

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JANUARY 12, 2015 – 7:00 P.M.
COMMUNITY AUDITORIUM
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***Minutes are unofficial until approved by Council.
Council approved minutes as presented January 26, 2015.***

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; Ronald Thompson; Elena Uhing; Malynda Wenzl; and Mayor Peter Truax. **STAFF PRESENT:** Tom Gamble, City Manager Pro Tem; Paul Downey, Administrative Services Director; Brenda Camilli, Human Resources Manager; Jon Holan, Community Development Director; Michael Kinkade, Fire Chief; David Nemeyer, Fire Marshal; George Cress, Light and Power Director (in the audience); Rob Foster, Public Works Director (in the audience); and Anna Ruggles, City Recorder.

1. A. CITY COUNCIL PRESIDENT NOMINATION AND APPOINTMENT:

Mayor Truax advised that pursuant to City Charter, Chapter III, Section 9, the Council must elect a Council President at its first meeting in January of each year. Mayor Truax noted the Council President will act as Mayor when the Mayor is unable to perform mayoral duties.

Council Discussion:

After brief Council discussion, the following motion was made to re-elect Councilor Johnston as Council President.

MOTION: Councilor Uhing moved, seconded by Councilor Wenzl, to re-elect Councilor Johnston as Council President for 2015. MOTION CARRIED 6-0 by voice vote with Councilor Johnston abstaining.

2. CITIZEN COMMUNICATIONS:

Bill Bass, Forest Grove, addressed Council, noting he would like the City to consider enforcing HB 2662 (2013 laws), which prohibits owner of vacant and abandoned (foreclosed) property to neglect the property, to which Mayor Truax deferred the matter to City Manager Pro Tem Gamble.

Dale Feik, Forest Grove, addressed Council about submitting written material to Council's attention regarding energy planning and toxic emission, i.e., ammonia waste discharge, to which Mayor Truax advised

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Feik to submit written material addressed to Council to City Recorder Ruggles.

Mayor Truax asked Tammy Schaaf, Forest Grove to offer her testimony under Agenda Item 6 (refer below).

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 (Sustainability Action Plan) Meeting Minutes of October 27, 2014.
 - B. Approve City Council Meeting Minutes of November 24, 2014.
 - C. Approve City Council Work Session (Light and Power Rate Study) Meeting Minutes of December 8, 2014.
 - D. Approve City Council Regular Meeting Minutes of December 8, 2014.
 - E. Accept Community Forestry Commission Meeting Minutes of November 19, 2014.
 - F. Accept Historic Landmarks Board Meeting Minutes of November 25, 2014.
 - G. Accept Public Safety Advisory Commission Work Session Meeting Minutes of October 7, 2014, and Public Safety Advisory Commission Meeting Minutes of October 22, 2014.
 - H. **RESOLUTION NO. 2015-01 DESIGNATING CITY COUNCIL MEETING DATES FOR 2015.**
 - I. **RESOLUTION NO. 2015-02 MAKING REAPPOINTMENTS TO BUDGET COMMITTEE (Reappointing Meredith Bliss and Dale Smith, Three-Year Terms Expiring December 31, 2017).**
 - J. **RESOLUTION NO. 2015-03 MAKING REAPPOINTMENTS TO COMMUNITY FORESTRY COMMISSION (Reappointing Bruce Countryman and David Hunter, Three-Year Terms Expiring December 31, 2017).**
 - K. **RESOLUTION NO. 2015-04 MAKING REAPPOINTMENTS TO ECONOMIC DEVELOPMENT COMMISSION**

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(Reappointing Tim Budelman, Norris-Stevens, Broker Industrial/Commercial; Steve Krautscheid, Tuality Hospital, Health/Medical Care; Kelly Marks, Portland Community College, Workforce Development, Primary; Cheryl Scott, Alternate; Guy Storms, Henningsen Cold Storage, Commercial/Industrial, Primary; and Mike Henningsen, Alternate; Three-Year Terms Expiring December 31, 2017).

- L. RESOLUTION NO. 2015-05 MAKING REAPPOINTMENTS TO HISTORIC LANDMARKS BOARD (Reappointing Kaylene Toews, Four-Year Term Expiring December 31, 2018).
- M. RESOLUTION NO. 2015-06 MAKING REAPPOINTMENTS TO LIBRARY COMMISSION (Reappointing Nickie Augustine, Douglas Martin, and Kathleen Poulsen, Two-Year Terms Expiring December 31, 2016).
- N. RESOLUTION NO. 2015-07 MAKING REAPPOINTMENTS TO PARKS AND RECREATION COMMISSION (Reappointing Howard Sullivan, At-Large, Four-Year Term Expiring December 31, 2018).
- O. RESOLUTION NO. 2015-08 MAKING REAPPOINTMENTS TO PLANNING COMMISSION (Reappointing Lisa Nakajima and Phil Ruder, Four-Year Terms Expiring December 31, 2018).
- P. RESOLUTION NO. 2015-09 MAKING REAPPOINTMENTS TO PUBLIC ARTS COMMISSION (Reappointing Laura Frye, Dana Lommen and Helvi Smith, Three-Year Terms Expiring December 31, 2017).
- Q. RESOLUTION NO. 2015-10 MAKING REAPPOINTMENTS TO SUSTAINABILITY COMMISSION (Reappointing Dale Feik, At-Large, Brian Schimmel, At-Large, Four-Year Terms Expiring December 31, 2018; Hailey Jongeward, Pacific University Student Advisor; and Edgar Sanchez-Fausto, Forest Grove High School Student Advisor; One-Year Terms Expiring December 31, 2015).
- R. RESOLUTION NO. 2015-11 MAKING REAPPOINTMENTS TO BUILDING CODE BOARD OF APPEALS (Reappointing Rod Buxton, Beaverton Plans Examiner; Scott Goff, Contractor; Timothy Marble, Attorney; Bob Pike, Washington County Disabilities Commission; and Kerry

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Vanderzanden, Architect, Terms Expiring December 31, 2017).

- S. Community Development Department Monthly Building Activity Informational Report for December 2014.

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

4. **ADDITIONS/DELETIONS:** None.
5. **PRESENTATIONS:** None.
6. **CONTINUED PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2014-11 ADOPTION OF AMENDMENTS TO PACIFIC UNIVERSITY MASTER PLAN TO ENLARGE OPPORTUNITY SITE "L", ADOPT DESIGN GOALS, ADDITIONAL USES AND MISCELLANEOUS AMENDMENTS, 2402, 2410, 2526, 2610, 2616, 2624 AND 2632 SUNSET DRIVE (APPLICANT: INICI GROUP, PATTI MILES). FILE NO. ZNC-14-01185**

The first reading of Ordinance No. 2014-11 by title and motion to adopt occurred at the Council meeting of December 8, 2014.

Staff Report:

Holan and Reitz presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of December 8, 2014, and explained hearing procedures.

Written Testimony Received:

No written testimony was received prior to the published deadline of January 12, 2015, 7:00 p.m.

Proponents:

Pacific University President Lesley Hallick, addressed concerns pertaining to increased enrollment, parking and temporary structures and updating the Pacific University Master Plan, noting the University met with City staff and discussed concerns and both parties agreed that things have

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changed in the Master Plan and it would be a good idea to update the Master Plan. Hallick explained the University's increase in enrollment is due to not having moved the Optometry to the Hillsboro campus. In addition, Hallick reported the University recently conducted a study, which determined the University is at sufficient parking capacity, noting the University will work to restructure its parking policy to mitigate on-street parking concerns.

No one else testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

Tammy Schaaf, Forest Grove, voiced concerns that University students are parking in front of her business every day of the week as well as parking in her private parking lot behind her business, noting she could tow violators from her parking lot as signs are posted but she has chosen not to take this type of action. Schaaf noted she is very glad to hear the University is willing to revisit its parking policy.

No one else testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Thompson indicated that he is not against expansion if the University addresses problems, noting parking has become a public nuisance, public welfare and public safety concern and is adversely impacting residents and businesses, to which Hallick stressed the University would revisit the Master Plan and work with City staff to mitigate parking concerns.

Council President Johnston indicated it is good to hear that the University will revisit its parking policy.

In response to Uhing's concern pertaining to temporary structures, Hallick explained the University would work with City staff to address concerns, noting it is the intent of the University to remove temporary structures as new facilities occur. Holan pointed out the proposed text amendments are addressing "short-term" or "interim" uses as well as design guidelines.

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Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of December 8, 2014.

Gamble read Ordinance No. 2014-11 by title for second reading.

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

7. CONTINUED PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2014-12 ADOPTING THE OREGON FIRE CODE 2014 EDITION; AMENDING CITY CODE SECTIONS 5.605, 5.610, 5.620, 5.625 AND 5.635

The first reading of Ordinance No. 2014-12 by title and motion to adopt occurred at the Council meeting of December 8, 2014.

Staff Report:

Fire Chief Kinkade and Nemeyer presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of December 8, 2014, and explained hearing procedures.

Written Testimony Received:

No written testimony was received prior to the published deadline of January 12, 2015, 7:00 p.m.

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.

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Council Discussion:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of December 8, 2014.

Gamble read Ordinance No. 2014-12 by title for second reading.

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

8. PUBLIC HEARING AND RESOLUTION NO. 2015-12 ADOPTING THE CITY MANAGER SELECTION PROCESS

Staff Report:

Camilli and Downey presented the above-noted resolution for Council consideration, noting the proposed resolution is adopting tentative dates, which are subject to revisions based on circumstances, internal administrative process, and recommendation of who will be involved during the City Manager selection process as outlined in Exhibit A. Camilli reported the City Manager position was vacated, effective December 31, 2014 (Michael Sykes's resignation), and pursuant to City Charter, Section 33(d), the Council must fill the office of the City Manager by appointment as soon as practical after a vacancy occurs, noting City Charter, Section 33(b) also requires the appointment be made without regard to political considerations and be solely on basis of educational and experience in competencies and practices of local government management. Camilli explained pursuant to ORS, the Council must first adopt the hiring standards, criteria and policy directives in an open meeting in which the public has opportunity to comment; otherwise, ORS prohibits Council from conducting the City Manager's hiring deliberations in executive session. In conclusion of the above-noted staff report, Camilli and Downey reported staff is recommending Council adopt the proposed resolution so the Human Resources Manager can proceed with the City Manager selection process as outlined in Exhibit A of the resolution, noting recruitment costs will be paid using unused City Manager's budgeted salary, since Council made an internal City Manager Pro Tem appointment (Tom Gamble) funds are available.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-12.

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Gamble read Resolution No. 2015-12 by title.

MOTION: Councilor Kidd moved, seconded by Councilor Uhing, to approve Resolution No. 2015-12 Adopting the City Manager Selection Process.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received Prior to Public Hearing:

No written testimony was received prior to the published deadline of January 12, 2015, 7:00 p.m.

Proponents:

No one testified and no other written comments were received.

Opponents:

No one testified and no other written comments were received.

Others:

No one testified and no other 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 above motion.

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

9. **RESOLUTION NO. 2015-13 MAKING CITY COUNCIL LIAISON APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS, AND OTHER REGIONAL APPOINTMENTS**

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Mayor Truax presented the above-noted proposed resolution, Exhibit A, making the Councilmember liaison appointments to various boards, committees, and commissions and other representative appointments. Mayor Truax advised due to the General Election and pursuant to City Council Rules of Procedure, Section 14.4, he is requesting to make the Council liaison appointments at this time.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-13.

Gamble read Resolution No. 2015-13 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Kidd, to approve Resolution No. 2015-13 Making City Council Liaison Appointments to Various Boards, Committees, And Commissions, and Other Regional Appointments.

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, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

10. CITY MANAGER'S REPORT:

Gamble 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. Gamble reminded Council the B&C Annual Dinner Reception is Wednesday, January 21, 2015, at the Forest Grove Senior and Community Center. In addition, Gamble 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 Forest Grove Rural Fire Protection District Board meeting, noting the Board anticipates having a vacancy in May. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

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

Lowe reported on water-related matters of interest and upcoming meetings she was planning to attend.

Thompson had nothing to report.

Uhing reported the Chamber Auction is scheduled on March 14, 2015. Uhing reported on Economic Development Commission-related business activities. In addition, Uhing reported on other matters of interest and upcoming meetings she was planning to attend.

Wenzl had nothing to report.

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar. Mayor Truax distributed a copy of his "Mayor's January Gallimaufry" report, noting this report is the first of a semi-regular series of newsletters about a variety of issues, events, notes and comments that may be of interest to Citizens, Council, City staff, etc. 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 8:00 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder