

**FOREST GROVE CITY COUNCIL REGULAR MEETING
FEBRUARY 23, 2015 – 7:00 P.M.
COMMUNITY AUDITORIUM
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***Minutes are unofficial until approved by Council.
Council approved minutes as presented March 16, 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:** Thomas Gamble, City Manager Pro Tem; Paul Downey, Administrative Services Director; Brenda Camilli, Human Resources Manager; Michael Kinkade, Fire Chief; George Cress, Light and Power Director (in the audience); Rob Foster, Public Works Director (in the audience); Janie Schutz, Police Chief (in the audience); and Anna Ruggles, City Recorder.

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 (Gaston Fire Services IGA) Meeting Minutes of February 9, 2015.
- B. Approve City Council Regular Meeting Minutes of February 9, 2015.
- C. Accept Library Commission Meeting Minutes of January 13, 2015.
- D. Accept Planning Commission Meeting Minutes of February 2, 2015.
- E. Accept Public Safety Advisory Commission Meeting Minutes of December 3, 2014.
- F. Community Development Department Monthly Building Activity Informational Report for January 2015.
- G. Endorse Liquor License Renewal Applications for Year 2015:
 - 1. 7-Eleven #2362-20715C, (Off-Premises Sales)
 - 2. ARAMARK Educational Services (Limited On-Premises Sales)
 - 3. Ballad Town Billiards (Full On-Premises Sales)
 - 4. Bi-Mart (Off-Premises Sales)
 - 5. Circle Inn Tavern (Full On-Premises Sales)
 - 6. Cornerstone Pub & Grill (Limited On-Premises Sales and Off-

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Premises Sales)

7. Diamond Palace Restaurant (Full On-Premises Sales)
8. Forest Grove Elks Lodge #2440 (Full On-Premises Sales)
9. Forest Grove Sushi (Limited On-Premises Sales)
10. Forest Grove Theater (Limited On-Premises)
11. Godfather's Pizza/Players Pub (Full On-Premises and Off-Premises Sales)
12. Grampy's Deli and Pub (Limited On-Premises Sales and Off-Premises Sales)
13. Half Moon Sports Bar & New Chinese Cuisine (Full On-Premises Sales)
14. Hello Market (Off-Premises Sales)
15. Jade Green Palace Restaurant (Full On-Premises Sales)
16. La Hacienda (Limited On-Premises Sales)
17. La Sierra Mexican Restaurant (Full On-Premises Sales)
18. Maggie's Buns (Limited On-Premises Sales)
19. Mama Jiah's Market (Off-Premises Sales)
20. Mandarin China Restaurant (Limited On-Premises Sales)
21. Mini Mart (Off-Premises Sales)
22. My Place Tavern(Limited On-Premises Sales)
23. Pac Thai (Limited On-Premises Sales)
24. Phil's 1500 Subs (Limited On-Premises Sales)
25. Pizza Schmizza (Limited On-Premises Sales)
26. Plaid Pantry #20 (Off-Premises Sales)
27. Plaid Pantry #99 (Off-Premises Sales)
28. Prime Time Restaurant and Sports Bar (Full On-Premises Sales)
29. Rainbow Lanes (Limited On-Premises Sales)
30. Safeway Store #0406 (Off-Premises Sales)
31. Shriji Food Mart / FG Arco (Off-Premises Sales)
32. Super Mercado La Montana (Off-Premises Sales)
33. The Kings Head (Limited On-Premises Sales and Off-Premises Sales)
34. The Masonic Grand Lodge (Full On-Premises Sales)

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

4. ADDITIONS/DELETIONS:

Gamble added Agenda Item 6. A. to the agenda, Resolution No. 2015-19 Authorizing the Release of Property Easement on the Ruralite Property and Authorizing the City Manager Pro Tem to Execute the Release of the Easement on behalf of the City of Forest Grove. (Refer below).

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5. PRESENTATIONS:

5. A. Metro Quarterly Exchange Update:

Kathryn Harrington, Metro Councilor District 4, presented a PowerPoint presentation highlighting District 4 Quarterly Exchange Report. Harrington reported on Metro's new Auditor, Brian Evans; Willamette Falls; Killin Wetlands; Parks and Natural Areas Levy; Metro Financial Stability – Better Bond Projects; Nature In Neighborhoods Capital Grants; Transportation Funding, Crisis and Support; Southwest Corridor; Brownfields; Draft Urban Growth Report; Solid Waste Roadmap; upcoming items in 2015; and distributed various Metro-related handouts.

5. B. Quarterly Financial Report for Period Ending December 31, 2014:

Downey presented a PowerPoint presentation outlining the quarterly financial report ending December 31, 2014, noting this is the second quarter of the City's fiscal year ending June 30, 2015. Downey reported the quarterly report compares the budget to the year-to-date revenues and expenditures, noting the first section contains a graphical presentation of the revenues and expenditures in the General Fund with expenditures by departments and other major operating funds; second section of the report contains the line item detail for all of the City's funds; and third section is actual revenues received or expenditures disbursed through the end of the quarter and are compared to the year-to-date quarterly budget allotments 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 Beginning Fund Balance for FY 2014-15 is just over \$6 million, which is what the five-year financial forecast estimated the balance would be during the budget preparation for FY 2014-15. In response to Council concerns pertaining to retirement costs and Fire Safer Fund, Downey explained the City's retirement costs would increase in FY 2015-16, noting the City received additional property taxes during the current year due to higher than expected assessed value growth. As a result, Downey indicated staff is recommending moving the Fire Inspector position into the General Fund through June 30, 2015, and evaluating if the position will continue if grant funds are not extended.

**6. PUBLIC HEARING AND FIRST AND SECOND READING OF
ORDINANCE NO. 2015-01 OF THE CITY OF FOREST GROVE,
WASHINGTON COUNTY, OREGON, AUTHORIZING THE ISSUANCE**

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**OF CAMPUS IMPROVEMENT AND REFUNDING REVENUE BONDS
TO FINANCE AND REFINANCE PROJECTS FOR PACIFIC
UNIVERSITY; AND DECLARING AN EMERGENCY**

Staff Report:

Downey presented the above-proposed ordinance for first and second reading and declaring an emergency, noting Pacific University is requesting issuance of revenue bonds not to exceed \$40,000,000 to refund outstanding campus improvement revenue bonds and to finance one or more of the following capital projects (Project Bonds not to exceed \$3,200,000) located on the University's campus in Forest Grove: 1) capital improvements to Price Hall; 2) capital improvements to Scott Hall; 3) capital improvements to Strain Hall; 4) the purchase, construction and equipping of up to two portable buildings; and 5) other capital improvements related to these projects, including landscaping, sidewalks and capital infrastructure. Downey outlined the process of issuing new campus improvement revenue bonds and refunding prior revenue bonds; public hearing process; and 30-day period for an elector to file petition challenging the issuance of the bonds, noting the ordinance was published pursuant to City Charter and requires five councilors to pass the ordinance for first and second reading and contains an emergency clause. In conclusion of the above-noted staff report, Downey advised the City's administrative fee is \$6,000 for the issuance of the new capital Projects Bonds and the City will charge no fee for refunding prior bonds.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2015-01 for first and second reading, declaring an emergency.

Gamble read Ordinance No. 2015-01 by title for first and second reading, declaring an emergency.

MOTION: Council President Johnston moved, seconded by Councilor Kidd, to adopt First and Second Reading of Ordinance No. 2015-01 of the City of Forest Grove, Washington County, Oregon, Authorizing the Issuance of Campus Improvement and Refunding Revenue Bonds to Finance and Refinance Projects for Pacific University; and Declaring an Emergency.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing

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procedures.

Written Testimony Received:

No written testimony was received prior to the deadline of February 23, 2015, 7:00 p.m.

Proponents:

Downey introduced Bill Ray, Pacific University's representative, who was in the audience.

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 above motion.

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

6. A. **RESOLUTION NO. 2015-19 AUTHORIZING THE RELEASE OF PROPERTY EASEMENT ON THE RURALITE PROPERTY AND AUTHORIZING THE CITY MANAGER PRO TEM TO EXECUTE THE RELEASE OF THE EASEMENT ON BEHALF OF THE CITY OF FOREST GROVE**

Staff Report:

Downey presented the above-noted resolution authorizing to release a City-owned easement, which was granted in 1975 to the City for access purposes by the News-Times Publishing Company (currently Ruralite), noting the City has not used the easement and has no future use for the

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easement. Downey reported Ruralite is in the process of selling its property and wants the City to release the easement to clear up an issue of an office building that Ruralite extended onto a portion of the easement. Downey indicated in exchange, Ruralite has agreed to give the City an easement situated on Ruralite's property, so the City or any owner of Times Litho property has access to the gas utilities on Ruralite's property. In conclusion of the above-noted staff report, Downey advised staff is recommending Council adopt the proposed resolution releasing the easement to Ruralite, noting there are no monies being offered to release the easement to Ruralite and Ruralite has paid survey costs and will pay legal costs for recordation of the easement agreement. Downey added the City has agreed to split costs of approximately \$700 to pay for half the survey costs and recordation of the new gas utilities easement agreement, noting the new easement agreement is in final review.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-19.

Gamble read Resolution No. 2015-19 by title.

MOTION: Councilor Kidd moved, seconded by Councilor Thompson, to adopt Resolution No. 2015-19 Authorizing the Release of Property Easement on the Ruralite Property and Authorizing the City Manager Pro Tem to Execute the Release of the Easement on behalf of the City of Forest Grove.

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

7. PUBLIC HEARING AND RESOLUTION NO. 2015-17 ADOPTING THE CITY MANAGER CANDIDATE PROFILE AND SALARY SCHEDULE

Staff Report:

Camilli and Downey presented the above-proposed resolution authorizing to adopt the City Manager Candidate Profile and setting the City Manager

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salary within the range of \$135,300-\$141,540 annually as outlined in Exhibit A. Camilli reported at the direction of Council, an Ad-hoc Committee was formed to create the City Manager Candidate Profile to be used in conjunction with the current job description and City policies relating to recruitment and selection of new employees. Camilli advised in accordance with ORS 192.660(7)(d), the Council must adopt the standards, criteria and policy directives to be used in hiring the City Manager in a meeting open to the public, noting the minimum qualifications and experience include a Bachelor's Degree with major coursework in Public Administration, Business Administration or a related field; Advance degree in related field is desirable; and eight years of increasingly responsible experience in municipal government, including five years of management responsibility. Camilli reported applications for the City Manager position would be accepted through March 31, 2015, 5pm, noting application materials will be screened based on experience, education and training; selected candidates will be invited to participate in the interview process; and a complete background investigation, including criminal and driving record, will be conducted on selected candidate prior to a confirmation of job offer. In conclusion of the above-noted staff report, Camilli advised the costs to recruit the City Manager will be funded from a portion of unused City Manager budgeted salary and benefits since an internal City Manager Pro Tem was appointed.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-17.

Gamble read Resolution No. 2015-17 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Uhing, to adopt Resolution No. 2015-17 Adopting the City Manager Candidate Profile and Salary Schedule.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received prior to the deadline of February 23, 2015, 7:00 p.m.

Proponents:

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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 above motion.

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

8. RESOLUTION NO. 2015-18 AUTHORIZING CITY MANAGER PRO TEM TO ENDORSE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND GASTON RURAL FIRE PROTECTION DISTRICT FOR FIRE ADMINISTRATIVE SERVICES

Staff Report:

Fire Chief Kinkade presented the above-noted resolution authorizing the City Manager Pro Tem to endorse the Intergovernmental Agreement (IGA) between the City of Forest Grove and Gaston Rural Fire Protection District (GRFD) for fire administrative services as outlined in Exhibit A. Kinkade reported staff met with Council in Work Session on February 9, 2015, to discuss the terms and conditions of the IGA, noting the IGA is modeled after the successful program with Cornelius Fire Department; however, GRFD is not affiliated with the City of Gaston and has its own governing Board of Directors. Kinkade reported the GRFD approached the City asking the City to provide a Pilot Evaluation Program for leadership and fire chief administrative services due to the upcoming retirement of its Fire Chief. In addition, Kinkade outlined the benefits of providing fire administrative services to GRFD, noting the IGA can be terminated with 30-day notice by either agency and will automatically cancel in 12 months after approval unless the IGA is extended by mutual agreement. In conclusion of the above-noted staff report, Kinkade

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advised the fees/revenues paid by GRFD for the City to provide administrative services will be approximately \$33,000 and will be added to the Forest Grove Fire Department budget.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2015-18.

Gamble read Resolution No. 2015-18 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Kidd, to adopt Resolution No. 2015-18 Authorizing City Manager Pro Tem to Endorse an Intergovernmental Agreement between the City of Forest Grove and Gaston Rural Fire Protection District for Fire Administrative Services.

Council Discussion:

Lowe indicated her concerns have been addressed, noting Fire Chief Kinkade provided a map showing the boundaries of the Gaston fire district.

Kidd indicated his support of the IGA.

Council President Johnston indicated his support of the IGA.

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

9. CITY MANAGER PRO TEM'S REPORT:

Gamble reported on various upcoming activities and meetings as noted in the Council calendar. Gamble reported staff is preparing the FY 2015-16 budget process this month and is also updating the five-year financial projection for the General Fund. Gamble gave brief updates on the police facility needs assessment; water rates and water system development charges review; CEP application process will be delayed by at least a month in order to adopt, implement and administer Metro's new provisions, noting the community fee will increase from \$0.50 to \$1.00 per ton starting on July 1, 2015; and staff plans scheduling a future Council

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work session and/or an Informational Budget Committee meeting in April to discuss the City's Defined Benefit Retirement Plan and options the City has with respect to future contribution rates. 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.

10. COUNCIL COMMUNICATIONS:

Council President Johnston commended Mayor Truax for his excellent report and presentation on the State of the City Address, noting the Mayor's presentation was held jointly with Mayor of Cornelius at the Forest Grove/Cornelius Chamber Luncheon this afternoon. Johnston reported attending Washington County Consolidated Communications Agency meeting. In addition, Johnston reported on matters of interest and upcoming meetings and events he was planning to attend.

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

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

Thompson reported attending Community Forestry Commission (CFC) meeting, noting CFC is working on its Urban Forestry Management Plan and Arbor Day Tree Planting event. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing reported attending Westside Economic Alliance luncheon in Forest Grove, noting 11 business leaders attended. In addition, Uhing report on other matters of interest and upcoming meetings she was planning to attend.

Wenzl reported attending Library Commission (LC) meeting, noting LC is working on the Library Strategic Plan. Wenzl reported attending Fernhill Wetlands meeting. In addition, Wenzl reported on various upcoming Fernhill Wetlands-related community events 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 distributed

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copies of his State of the City Address, noting he spoke with Congresswoman Suzanne Bonamechi who attended the State of the City Addresses. In addition, Mayor Truax's written report highlighted other local, regional, Metro, and Washington County meetings and community-related events he attend, noting he will be attending the National League of Congressional Cities Conference in Washington, DC, from March 7 – 11, 2015.

11. ADJOURNMENT:

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

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder