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City Council Regular Meeting Minutes

**Monday, October 8, 2018
7:00 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.
Council approved minutes as presented October 22, 2018.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

ROLL CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph “Val” Valfre; Malynda Wenzl and Mayor Peter Truax.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; Colleen Winters, Library Director; Rob Foster, Public Works Director (in the audience); Michael Kinkade, Fire Chief (in the audience); and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS:

Tom Messenger, Pacific City, addressed Council voicing safety concerns along Oregon Highway 6, between Tillamook and Banks, noting it is and has been an ongoing concern for individuals and businesses on both sides of the Coast Range. Messenger reported several community stakeholders have come together to propose safety improvements to the Oregon Department of Transportation to consider installing three passing lanes on eastbound Highway 6 at Milepost 16, Milepost 22 and Milepost 35.5. In addition, Messenger submitted written testimony and a sample letter of support for Council’s consideration, to which Mayor Truax deferred to City Manager VanderZanden. In conclusion of the above-noted testimony, Council encouraged Messenger to also reach out to other elected legislative officials and the Chamber of Commerce.

3. CONSENT AGENDA:

Items under the Consent Agenda are considered routine and are 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 remaining Consent Agenda item(s).

- A. Approve City Council Work Session (B/C Program Process) Meeting Minutes of September 24, 2018.
- B. Approve City Council Work Session (B/C Interviews) Meeting Minutes of September 24, 2018.
- C. Approve City Council Regular Meeting Minutes of September 24, 2018.
- D. Accept Committee for Community Involvement Meeting Minutes of July 10 and August 9, 2018.
- E. Accept Community Forestry Commission Meeting Minutes of May 16, 2018.
- F. Accept Historic Landmarks Board Meeting Minutes of August 28, 2018.
- G. Accept Library Commission Meeting Minutes of August 14, 2018.
- H. Accept Planning Commission Meeting Minutes of September 17, 2018.
- I. Accept Public Safety Advisory Commission Meeting Minutes of May 23, June 27 and July 25, 2018.
- J. Community Development Department Monthly Building Activity Informational Report for September 2018.
- K. **RESOLUTION NO. 2018-79 MAKING APPOINTMENT TO HISTORIC LANDMARKS BOARD (APPOINTING MARK FISCHER, TERM EXPIRING DECEMBER 31, 2022).**
- L. **RESOLUTION NO. 2018-80 MAKING APPOINTMENT TO PARKS AND RECREATION COMMISSION (APPOINTING DELANEY SHARP, STUDENT ADVISORY, TERM EXPIRING DECEMBER 31, 2019).**
- M. **RESOLUTION NO. 2018-81 MAKING APPOINTMENT TO PUBLIC ARTS COMMISSION (APPOINTING ASHLEY TERRY, STUDENT ADVISORY, TERM EXPIRING DECEMBER 31, 2019).**
- N. **RESOLUTION NO. 2018-82 MAKING APPOINTMENT TO SUSTAINABILITY COMMISSION (APPOINTING JOHANNA PEETERS WEEM, FG HIGH SCHOOL STUDENT ADVISORY, TERM EXPIRING DECEMBER 31, 2019).**

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

4. **ADDITIONS/DELETIONS:** None.

5. **PRESENTATIONS:**

5. A. **Washington County Cooperative Library Services (WCCLS) Update**

Winters introduced Lisa Tattersall who was recently appointed as the new manager of WCCLS. Tattersall presented a PowerPoint presentation overview pertaining to various programs and services that WCCLS provides to member libraries as part of the WCCLS structure, noting WCCLS consists of nine cities, of which Forest Grove is one of the original founding members, and three nonprofits. Tattersall reported 2/3 of the funding comes from Washington County and 1/3 from the local option levy, noting WCCLS goes before the voters every five years.

5. B. Affordable Housing: City-Owned Land Inventory Update

Riordan and Pohl presented a PowerPoint presentation overview on the statuses of Council's Objective 1.10, identified in Fiscal Year 2018-19, regarding Affordable Housing, which consists of three core program areas as noted below:

- (1) Examine property tax exemptions. Council adopted Ordinance No. 2018-06 enacting a Nonprofit Corporation Low-Income Housing Tax Exemption Program.
- (2) Regional funding efforts, and consider financial impacts of a CET (Construction Excise Tax). Earlier this year, Council deferred discussion pending the outcome of county and regional efforts.
- (3) Conduct land inventory, including other government agencies and nonprofits, which is the purpose of this presentation.

Riordan referenced a map focusing on the inventory of city-owned land and sites that could be suitable for affordable housing, noting the City owns 100 parcels, used for a variety of purposes, and approximately 80 acres of land, excluding public rights-of-way. Riordan outlined various filters to consider for evaluating sites to determine if the sites have development potential for affordable housing, i.e., is the site zoned for residential development; subject to deed restrictions; reserved for future city use; existing environmental constraints and characteristics. In conclusion of the above-noted presentation, Riordan and Pohl addressed various Council inquiries and scenarios, noting staff will conduct an evaluation of specific sites and common areas that can be rezoned as well as look at private vacant land; conduct an analysis of potential housing unit yield; and reach out to faith-based organizations regarding state law that allows construction of affordable housing on residential land owned by faith-based organizations, to which Council collectively concurred. In addition, VanderZanden advised staff will report back to Council at a later date with potential next steps to consider.

6. **PUBLIC HEARING AND FIRST AND SECOND READINGS OF ORDINANCE NO. 2018-07 AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLES 8 AND 12 TO ADOPT REVISED FLOOD DAMAGE PREVENTION REGULATIONS AND DEFINITIONS AND DECLARING AN EMERGENCY; FILE NO. 311-18-000029-PLNG**

Staff Report:

Pohl presented the above-proposed ordinance for first and second reading, noting the proposed ordinance is amending Development Code, Article 8, Floodplains and Flood Management Areas, and Article 12, Use Categories and Definitions, and is declaring an emergency; File No. 311-18-000029-PLNG. Pohl advised the reason for proposing an emergency ordinance is so that the City can remain in compliance with the Federal Emergency Management Agency's (FEMA) updated Flood Insurance Rate Maps (FIRMS) and Flood Insurance Study (FIS), which will become effective October 19, 2018. Pohl reported the City received written notification from FEMA on September 5,

2018, informing the City that FEMA had completed its review of the 2016 amendments and, because the City participates in the National Flood Insurance Program (NFIP), the City must adopt a compliant floodplain management ordinance by the maps' effective date to remain in good standing. Pohl advised the City requested an extension, but FEMA advised the deadline could not be extended, and if the City did not comply by midnight October 19, 2018, the City would be suspended from the NFIP. Pohl added the Department of Land Conservation and Development also issued some minor code revisions to the City's adopted 2016 code regulations. In conclusion of the above-noted staff report, Pohl advised staff is recommending Council approve the proposed ordinance as an emergency, as outlined in Exhibit A, Article 8, and Exhibit B, Article 12, and as outlined in Exhibit C, Planning Commission Findings and Decision No. 2018-05, noting the Planning Commission approved the proposed code amendments on October 1, 2018.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2018-07 for first and second reading.

VanderZanden read Ordinance No. 2018-07 by title for first reading.

MOTION: Council President Johnston moved, seconded by Councilor Valfre, to approve First and Second Readings and adopt Ordinance No. 2018-07 Amending Forest Grove Development Code Articles 8 and 12 to adopt Revised Flood Damage Prevention Regulations and Definitions and Declaring an Emergency; File No. 311-18-000029-PLNG.

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 October 8, 2018, 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.

Council Discussion:

In response to Thompson's concern if FEMA has issued a variance within the last 20 years, Pohl replied no, not to his knowledge, noting it is very rare for FEMA to issue a variance.

In response to Rippe's concern pertaining to the maps being appropriately delineated, Foster advised the maps were revised and are consistent with the data.

Valfre commended staff and Planning Commission for their efforts to comply with the deadline requirement.

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

VanderZanden read Ordinance No. 2018-07 by title for second reading.

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

7. CITY COUNCIL COMMUNICATIONS:

Council President Johnston reported attending the Forest Grove Rural Fire Protection District meeting. Johnston reported the Historic Landmarks Board is planning to hold a public forum on the Downtown Historic District (November 8, 2018, 7pm, in the Community Auditorium). In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Rippe reported on his attendance at the League of Oregon Cities Conference. Rippe reported attending Public Safety Advisory Commission (PSAC) meeting, noting PSAC participated in the Chalk Art event. Rippe reported he was unable to attend the last Economic Development Commission meeting because he was out-of-town. Rippe announced the Nyuzen Student Delegation arrives on October 27 and departs October 31, 2018, noting the public is to attend the Meet-n-Greet on October 27, 1pm in the Community Auditorium. Rippe reported the Delegation Welcome Dinner will be held on October 29, 6pm, in the Community Auditorium. Rippe also voiced concerns pertaining to the location of a power pole on David Hill Road resulting from county road project, to which the City Manager gave an update on the efforts to resolve the City's concern. In addition, Rippe reported he will be out-of-town from October 12-20, 2018.

Thompson reported on his attendance at the Society of American Foresters Convention held in Portland. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing reported attending Sustainability Commission (SC) meeting, noting SC revamped their project list so it is more manageable. Uhing advised she has requested that the subcommittees submit agendas and minutes so staff can post/publish as required. Uhing added SC has a Mayoral Proclamation scheduled for the Council meeting on October 22, in recognition of Hunger and Homelessness

Week. In addition, Uhing reported on other matters of interest and reported on upcoming meetings she was planning to attend.

Valfre reported attending Library Commission (LC) meeting, noting the Library Community Survey is underway. In addition, Valfre reported on his participation at the run/walk for shelter, attending other regional meetings and reported on upcoming meetings he was planning to attend.

Wenzl reported Committee for Community Involvement (CCI) has determined to keep the Annual Town Meeting (ATM), Emergency Preparedness, on Saturday, January 26, 2019, noting the issues have been resolved, to which Council voiced no concern. Wenzl reported Washington County CPO 12F is hosting the Forest Grove City Council Candidates' Public Forum on October 24, 6-8pm, in the Community Auditorium. In addition, Wenzl reported on other matters of interest, upcoming events and upcoming meetings she was planning to attend.

8. City Manager's Report:

VanderZanden reported on upcoming meetings and events as noted in the Council calendar. VanderZanden reported on various upcoming Council-related work sessions and department-related activities and projects.

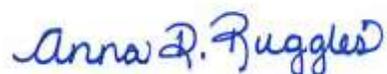
9. MAYOR'S REPORT:

Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported on his attendance at the League of Oregon Cities (LOC) Conference and various legislative updates. Mayor Truax congratulated City of Tigard Mayor John Cook who received two honorary awards in recognition for his services, one from LOC and one from Oregon Mayors Association. Mayor Truax reported attending the Jesse Quinn Apartment's ribbon-cutting, noting Metro Councilor Kathryn Harrington, Chamber Director Howard Sullivan and Rod Fuiten were guest speakers. In addition, Mayor Truax reported on various local, regional, Metro, and Washington County-related meetings he attended and upcoming community-related events and meetings he was planning to attend.

10. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 8:33 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder