

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 13, 2014 – 7:00 P.M.
COMMUNITY AUDITORIUM
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***Minutes are unofficial until approved by Council.
Council approved minutes as presented October 27, 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; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Michael Kinkade, Fire Chief; Janie Schutz, Police Chief; Mike Herb, Police Caption; Kevin Ellingsburg, Police Captain; Mindy Laird-Garcia, Public Works/Watershed; Derek Robbins, Project Engineer; George Cress (in the audience); and Anna Ruggles, City Recorder.
1. A. **SWEARING-IN CEREMONY:**
Ruggles administered Oath of Office to Bradley Schuetz, who was sworn-in as Police Reserve Officer, and Whitney Black, who was sworn-in as Police Officer. Police Chief Schutz read the biographies and introduced, welcomed and presented each Officer with their official Police badge.
1. B. **PROCLAMATION:**
Mayor Truax publicly proclaimed October 23 – 31, 2014, as “Red Ribbon Week” in Forest Grove. Mayor Truax presented the Proclamation to two young members representing the Oregon Cascade Young Marine’s.
2. **CITIZEN COMMUNICATIONS:**
Tom Beck, Fernhill Wetlands Council, gave an update to Council on Fernhill Wetland-related activities. Beck thanked Council for supporting their Community Enhancement Program (CEP) grant application, noting the CEP grant monies will used to provide “tool boxes” at Fernhill Wetlands.
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

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approval of the Consent Agenda item(s).

- A. Approve City Council Regular Meeting Minutes of September 8, 2014.
- B. Approve City Council Regular Meeting Minutes of September 22, 2014.
- C. Accept Historic Landmarks Board Meeting Minutes of August 26, 2014.
- D. Accept Parks and Recreation Commission Meeting Minutes of July 16, 2014.
- E. Accept Planning Commission Meeting Minutes of August 4, August 18 and September 15, 2014.
- F. Accept Public Arts Commission Meeting Minutes of August 14, 2014.
- G. Community Development Department Monthly Building Activity Informational Report for September 2014.
- H. Fire Chief Report for August 23 – September 21, 2014.

RESOLUTION NO. 2014-75 MAKING APPOINTMENT TO ECONOMIC DEVELOPMENT COMMISSION (Appointing Justin Norman, Woodfold-Marco Manufacturing (Wood/Ag Products), Term Expiring December 31, 2015).

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

4. ADDITIONS/DELETIONS:

Resolution No. 2014-76 was added to Council Meeting Agenda as noted below. An Executive Session, in accordance with ORS 192.660(2)(e) to deliberate with persons designated by the governing body to negotiate real property transactions, was held earlier.

4. A. RESOLUTION NO. 2014-76 AUTHORIZING DIRECTOR OF ADMINISTRATIVE SERVICES TO COMPLETE SALE OF PROPERTY KNOWN AS THE TIMES LITHO SITE

Staff Report:

Downey presented the above-proposed resolution requesting to authorize the sale of City-owned property known as the "Times Litho" property site to Sycan B Corporation (Purchaser) for \$925,000. Downey reported Sycan submitted a real estate sales agreement to buy the

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property site to turn the site into a hotel (totaling approximately 2.33 acres, located between Pacific Avenue and A Street, and includes Tax Lot Nos. 1S3W06BB4100, 1S3W06BB4200, 1S3W06BB4301, 1S3W06BB4400, 1S3S06BB4300, 1S3W06BB4500, 1S3W06BB3400, 1S3W06BB3800, 1S3W06BB3702 and 1S3W06BB3701). Downey advised the property sales agreement does not include parking lot located at northeast corner of 21st Avenue and A Street (Tax Lot No. 1N3W31CC9500), which City would retain, noting the sales agreement is contingent if the market study shows there is a market demand in Forest Grove for a hotel. Downey added the City has agreed to pay one-half of the proposed \$10,000 to conduct a market study, noting after the study is completed, the Purchaser will have 30 days to determine if they want to proceed with a development proposal or terminate sales agreement. Downey reported the Purchaser would deposit to the title company \$50,000 in earnest money, which would be refunded if sales transaction does not close, noting if approved, the Purchaser would have 36 weeks from execution date to obtain development conditions issued by the City and accepted by the Purchaser. In conclusion of the above-noted staff report, Downey advised staff is recommending adoption of the resolution, noting upon successful completion of the property sale, sale proceeds would replace \$825,000 in Capital Project Funds, which was monies used to purchase the Times Litho property in December, 2012.

Mayor Truax read Resolution No. 2014-76 by title.

MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopt Resolution No. 2014-76 Authorizing Director of Administrative Services to Complete Sale of Property known as the Times Litho Site.

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

5. PRESENTATIONS:

Scoggins Creek Fire Update

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Fire Chief Kinkade presented a PowerPoint presentation highlighting the Scoggins Creek Fire-related events as they occurred, noting the Scoggins Creek Fire began around 2:30 pm on September 19, 2014, and was fully contained by 3pm on September 23, 2014. Kinkade reported the Scoggins Creek Fire burned hundreds of acres that were contained to privately owned land and came within 1.0 of mile of the City's watershed. Kinkade highlighted slides showing areas on the map of the fire boundaries, fire crews at work, and fire equipment used to douse the blaze, noting there were no human casualties. Kinkade recapped lessons learned as outlined in his presentation, noting joint Emergency Operations Command Center (EOC) and Forest Grove/Cornelius new Emergency Operations Plan (EOP) worked very well; coordination with partnering agencies was outstanding; and public notification, evacuation and shelter systems worked well. In conclusion of above-noted presentation, Council commended Fire Chief Kinkade for his leadership and outstanding work and services of all fire/rescue crews who responded to the fire, noting it was a job well done.

2014 Watershed Timber Harvest Update

Foster introduced Barry Sims, Watershed Consultant, who presented a PowerPoint presentation highlighting the 2014 Watershed Timber Harvest-related activities, noting timber harvest is currently 75 percent completed and should be finished by the end of October. Sims reported projected timber harvest is 1500 MBF and current net revenue is \$381,906. Sims highlighted the 2014 maintenance projects and wildfire protection management during the Scoggins Creek Fire, noting the fire came within 1.0 of mile of the City's watershed. Foster introduced Laird-Garcia who gave an update on the 2014 Timber Harvest-related activities, noting the City donated two large portal cedar trees from the City's watershed to Clean Water Services, which will be placed at the entrance of the new Natural Treatment System at Fernhill Wetlands. Lowe pointed out the portal trees will contain a brass plaque mentioning the portal trees are from the City's watershed. In conclusion of the above-noted presentation, Foster, Sims and Laird-Garcia addressed various Council inquiries pertaining to fire protection, road maintenance, road systems, and culvert replacement costs.

6. **CONTINUE PUBLIC HEARING FROM COUNCIL MEETING OF SEPTEMBER 22, 2014: SECOND READING OF ORDINANCE NO. 2014-10 GRANTING A FRANCHISE TO ASTOUND BROADBAND, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, TO CONDUCT A GENERAL TELECOMMUNICATIONS BUSINESS AND GRANTING A**

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**RIGHT TO USE PUBLIC RIGHTS OF WAYS WITHIN THE CITY OF
FOREST GROVE**

First reading of Ordinance No. 2014-10 and first Public Hearing occurred at the Council meeting of September 22, 2014.

Staff Report:

Downey had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of September 22, 2014.

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:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of September 22, 2014.

Sykes read Ordinance No. 2014-10 by title for second reading.

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

7. **RESOLUTION NO. 2014-74 AUTHORIZING THE MAYOR AND CITY MANAGER TO ENDORSE AMENDMENT NO. 1 TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE OREGON DEPARTMENT OF TRANSPORTATION FOR THE COUNCIL CREEK REGIONAL TRAIL MASTER PLAN PROJECT**

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Staff Report:

Foster and Robbins presented the above-proposed resolution requesting to authorize Mayor and City Manager to endorse an Amendment to Intergovernmental Agreement (IGA) (Exhibit A) between City of Forest Grove and Oregon Department of Transportation for Council Creek Regional Trail Master Plan Project, Robbins reported the original IGA is scheduled to expire in November, noting Amendment No. 1 is extending project end date to October 31, 2016, to allow adequate time to complete the project. In conclusion of the above-noted staff report, Robbins advised staff is recommending adoption of the resolution, noting Council and public are invited to attend the an Open House on the project on November 5, 2014, 6pm, Community Auditorium.

Sykes read Resolution No. 2014-74 by title.

MOTION: Councilor Kidd moved, seconded by Councilor Lowe, to adopt Resolution No. 2014-74 Authorizing the Mayor and City Manager to Endorse Amendment No. 1 to the Intergovernmental Agreement between the City of Forest Grove and the Oregon Department of Transportation for the Council Creek Regional Trail Master Plan Project.

Council Discussion:

Hearing no discussion 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 by voice vote.

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 reported one of the two boilers at the Aquatic Center has failed due to age, noting staff is considering replacing both boilers at the same time. Sykes indicated replacement cost is estimated at \$125,000, noting funds will come from the Major Maintenance Repair Fund, which was setup to have funds available to replace costly and aging facility-related systems without impacting current General Fund operating budget. Sykes added the

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Solar Powered Trash Compactor was delivered, noting staff is currently working with Waste Management to install trash compactor at the corner of Main Street and 21st Street. Sykes distributed copies of the 2014-15 Leaf Pickup Program, noting in response to Council's goals, community need, staff has added a central leaf drop-off site and extended program to annexed properties, noting the program is part of the City's Storm Water Management Program. Sykes explained residents would have ability to haul leaves and small tree limbs to drop-off site, located at 22nd Avenue and Yew Street, on three scheduled Saturdays as outlined in the flyer. 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 Public Safety Advisory Commission's (PSAC) SWOT Analysis Work Session, noting City Manager Sykes assisted PSAC as they identified Strengths, Weaknesses, Opportunities and Threats. Johnston noted PSAC also developed a Vision Statement. Johnston announced the Mayor's Ball is scheduled Saturday, October 25, 2014, 6pm, Forest Grove Senior and Community Center. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Kidd reported attending Historic Landmarks Board (HLB) meeting, noting HLB has completed Design Guidelines and Standards for Historic Districts and has published documents for public comment on its webpage. Kidd explained following public comment, HLB would submit to Planning Commission for formal review and recommendation to Council for consideration and formal adoption. Kidd presented a video clip of Mayor Truax's speech as incoming President of League of Oregon Cities. In addition, Kidd reported on other matters of interest and upcoming meetings he was planning to attend.

Lowe reported attending Fernhill Wetlands Birds and Brew Festival, noting the event was a great success. In addition, Lowe reported on other matters of interest and upcoming meetings she was planning to attend.

Miller reported attending Public Arts Commission (PAC) meeting, noting this was her last meeting before her elected term ends on Council. Miller commended PAC for all their work and dedication, noting she has truly

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enjoyed working with such a great group of people. Miller announced Forest Grove Fire Fighters Association is taking over the light parade and is seeking volunteers, noting City Club is no longer involved.

Thompson announced the GroveLink Summit is scheduled Tuesday, October 21, 2014, 6pm, Community Auditorium, noting CCI is sponsoring the Summit. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing reported attending Economic Development Commission (EDC) meeting, noting Viasystems spoke to EDC about the recent purchase of Viasystems. Uhing reported attending Westside Economic Alliance (WEA) meeting, noting she was appointed to the Land Use and Housing Committee. Uhing added WEA would like to host a meeting for the Board in Forest Grove after November's election. 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 asked Councilmember sign sympathy cards on behalf of Forest Grove City Council, noting the cards are for Portland Commissioner Amanda Fritz and Washington County Commissioner Dick Schouten. Mayor Truax warmly remembered Barbara Peck, who passed away recently at the age of 105, noting Peck was a huge community advocate. 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.

10. ADJOURNMENT:

Mayor Truax adjourned the meeting at 9:10 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder