



A place where families and businesses thrive.

City Council Regular Meeting Minutes

Monday, June 12, 2023
Zoom Community Auditorium

*Minutes are unofficial until approved by City Council.
City Council approved minutes as presented September 25, 2023*

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

Mayor Malynda Wenzl called the regular City Council meeting to order at 7:00 p.m. 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; Michael Marshall; Karen Martinez; Timothy Rippe; Elena Uhing (via Zoom); Mariana Valenzuela; and Malynda Wenzl, Mayor; **COUNCIL ABSENT:** None.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Henry Reimann, Police Chief; Paul Downey, Assistant City Manager/Finance Director; Parks and Recreation Director Anne Lane; Ashley Driscoll, City Attorney (via Zoom); and Anna Ruggles, City Recorder.
3. **Pledge of Allegiance**
4. **Proclamation: Juneteenth – June 19, 2023**
- **Proclamación: 19 de junio ~ 19 de junio de 2023**
Mayor Wenzl read the proclamation declaring June 19, 2023, Juneteenth.
Councilor Valenzuela read the proclamation in Spanish.
5. **Proclamation: Pride Month – June 2023**
- **Proclamación: Mes del Orgullo ~ Junio 2023**
Council President Gustafson read the proclamation declaring June 2023 Pride Month.
Councilor Valenzuela read the proclamation in Spanish.
6. **Proclamation: Gun Violence Awareness Month – June 2023**
- **Proclamación: Mes de concientización sobre la violencia armada**
Mayor Wenzl read the proclamation declaring June 2023 Gun Violence Awareness Month.

Councilor Valenzuela read the proclamation in Spanish.

B. Public Comment:

1. CC06-12-2023 Public Comments received by 3:00 p.m. on the day of the meeting were published in the Council Packet.

In-person Testimony:

1. Allan Hale, Forest Grove, stated a proclamation by Council should be reflective of the entire community, and they did not believe Proclamations 5 and 6 were inclusive of everyone's views.
2. Carol Alley spoke against Proclamation 5, citing personal experience with friends who have been hurt by the lifestyle promoted in the proclamation. They also believed June should celebrate all life.
3. Frank Kurpiel, apartment building owner at 2622 Main Street, spoke about his frustrations with getting the City to make improvements to the alley on his property while his taxes and fees continue to increase.

Zoom Testimony: None.

C. Consent Agenda:

1. Approve City Council Executive Session (City Manager Performance Evaluation Template) Meeting Minutes of February 27, 2023
2. Approved with amendments City Council Meeting Minutes of March 20, 2023
3. Endorse Liquor License Change of Application for PAC THAI (Limited On-Premises Sales)
4. Endorse Liquor License Renewal Application for 2023 for KAMA AINA (Full On-Premises Sales)

Councilor Rippe asked to remove Item C.2 from the Consent Agenda.

MOTION: Council President Gustafson, seconded by Councilor Valenzuela, to approve the Consent Agenda, removing Item C.2. **VOICE VOTE:** AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Uhing, Valenzuela, and Mayor Wenzl. NOES: None. **ABSENT:** None. **MOTION CARRIED 7-0.**

Councilor Rippe removed Consent Agenda Item 2 above, noting a correction to his comments under Item G Council Communications on Page 9 of 13 of the March 20, 2023 meeting minutes where he reported Arbor Day was at Thatcher Park. The record should be corrected to reflect it was at Talisman Park.

MOTION: Councilor Rippe, seconded by Councilor Martinez, to approve Item C.2, as amended. **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: None

F. Public Hearings, Ordinances, and Resolutions

1. **PUBLIC HEARING AND FIRST READING ORDINANCE NO. 2023-04 AMENDING FOREST GROVE CODE OF ORDINANCES TITLE IX (GENERAL REGULATIONS) BY ADDING CODE CHAPTER 94, REGULATION OF CAMPS AND CAMPING ON PUBLIC PROPERTY; AND REPEALING § 92.15, CAMPING**

VanderZanden and Police Chief Reimann presented the Staff Report, recapping the four work sessions on time, place, and manner. Since the last workshop, Staff noticed a provision against consumption of intoxicants on City property in the draft proposal from the City of Beaverton. If Council wished to include this provision, steps to adopt it were included in the packet.

Staff responded to Council questions and concerns as follows:

- Shelter availability was defined in Section 94.05 of the Ordinance, and a reasonable time, place, and manner regulation could include the application of drug and alcohol rules pertaining to public property. The provision against use of intoxicants would not pertain just to a potential designated camping area, but to all City property. Currently, the consumption of alcohol and tobacco is prohibited on all City properties. This would expand that to include illegal substances but exclude prescription medications.
- If Council wished, the Ordinance could include clarifying language regarding the use of prescriptions.
- If Council designated an area for overnight camping, Council could expand the definition of weapons, including a broader definition such as any object used to inflict bodily harm. Council would need to decide if it wanted to broaden the definition for that designated camping area during designated camping times or if it were to be implemented on all City property.
- Item C.7 of the Manner section prohibited “items presenting a danger to others” in any camp, whether within the City designated camping area or not. The language was purposely broad to allow enforcing officers to determine if an item was presenting a danger to others.

- Law enforcement would be mandated by State law to take persons with outstanding warrants into custody.
- Law enforcement, city managers, and Washington County Housing were working to develop resources to have knowledge of real-time shelter availability in nearby cities. The Ordinance defined availability, but a real-time system needed to be set up to make on-the-ground determinations.
- Regarding Supportive Housing Services (SHS) grant funds, Staff could check with the County on whether they could be used for a staff person to be present at the camp site from 7 am to 7 pm. The County currently had contracts for outreach, mental health, addiction recovery, and housing case management. Staff would have a meeting with the County soon and could pose that question.
- One camping site was better not only for enforcement, but also for outreach for needed services. Court cases indicated a municipality could not do time, place, and manner regulations to the extent that camping was now criminalized. Prohibitions in residential neighborhoods and other areas would be compliant with court cases by allowing camping in designated zones.
- The Ordinance only addressed homeless people who were camping in Forest Grove, not those sleeping in cars or RVs, which would need to be addressed by Council.
- Under the two court cases and House Bill (HB) 3115, the City had to have some place for individuals with no place else to go to be able to sleep within reason within the City. An outright ban of all outdoor sleeping at all times and in all places in the City would be in violation of the House Bill and two court cases.

Mayor Wenzl opened the Public Hearing, explained hearing procedures, and called for public comment.

1. Dale Thaler, Forest Grove, spoke against the County's Elm Street plan, which would have temporary pod housing for about 18 months and then permanent low/no-income apartments and believed most would opt to use the County's property, which would allow up to five days of camping, rather than the City-designated lot. They believed the City's plan was one of the better choices to deal with the State mandates.
2. John Larsen, Forest Grove, opposed the Ordinance, citing the City's image while allowing homeless camping downtown and believing the Ordinance was unworkable.
3. Susan Nipp, Forest Grove, opposed the Ordinance, concerned about RVs parking on her street and increases in property taxes.
4. Allan Hale, Forest Grove, believed precedent had been set to not always enforce or obey State and Federal laws, citing Forest Grove's Sanctuary City status regarding immigration and the State's legalization of marijuana. They also questioned the City's ability to enforce the Ordinance and urged residents to exercise their right to free speech to oppose the laws.

5. Charlotte Gaither, Forest Grove, opposed camping, citing concerns for protecting families and noted environmental concerns for the wetlands.
6. Daniel Hyatt, Forest Grove, urged Council to adopt the provision banning intoxicants on public property. They believed availability should not depend on personal choices such as having pets or wanting to use intoxicants and that the City would not be able to enforce the Ordinance.
7. Tim Barbel, Forest Grove, opposed Council's ability to choose where camping would happen in an area that was zoned in the [inaudible 1:20:30] Plan when nothing in the zoning code allowed overnight camping in that zone. They understood a variance was needed to allow and authorize that kind of activity in that zone, with a variance requiring a Type 3 process. Giving Councilors the ability to dictate where camping would be allowed by resolution subverted the legal process to authorize camping. They were also concerned about diminished property values in the downtown section and property owner's liability if someone slept on the sidewalks.
8. Erwin and Janie Best, Forest Grove, opposed the Ordinance, citing security concerns for neighboring properties and personal experiences with vandalism and garbage left at their business property.
9. Theresa McGuire, Forest Grove, opposed the Ordinance, citing concerns about property values and whether the designated area would really be cleaned up by 7:00 a.m.
10. Don Yurgin, Forest Grove, believed the only lot available for downtown parking should not also be used for camping.
11. Steven Kelly, Gaston, believed shelter was a basic human right, but the designated camping area should be large enough to prevent overflow into public areas.
12. Julie Arndt, Forest Grove, cited safety concerns and personal experience with loitering laws being unenforceable at her workplace. They also encouraged use of the Phoenix House Solution to deal with the homelessness issue.
13. Joseph Smith, Forest Grove, questioned whether the City would remove the Ordinance if the court cases were overturned and cited safety concerns, asking what measures would be taken to protect Forest Grove citizens as well as the houseless and homeless in the City.
14. Carla Thaler, Forest Grove, was surprised that people were just now hearing about the homeless situation in the City and was happy the designated area was away from most homes.
15. Laura Hale, Forest Grove, commented Councilors were elected because residents trusted them to do the right things on behalf of the whole City. They were also concerned that the City was discriminating against a local non-profit by denying installing gravel in a non-profit's parking area but then using it at the lot designated for camping.
16. Teresa Johnson, Forest Grove, spoke about their personal professional experience in working in the criminal and mental health fields for over 30 years.
17. Nicole Hicken, Forest Grove, spoke about her family's experiences living next to the Highway 47 encampment and her volunteer experience working with the homeless.

18. Linda Allen, Forest Grove, believed they should be looking at the causes, not the symptoms, of homelessness and looking for pro-active solutions. They believed the Ordinance was not a good solution because it was not humane.
19. Wayne, Forest Grove, spoke about personal experiences with people trying to leave their belongings on his property.
20. Ralph Myer, Forest Grove, believed the school system needed to be revamped so children graduate without feeling broken and that the City should enforce drug laws.
21. Community member, stated he had moved to the area 15 days ago and cited small towns in France, Turkey, Sweden, and other countries as examples of what could happen in Forest Grove.
22. Dawn Hummel, Forest Grove, stated as City Council members, they were an extension of all the HOAs and urged Council to look at the over 90 comments on Nextdoor.
23. Kathy, Forest Grove, believed policies were enabling behavior that created the homeless problem and that they should be providing tools the homeless needed to be contributing members of society.
24. Tiffany Hyatt, Forest Grove, spoke about her experiences being harassed while walking downtown.

Mayor Wenzl asked the City Attorney if it was true that zoning for the designated camping area would require a Type 3 process. City Attorney Driscoll did not know the answer offhand. The CDC was involved in drafting the Ordinance and were aware of the site, but they had not heard any concerns.

Driscoll stated that a lot of testimony was directed at prohibiting camping within the city. At this point in time, when there were more homeless than shelters available, City Council did not have the legal option to prohibit camping within the city's boundaries. Doing so would bring numerous lawsuits that could be very expensive for the City. HB 3915 provided a private right of action for members of the public to be able to sue the City if it did not have reasonable time, place, and manner restrictions on camping. Those who prevail in the lawsuits could recover attorney's fees, which could get very, very expensive. This would be on top of other federal lawsuits for violating the Eighth Amendment.

VanderZanden clarified that shelters in Cornelius and Washington County could be used to count for available shelters, as long as it was objectively reasonable. When the Kyle encampment was occurring, there were no time, place, and manner regulations. If the new Ordinance had been in effect, no camping would have been allowed at the Kyle property. The encampment at Highway 47 is outside of the city limits, and the County Sheriff's Office is responsible for responding to that area. The lot south of here was owned by Woodfield properties. The City-designated lot was the gravel lot to the north and east of the Woodfield property. The lot was currently used during the day and would continue to be used. Staff would answer the variance question at the second reading.

MOTION: Councilor Valenzuela moved, seconded by Council President Gustafson, to adopt Ordinance 2023-04 by first reading.

VanderZanden read Ordinance 2023-04 by title.

MOTION TO AMEND: Councilor Rippe moved, seconded by Councilor Marshall, to amend Forest Grove City Code Section 130.06 as stated in the Staff memo with regard to the consumption of intoxicants on public property and public rights-of-way and public premises.

Councilor Rippe read the amendment into the record.

In response to Council questions, Police Chief Reimann believed the amendment was worth passing, but there was case law stating that people living in tents or homeless shelters had a right to privacy.

Council President Gustafson believed that just as someone would not be allowed to smoke marijuana in their home, the City could prohibit consumption of intoxicants in its home, or on public property.

Driscoll believed the amendment would provide clarity, particular with the laws regarding cannabis and whether a person could consume it within public view. The amendment would help clarify that there would be no cannabis consumption allowed within the City's camping site, and it would provide additional protection for the City when enforcing the items. Although some of it was already enshrined in State law, it would be helpful for enforcement purposes to include it.

Councilor Rippe commented that use of illegal drugs was illegal even in private homes, so the use of illegal drugs on public property is illegal regardless of privacy issues. The Code just included alcoholic beverages, but now it would be updated to include intoxicants, which should be updated in City Code.

Mayor Wenzl called for a roll call vote on the amendment.

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

VanderZanden pointed out that the amendment pertained to intoxicants on public property in Section 130.06 of the Code. If Council would also like to make reference to this in the camping section of the Code, the second step would be to amend Exhibit A, Section 94.06, to add that the consumption of intoxicants was prohibited on City property as per Section 130.06. This was not required but could make it easier from an enforcement perspective.

MOTION TO AMEND: Councilor Rippe moved, seconded by Councilor Marshall, to amend Exhibit A, Section 94.06, Paragraph C, to add “The consumption of intoxicants is prohibited on City property as per Section 130.06, Consumption of Intoxicants on Public Property, Public Rights-of-way, and Public Premises.”

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

Mayor Wenzl explained especially for all who provided public comment that the time, place, and manner regulations were a step in creating structures and boundaries to address some of the issues Council had heard from the community. The Ordinance was for resting from 7:00 pm to 7:00 am and was not the same encampments some might be thinking of in their head. The Ordinance might not be the perfect answer, but they were doing the best they could with the information they had with the support of City Attorneys and Staff under Federal and State law.

Mayor Wenzl called for a roll call vote for the first reading of Ordinance 2023-04.

Ruggles clarified this would be first reading by title only as amended. Staff would return with the amended Ordinance for the second reading.

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

Mayor Wenzl continued the hearing on Ordinance 2023-04 until the June 26, 2023, City Council meeting for the second reading and approving, modifying, or denying the Ordinance.

Mayor Wenzl called for a five-minute recess.

Councilor Uhing excused herself from the remainder of the meeting due to illness.

Mayor Wenzl explained Council rules required a motion to continue the meeting past 9:30 pm.

MOTION: Councilor Rippe moved, seconded by Councilor Martinez, to extend the meeting beyond 9:30 p.m.

VOICE VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: Uhing. MOTION CARRIED 6-0.

2. PUBLIC HEARING AND RESOLUTION NO. 2023-16 SETTING FEES & CHARGES (4% INCREASE), EFFECTIVE JULY 1, 2023, AND REPEALING RESOLUTION NO. 2022-30

Downey presented the Staff report, noting the proposed fee increase was based on the projected average wage and benefit increase for City employees next year, as basing it on the Consumer Price Index (CPI) would have resulted in an 8.1 percent increase.

Staff responded to Council questions and concerns as follows:

- With regard to Parks and Recreation, field fees have been inconsistently assessed over a number of years and trying to right that has been challenging. Moving forward, options may include a complete fee waiver until the fee analysis study is completed, go forward with the current method in charging just for games but still making reservations for all of their usage, or they could adopt the fees and implement the fee schedule 100%.
- A draft Request for Proposal (RFP) for the fee study was currently under review, but until that was returned, Staff could not give a timeline for completing the study.
- When drafting the RFP, the assumption was it would be returned by July 1, and the study would be contracted by the end of this calendar year.

Mayor Wenzl opened the Public Hearing and called for public comment.

1. Alicia Johnson, Forest Grove, spoke about the impact of the fees on Forest Grove Youth Baseball, stating the organization already has problems paying fees and keeping costs low so baseball was affordable to all families.

Mayor Wenzl closed the Public Hearing and called for a motion.

MOTION: Councilor Rippe moved, seconded by Council President Gustafson, to adopt Resolution 2023-16 and repeal Resolution 2022-30.

Council President Gustafson commented that she knew families who could not afford fees to play sports and asked how Council could subsidize sports. Councilor Valenzuela concurred.

Mayor Wenzl favored pausing recreational field use fees until the fee study was completed.

Staff responded to Council questions and concerns as follows:

- Joseph Gale Park was the only park the City maintained that was used for baseball.
- Grants were great, but the City needed Staff that could write and administer them. Additionally, grants typically focused on capital improvement projects, not operations and maintenance. The fees were typically based on operations and maintenance.
- Two fees were associated with the fields, lights and field rental. The City had been consistently applying the light fee, but not the field rental fee.

Councilor Rippe favored continuing with the light fees but discontinuing the rental fees until the study was done. They also believed grants were not a consistent source of revenue for planning long-term recreational programs and Council could discuss subsidizing low-income children later.

Councilor Marshall believed the community would rather invest in youth sports than in cleaning up homeless encampments and that this was a bigger issue than what Council thought it was, as a lot of families looked at sports as a low-cost way to keep children busy and off the streets.

In response to Council President Gustafson's question, Lane stated that for-profit tournaments did use the baseball fields.

VanderZanden explained that fees are structured by in-city and out-of-city, with a field fee and a lighting fee, which was charged only if the lights come on. Using profit and non-profit status would require a new schedule. They asked that any motion make clear that the application was only for lighting and field usage and did not apply to other fees in the schedule.

Discussion continued about whether and when to charge fees for use of the baseball fields, with responses to clarifying questions by Staff.

MOTION TO AMEND: Councilor Marshall moved, seconded by Councilor Rippe, to amend the main motion by placing a moratorium on field fee rentals until the fee study is complete.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: Uhing. MOTION CARRIED 6-0.

MOTION: Councilor Rippe moved, seconded by Council President Gustafson, to adopt Resolution 2023-16 as amended and repeal Resolution 2022-30.

VanderZanden read Resolution 2023-16 by title.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: Uhing. MOTION CARRIED 6-0.

3. **PUBLIC HEARING AND RESOLUTION NO. 2023-17 FIXING WATER RATES (3% INCREASE) FOR THE CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2023, AND REPEALING RESOLUTION NO. 2022-43**

Downey provided the Staff report, noting that since the last fee increase, the Water Master Study had been completed and the updated fees are based on that study.

Mayor Wenzl opened the Public Hearing, confirmed there were no public comments, and called for a motion to adopt the resolution.

MOTION: Councilor Rippe moved, seconded by Council President Gustafson, to adopt Resolution 2023-17 and repealing Resolution 2022-43.

VanderZanden read Resolution 2023-17 by title.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: Uhing. MOTION CARRIED 6-0.

4. PUBLIC HEARING AND RESOLUTION NO. 2023-18 FIXING SOLID WASTE RATES TO BE CHARGED BY FRANCHISEE IN THE CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2023, AND REPEALING RESOLUTION NO. 2022-44

Downey presented the Staff report, noting Metro had increased its tipping fees, allowing Waste Management to request a 2.3% average rate increase. Waste Management clarified there would be no charge for its Business Food Waste Recycling Program at this time. Staff recommended that Council approve the resolution.

- They explained Metro had made the policy decision to allocate the disposal tonnage throughout the county and there was not a lot the City could do about it. With the new transfer station built in Cornelius, the ultimate question was whether the Forest Grove transfer station would remain open. Metro was doing its tonnage allocations based on its diversity, equity, and inclusion principles to help some of the newer transfer stations that were minority owned.

Councilor Rippe expected Metro's study is online to review, noting Metro was taking away from a low-income community, so he was not sure how Metro's equity equation was working. Downey responded fortunately, Forest Grove was right by a transfer station resulting in a very tight collection area and minimal transit time to offload the trucks, which helped the city's ratepayers. Councilor Rippe believed Forest Grove needed a voice and that the City's Metro Councilor should come before the Council to justify Metro's actions which were not helping the community.

Mayor Wenzel opened the Public Hearing, confirmed there were no public comments, and called for a motion.

MOTION: Council President Gustafson moved, seconded by Councilor Marshall, to adopt Resolution 2023-18 and repeal Resolution 2022-44.

Mayor Wenzl described the phone call they received from Metro Councilor Gonzalez in early May about the rate increases. Despite rules about increases being limited, Councilor Gonzalez voted for an 11 percent fee increase instead of the 8 percent increase option, citing it was a complex issue. They agreed those representing the City should provide updates, especially when rates and policies were being passed on to Forest Grove residents without their input.

Councilor Rippe stated Councilor Gonzalez knows in advance when such decisions were being made and should be on the City Council's agenda before any Metro vote so they could hear from the full Council.

VanderZanden read Resolution 2023-18 by title.

ROLL CALL VOTE: AYES: Councilors Gustafson and Mayor Wenzl. NOES: Councilors Marshall, Rippe, Valenzuela. ABSTAIN: Councilor Martinez. ABSENT: Uhing. MOTION FAILED 2-3-1.

Downey noted the City's own Ordinance said Council shall pass the Metro increase on to the customers.

Mayor Wenzl asked how Council could vote on the resolution if they were required to do it anyway. Downey explained that rate increases were done by passing a resolution. Since Council did not pass the resolution, Waste Management would have to absorb the increased costs.

Council and Staff continued to discuss the impact of the vote. Mayor Wenzl explained to reconsider the vote, it would have to be added to the June 26 agenda by a member of majority.

VanderZanden clarified the motion to reconsider could be made at the same meeting or the next following regular meeting prior to the approval of the minutes of the first meeting. A vote of reconsideration required the majority vote of the members present. Once the matter was reconsidered, no motion for further reconsideration shall be made without unanimous consent of the members present.

MOTION: Councilor Rippe moved, seconded by Councilor Marshall, to reconsider Resolution 2023-18.

Councilor Rippe commented that he voted no as a protest, not to stiff anyone. They did not like the way Metro handled this, particularly the City's Councilor at Metro. The no vote was a protest to the process in which it was done and the lack of respect of this body to make these decisions in a timely manner that affected their constituents. He believed Council should convey that message to its Metro Councilor to make that it clear they were not pleased with the increased fees.

ROLL CALL VOTE: AYES: Councilors Gustafson, Marshall, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. ABSENT: Uhing. MOTION CARRIED 6-0.

Mayor Wenzl excused Councilor Marshall from the meeting.

5. RESOLUTION NO. 2023-19 AUTHORIZING CITY MANAGER OR DESIGNEE TO SIGN PURCHASE AGREEMENT AND COMPLETE THE PURCHASE OF APPROXIMATELY 1.01 ACRES OF PROPERTY KNOWN AS TRACT H OF PROPERTY COMMONLY KNOWN AS PARKVIEW TERRACE (WASHINGTON COUNTY TAX LOT NUMBER 1N4360003400)

Downey confirmed Council had no questions based on the written Staff report, included in the packet.

MOTION: Councilor Rippe moved, seconded by Council President Gustafson, to approve Resolution 2023-19.

VanderZanden read Resolution 2023-19 by title.

ROLL CALL VOTE: AYES: Councilors Gustafson, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. EXCUSED: Marshall, Uhing. MOTION CARRIED 5-0.

6. RESOLUTION NO. 2023-20 APPOINTING CHARTER REVIEW COMMITTEE

VanderZanden presented the Staff report, noting the recommended appointments for the vacant positions and addressing clarifying questions from Council.

MOTION: Councilor Rippe moved, seconded by Councilor Martinez, to approve Resolution 2023-20.

VanderZanden read Resolution 2023-20 by title.

VOICE VOTE: AYES: Councilors Gustafson, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. EXCUSED: Marshall, Uhing. MOTION CARRIED 5-0.

G. Council Communications:

MOTION: Councilor Rippe moved, seconded by Councilor Valenzuela, to adjourn the meeting without addressing Council Communications.

VOICE VOTE: AYES: Councilors Gustafson, Martinez, Rippe, Valenzuela, and Mayor Wenzl. NOES: None. EXCUSED: Marshall, Uhing. MOTION CARRIED 5-0.

1. Councilor Reports:
2. City Manager's Report
3. Mayor's Report

H. Adjournment

Mayor Wenzl adjourned the regular Council meeting at 10:50 p.m.

Respectfully submitted,

Mariah S. Woods, City Recorder