

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JUNE 23, 2008 – 7:00 P.M.
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*Minutes are unofficial until approved by Council.
Council approved minutes as presented July 14, 2008.*

1. ROLL CALL:

Mayor Richard Kidd called the regular City Council meeting to order at 7:02 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Victoria Lowe, Thomas Johnston, Camille Miller, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Richard Kidd. **COUNCIL ABSENT:** None. **STAFF PRESENT:** Michael Sykes, City Manager; Jack Hammond, City Attorney; Paul Downey, Administrative Services Director; Susan Cole, Assistant Finance Director; Rob Foster, Public Works Director; Jon Holan, Community Development Director; Aaron Ashbaugh, Police Captain; Laurie Taylor, Police Office Manager; Derek Robbins, Civil Engineer; Rob DuValle, Human Resources Manager; and Anna Ruggles, City Recorder.

1. A. SWEAR-IN CEREMONY - CHIEF OF POLICE:

Mayor Kidd introduced newly appointed Chief of Police, Kerry Aleshire. Sykes conducted a welcome speech; Ruggles administered the Oath of Office; Captain Ashbaugh presented the official badge; and Taylor oversaw the signing of the Oath of Office.

RECESS:

Council recessed at 7:10 p.m. to congratulate and welcome Aleshire. Council reconvened at 7:20 p.m. and continued the regular meeting.

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 Executive Session (City Manager Evaluation) Meeting Minutes of June 9, 2008.
- B. Approve City Council Executive Session (Property and Exempt

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- Records) Meeting Minutes of June 9, 2008.
- C. Approve City Council Executive Session (Labor Negotiations) Meeting Minutes of June 9, 2008.
 - D. Approve City Council Regular Meeting Minutes of June 9, 2008.
 - E. Accept Committee for Citizen Involvement Meeting Minutes of May 13, 2008.
 - F. Accept Public Arts Commission Meeting Minutes of March 13, April 10, and May 8, 2008.
 - G. Fire Department Monthly Statistics Report for May 2008.
 - H. Library Department Monthly Statistics Report for June 2008.
 - I. Police Department Monthly Statistics Report for May 2008.

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

4. **ADDITIONS/DELETIONS:**

Mayor Kidd removed Agenda Item 15. **FIRST READING OF RESOLUTION NO. 2008-53 AMENDING THE CITY MANAGER'S COMPENSATION PLAN AND CITY MANAGER'S EMPLOYMENT AGREEMENT AND AUTHORIZING COMPENSATION FOR THE CITY MANAGER FOR FISCAL YEAR 2008-09, EFFECTIVE JULY 1, 2008, THROUGH JUNE 30, 2009**, and rescheduled the above-proposed resolution to the meeting of July 14, 2008.

5. **PRESENTATIONS:**

5. A. **Implementation of the Vision Statement/Action Plan**

Holan presented the Action Plan Matrix and Memorandum outlining the proposed assignments to implement the tasks within the Vision Statement Action Plan, noting the Committee for Citizen Involvement (CCI) is seeking authorization to forward the assigned tasks to the appropriate citizen groups to implement based on each group's focus. Holan noted the intent and recommendation of CCI is to perform as an informer/monitor function rather than having directorial authority over the various citizen groups. Holan referenced the Action Plan Matrix, which outlined details of each of the action concepts and described the range of activities and initiatives to be executed, noting the plan calls for each group to report their progress to CCI at least twice a year. CCI plans to compile the various reports into one

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document for Council and plans to devote time at the Annual Town Meeting, at least every five years or as needed, to review the Action Plan accomplishments and amend if necessary the Action Plan. Holan noted the Action Plan would become part of the City's regular work plan; thus, allowing CCI to account to the Council the actual implementation that is taking place and to ensure the Vision Statement continues to be a living document.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to CCI's role and best approach to ensure CCI's role is not misconstrued as having authority over the various citizen groups, as well as the best approach for forwarding the Action Plan Matrix and Memorandum to the various citizen groups. Miller noted CCI's intent is to "oversee" that the Action Plan Matrix is distributed to the various citizen groups, noting the responsibility will be determined by the various citizen groups how to best execute the Action Plan concepts and initiatives.

Hearing no further discussion from the Council, Mayor Kidd asked for the following motion.

MOTION: Councilor Uhing moved, seconded by Councilor Lowe, to authorize the Committee for Citizen Involvement to proceed with distribution of the Action Plan Matrix and Memorandum. MOTION CARRIED 7-0 by voice vote.

6. **SECOND READING OF RESOLUTION NO. 2008-37 AUTHORIZING EXECUTION OF A LABOR AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE FOREST GROVE PAID FIREFIGHTER'S ASSOCIATION (FGPFA), EFFECTIVE JULY 1, 2008, AND EXPIRING JUNE 30, 2011**

Second Reading of Resolution No. 2008-37 and motion to adopt occurred at the meeting of June 9, 2008.

Staff Report:

DuValle had nothing further to report.

Council Discussion:

Hearing no further discussion from the Council, Mayor Kidd asked for a roll

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call vote on the motion made at the meeting of June 9, 2008.

Hammond read Resolution No. 2008-37 by title for second reading.

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

7. PUBLIC HEARING FOR FISCAL YEAR 2008-09 BUDGET:

- a) Resolution No. 2008-40
Adopting Budget For Fiscal Year Commencing July 1, 2008, and Ending June 30, 2009
- b) Resolution No. 2008-41
Making Appropriations for Fiscal Year Commencing July 1, 2008, and Ending June 30, 2009
- c) Resolution No. 2008-42
Levying and Categorizing Taxes for Fiscal Year Commencing July 1, 2008, and Ending June 30, 2009
- d) Resolution No. 2008-43
Adopting 2008-13 Capital Improvements Program
- e) Resolution No. 2008-44
Declaring City's Election to Receive State Revenues
- f) Resolution No. 2008-45
Certifying Services Provided by the City of Forest Grove

Staff Report:

Downey and Cole presented the above-proposed resolutions and reported the Budget Committee approved at its June 5, 2008, meeting a proposed budget of \$69,278,378 for Fiscal Year commencing July 1, 2008, and ending June 30, 2009. Downey indicated staff is proposing two changes to the approved budget (fuel/oil increase and matching funds for a grant proposal), which would increase the budget to \$69,320,878.

Before proceeding with the Public Hearings and Council discussion, Mayor Kidd asked for each motion separately for the above-proposed resolutions.

a) MOTION: Councilor Truax moved, seconded by Councilor Miller, to approve Resolution No. 2008-40 Adopting Budget For Fiscal Year

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Commencing July 1, 2008, and Ending June 30, 2009.

b) MOTION: Councilor Truax moved, seconded by Councilor Miller, to adopt Resolution No. 2008-41 Making Appropriations for Fiscal Year Commencing July 1, 2008, and Ending June 30, 2009.

c) MOTION: Councilor Truax moved, seconded by Councilor Miller, to adopt Resolution No. 2008-42 Levying and Categorizing Taxes for Fiscal Year Commencing July 1, 2008, and Ending June 30, 2009.

d) MOTION: Councilor Lowe moved, seconded by Councilor Miller, to approve Resolution No. 2008-43 Adopting 2008-13 Capital Improvements Program.

e) MOTION: Councilor Truax moved, seconded by Councilor Lowe, to adopt Resolution No. 2008-44 Declaring City's Election to Receive State Revenues.

f) MOTION: Councilor Lowe moved, seconded by Councilor Miller, to adopt Resolution No. 2008-45 Certifying Services Provided by the City of Forest Grove.

Public Hearing Opened:

Mayor Kidd opened each Public Hearing separately for the above-proposed resolutions.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Public Hearing Closed:

Mayor Kidd closed each Public Hearing separately for the above-proposed resolutions.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to

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the proposed budget, restored positions, inflation, Consumer Price Index, and the possibility of holding a third Budget Committee meeting next budget year to allow additional time for discussion and public input.

Hearing no further discussion from the Council, Mayor Kidd asked for a roll call vote on motion(a) adopting Resolution No. 2008-40.

Hammond read Resolution No. 2008-40 by title.

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

Mayor Kidd asked for a roll call vote on motion(b) adopting Resolution No. 2008-41.

Hammond read Resolution No. 2008-41 by title.

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

Mayor Kidd asked for a roll call vote on motion(c) adopting Resolution No. 2008-42.

Hammond read Resolution No. 2008-42 by title.

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

Mayor Kidd asked for a roll call vote on motion(d) adopting Resolution No. 2008-43.

Hammond read Resolution No. 2008-43 by title.

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

Mayor Kidd asked for a roll call vote on motion(e) adopting Resolution No. 2008-44.

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Hammond read Resolution No. 2008-44 by title.

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

Mayor Kidd asked for a roll call vote on motion(f) adopting Resolution No. 2008-45.

Hammond read Resolution No. 2008-45 by title.

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

8. PUBLIC HEARING AND RESOLUTION NO. 2008-46 ADOPTING CAPITAL IMPROVEMENTS PROGRAM EXCISE TAX AND REPEALING RESOLUTION NO. 2007-41

Staff Report:

Downey and Cole presented the above-proposed resolution and reported the City imposes a Capital Improvements Program (CIP) Excise Tax for the purpose of funding Public Safety and Support Services programs within the CIP. Downey indicated the City expects to collect approximately \$205,000 in revenue from the CIP Excise Tax in Fiscal Year 2008-09, noting no increase in rates are being proposed for the Fiscal Year 2008-09 budget.

Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-46.

Hammond read Resolution No. 2008-46 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Uhing, to approve Resolution No. 2008-46 Adopting Capital Improvements Program Excise Tax and Repealing Resolution No. 2007-41.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

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Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Other:

No one wished to testify and no written comments were received.

Public Hearing Closed:

Mayor Kidd closed the Public Hearing.

Council Discussion:

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

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

9. **RESOLUTION NO. 2008-47 TRANSFERRING APPROPRIATIONS WITHIN VARIOUS FUNDS FOR FISCAL YEAR 2007-08**

Staff Report:

Downey and Cole presented the above-proposed resolution outlining the appropriated amounts for Fiscal Year 2007-08.

Before proceeding with Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-47.

Hammond read Resolution No. 2008-47 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Lowe, to adopt Resolution No. 2008-47 Transferring Appropriations within Various Funds for Fiscal Year 2007-08.

Council Discussion:

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

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

10. RESOLUTION NO. 2008-48 ADOPTING SUPPLEMENTAL BUDGET AND AUTHORIZING THE EXPENDITURE OF 911 RESERVE FUNDS

Staff Report:

Downey and Cole presented the above-proposed resolution authorizing expenditures of 911 Reserve Funds to appropriate funds to pay for additional payment of 911 tax revenue from the State to Washington County Consolidated Communications Agency (WCCCA) for emergency dispatch services. Downey advised the City was not expecting an additional 911 tax revenue payment, noting now the City needs to pay its quarterly payment to WCCCA, which would cause the 911 Reserve Funds to be overexpended if the budget is not modified for the additional 911 tax revenue payment.

Before proceeding with Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-48.

Hammond read Resolution No. 2008-48 by title.

MOTION: Councilor Thompson moved, seconded by Councilor Uhing, to approve Resolution No. 2008-48 Adopting Supplemental Budget and Authorizing the Expenditure of 911 Reserve Funds.

Council Discussion:

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

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

11. RESOLUTION NO. 2008-49 ADOPTING SUPPLEMENTAL BUDGET AND AUTHORIZING THE EXPENDITURE OF EXCISE TAX FUNDS WITHIN THE GENERAL FUND

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Downey and Cole presented the above-proposed resolution authorizing expenditures of Excise Tax Funds to appropriate funds to pay Metro and Forest Grove School District #15 for the Construction Excise Tax revenue the City collected. Downey advised that the City was not expecting establishment of a Construction Excise Tax, noting the City is required by agreement to collect the Construction Excise Tax and remit the revenue to Metro and Forest Grove School District #15.

Before proceeding with Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-49.

Hammond read Resolution No. 2008-49 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Uhing, to approve Resolution No. 2008-49 Adopting Supplemental Budget and Authorizing the Expenditure of Excise Tax Funds within the General Fund.

Council Discussion:

Mayor Kidd noted the City retains an administrative fee for administering the Construction Excise Tax.

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

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

12. **PUBLIC HEARING AND RESOLUTION NO. 2008-50 FIXING WATER RATES FOR THE CITY OF FOREST GROVE , EFFECTIVE JULY 1, 2008, AND REPEALING RESOLUTION NO. 2007-29**

Staff Report:

Foster, Downey and Cole presented the above-proposed resolution and recommended increasing water rates by five percent (5%) for all customer classes, effective July 1, 2008. Foster noted a typical water bill for a residential customer who uses 7,480 gallons per month would increase from \$21.21 to \$22.29.

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Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-50.

Hammond read Resolution No. 2008-50 by title.

MOTION: Councilor Truax moved, seconded by Councilor Johnston, to adopt Resolution No. 2008-50 Fixing Water Rates for the City of Forest Grove, Effective July 1, 2008, and Repealing Resolution No. 2007-29.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Other:

Josiah Bartlett, Forest Grove, indicated he was unaware the City had tiered water rates and suggested the City do an article in its utility stuffer reeducating customers about the tiered water rates in effort to reduce water usage and suggested maximizing public notice exposure so citizens are aware well in advance before the City considers implementing rate increases.

Public Hearing Closed:

Mayor Kidd closed the Public Hearing.

Council Discussion:

Uhing noted the importance of Council being well informed and suggested staff provide a comparison chart to Council at budget time outlining all the proposed rate increases; showing rates and total cost differentials.

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

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

13. PUBLIC HEARING AND RESOLUTION NO. 2008-51 SETTING SURFACE WATER MANAGEMENT (SWM) FEES FOR THE CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2008

Staff Report:

Foster, Downey, and, Cole presented the above-proposed resolution and recommended increasing Surface Water Management (SWM) utility rate by \$0.50 per Dwelling Unit Equivalent (DUE). Foster noted the City's rate would increase from \$3.00 to \$3.50 per DUE and Clean Water Services' portion will remain at \$1.00 for a combined total of \$4.50 per DUE.

Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-51.

Hammond read Resolution No. 2008-51 by title.

MOTION: Councilor Johnston moved, seconded by Councilor Uhing, to adopt Resolution No. 2008-51 Setting Surface Water Management (SWM) Fees for the City of Forest Grove, Effective July 1, 2008.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Other:

No one wished to testify and no written comments were received.

Public Hearing Closed:

Mayor Kidd closed the Public Hearing.

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Council Discussion:

In response to Mayor Kidd's inquiry pertaining to the City's street sweeper, Foster advised the sweeper is in fairly good condition, noting its life expectancy is five to eight years.

In response to Lowe's inquiry pertaining to maintenance increased by new development, Foster advised the City is currently able to keep up with the increased maintenance responsibilities.

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

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

14. **RESOLUTION NO. 2008-52 APPROVING AN INTERGOVERNMENTAL AGREEMENT TO REINSTATE THE INTERGOVERNMENTAL AGREEMENT FOR TELECOMMUNICATIONS FINANCIAL SERVICES REVIEW**

Staff Report:

Downey presented the above-proposed resolution and recommended reinstating the Intergovernmental Agreement (IGA) for Telecommunication Financial Review Services, which has expired, noting the purpose of reinstating the IGA is to allow additional time to complete the audit review of Verizon and Qwest telecommunications franchises. Downey noted the City is only participating in the Verizon audit since Qwest does not provide services in Forest Grove.

Before proceeding with Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-52.

Hammond read Resolution No. 2008-52 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Lowe, to adopt Resolution No. 2008-52 Approving an Intergovernmental Agreement to Reinstatement the Intergovernmental Agreement for Telecommunications Financial Services Review.

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Council Discussion:

In response to Lowe's concern pertaining to any budget implications, Downey advised the City paid approximately \$6,000 for its share of the audit last year and monies have been budgeted for this year.

Truax voiced the importance of completing the audit so the City could be compensated for allowing usage of the City's public rights-of-way.

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

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

15. **FIRST READING OF RESOLUTION NO. 2008-53 AMENDING THE CITY MANAGER'S COMPENSATION PLAN AND CITY MANAGER'S EMPLOYMENT AGREEMENT AND AUTHORIZING COMPENSATION FOR THE CITY MANAGER FOR FISCAL YEAR 2008-09, EFFECTIVE JULY 1, 2008, THROUGH JUNE 30, 2009**

Mayor Kidd removed the above-proposed resolution from the agenda and rescheduled the proposed resolution to the meeting of July 14, 2008.

16. **CITY MANAGER'S REPORT:**

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events. Sykes reminded Council of the upcoming Washington County Urban/Rural Reserves Open House and announced a Council Retreat has been tentatively scheduled for July 25, 2008. Sykes highly commended staff for preparing a very understandable and conservative budget. In addition, Sykes introduced Robbins who gave an update on the ad-hoc Transit Committee. Robbins presented a tentative schedule and proposed work plan, noting the purpose of the ad-hoc committee is to draft a plan for enhancing the Forest Grove Transit System.

17. **COUNCIL COMMUNICATIONS:**

Johnston provided an update on the Washington County Consolidated Communications Agency (WCCCA) Budget Committee.

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Lowe reported on the Forest Grove Senior Center Board meeting and provided an update on Fernhill Wetlands.

Miller reported on the Committee for Citizen Involvement (CCI) meeting, noting CCI was introduced to Dan Riordan, newly hired Senior Planner, who will serve as CCI's staff liaison. In addition, Miller reported on various upcoming Chamber community-related events.

Thompson reported on the Community Forestry Commission (CFC) meeting, noting CFC held a Public Hearing to consider removing one tree and adding two trees to the Significant Tree Register. In addition, Thompson reported that approximately 32 trees would need to be replaced on Sunset Drive due to the trees may have been frozen before planting.

Truax reported on the Library Commission meeting, noting the Commission is reviewing its by-laws, which were established over 30 years ago.

Uhing reported she plans to attend the upcoming Historic Landmarks Board meeting. In addition, Uhing reported on various grant proposals and various economic development activities.

Mayor Kidd reported on various Metro and Washington County meetings and tours he attended and upcoming meetings and events he was planning to attend. In addition, Mayor Kidd reported on various regional and local issues and upcoming events and reported on various community events and activities.

18. **ADJOURNMENT:**

Mayor Kidd adjourned the meeting at 9:30 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder