



*A place where families and businesses thrive.*

**City Council Regular Meeting Minutes**

**Monday, April 22, 2019  
7:00 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.  
Council approved minutes as presented May 13, 2019.***

**1. CALLED TO ORDER AND ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:01 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; Tom Gamble, Parks and Recreation Director; Michael Kinkade, Fire Chief; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

**1. A. IF I WERE MAYOR CONTEST:**

Mayor Truax announced the 2019 “*If I Were Mayor Student Contest*” participant as noted below (winner in bold):

- Poster (grades 4-5): **Elisabeth Hansen**
- Essay (grades 6-8): No entries
- Video/PowerPoint (high school/college): No entries

The participant received a cash prize and a class pizza party hosted by Mayor Truax. The winners at the state level will be announced during the Oregon Mayors Association Summer Conference to be held July 2019.

**1. B. EMPLOYEE RETIREMENT RECOGNITION:**

Mayor Truax, on behalf of the Council, presented a Certificate of Retirement honoring Kevin Ellingsburg, Police Captain, for his exceptional employment and years of service, noting Ellingsburg has been an law enforcement officer with the Forest Grove Police Department since 1993 (26 years) and is retiring on April 30, 2019.

**2. CITIZEN COMMUNICATIONS:**

Johanna Peeters Weem, Forest Grove, addressed Council voicing concern that the dress code policy at the Forest Grove Aquatic Center was outdated, discriminatory and gender-based. In addition, Peeters Weem voiced concern of cameras videotaping patrons and photos of patrons being published without their knowledge.

**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 (Light and Power Electric Cost-of-Service Study) Meeting Minutes of March 18, 2019.
- B. Approve City Council Work Session (Boards/Commissions Reform) Meeting Minutes of March 18, 2019.
- C. Approve City Council Meeting Minutes of March 18, 2019.
- D. Approve City Council Executive Session (Labor Negotiations) Meeting Minutes of April 8, 2019.
- E. Approve City Council Work Session (Fire Governance) Meeting Minutes of April 8, 2019.
- F. Approve City Council Work Session (Boards/Commission Reform) Meeting Minutes of April 8, 2019.
- G. Approve City Council Regular Meeting Minutes of April 8, 2019.
- H. Accept Economic Development Commission Meeting Minutes of February 7 and March 7, 2019.
- I. Accept Library Commission Meeting Minutes of March 19, 2019.
- J. Accept Planning Commission Meeting Minutes of March 4, 2019.
- K. Accept Public Arts Commission Meeting Minutes of March 14, 2019.
- L. Accept Sustainability Commission Meeting Minutes of December 20, 2018, and February 28, 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. Metro Update**

Juan Carlos Gonzalez, Metro Councilor District 4 (newly-elected), presented a PowerPoint presentation highlighting Metro's Parks and Nature; garbage and food recycling; regional transportation; affordable housing; and upcoming events at various Metro venues.

**5. B. Parks Facilities Schematic Design and Water Space Needs Study**

Gamble presented a PowerPoint presentation overview on the Park Facilities Schematic Design and Water Space Needs Study, noting the scope will examine schematic design opportunities for North Lincoln Park, A. T. Smith Property and Stites

Park, including parking and concept plans, and a facility assessment/water space needs study for the Forest Grove Aquatic Center, including parking, mechanical systems, pool systems, space needs and existing and proposed program options. Gamble noted a site analysis for an east side park may be added contingent upon discussions with the Parks and Recreation Commission. In conclusion of the above-noted presentation, Gamble advised the concepts for each of the three parks will be based on assessments and public engagement, noting the consultant will work with the City to present the final projects to Council for consideration at a later date.

6. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-01 ADOPTING AN UPDATE TO CITY OF FOREST GROVE 2009 ECONOMIC OPPORTUNITIES ANALYSIS AND AMENDING FOREST GROVE COMPREHENSIVE PLAN; FILE NO. 311-18-000044-PLNG**

The first reading of Ordinance No. 2019-01 by title occurred at the Council meeting of April 8, 2019.

**Staff Report:**

Riordan and Pohl presented the above-proposed ordinance for second reading and distributed the following supplemental information as reference:

1. Pacific University Master Plan, Page II-1, Table I-1, City adoption, May 14, 2018, Ordinance 2018-01.
2. Washington County Economic Indicators, Oregon Employment Department, March 2019.
3. Metro Equitable Housing Strategy Summary, March 28, 2018.
4. U. S. Census Bureau, American Community Survey, Table S1903, 2013-2017 Median Income in the past 12-Months.

**Public Hearing Continued:**

Mayor Truax continued the Public Hearing from the meeting of April 8, 2019, and explained hearing procedures.

**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 concerns from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of April 8, 2019.

VanderZanden read Ordinance No. 2019-01 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. MOTION FOR A CONTINUANCE OF ORDER NO. 2019-03 TO CITY COUNCIL MEETING OF MAY 13, 2019; FILE NO. 311-18-000036-PLNG**

**Staff Report:**

Riordan and Pohl reported at the Council meeting of March 18, 2019, the Council reversed the Community Development Department's denial of appeal decision and approved the preliminary site plan pending review of Order No. 2019-03, Final Findings and Conditions of Approval, at the April 22, 2019, Council Meeting (16-Unit Manufactured Dwelling Park Expansion at 4015 Pacific Avenue; Washington County Tax Lot 1N332DD01400; File No. 311-18-000036-PLNG). Riordan and Pohl reported the applicant's attorney, City Attorney and staff has been working to complete Final Findings and Conditions of Approval for Council consideration; however, further refinement is necessary. In conclusion of the above-noted staff report, Riordan and Pohl advised staff is recommending Council consider approving the continuance of Order No. 2019-03, Final Findings and Conditions of Approval, to May 13, 2019, Council Meeting, noting the applicant's attorney has submitted a written waiver of the 120-day rule.

**Questions of Staff:**

Hearing no concerns from the Council, Mayor Truax asked for a motion.

**MOTION: Councilor Wenzl moved, seconded by Councilor Thompson, to approve the continuance of Order No. 2019-03, Final Findings and Conditions of Approval to May 13, 2019, Council Meeting; File No. 311-18-000036-PLNG.**

**Council Discussion:**

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

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

**8. PUBLIC HEARING AND RESOLUTION NO. 2019-18 SETTING FEES AND CHARGES FOR AQUATIC CENTER (3.0%), EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-44**

**Staff Report:**

Gamble and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is increasing the Aquatic Center fees and charges by 3.0 percent (3.0%), rounded to the nearest increment, effective July 1, 2019. For in-City (18-64 years) public and fitness swim, the fee would increase from \$5.80 to \$6.00. For in-City (2-17 years), Senior and Veteran, the fee would increase from \$4.05 to \$4.20. In conclusion of the above-noted staff report, Gamble and Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, so the Aquatic Center can publish its summer brochure, noting the other proposed fee increases will be considered at a later date.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-18.

VanderZanden read Resolution No. 2019-18 by title.

**MOTION: Councilor Rippe moved, seconded by Councilor Wenzl, to adopt Resolution No. 2019-18 Setting Fees and Charges for Aquatic Center, Effective July 1, 2019, and Repealing Resolution No. 2018-44.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**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 concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

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

**9. RESOLUTION NO. 2019-19 SUPPORTING THE WESTERN WASHINGTON COUNTY FIRE TASK FORCE FOUNDATIONAL PRINCIPLES**

**Staff Report:**

Fire Chief Kinkade presented the above-proposed resolution for Council consideration, noting the proposed resolution is supporting the Washington County Fire Task Force Foundational Principles, which the Task Force developed to use as a guide in evaluating the three governance models: 1) continue with current system of individual intergovernmental agreements (IGA); 2) establish a comprehensive IGA that essentially forms a fire authority; or 3) establish a Western Washington County Fire District. Kinkade reported the goal of the Task Force is to study the above-noted potential governance models and provide a consensus proposal to the five governing agencies. In conclusion of the above-noted staff report, Chief Kinkade advised staff is recommending Council consider supporting the proposed resolution as outlined in Exhibit A, noting Cornelius, Gaston and Forest Grove Rural Fire Protection Districts approved the foundational principles in early April.

Before proceeding with Council discussion, Mayor Truax asked for a motion to approve Resolution No. 2019-19.

VanderZanden read Resolution No. 2019-19 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Valfre, to approve Resolution No. 2019-19 Supporting the Western Washington County Fire Task Force Foundational Principles.**

**Council Discussion:**

In response to Uhing's inquiry pertaining to next steps, Kinkade advised the task force will provide a consensus proposal to the five governing agencies at a later date.

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

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

**10. RESOLUTION NO. 2019-20 AMENDING CITY COUNCIL RULES OF PROCEDURE, §14, ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES, AND REPEALING RESOLUTION NO. 2006-10 AND AMENDING RESOLUTION NO. 2009-45**

**Staff Report:**

VanderZanden presented the above-proposed resolution for Council consideration, noting the proposed resolution is amending Council Rules of Procedure, §14, Advisory Boards, Commissions and Committees (B/C), to clarify the purpose, role and operation of all B/C, including implementing a consistent B/C appointment process,

defining liaisons' roles and responsibilities and to reflect current public meetings laws, public records laws and ethic laws. VanderZanden reported the Council Subcommittee, consisting of Council President Johnston, Councilor Rippe and Councilor Wenzl, advanced numerous proposals which were the subject of Council work sessions held on September 24, October 8 and October 22, 2018. VanderZanden added to facilitate obtaining feedback from all B/C an informational meeting was held on November 19, 2018, noting all the B/C considered the potential rules changes at their December, January and/or February meetings, of which five of the 11 B/C submitted formal comments for Council consideration. In addition, VanderZanden reported Council reviewed the B/C comments in work session held on March 18 and April 8, 2019, and concurred as summarized below:

1) *Revise Council Rule 14.3 to limit student participation to juniors and seniors;* Council concurred to not revise; thereby, retaining to allow all high school grade levels to serve as student members.

2) *Revise Council Rule 14.4 to no longer limit the size of a B/C to nine members;*

Council concurred to not revise; thereby, recognizing that as proposed the rule already allows Council to approve more than nine members on a Board or Commission if necessary. This change would only effect Economic Development Commission and Sustainability Commission.

3) *Revise Council Rule 14.6 to eliminate the 24-month consecutive service term for the Chair;*

Council concurred to eliminate the 24-month consecutive service limitation. All B/C elect a Chair and Vice Chair each year by the voting members.

4) *Revise Council Rule 14.9 to allow volunteers to take minutes;*

Council concurred to allow volunteers to take minutes, however, stipulate in the Council Rules that a) a minute template be required for all minutes, b) City staff be required to take minutes if the B/C requests the City to do so, c) City staff be required to review the minutes to assure compliance with state law, and d) City staff be required to post the minutes to the website as soon as possible after acceptance by City Council.

5) *Revise Council Rule 14.10 to eliminate the requirement that B/C members reapply and re-interview after every four-year term of service;*

Council concurred to not revise; thereby, retaining the requirement for B/C members to reapply and re-interview every four years.

In conclusion of the above-noted staff report, VanderZanden advised staff is recommending Council consider adopting the proposed resolution, as outlined in Exhibit A, and/or as amended by Council.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-20.

VanderZanden read Resolution No. 2019-20 by title.

**MOTION: Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-20 Amending City Council Rules of Procedure, Section 14, Advisory Boards, Commissions and Committees, and Repealing Resolution No. 2006-10 and Amending Resolution No. 2009-45.**

**Council Discussion:**

In response to Wenzl's concern pertaining to Council Rule 14.6, terms ending December 31, VanderZanden advised the Committee for Community Involvement's bylaws will retain their term ending January 31.

Uhing voiced concern of eliminating the 24-month term for the Chair and instead proposed extending the term to no more than 48-consecutive months, noting she thought the subcommittee made this recommendation because of the importance of cross-training and succession planning.

Wenzl advised the subcommittee discussed the importance of succession; however, at this time, she has concerns of establishing a rule for B/C that is not consistent or that has not been established at the Council level, i.e., term limits for Mayor and Council President.

Rippe advised the subcommittee discussed the importance of succession planning; however, the subcommittee agreed that the Council's term limits be discussed separately and not as part of the B/C reform discussion. Rippe concurred extending the Chair appointment term to no more than 48-consecutive months.

Valfre supported extending the Chair appointment term to no more than 48-consecutive months.

Mayor Truax opposed setting term limits.

**MOTION TO AMEND: Councilor Uhing moved, seconded by Councilor Rippe, to amend Resolution No. 2019-20, Exhibit A, §14.6 to read: *"The Chair may not serve more than 48-consecutive months."***

**ROLL CALL VOTE MOTION TO AMEND: AYES: Councilors Johnston, Rippe, Uhing, and Valfre. NOES: Councilors Thompson, Wenzl, and Mayor Truax. None. MOTION CARRIED 4-3.**

**Council Discussion:**

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

**ROLL CALL VOTE AS AMENDED: AYES: Councilors Johnston, Rippe,**

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

**11. CITY COUNCIL COMMUNICATIONS:**

Council President Johnston reported attending the Chamber Board meeting. Johnston reported the Public Arts Commission discussed at its retreat exploring the possibilities of a foundation. Johnston reported on Historic Landmarks Board's photo contest and other upcoming activities. In addition, Johnston reported on other related matters of interest and upcoming meetings he was planning to attend.

Rippe reported attending various legislation-related meetings, reported on other related matters of interest and upcoming meetings he was planning to attend.

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

Uhing reported Sustainability Commission (SC) held a very successful Earth Day Litter Clean-Up Event, noting SC is considering hosting an annual event. In response to Uhing's inquiry pertaining to the Forest Grove United Church of Christ's Community Enhancement Grant Program application for their Temporary Emergency Shelter, VanderZanden advised he would report back to Council on the status of the shelter's zoning. In response to earlier concerns heard under Citizen Communications and the language read below pertaining to swimwear rules, Uhing concurred the rules, especially for women swimwear, were outdated. In addition, Uhing reported on upcoming meetings she was planning to attend.

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

Wenzl reported attending Committee for Community Involvement (CCI) meeting, noting CCI is working on various tasks, including with the League of Women Voters and scheduling dates to attend other B/C meetings. Wenzl reported attending Parks and Recreation Commission (P&R) meeting, noting P&R is seeking clarification pertaining to Council's new Objective pertaining to P&R's review of a Veterans Memorial Park, to which Council collectively concurred a joint work session would be needed to discuss, i.e., funding and land donations. In response to earlier concerns heard under Citizen Communications, Wenzl reported the swim team does not require its members to get uniforms, noting the Aquatic Center's updated swimwear rules read: *"Regulation swim wear only. Street clothes, Brazil/French-cut, thong style and/or revealing swim wear, cut-off jeans, skirts, shorts, sport bras, leotards, leggings, compression shorts and compression shirts are prohibited. Underwear and undergarments are not allowed to be worn under swimsuits."* In addition, Wenzl reported on upcoming meetings she was planning to attend.

**12. City Manager's Report:**

VanderZanden reported on upcoming meetings and events as noted in the Council calendar. In addition, VanderZanden referenced the City Manager's Report to Council, which outlined various upcoming meetings and updates on department-related activities and projects, including Administrative Services; Community Development; Economic Development; Engineering/Public Works; Fire; Library; Light and Power; Parks and Recreation and Police.

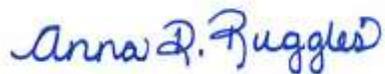
**13. Mayor's Report:**

Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported attending various town halls and attending the Governor's Tourism Conference, on behalf of the Washington County Visitors Association Board of Directors. Mayor Truax reported he plans to travel to Washington, D. C., on behalf of the Joint Policy Advisory Committee, on April 29 to May 2, 2019. In addition, Mayor Truax reported on various legislation and local, regional, Metro, and Washington County-related meetings he attended and upcoming community-related events and meetings he was planning to attend.

**14. ADJOURNMENT:**

Mayor Truax adjourned the regular Council meeting at 9:18 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder