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Monday, January 11, 2021

City Council Regular Meeting Minutes

7:00 p.m., Webex Community Auditorium

***Minutes are unofficial until approved by Council.
Council approved minutes as presented January 25, 2021.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:01 p.m. via Webex Video Conference.

COVID-19: Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the City Council limited in-person contact and social distancing. **The City Council conducted the Council meeting remotely by video conferencing.** The meeting was televised live by Tualatin Valley Community Television (TVCTV) Government Access Programming LIVE Channel 30. The public was allowed to attend and observe in the Community Auditorium as space allowed. The Council accepted written comments on items not on the agenda submitted by 3:00 p.m. the day of the meeting.

ROLL CALL: COUNCIL PRESENT ATTENDED BY WEBEX REMOTELY: Donna Gustafson; Kristy Kottkey; Timothy Rippe; Elena Uhing; Mariana Valenzuela; Malynda Wenzl, Council President; and Mayor Peter Truax.

STAFF PRESENT ATTENDED BY WEBEX REMOTELY: Jesse VanderZanden, City Manager; Ashley Driscoll, City Attorney; Paul Downey, Administrative Services Director; Tom Gamble, Parks and Recreation Director; Keith Hormann, Light and Power Director; Michael Kinkade, Fire Chief; Bryan Pohl, Community Development Director; Colleen Winters, Library Director; Dan Riordan, Senior Planner; Anna Ruggles, City Recorder (in the Community Auditorium).

1. A. EMPLOYEE RETIREMENT RECOGNITIONS:

Mayor Truax, on behalf of the Council, presented a Certificate of Retirement and plaque honoring **Thomas Gamble, Parks and Recreation (P&R) Director**, for his exceptional employment, noting Gamble is retiring January 29, 2021. Gamble was honored for his pivotal role in the development of parks and recreations and serving the City earnestly, wisely, and with unparalleled dedication for nearly 50 years. Paul Waterstreet, P&R Chair, was present and expressed the P&R Commission's appreciation to Gamble.

Mayor Truax, on behalf of the Council, presented a Certificate of Retirement and plaque honoring **Michael Kinkade, Fire Chief**, for his exceptional employment, noting Kinkade is retiring January 14, 2021. Kinkade was honored for his exemplary service as the Fire Chief of the City and Forest Grove Rural Fire Protection District and for assuming the additional responsibility through intergovernmental agreements as Fire Chief for the City of Cornelius and City of Gaston and serving earnestly, wisely, and with unparalleled dedication for nearly 12 years.

2. CITIZEN COMMUNICATIONS:

The following written e-mail correspondence was received by 3:00 p.m. and was distributed to Council in the Council Packet. An addendum was added to the Council Packet as outlined below.

Name:	Subject:	Date:
1. Leah Meeuwsen	COVID Shutdown	12/28/2020
2. Eric Canon	Affordable Housing	01/02/2021
ADDENDUM:		
3. Hope Kramer	Officer Teets	01/08/2021
4. Katherine Gardiner	Forest Glen Park Mural	01/08/2021
5. Janie Schutz	Notice of Caution	01/10/2021

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 November 9, 2020.
- B. Approve City Council Work Session (Council Rules) Meeting Minutes of November 23, 2020.
- C. Approve City Council Work Session (Diversity, Equity and Inclusion (DEI) Plan) Meeting Minutes of December 14, 2020.
- D. Approve City Council Regular Meeting Minutes of December 14, 2020.
- E. Accept Library Commission Meeting Minutes of November 18, 2020.
- F. Accept Public Arts Commission Meeting Minutes of November 19, 2020.
- G. Community Development Department Monthly Building Activity Informational Report for December 2020.
- H. Endorse New Liquor License Application (Limited On-Premises Sales) for Zesti Food Carts, located at 2131 Yew Street (Applicant: International Tales, Inc., Kourosh Poumaderi).
- I. **RESOLUTION NO. 2021-01 DESIGNATING FOREST GROVE CITY**

COUNCIL MEETINGS FOR 2021.

- J. **RESOLUTION NO. 2021-02 AMENDING CITY OF FOREST GROVE'S DECLARATION OF STATE OF EMERGENCY, EFFECTIVE MARCH 14, 2020, AT 1:00 P.M., TO BE EXTENDED AND REMAIN IN EFFECT UNTIL 8:00 P.M. ON JANUARY 25, 2021, UNLESS SUPERSEDED SOONER; AMENDING RESOLUTION NO. 2020-113.**
- K. **RESOLUTION NO. 2021-04 APPROVING INTERGOVERNMENTAL (IGA) AGREEMENT WITH TUALATIN VALLEY FIRE AND RESCUE (TVF&R) TO PROVIDE INTERIM FIRE CHIEF SERVICES.**

MOTION: Council President Wenzl moved, seconded by Councilor Uhing, to approve the Consent Agenda as presented. **VOICE VOTE:** AYES: Councilors Gustafson, Kottkey, Rippe, Uhing, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSTAINED: None. **MOTION CARRIED 7-0.**

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

5. **PRESENTATIONS:** None.

6. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2020-06 ANNEXING 37.7 +/- ACRES OF LAND INTO THE CITY LIMITS OF FOREST GROVE AND CLEAN WATER SERVICES DISTRICT AND WITHDRAWING THE TRACT FROM THE FOREST GROVE RURAL FIRE PROTECTION DISTRICT; WASHINGTON COUNTY TAX LOT 1N4250000600; FILE NO. 311-20-000167-PLNG**

The first reading of Ordinance No. 2020-06 by title occurred at the Council meeting of December 14, 2020.

Public Hearing Continued:

Mayor Truax continued the Public Hearing and explained the quasi-judicial hearing procedures (script read).

Written Testimony Received:

No written testimony was received.

Staff Report:

Riordan presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Proponents:

Mimi Doukas, AKS Engineering & Forestry, LLC, Tualatin, OR, representing the applicant/property owner, reported the applicant had nothing further to report.

No one else 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 further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the Council meeting of December 14, 2020.

VanderZanden read Ordinance No. 2020-06 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Uhing, Valenzuela, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

**7. ELECTION OF CITY COUNCIL PRESIDENT; RESOLUTION NO. 2021-03
ELECTING CITY COUNCIL PRESIDENT**

Staff Report:

Mayor Truax reported pursuant to City Charter Chapter 3, §9 and Council Rules of Procedure §4.2, the Council must elect a Council President from its membership at the first meeting of each year. The Charter and Council Rules further state the Council President presides in the absence of the Mayor and acts as Mayor when the Mayor is unable to perform mayoral duties. As outlined in the staff report, Mayor Truax read the script and opened the nominations, noting a nomination does not require a second.

Nominations from the floor: Uhing nominated Rippe. Kottkey nominated Wenzl.

Due to the virtual meeting, Councilmembers who wished to vote wrote the name of whom they were voting for on a piece of paper and when prompted by Mayor Truax, displayed their votes on the virtual screen. Ruggles tallied each Councilmembers' votes as follows:

<i>Councilor Nominees:</i>	Gustafson	Kottkey	Rippe	Uhing	Valenzuela	Wenzl	Mayor Truax	TOTAL VOTES
<i>Timothy Rippe</i>			1	1				2
<i>Malynda Wenzl</i>	1	1			1	1	1	5

Upon tallying the ballots, Ruggles announced the top nominee. Mayor Truax asked for a motion to consider approving the above-noted resolution electing Wenzl as Council President.

MOTION: Councilor Kottkey moved, seconded by Councilor Rippe, to approve Resolution No. 2021-03 Electing Malynda Wenzl as Council President.

Council Discussion:

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

VOICE VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: Councilor Uhing. MOTION CARRIED 6-1.

8. A. COUNCIL COMMUNICATIONS:

Uhing voiced concerns pertaining to the proper use of Council Rules, decorum and Roberts Rules of Order. Uhing stated based on her observation of the December 14 Council meeting, she felt that a councilor used their title and position to put a motion forward to remove and not appoint an applicant on the city's advisory boards/commissions because of a letter the applicant sent to Council.

Council President Wenzl questioned Uhing's comments about what occurred. Wenzl stated the discussion occurred before the Council approved making all the boards/commissions appointments and no one was removed and all applicants were appointed. Wenzl noted it was a good discussion about the appropriateness of how people engage on boards/commissions. Wenzl affirmed she abstained from the discussion and vote.

Valenzuela questioned Uhing comments about what occurred. Valenzuela stated the letter was sent immediately after the Council deliberated in work session on November 23, which is why she voiced concerns at the December 14 meeting about the applicant's ability to work well with others. Valenzuela voiced the importance of being able to learn as a new councilor in a respectful manner. Valenzuela had nothing more to report to Council.

Rippe reported attending Forest Grove Rural Fire Protection District virtual meeting for the first time, noting the board reviewed their audit report and the auditor found no issues. Fire Chief Kinkade gave his last report and was thanked for his service by the board. Rippe reported attending Economic Development Commission (EDC) virtual meeting. Rippe reported Columbia Pacific Economic Development District Board, a non-profit, is seeking an Alternate to represent Western Washington County, noting he is considering applying if no one else applies, to which Uhing spoke about her experience serving on the board, noting the board does not have much involvement

with Western Washington County. In addition, Rippe reported the City of Cornelius signed the Memorandum of Understanding between Forest Grove, Cornelius and Chamber of Commerce for the Sister Cities relations. Rippe stated in 2018, the Council approved an objective to look into the possibility of a Veterans' Park, which was referred to Parks and Recreation (P&R) Commission, noting at that time, the P&R approved to support the concept but no further action was taken. Recently, a group of people, including himself and Kottkey as private citizens, have gotten together to talk about honoring veterans and today, the group sent out a short private survey to get input and information over a period of six months from as many residents and organizations as possible.

Gustafson had nothing to report.

Kottkey echoed Valenzuela's comments, noting the Council discussed Council Rules in an earlier work session and is continuing its discussions. Kottkey voiced the importance of being able to share concerns and information with one another in a respectful manner. In addition, Kottkey presented a PowerPoint highlighting various virtual meetings that she attended and updates on her neighborhood Focus Group Meeting #4, which was shared with Council.

Council President Wenzl commented on the P&R's discussion and support regarding the Veterans' Park, noting she is excited to see a private group get involved. Wenzl reported on various P&R-related activities, noting Anna and Abby's Yard at Rogers Parks is now open. Wenzl reported attending Committee for Community Involvement meeting, noting the new appointees attend. Wenzl recapped the 2021 Annual Town Meeting (ATM) plan, noting the ATM will be an online platform webinar via Zoom on January 30, 2021, and registration is required to attend with full interactive capabilities at: <http://bit.ly/2021townhallmeeting>.

8. B. City Manager's Report:

VanderZanden referenced the City Manager's Report, dated January 11, 2021, which was included in the Council Packet. VanderZanden announced the plan is to begin using Zoom at the Council meeting on January 25, 2021. Training will be provided to staff and the Council. In addition, VanderZanden reported on various upcoming meetings and updates on department-related activities and projects.

8. C. MAYOR'S REPORT:

Mayor Truax provided an update on Washington County Mayors' meeting, noting he asked a representative from the State Office of Economic Analysis (OEA) if they could schedule a regular presentation with the Forest Grove/Cornelius Chamber of Commerce as they do with the Hillsboro Chamber, to which they seemed agreeable. Mayor Truax provided a brief update on Washington Coordinating Council meeting, noting discussion focused on regional transit service. Mayor Truax thanked Uhing,

Valenzuela and Council President Wenzl for their earlier comments and concerns. Mayor Truax referenced the December 14 Council meeting minutes, which were approved under the consent agenda earlier, noting the motion to not appoint the applicant failed and the applicant was appointed. In response to Uhing's inquiry pertaining to why the Council is no longer reciting the Pledge of Allegiance as the first item on the agenda for each council meeting, Mayor Truax advised it is very difficult reciting the pledge properly because of the awkwardness of holding virtual meetings and the setting. Mayor Truax recalled the Council never recited the pledge until September 11, 2001.

9. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 8:28 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder