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City Council Regular Meeting Minutes

Monday, February 27, 2023
Community Auditorium and Zoom

Minutes are unofficial until approved by City Council.
City Council approved minutes as presented May 22, 2023.

A. Call to Order / Pledge of Allegiance / Land Acknowledgement Statement

Mayor Wenzl called the regular City Council meeting to order at 7:00 pm. via in-person and Zoom Webinar Video Conference. The meeting was held in a “hybrid” format allowing the public to attend both virtually and in-person in the Community Auditorium. Members of the public could observe the meeting **LIVE** on **Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming.

1. **ROLL CALL: COUNCIL PRESENT:** Donna Gustafson, Council President (via Zoom); Michael Marshall; Karen Martinez; Timothy Rippe; Elena Uhing (via Zoom); Mariana Valenzuela; and Malynda Wenzl, Mayor. **COUNCIL ABSENT:** None.
2. **STAFF PRESENT:** Paul Downey, Assistant City Manager/Finance Director; Ashley Driscoll, City Attorney; and Jaime Zaik, Executive Assistant, Acting City Recorder.

B. Public Comment:

1. CC02-27-2023 Written Public Comments received by 3:00 pm on the day of the meeting were published in the Council Packet.

In-person Testimony:

1. Sherry Russell, Cornelius, presented invitations to attend the American Legion Auxiliary ribbon-cutting for their Rock Kindness House.
2. Jim Hilsenkopf, Forest Grove, reported speaking with Commissioner Willey about Washington County's prospect of placing a homeless pod at the end of Elm Street at Highway 47 and explained why the location is a poor choice.
3. George Cushing, Forest Grove, stated Elm Street and Highway 47 seems like a wrong location for people who need support, because it is a long way to trudge up and down for services.
4. Linda Souba, Forest Grove, agreed Elm Street and Highway 47 is not a good spot because it is a long walk to Plaid Pantry and Safeway for food, adding the City needs to protect the children who play at city parks when considering a camp location.

5. Terri Erskin, Forest Grove, spoke of a recent Facebook post from a woman who had lived in a homeless camp, which made her realize the difficulties of living in one, such as no heat. Erskin added there are many homes registered as historic homes on Elm Street, which would likely have property values go down with a homeless camp or shelter nearby.

No testimony was heard via Zoom.

C. Consent Agenda:

1. Approve City Council Work Session (Affordable Housing Incentives) Meeting Minutes of November 14, 2022.
2. Approve City Council Regular Meeting Minutes of November 14, 2022.
3. Accept Community Forestry Commission (CFC) Minutes of January 18, 2023.
4. Accept Parks and Recreation Commission (P&R) Meeting Minutes of January 18, 2023.
5. Accept Public Arts Commission Meeting (PAC) Minutes of January 19, 2023.
6. Accept Sustainability Commission (SC) Meeting Minutes of January 26, 2023.
7. Endorse New Liquor License Application (Full On-Premises Sales) for Discovery Brewers Workshop, LLC, 1921 21st Avenue.
8. Endorse Liquor License Renewal Applications for Year 2023.

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

D. Additions/Deletions:

1. City Manager – none.
2. Proposed by Councilors – none.

E. Presentations:

1. Sustainability Commission Update

Gregory Arrigotti, Sustainability Commission (SC) Chair, presented the SC's work plan update, noting SC is seeking Council's feedback on potential directions. The SC's work plan addresses food security, community resilience, improving communications for community initiatives, promoting and expanding electric vehicle program incentives, and recycling of Styrofoam initiatives. Arrigotti addressed several questions from Council regarding food

security plans, EV charger access with parking in new developments, and the City keeping up with smart city changes going forward.

Tonya Johnson, SC member, presented a PowerPoint presentation overview on the S/C's research pertaining to the City's burn plan options, including neighboring municipalities' burn policies, potential challenges if the City imposes a full ban, benefits if the City imposes a full ban, and solutions for community members negatively impacted by a full ban. Johnson reported the SC came up with two options for consideration: 1) The Council votes and then writes the ordinances implementing the ban and any such supporting activities (enforcement, subsidies to citizens) that Council sees fit, and 2) Present the ban to voters in the form of a ballot measure. This avoids any potential political "backlash", but also runs the risk of having the ban rejected. If the Council determines to implement the rotational plan rather than a ban, referral to the voters would be unnecessary. Input from Forest Grove Fire Department regarding the two alternatives suggested that neither would be an effective option and communication for either proposed alternative would be challenging.

Johnson addressed questions from Council, clarifying there is no reason standing out for an outright ban right now, noting the SC is only considering yard debris and not recreational burning, and that the City has no control over the unincorporated areas that can burn fields and debris basically year-round.

Councilor Rippe stated without any supporting evidence and without a compelling public outcry, he does not know if this is the time to implement a burn ban.

Council President Gustafson agreed with Councilor Rippe.

2. Forest Grove Foundation Update

Shawn Cardwell, Forest Grove Foundation Executive Director, presented a PowerPoint presentation and reported on the Community Impact Grant (CIG) that the foundation received, which was received about two and half years ago and was for three years and ends June 30, 2023. Cardwell gave an update on the Essential Services Hub and highlights included a closer look at current year July 2022 to June 2023 funding, how their team is growing, development and utilization of their services hub, and their search for and vetting of sites for a pod village. Cardwell noted potential sites do not include Elm Street and Highway 47, adding the plans for a pod village include a concept for a temporary one which will eventually be a park. Cardwell addressed several questions from Council regarding the Foundation's services and individuals who have secured permanent housing.

F. Public Hearings, Ordinances, and Resolutions:

1. RESOLUTION 2023-05 ESTABLISHING A CITY COUNCIL BOARDS AND COMMISSIONS SUBCOMMITTEE AND ASSIGNING A PURPOSE AND SCOPE

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the resolution is establishing a Council subcommittee to conduct a comprehensive review of City Boards and Commissions (B/C) with the purpose of increasing the City's capacity to address current issues and to assure more effective and purposeful use of volunteer, staff and Council resources. The Council arrived at a consensus during work sessions held on January 23 and February 13 as to the scope, which was outlined in Exhibit A. At the last work session, Council arrived at the consensus to confirm Councilors Rippe, Martinez, and Gustafson as the members of the Council Subcommittee, and to start the review process immediately, and to bring the results back to the main Council for consideration by July. The recommendations are tentatively scheduled for a Council work session on July 10, 2023.

Before proceeding with Council discussion, Mayor Wenzl asked for a motion to adopt Resolution No. 2023-05.

MOTION: Councilor Valenzuela moved, seconded by Councilor Uhing, to adopt Resolution No. 2023-05 Establishing a City Council Boards and Commissions Subcommittee and Assigning a Purpose and Scope.

Downey read Resolution No. 2023-05 by title.

Council Discussion:

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

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

2. RESOLUTION NO. 2023-06 ESTABLISHING A CHARTER REVIEW PROCESS AND CHARTER REVIEW COMMITTEE

Staff Report:

Downey and Driscoll presented the above-proposed resolution, noting the resolution is forming the Charter Review Committee and establishes expectations as outlined in Exhibit A. The Charter Review Committee shall consist of eleven (11) voting members who shall be appointed by the Council. At least two (2) members shall reside in each of the four quadrants of the City of Forest Grove (northeast, northwest, southeast, and southwest; using TV Highway and Main Street to delineate the boundaries). The remaining three (3) members shall be at large. If Council approves the proposed resolution, Staff will immediately advertise and recruit for members. Depending on the number of applicants, a work session will be held

April 10, 2023, to conduct interviews. Council will then appoint the members by resolution and the work of the committee can begin with the intent of making recommendations 9 to 12 months after appointment. In conclusion of the above-noted staff report, Downey advised the City has budgeted for this effort, including City Attorney's time in the FY 2022-2023 budget.

Before proceeding with Council discussion, Mayor Wenzl asked for a motion to adopt Resolution No. 2023-06.

MOTION: Councilor Uhing moved, seconded by Councilor Valenzuela, to adopt Resolution No. 2023-06 Establishing a Charter Review Process and Charter Review Committee.

Downey read Resolution No. 2023-06 by title.

Rippe made a motion to amend as noted below.

MOTION TO AMEND: Councilor Rippe moved, seconded by Councilor Uhing, to amend Resolution No. 2023-06, Exhibit A, to read: The ~~Mayor~~ City Council will appoint a member from among the confirmed members to serve as Chair of the Committee.

Mayor Wenzl asked for a roll call vote on the motion to amend.

ROLL CALL VOTE ON MOTION TO AMEND: AYES: Councilors Gustafson, Rippe, Martinez, Marshall, Valenzuela, Uhing, and Mayor Wenzl. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

Council Discussion:

Hearing no further discussion from the Council, Mayor Wenzl asked for a roll call vote on the motion to adopt Resolution No. 2023-06 as amended.

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

3. RESOLUTION NO. 2023-07 OF THE FOREST GROVE CITY COUNCIL ADOPTING THE 2023 CITY COUNCIL GOALS AND OBJECTIVES

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting Exhibit A includes the refinements from the February 13, 2023, work session, which added Objective 4 regarding state legislation for housing and homelessness, amended Objective 5 to include operationalizing the DEI plan, amended Objective 7 to clarify intent and scope of Main Street

program, amended Objective 8 to emphasize outreach to all commercial businesses, added Objective 10 regarding mobility and transit options, added Objective 11 regarding a policy for Urban Renewal Agency (URA) property purchases, and added Objective 17 regarding drone usage within the city limits.

Before proceeding with Council discussion, Mayor Wenzl asked for a motion to adopt Resolution No. 2023-07.

MOTION: Councilor Uhing moved, seconded by Councilor Martinez, to approve Resolution No. 2023-07 Adopting the 2023 City Council Goals and Objectives

Downey read Resolution No. 2023-07 by title.

Council Discussion:

Councilor Rippe commended Sara Wilson, SSW Consulting, for expertise in facilitating the Council retreat sessions and assisting Council and Department Directors in setting Council goals and objectives.

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

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

G. Council Communications

1. Councilor Reports:

Council President Gustafson reported she has a Committee for Community Involvement (CCI) meeting tomorrow, will attend a ribbon-cutting on Wednesday at Safeway, and had a Downtown Task Force meeting recently where Downey spoke about funding for the Main Street program. Downey clarified the purpose of the task force is only to recommend to staff whether a Main Street program gets recommended to Council, clarifying the task force reports directly to Staff. Downey further clarified Staff has done the interviews and is working on finalizing the process for hiring a new Economic Development Coordinator.

Rippe had no meetings. Rippe reported the next Community Forestry Commission (CFC) meeting is March 15, 2023. Rippe reminded Councilors that there is only one Council meeting in March on March 20, 2023.

Martinez reported attending the Community Policing Advisory Commission (CPAC) meeting. Martinez proposed sending a letter to Washington County on behalf of Council concerning

the Highway 47 encampment, noting she is referring to the site on Washington County property. Downey clarified the property is located outside of the City's Urban Growth Boundary. Mayor Wenzl explained any Councilor or citizen can send a letter to the County at any time. Mayor Wenzl referenced Council Rules, noting an individual Councilor drafts the letter and submits the letter to staff and then it is added to the agenda for Council's consideration, i.e., motion and vote. Driscoll expanded on ways Council can go about sending a letter as a body.

Valenzuela voiced concerns, noting she would not be a part of the letter. Mayor Wenzl pointed out the letter could still be sent with a majority vote of Council, but Valenzuela could send a letter in her personal capacity saying her voice is not part of the letter from her Council colleagues.

Mayor Wenzl clarified the County will have its Time, Place, and Manner in place in the spring, noting she is not in favor of writing a letter about the property.

MOTION: Councilor Uhing moved, seconded by Councilor Marshall, to add to a future agenda a letter for Council's consideration addressed to the County regarding the encampment on Highway 47. It was clarified Martinez should draft the letter and Staff can assist if needed.

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

ROLL CALL VOTE: AYES: Councilors Rippe, Martinez, Marshall, and Uhing. NOES: Councilors Gustafson, Valenzuela, and Mayor Wenzl. ABSENT: None. MOTION CARRIED 4-3.

Marshall reported the Urban Renewal Advisory Committee (URAC) meeting was canceled and he has no other meetings until mid-March.

Valenzuela reported Parks and Recreation Commission (P&R) is inviting Community Forestry Commission (CFC) to visit in April to have a conversation about the possibility of merging commissions.

Mayor Wenzl apologized to Council President Gustafson for skipping over her in her intention to move the meeting on and gave her the opportunity to make a comment, to which Gustafson declined because Council had already moved on to the next Councilor.

Uhing reported the Homeless Policy Advisory Council and Supportive Housing Services met last week. The Oregon Housing Stability Council will meet on March 3, 2023, via Zoom regarding issues like affordable housing. Washington County has a new group called Center

for Addiction Triage and Treatment which she is excited to see. Historic Landmarks Board (HLB) will meet tomorrow and is working on their work plan and new laws going into effect regarding development. Uhing commended Keith Hormann, Light and Power Director, and his team for putting in the newsletter the different rebates being provided for energy conservation and stability.

2. City Manager's Report

Downey reported the Development Services Annex (DSA) and City Hall remodel projects are on target date for completion. Staff should finish moving in by the end of April. The B Street encampment cleanup has happened. The encampment is currently closed. [The City](#) is partnering with Washington County to try to handle a rat infestation there. Downey reported he sent emails to each Councilors to set up a time to be interviewed for the City's newsletter, noting the Mayor was recently interviewed.

3. Mayor's Report

Mayor Wenzl reported on the Public Arts Commission (PAC) and Sister City meetings, her first Metropolitan Mayors Consortium, and Washington County's budget town hall meeting. She attended the League of Oregon Cities (LOC) legislative update and encouraged the Councilors to use LOC as a resource. The Oregon Mayors Association that works with LOC has a proposal to address homelessness in cities. Another huge legislative proposal is the Semiconductor Task Force, which she feels is important for Forest Grove. Wenzl met with Dr. Jenny Coyle, Pacific University President, and talked about ways to collaborate. Wenzl thanked those who attended the Chamber-sponsored State of the City address today. The Forest Grove/Cornelius Chamber of Commerce has its annual yearly fundraiser April 15th. In conclusion, Mayor Wenzl noted Forest Grove High School is offering a career expo day and would like a panel from the Council to participate for which she provided details.

H. Adjournment

Mayor Wenzl adjourned the regular Council meeting at 9:23 pm.