

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 27, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
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*Minutes are unofficial until approved by Council.
Council approved minutes as presented November 10, 2008.*

1. **ROLL CALL:**
Mayor Richard Kidd called the regular City Council meeting to order at 7:06 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Victoria Lowe, Camille Miller, Thomas Johnston, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Richard Kidd. **STAFF PRESENT:** Michael Sykes, City Manager, and Bev Maughan, Executive Assistant to City Manager.

2. **CITIZEN COMMUNICATIONS:** None.

3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be 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 Consent Agenda item(s).
 - A. Approve City Council Special Meeting Minutes of September 29, 2008.
 - B. Approve City Council Executive Session (Real Property) Meeting Minutes of October 13, 2008.
 - C. Approve City Council and Planning Commission Joint Work Session (Metro Programs) Meeting Minutes of October 13, 2008.
 - D. Approve City Council Regular Meeting Minutes of October 13, 2008.
 - E. Accept Charter Review Committee Meeting Minutes of September 30 and October 7, 2008.
 - F. Accept Parks and Recreation Commission Meeting Minutes of September 17, 2008.
 - G. Accept Planning Commission Meeting Minutes of September 17 and October 6, 2008.
 - H. Accept Public Safety Advisory Commission Meeting Minutes of September 24, 2008.
 - I. Fire Department Monthly Statistics Report for September 2008.
 - J. **ITEM REMOVED, REFER BELOW.**

MOTION: Councilor Johnston moved, seconded by Councilor Lowe, to approve the Consent Agenda as amended. **MOTION CARRIED 7-0 by voice vote.**

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3. J. ACCEPT RESIGNATION ON COMMITTEE FOR CITIZEN INVOLVEMENT
(MICHELLE ASHTON, TERM EXPIRING DECEMBER 31, 2010)

Truax removed the above-referenced item from the Consent Agenda and recognized Ashton for her meritorious service to the City and the Committee for Citizen Involvement.

Hearing no further discussion from the Council, Mayor Kidd asked for a motion and vote to approve Consent Agenda 3. J. as presented.

MOTION: Councilor Truax moved, seconded by Councilor Lowe, to approve Consent Agenda Item 3. J. as presented. MOTION CARRIED 7-0 by voice vote.

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS: None.

6. CONTINUE PUBLIC HEARING FROM OCTOBER 13, 2008: SECOND READING OF ORDINANCE NO. 2008-04 PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGE OR OPEN CONTAINER OF ALCOHOLIC BEVERAGE ON PUBLIC PROPERTY, PUBLIC RIGHTS-OF-WAY, AND PUBLIC PREMISES, AMENDING CITY CODE CHAPTER 5 TO ADD SECTION 5.040

The first reading of Ordinance No. 2008-04 by title and motion to adopt occurred at the meeting of October 13, 2008.

Staff Report:

Staff had nothing further to report.

Public Hearing Continued:

Mayor Kidd continued the Public Hearing from the meeting of October 13, 2008.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

Rebecca Krieger, Forest Grove, testified that banning drinking in public would not help the community and would only push the homeless out of the City. In addition, Krieger stressed that officers' time would be tied up

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trying to enforce the ordinance when officers could be focusing on other crime incidents, such as bicycle thefts, instead of targeting the homeless.

No one else wished to testify and no written comments were received.

Others:

No one wished to testify and no written comments were received.

Public Hearing Closed:

Mayor Kidd closed the Public Hearing.

Council Discussion:

Mayor Kidd responded to testimony, noting that Council's intent is not to target the homeless but to try to make Forest Grove a better place to live. In addition, Mayor Kidd explained the ordinance would allow for alcohol-related events as long as a permit was issued to the individual who would be overseeing the event.

Truax responded to testimony, noting the purpose of the ordinance is to target behavior and not population. In addition, Truax explained the ordinance would allow officers to transport individuals, who are seriously affected by alcohol, to a treatment facility for help.

Johnston explained the ordinance would also assist officers when responding to alcohol-related incidents, such as minors in possession of alcohol.

Hearing no further discussion from the Council, Mayor Kidd asked for a roll call vote on the motion made at the meeting of October 13, 2008.

Sykes read Ordinance No. 2008-04 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Miller, Thompson, Truax, and Mayor Kidd. NOES: None. ABSTAINED: Councilor Uhing (due to being absent during the first reading). MOTION CARRIED 6-0.

7. **CONTINUE PUBLIC HEARING FROM OCTOBER 13, 2008: SECOND READING OF ORDINANCE NO. 2008-05 AMENDING THE FOREST GROVE REGISTER OF SIGNIFICANT TREES**

The first reading of Ordinance No. 2008-05 by title and motion to adopt occurred at the meeting of October 13, 2008.

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Staff Report:

Staff had nothing further to report.

Public Hearing Continued:

Mayor Kidd continued the Public Hearing from the meeting of October 13, 2008.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Others:

No one wished to testify and no written comments were received.

Public Hearing Closed:

Mayor Kidd closed the Public Hearing.

Council Discussion:

Hearing no discussion from the Council, Mayor Kidd asked for a roll call vote on the motion made at the meeting of October 13, 2008.

Sykes read Ordinance No. 2008-05 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Lowe, Miller, Thompson, Truax, Uhing, and Mayor Kidd. NOES: None. MOTION CARRIED 7-0.

8. **ADJOURNMENT:**

Mayor Kidd adjourned the meeting at 7:25 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder