressed various Council inquiries.

Economic Development:

King presented a PowerPoint presentation outlining the Economic Development's Work Plan for 2014-15 as noted in his staff report. King's report focused on the Economic Development Commission-related projects; business recruitment and retention efforts; promoting tourism and marketing opportunities; downtown development (Times Litho site); small/new business development; pursuing various grant opportunities; assisting with key community events; and collaboration with various committees and county-wide agencies. In addition, King reported on other various department-related action plans and addressed various Council inquiries.

Parks and Recreation Department:

Gamble presented a PowerPoint presentation outlining the Parks and Recreation Department's Work Plan for 2014-15 as noted in his staff report. Gamble's report focused on various park-related projects (Parks Master Plan Update, SDC Update, identifying additional community garden areas, studying four-plex softball/baseball complex, future park acquisition, and feasibility study for community center); ongoing Aquatic Center-related programs (seeking additional volunteer opportunities, searching for additional revenue sources, promoting additional teen activities, and providing water safety outreach); policy development (Field Use and Smoke Free policies); promoting Public Arts Commission-related projects; and other administrative-related projects and goals. In

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addition, Gamble reported on other various department-related action plans and addressed various Council inquiries.

Police Department:

Chief Schutz presented a PowerPoint presentation outlining the Police Department's Work Plan for 2014-15 as noted in her staff report. Schutz's report focused on police-related work plan, activities and programs; community outreach programs (reserve officer program, Public Safety Advisory Commission, Citizen's Academy, Neighborhood Watch, Operation "Help Me Home", virtual ride-along, Coffee with a Cop, and crime prevention); police-related training (active shooter training and mental health training and awareness); Public Safety Advisory Commission-related projects; collaboration with various county-wide agencies; and other various administrative-related projects and goals. In addition, Schutz reported on other various department-related action plans and addressed various Council inquiries.

9. ADOPTING CITY COUNCIL TEAM AGREEMENT FOR 2014:

Mayor Truax presented a copy of the Council Team Agreement, noting Council reviewed its Team Agreement at the Council Retreat, held on March 1, 2014, and had no proposed amendments.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt the Council Team Agreement for 2014 as presented.

MOTION: Council President Johnston moved, seconded by Councilor Kidd, to adopt the Council Team Agreement for 2014 as presented.

Council Discussion:

Hearing no additions or deletions from the Council, Mayor Truax asked for a voice vote on the above motion.

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

10. 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

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events as noted in the City Manager's Report. Sykes reported a Town Hall Meeting has been scheduled for Wednesday, April 23, 2014, 6pm, Community Auditorium, to discuss Verboort and Purdin Road intersection. Sykes encouraged Councilmembers who have not registered to do so, noting the David Landis Management Training scheduled on Friday, April 25, will be an excellent session. Sykes announced Mike Nolop was recently hired as the City's new IT Manager, noting Nolop will be a great addition to the team. 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.

11. COUNCIL COMMUNICATIONS:

Council President Johnston reported attending the Joint Rural Fire Protection District meeting, attending the Fire Department Annual Recognition Banquet, and attending the League of Oregon Cities Finance and Taxation Committee meeting. Johnston commended public safety officers and emergency personnel for their professionalism in responding to major incidents recently. Johnston thanked all Department Directors for their work plan presentations. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Kidd reported attending the League of Oregon Cities Energy Committee meeting, noting he was appointed Vice-Chair. In addition, Kidd reported on other matters of interest and upcoming meetings he was planning to attend.

Lowe reported attending the League of Oregon Cities Water Committee meeting and attending the Joint Water Commission meeting. Lowe announced Clean Waters Services is planning a ribbon-cutting celebration at Fernhill Wetlands on May 1, 2014. In addition, Lowe reported on other matters of interest and upcoming meetings she was planning to attend.

Miller reported on matters of interest and upcoming meetings she was planning to attend.

Thompson reported attending the League of Oregon Cities Energy and Transportation Committee meetings. Thompson reported on Community Forestry Commission-related Arbor Day events. In addition, Thompson

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reported on other matters of interest and upcoming meetings he was planning to attend.

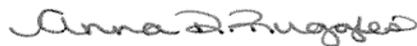
Uhing reported attending the Westside Economic Alliance meeting and reported attending the Historic Landmarks Board meeting in Councilor Kidd's absence. In addition, Uhing reported on other matters of interest and upcoming meetings she was planning to attend.

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar. Mayor Truax reported Senators Bruce Starr and Betsy Johnson, as well as representatives from Oregon Department of Transportation, Washington County and Pacific University, would be in attendance at the Town Hall Meeting on Wednesday, April 23, 2014, 6pm, Community Auditorium, to discuss the intersection at Verboort and Purdin Road in the aftermath of a recent crash that killed two Pacific University students. In addition, Mayor Truax reported on other various local, regional, Metro, and Washington County meetings he attended and community-related events he was planning to attend.

12. ADJOURNMENT:

Mayor Truax adjourned the meeting at 10:00 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder