



*A place where families and businesses thrive.*

**City Council Regular Meeting Minutes**

**Monday, October 28, 2019  
7:15 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.  
Council approved minutes as presented November 12, 2019.***

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

Mayor Peter Truax called the regular City Council meeting to order at 7:16 p.m. and led the Pledge of Allegiance.

**ROLL CALL: COUNCIL PRESENT:** Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph “Val” Valfre; Malynda Wenzl; and Mayor Peter Truax. **COUNCIL VACANCY:** 1.

**STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Gregory Robertson, Public Works Director; Keith Hormann, Light and Power Director; Eddie Littlefield, Light and Power Services Manager; James Reitz, Senior Planner; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

**2. CITIZEN COMMUNICATIONS:** None.

**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 Regular Meeting Minutes of October 14, 2019.
- B. Accept Community Forestry Commission Meeting Minutes of September 18, 2019.
- C. Accept Library Commission Meeting Minutes of September 10, 2019.
- D. Accept Parks and Recreation Commission Meeting Minutes of September 18, 2019.
- E. Accept Public Arts Commission Meeting Minutes of September 12, 2019.
- F. Accept Public Safety Advisory Commission Meeting Minutes of April 24 and July 24, 2019.
- G. Accept Sustainability Commission Meeting Minutes of May 23, July 25 and August 22, 2019.

- H. Accept Resignation on Planning Commission (Sebastian Lawler, Term Expiring December 31, 2021, Appointed 02/14).
- I. Endorse New Liquor License Application (Limited-On Premises Sales) for Bella Donna's Bistro & Patisserie (Applicant: Donna Gustafson).

**MOTION: Councilor Valfre moved, seconded by Councilor Rippe, to approve the Consent Agenda as presented. COUNCIL VACANCY: 1. MOTION CARRIED 6-0 by voice vote.**

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

5. **PRESENTATIONS:**

5. A. 2019 Watershed Timber Harvest Update

Robertson introduced Scott Ferguson and Barry Sims, Trout Mountain Forestry, Consultant, who presented a PowerPoint presentation highlighting the 2019 Watershed Timber Harvest-related activities, noting the 2019 timber harvest resulted in 1,727,000 MBF and total net revenue of \$896,641. Ferguson reported the Watershed Stewardship Management Plan states the harvest level should be in the range of 1.7 to 2.0 MBF per year, noting the average has been 1.78. In addition, Ferguson addressed various Council inquiries pertaining to the log market and projects, noting log prices were much lower than last year and maintenance projects included monitoring for noxious weeds, culvert inventory, Clear Creek fish survey, various road maintenance, and conducting an annual public tour.

5. B. Hawthorne Drainage and Forest Glen Park Slide Stabilization Projects

Robertson presented a PowerPoint presentation overview of the Hawthorne Drainage Improvements, consisting of construction improvements at Hawthorne Avenue between 22<sup>nd</sup> Avenue and 23<sup>rd</sup> Avenue, noting the original contract was \$752,000 and the estimated final contract is \$752,000. In addition, Robertson presented an overview of the Forest Glen Park Slope Stabilization Project, consisting of slide stabilization efforts at the upper Forest Glen Park and at three locations in the open space downstream, noting the original contract was \$568,000 and estimated final contract is \$556,000.

5. C. Energy Conservation Programs

Littlefield and Hormann presented a PowerPoint presentation overview on the status of Council's Objective 1.1, identified in Fiscal Year 2019-20, Implement Conservation Measures, which includes continuing Streetlight LED (light-emitting diode) Replacement Program (Year 2 of 4), noting the project is on budget and within expected timelines. Staff presented a map showing Phase 1-4 coverage area, noting Phase 1 was completed in early 2019 with the replacement of 590 luminaries; Phase 2 is on track to be completed within the next few weeks; and Phase 3 is pending budget approval in 2020. In addition, staff presented an overview on various 2018/19

Conservation Programs, noting total energy saved is estimated at 3,008,767 (kwh) and 1,236 tons of greenhouse gas reduction.

6. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-13  
AUTHORIZING TO RENAME A ROADWAY SEGMENT FROM 15TH AVENUE TO  
15TH PLACE; APPLICANT: CITY OF FOREST GROVE; FILE NO. 311-19-00024-  
PLNG**

**Staff Report:**

Reitz presented the above-proposed ordinance for first reading, noting the proposed ordinance is authorizing to rename a roadway segment, located between Crescent Drive and Larch Street, from 15<sup>th</sup> Avenue to 15<sup>th</sup> Place; File No. 311-19-00024-PLNG. Reitz presented a PowerPoint presentation overview showing a vicinity map and addresses affected by the proposed address reassignment, noting the roadway identified as 15<sup>th</sup> Avenue was created by the Sheelar Manor 1-3 recorded plats (starting in 1953 and extending into 1964) and when the adjacent University Park plat was recorded in 1963, the same street was identified as 15<sup>th</sup> Place. Reitz reported the entire street segment has been sign-posted as 15<sup>th</sup> Place, and the City's utility billing records indicate that most residents are currently using 15<sup>th</sup> Place addresses, noting the existing housing numbers would remain unchanged with the exception of one, which is an "island" parcel located at 1510 Crescent Drive, this parcel would be changed to an odd number 15<sup>th</sup> Place address concurrent with the street name change. Based on the Sheelar Manor 1 plat, the 1510 Crescent Drive parcel fronts 15<sup>th</sup> Avenue and it is completely surrounded by 15<sup>th</sup> Avenue/Place addresses, and the street sign located at the nearest intersection indicates that the street is 15<sup>th</sup> Place. In conclusion of the above-noted staff report, Reitz advised staff is recommending Council approve the proposed ordinance, as outlined in Exhibit A, and Exhibit B, and as outlined in Exhibit C, Planning Commission Findings and Decision No. 2019-12, noting the Planning Commission held its hearing on October 7, 2019, and approved renaming the roadway segment as 15<sup>th</sup> Place. In addition, Reitz advised staff is recommending Council approve a motion directing staff to change the address for the parcel located at 1510 Crescent Drive to a 15<sup>th</sup> Place address, noting the Commission made no recommendation regarding the address reassignment for 1510 Crescent Drive; however, the Commission acknowledged the desirability of a consistent addressing system while also acknowledging the inconveniences imposed on the property owner who is opposed to changing their address from 1510 Crescent Drive to a 15<sup>th</sup> Place address (Planning Commission Exhibit E).

**Questions of Staff:**

Reitz addressed various Council inquiries and concerns pertaining to code requirements when address reassignment occurs, imposing inconveniences and being empathetic of the costs to residences when an address change occurs, noting changing the official street name to match what is already established would be the least disruptive for property owners as most already identify with 15<sup>th</sup> Place

addresses. Reitz also referenced the vicinity map showing 1510 Crescent Drive as being completely surrounded by 15<sup>th</sup> Avenue/Place addresses, noting it is in the best interest of the City to correct a historic anomaly and ensuring that there is no confusion about the street name and that reassignment occur prior to the 2020 Census. In addition, Reitz reported Washington County Consolidated Communications and Washington County Cartography have noted emergency responders and mapping providers need to have a shared understanding of the official address for every property in order to prevent delays for emergency response and U. S. Postal Service, etc.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-13 for first reading.

VanderZanden read Ordinance No. 2019-13 by title for first reading.

**MOTION 1:** Councilor Wenzl moved, seconded by Councilor Thompson, to adopt Ordinance No. 2019-13 Authorizing to Rename a Roadway Segment from 15<sup>th</sup> Avenue to 15<sup>th</sup> Place; Applicant: City of Forest Grove; File No. 311-19-000024-PLNG.

**MOTION 2:** Councilor Wenzl moved, seconded by Councilor Valfre, to direct staff to proceed with the reassignment of 1510 Crescent Drive to a 15<sup>th</sup> Place address.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

Robert and Kristina McMahon, 1510 Crescent Drive, Forest Grove, submitted written testimony, dated October 23, 2019, opposing reassignment of their property to a 15<sup>th</sup> Place address due to an elderly hardship, noting they would like to be grandfathered and exempted from the proposed address change.

No other written testimony was received.

**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:**

**Public Hearing Continued:**

Hearing no further concerns from the Council, Mayor Truax continued the Public Hearing to the meeting of November 12, 2019.

**7. RESOLUTION NO. 2019-55 AUTHORIZING CITY MANAGER TO EXECUTE DEDICATION DEED FOR PUBLIC STREET RIGHT-OF-WAY IN GALES CREEK TERRACE DEVELOPMENT; FILE NO. 311-19-000026-PLNG**

**Staff Report:**

Riordan presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to execute a public street right-of-way dedication deed in Gales Creek Terrace Development; File No. 311-19-000026-PLNG. Riordan presented a PowerPoint Presentation overview showing a vicinity map of the future road dedication area, noting Gales Creek Terrace is a four-phase project and one street connects to Pacific Avenue in Phase 4. In conclusion of the above-noted staff report, Riordan advised staff is recommending Council adopt the attached resolution as outlined in Exhibit A, which also authorizes the City Recorder to record the deed after it is executed by the City Manager.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-55.

VanderZanden read Resolution No. 2019-55 by title.

**MOTION: Councilor Valfre moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-55 Authorizing City Manager to Execute Dedication Deed for Public Street Right-of-Way in Gales Creek Terrace; File No. 311-19-000026-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 Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.**

**8. RESOLUTION NO. 2019-56 OF THE CITY COUNCIL AUTHORIZING TO FILL A CITY COUNCIL VACANCY, TERM EXPIRING NOVEMBER 2022**

**Staff Report:**

Ruggles and VanderZanden presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing to fill a City Council

vacancy, term expiring November 2022. VanderZanden reported the Council was notified of the death of Council President Thomas (TJ) Johnston on October 14, 2019, who passed away from acute myeloid leukemia, noting City Charter § 31 declares a Council vacancy upon an incumbent's death. In addition, Ruggles and VanderZanden presented a PowerPoint presentation overview of the Council vacancy appointment process by the remaining Council members, pursuant to Charter § 32, and application requirements, pursuant to City Code § 30.40-30.42. In conclusion of the above-noted staff report, VanderZanden advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, Legal Notice; Exhibit B, Projected Dates and Procedures for Filling City Council Vacancy by Appointment; and Exhibit C, Proposed Interview Questions, noting candidate application packets will be due to the City Recorder by Friday, November 22, 2019, 5:00 p.m.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-56.

VanderZanden read Resolution No. 2019-56 by title.

**Council Discussion:**

Mayor Truax opened the floor and roundtable discussion ensued pertaining whether or not to prohibit as part of the candidate application packet letters of endorsements, letters of recommendation and references, which resulted in the following motion to amend.

**MOTION TO AMEND:** Councilor Uhing moved, seconded by Councilor Rippe, to amend Resolution No. 2019-56, Exhibit B, by adding language under Application Packets stating: **“Do not include any letters of endorsements, letters of recommendation or references.”**

Council collectively concurred with staff to reject candidate application packets if they contained letters of endorsements, letters of recommendation or references, and if they exceeded the following, which was outlined in Exhibit B:

- (1) Letter of Intent and Interest (limited to one page), including full name and residence address
- (2) A current resume (limited to two pages)
- (3) A written statement explaining the candidate's reason for wishing to be appointed to office (limited to two pages); and
  - Do not include any letters of endorsements, letters of recommendation or references.

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

**ROLL CALL VOTE MOTION TO AMEND:** AYES: Councilors Rippe, Thompson,

**Uhing, Valfre, Wenzl, and Mayor Truax. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.**

In addition, Council collectively concurred to amend Exhibit C, Proposed Interview Questions, to replace existing Question 5 with new a Question 4 (renumbering questions accordingly): *“Please elaborate on one of the goals you just mentioned and what you would do to help achieve it.”*

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

**MOTION AS AMEND: Councilor Wenzl moved, seconded by Councilor Valfre, to adopt Resolution No. 2019-56 of the City Council Authorizing to Fill a City Council Vacancy, Term Expiring November 2022, as amended.**

**Council Discussion:**

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

**ROLL CALL VOTE MOTION AS AMENDED: AYES: Councilors Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.**

**9. CITY COUNCIL COMMUNICATIONS:**

Rippe reported on Public Safety Advisory Commission (PSAC) meeting, noting Jayne Cravens, Chair, submitted her resignation. Rippe reported PSAC also reviewed the 2020 citizen survey questionnaire. Rippe reported the Nyuzen Student Delegation Visit is occurring October 26-30 and their Welcome Dinner is October 29, 2019, 6:00 p.m. In addition, Rippe reported on other regional meetings he attended, upcoming community-related events and upcoming meetings he was planning to attend.

Thompson reported on Ride Connection-related activities. In addition, Thompson reported on upcoming meetings he was planning to attend.

Uhing reported on Sustainability Commission (SC) meeting, noting Jacob Rose submitted his resignation. Uhing reported Committee for Community Involvement is planning to attend the November Sustainability Commission meeting to discuss plans for next summit. In addition, Uhing reported on other community-related activities and upcoming meetings she was planning to attend.

Valfre reported on Library Commission (LC) meeting, noting the Library celebrated its 110<sup>th</sup> Anniversary. In addition, Valfre reported on other community-related activities, other regional meetings he attended and upcoming meetings he was planning to attend.

Wenzl reported on Committee for Community Involvement meeting, noting the Annual Town Meeting's educational topic will be on the Police Station Bond. Wenzl reported on Parks and Recreation Commission (P&R) meeting, noting P&R is updating their bylaws. In addition, Wenzl reported on other community-related activities and upcoming meetings she was planning to attend.

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

VanderZanden reported on upcoming meetings and events as noted in the Council calendar. VanderZanden reported the City has hired a consultant to do a Communications Plan, noting the scope includes a review of Boards and Commissions communications and recommended guidelines. A draft plan is expected to be completed prior to the end of the year. 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.

**11. MAYOR'S REPORT:**

Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax provided a recapped of his trip to Washington, D. C. Council collectively commended Mayor Truax who was honored to speak at Council President Johnston's funeral, which was held this morning at Verboort Visitation Church. In addition, Mayor Truax reported on various local, regional, Metro, and Washington County-related matters of interest and meetings he attended, upcoming community-related events, and upcoming meetings and events he was planning to attend.

**12. ADJOURNMENT:**

Mayor Truax adjourned the regular Council meeting at 9:43 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder