



Home of the Tualatin River National Wildlife Refuge

**SHERWOOD CITY COUNCIL MINUTES
22560 SW Pine St., Sherwood, Or
November 19, 2013**

CITY COUNCIL MEETING

- 1. CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 7:04 pm.
- 2. PLEDGE OF ALLEGIANCE:**
- 3. COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Matt Langer, and Krisanna Clark. Councilor Bill Butterfield arrived at 7:08 pm. Councilor Robyn Folsom was absent.
- 4. STAFF AND LEGAL COUNSEL PRESENT:** Joseph Gall City Manager, Tom Pessemier Assistant City Manager, Jeff Groth Police Chief, Ty Hanlon Police Captain, Craig Sheldon Public Works Director, Julie Blums Finance Director, Kristen Switzer Community Services Director, Bob Galati City Engineer, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy. City Attorney Chad Jacobs.

Mayor Middleton addressed the Consent Agenda and asked for a motion.

5. CONSENT AGENDA:

- A. Resolution 2013-060 Authorizing the City Manager to sign a successor Intergovernmental Agreement between the City of Sherwood and the Sherwood School District for the purposes of the School Resource Officer**
- B. Resolution 2013-061 Appointing members to the Charter Review Committee**

MOTION: FROM COUNCILOR CLARK TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCIL PRESIDENT HENDERSON, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR, COUNCILOR ROBYN FOLSOM WAS ABSENT.

Mayor Middleton addressed the next agenda item.

6. PRESENTATIONS:

A. Recognition of Julian Thornton

Mayor Middleton recognized Julian Thornton and provided him with a Certificate of Appreciation for his service to the Sherwood Community, his contribution of countless volunteer hours and support to the Robin

Hood Festival Association over the past 30 years. He commented on all the roles Julian has played and said it is an honor to recognize him for everything he has done for the City.

B. Human Rights Proclamation

Mayor Middleton read the Human Rights Proclamation and stated the General Assembly of the United Nations approved the Universal Declaration of Human Rights on December 10, 1948, declaring the "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family for justice and peace throughout the world. Whereas the United States to the principles and ideas of universal declaration of essential for its promise to ensure equal justice for all. He said the basic human rights addressed in the universal declaration include economic, social, and cultural rights, as well as civil and political rights, all considered to be equally important in fostering human dignity and freedom and the Universal Declaration calls for all people and governments to promote and respect recognized rights, while providing standards of achievement for governments throughout the world. He said each year the national community commemorates this event and recommits itself to a broader achievement of human rights. Numerous communities, civic and religious and nonprofit organizations such as the Human Rights Council of Washington County and all other organization and individuals work to ensure equal rights and protections for all residents. He said the government of the City of Sherwood and the Human Rights Council of Washington County share the commitment of civil and human rights for all. Mayor Middleton resolved that December 8–14, 2013 to be Human Rights Week, and December 10, 2013 as Human Rights Day.

Mayor Middleton addressed the next agenda item.

C. Metro Presentation

Metro Councilor Craig Dirksen representing District 3, which comprises Sherwood as well as central Beaverton down through Wilsonville, provided the Council with a general update and a presentation on Metro projects (see record, Exhibit A). He said updates will be given on transportation planning and projects, land use planning updates, community investment initiative, climate smart communities program, natural areas program, Willamette Falls Legacy Project, and happenings at Metro venues.

He said in the area of Transportation Planning there was an agreement on the Southwest Corridor Plan and the shared investment strategy. He stated he is on the steering committee with Mayor Middleton and the committee approved the plan in July and all the jurisdictions and Metro have approved it and that moves it into the next phase which is to focus on the transit elements and do the refinement study on high capacity transit in the corridor. He said recently Metro approved \$68 million in Regional Flexible Funds, allocation to be distributed throughout the region. He said they have been working on the draft Active Transportation Plan and that is moving forward for refinement and they are looking at folding that into the RTP (regional transportation plan) which the update is due next year.

Mr. Dirksen commented on Land Use Planning and stated the urban growth management process is underway and said Metro is required to review the urban growth management process on a regular basis and they are required by the timeline to ramp it up in 2014 and do an analysis of the area as it stands and by the end of 2015 some up with a plan to deal with the anticipated growth that we expect in the next 20 years. He said they also did some grants in the area of community planning and development and said they recently awarded Sherwood a grant for the West Sherwood Concept Plan.

Mr. Dirksen discussed Climate Smart Communities Program which is a mandate from the State legislature and said in 2009 they adopted a resolution to require all urban areas in the state to reduce carbon emissions from cars and small trucks by 20% by 2035 and they tasked the Metro government with doing the plan for the metropolitan area and have a plan in place by the end of 2015. He said that plan is moving forward and they are taking a multi phasing approach and they are required to come up with two different scenarios of ways that it could be achieved. He said they came up with three; What would we achieve if we move forward with current policy; What could we achieve if all the regions governments were able to implement their adopted land use plans and adopted transportation system plans; Assuming these two are not adequate, what other things would we reasonably do to meet the 20% reduction. He said they recently received a report and it's not going to take any extra things to do and said if we in the regional are able to actually implement and achieve our planned and adopted land use plans and transportation system plans we will achieve the 20% reduction with a bit to spare. He said this doesn't mean that this is automatically going to be the plan, we anticipate that the adopted plan, which we will resolve over the next year, in cooperation with all stakeholders, including Sherwood, we will come up with the regionally approved plan which we assume will have pieces from all three different scenarios. He said we know there already needs to be some changes to the plan, and gave this example and said the adopted plan includes the Lake Oswego street car which as fairly sure is not going to happen within the timeframe and it also does not include the Southwest Corridor Plan, as it was not yet an adopted plan. He said some changes will have to be made to come up with the approved plan.

Mr. Dirksen referred to Community Investment Initiative which is a group of business community and public sector leaders that have come together to talk about the needs in the regions infrastructure and setting priorities from the private sector point of view in anticipation of which things should be done first and to identify funding. He said they have created and developed a strategic plan this last summer and they are recommending that we create the Regional Infrastructure Enterprise which would be a council made up of members of the private sector and non-voting members from Metro and the Port of Portland because that is where the public funds would come from. He said this is all still in discussion and the process is moving forward and believes this has a potential of creating the kind of partnership between local government and local business community that can really put some strength and power behind the need for infrastructure improvements and how to accomplish those.

Mr. Dirksen stated Metro has a Natural Areas Program and said they had two bond measures to raise money to purchase parks and open space land and last year they passed a 5-year levy that would give us operating funds to do improvements and restorations for natural areas across the region. He said a lot of the areas they have purchased do not have public access and many are environmentally degraded with invasive species. He stated the five year levy with \$10 million a year if they get what they expect from it, will provide money to work on those areas and provide public access, parking, trails and do clean up and environmental improvements. He stated that some of the money will be set aside for conservation education and restoration for local providers as well and said they are seeking application from local park providers and other groups that would qualify for those grants and encouraged Sherwood to look into that.

Mr. Dirksen discussed the Willamette Falls Legacy Project and said although located in Oregon City, it has regional ramifications. He said the Willamette Falls is a regional asset that has not been very well utilized for the last 100 years and said unless you worked in the paper mills or were a steelhead fisherman you did not have an opportunity to see the falls. He said it is the second largest falls in North America by volume, exceeded by Niagara Falls. He said if this can be turned into an area that we have access for public viewing and open space and redevelop the area around the paper mills, we can turn it into a vibrant commercial and residential mixed use area that can be used by the public. He said the City of Oregon City is taking the lead on this will help from Clackamas County and Metro intends to be a minor partner in this

as well as we can use pen Space Bond Measure money to purchase open space and ensure we have public access into the area. He encouraged people to check out the website www.rediscoverthefalls.com. He said there are consultants involved that are looking at different concept plans and a meeting was recently held with Councilor Collette (spelling) and she said the proposals coming from the consultants are very exciting and people are very enthused.

Mr. Dirksen referred to Metro Venues and commented regarding discussions of the Oregon Convention Center Hotel moving forward and the idea of a 600 room hotel adjacent to the Convention Center and said at present the Convention Center cannot hold large conventions because there are inadequate hotel rooms close enough to be considered an anchor hotel.

He said currently the Convention Center generates \$110-130 million in direct business benefit to the region from conventions and aside from the income that Metro gets from using the facility. He said they anticipate larger conventions the center could get with this type of a hotel, allow that figure to increase to \$500-600 million a year and create new jobs for construction and to operate the hotel. He mentioned the Oregon Zoo has won two national awards this year and one last year and said that is unusual to win awards from the International Zoo and Aquarium Association two years in a row. He said they have a zoo bond to raise money to do construction at the zoo and are working on the elephant exhibit by increasing the outdoor space from 1 ¼ acre to 6 acres and provide more open habitat and choices for elephants to roam and enhance the viewing opportunities. He said they have three new lion cubs and said they are doing well.

Mr. Dirksen offered to answer questions and encouraged the Council and community members to do an opt-in program on line at Oregonmetro.gov.

Council President Linda Henderson asked who is running the website www.rediscoverthefalls.com. Mr. Dirksen replied he believes it's the City of Oregon City. She asked if the intent of that project is to try to redevelop the land on the east and west side of the falls. Mr. Dirksen said primarily on the east side. He said he is aware the City of West Linn has plans for the area on the west side as well and this is a separate process and project. He said what we are talking about for this legacy project is the side of Blue Heron paper mill on the Oregon City side. Councilor Henderson shared an experience of an opportunity she had to view the falls close up.

Mr. Dirksen commented regarding Portland being a tourist attraction and said they believe the falls could create more tourism.

With no other questions, Mayor Middleton thanked Mr. Dirksen and addressed the next agenda item.

7. PUBLIC HEARING

A. Resolution 2013-062 Adjusting Solid Waste Collection Rates

Mr. Gall introduced Chris Bell from Bell and Associates and said if this is adopted it would adjust the solid waste rates as of January 1, 2014, and said the current rates are from 2009. He stated Council had a work session in October to explain this information and Chris Bell was there and explained why the rate adjustment is necessary per our code.

Chris Bell came forward and referred to the work session to review the rate request and reports submitted by Pride Disposal. He provided a brief background and said that he is a CPA and works with jurisdictions to

review garbage costs and rates and operations. He stated annually Pride Disposal submits reports to the City of Sherwood, City of Tigard, Washington County and other jurisdictions it operates in. He said in this case the report submitted to the City of Sherwood was reviewed and Mr. Gall contracted him to review the results of the cost report. He stated in reviewing the report they determined there is a need for a rate increase and 2009 was the last adjustment and said a lot has changed since then, specifically the disposal costs which have increased 15.8%. He said the dynamics of the recycling market have decreased this year as in the past and will be soft in the future. He noted the equipment needs to be replaced and the one thing that has offset the cost is the increase in growth. He said upon looking at the rates and operations currently being provided they determined a need for a rate increase of 4.7% for residential and a small increase associated with commercial collection as well as drop box collection. He offered to answer Council questions.

With no questions received, Mayor Middleton opened the public hearing.

Jim Claus, 22211 SW Pacific Hwy, approached the Council and said the garbage leaves Sherwood and goes to Arlington where there is a large landfill and he commented about Arlington's attempts to try to cut costs. He stated that is a case of trying to change and expand and said that we are not. He stated this is a franchise and he dislikes franchises because they are monopolies and any time you have a monopoly there is someone padding their pockets and even in NY unions had to give up the garbage collection because of too much scratching of political backs. He stated that we have never put this out to bid to find a system that lowers the rates. He commented on Newberg and their collection center and asked why we can't have a collection center. He asked why do you give somebody the right to collect this and then collect these exorbitant fees. He said nobody is concerned about holding down costs and referred to the water rates. He said we have Bull Run and then you have the same situation with garbage. He suggested getting somebody to bid on it and letting the citizens who want to transfer like they do in Newberg and stop the collection. He stated we keep talking about doing these things but it will never happen. He referred to a huge budget and a staff of 105 people and said we have PERS and property taxes and it is all sent to Salem and nobody looks at ways to stay within the budget. He asked if you are going to hand someone a monopoly why don't you try to find something innovational. He stated we are a village and suggested looking at that before the citizens react.

Naomi Belov came forward with comments not related to the Public Hearing. Mayor Middleton informed her this was a public hearing regarding Resolution 2013-062 and to please come forward during Citizen Comments.

Eugene Stewart, commercial resident in Sherwood approached the Council and stated he also has an office in Portland and compared the garbage rates in Portland and noted that we pay about \$70 every two months and it is about \$22 every two months in Sherwood, but said the container may be smaller. He stated they also get a number of surcharges for fuel and other things. He said from the commercial side if they can do it for that amount it is worth it.

With no further public comments, Mayor Middleton closed the public hearing.

With no other Council questions or comments, the following motion was received.

MOTION: FROM COUNCIL PRESIDENT HENDERSON TO ADOPT RESOLUTION 2013-062, SECONDED BY COUNCILOR CLARK, MOTION PASSED 5:1. (COUNCILORS HENDERSON, GRANT, BUTTERFIELD, LANGER AND CLARK VOTED IN FAVOR, MAYOR MIDDLETON VOTED AGAINST) COUNCILOR FOLSOM WAS ABSENT.

Mayor Middleton addressed the next agenda item.

B. Ordinance 2013-008 Amending the Municipal code to add Chapter 9.54 Regulating Camping in Areas Open to the Public

Mayor Middleton reminded everyone that the Public Hearing was held and was previously closed on this ordinance and this would be an opportunity for Council comments.

With no questions or comments from the Council, the following motion was received.

MOTION: FROM COUNCIL PRESIDENT HENDERSON TO READ CAPTION AND ADOPT ORDINANCE 2013-008 TO AMEND THE MUNICIPAL CODE TO ADD CHAPTER 9.54 REGULATING CAMPING IN AREAS OPEN TO THE PUBLIC, SECONDED BY COUNCILOR BUTTERFIELD, MOTION PASSED 6:0. (ALL PRESENT MEMBERS VOTED IN FAVOR, COUNCILOR FOLSOM WAS ABSENT).

Mayor Middleton recognized Councilor Grant who left the meeting due to another commitment and addressed the next agenda item.

8. CITIZEN COMMENT

Mara Broadhurst, 28440 SW Ladd Hill Road, approach the Council and said she owns about 4 acres of general commercial land next to the Elks Club on 99W and said her topic is Cedar Brook Way. She stated the 4 acres was part of 10 acres, the remainder which was zoned residential. She said they brought Renaissance homes to Sherwood to build on the top part and assumed the burden of the commercial land and have been paying high property taxes ever since. She said this was 13 years ago when they began to participate in the Cedar Brook Way and ODOT bought the one access on 99W that they could not use and still have another access easement. She referred to bringing Centex to Sherwood who paid towards improving the 99W intersection and donated the wetlands like all developers do. She said their property is bare land while others with existing homes and grandfathered businesses have the advantage of being income producing during this transportation dilemma. She stated the traffic circle on Elwert is needed now and could be possible with progress and referred to the effects of no growth on transportation plans and referred to the companies that have looked at commercial property in Sherwood for years and said even though her property is zoned general commercial and could have a big box store, the property is too steep and level land is the most desirable. She commented that the Langer family has meticulously cared for their century plus old farm and have been a benevolent force in Sherwood. She welcomes the City's extensive study, presentations, and public meetings and commented on Cedar Brook Way being designated a collector and eligible for SDCs credits which will be great for everyone. She stated the surprise was it now bisects their land and connects to Elwert which means more land for roadway and divided their land into two parcels but said progress must be made. She commented on Doyle's parking lot and said it is development that spurs Cedar Brook Way and consistent ODOT and City policy for 99W improvements is needed and if no one else has to do them than neither should they. She referred to justice and process which ensures that Sherwood does not belong to any man and recalling Councilors will not solve decades of old problems. She referred to people being chased off over the years. She said Sherwood is a place people want to live and should focus on keeping our character as we grow and continue to have high standards but not forget the rights to pursue happiness.

Selma Broadhurst, 21786 SW Sherwood Blvd., approached the Council and said as the current Citizen of the Year she felt it was her duty to come and speak. She stated she is tired of the bickering and the

resolutions before us can be resolve in a more amicable way. She referred to her academic and professional experience with helping organizations not oust, not recall, not fire, not remove, but try to solve the problems from within. She encouraged people not to listen to hearsay and not to take someone's word about what should or should not transpire in this City but research and find out the facts. She commented about being asked for a signature and she asks why and the reasons she hears are not valid. She said she wants to bring the dignity back to Sherwood.

Mayor Middleton asked the citizens not use names in their comments, and refrain from name calling and to keep comments generic.

Nancy Taylor Sherwood resident came forward. She stated the last time she came before the Council she talked about her taxes and said she did research and read her tax statement, UR Sherwood Department of Transportation. She said it does not say county wide or state wide, but Sherwood so she is not taking the answer she got last time as 100%. She said the increase that it caused is not a happy increase for her and she has to pay more every month on her mortgage to keep the reserve there for the bank. She resents that it is there and said she believes it is there because certain developers did not and will not contribute to this and they expect us to pay. She commented on the rights in America to say what we want as we have the 1st, 2nd and 3rd Amendments and a Bill of Rights and through this we can do things that other countries don't allow. She mentioned a website called Salon which captures a lot of good news and they reported that certain big box stores will have a NLRB complaint filed against them soon. She said this means that the federal government feels that a certain big box store violates the law on a nationwide basis.

Naomi Belov, Sherwood resident, came forward and said she emailed Councilor Folsom to ask her if she was trying to get rid of Mayor Middleton and said Councilor Folsom would not return her emails. Ms. Belov stated she saw Councilor Folsom at the Veteran's Day event and asked if she received her emails and stated Councilor Folsom said she had not and when asked if she would meet with Naomi, she responded the best place to talk to her was at City Council. She asked Councilor Folsom, who was not present, if this was true. Ms. Belov said she has a number of questions she wants answers too. She said she received an unsolicited email from Dave Grant which said he has a business related to food processing and she asked if he has any connections or contracts with the new Langer development. She referred to a URA binder and a missing page in the public record with the date they voted to have \$500,000 go towards the Century Drive Extension and asked that the record be found. She asked if Councilor's Langer and Grant voted yes for that. She asked Julie Blums how many employees the City has and what is the average salary of each one and said the budget should have this information and asked what the average PERS is for each employee per year. She asked how much each employees receives in other benefits such as take home vehicles, mobile phones, gas allowance and said this is something that should be accessible to the residents. She said we need to know how you're making money past the \$12 million you receive from the state from our property taxes. She said her assumption is you are coming up with new development projects and bringing in money that way and whether that is what you're relying on to cover your expenses. She asked if Councilor Grant emails her, he does so from the City email account and not from his personal email account. She commented regarding not wanting emails unless she knows them and are friends with them.

Mayor Middleton asked Julie Blums to follow up and asked when the next budget meeting was. Julie said either December or January.

Jim Claus, 22211 SW Pacific Hwy. approached the Council and thanked Mara Broadhurst for commenting on a subject that needs to be monitored closely, the so called east extension of Cedar Brook Way. He commented about transferring enormous resources and the cost of building and 50% is government fees

and regulations and if you take those costs off you have given advantage to that person of giving the land away. He said the advantages you can do with government regulation are obscene. He said there is not land economist he has heard that has said if you move away from due process or equal treatment you can't not influence and drive development. He referred to participating as an expert witness in a number of suits and elaborated on the suits. He told the Council what they better look at is the staff is not bringing some issues to Council that will guarantee litigation. He referred to putting conditions on people without telling them and put restrains against alienation on the land there is a point where that restraint goes from being a Title 42 to a crime because you are conspiring to do it. He referred to selling the apartments 2 ½ years before without a public hearing. He commented regarding Planning Commission Chair Patrick Allen actions and restraining trade and we gave the land away and said the only people that benefited was Mr. Gall's staff who took \$3 million and stole 40% later. He said they are moving toward encouraging bounty hunting and is a straight civil rights violation. He stated Cedar Brook Way will buy a lawsuit because of restrained trade and commented regarding not being able to talk to staff.

Eugene Stewart, came forward and spoke about the Sherwood Senior Center and said he knows the City is in the process of doing an agreement with Meals on Wheels and said he sees as lacking is the City has no goals or policies for the Senior Center. He said we need to set these and find out what the people that are using it and what they want. He commented on not knowing the negotiations with Meals on Wheels and the City and it being limited without much input as to where we are and what can be improved and what has been done better. He said when the Council passes judgment on the agreement what basis do you have to deciding if it is a good agreement or not. He said we need to take the time and find out what the needs are and the Council can set goals and adopt policies and then negotiate the contract. He said as it is going to be presented to you at this point he does not believe the City has any goals or policies they can point to. He encouraged the Council direct staff to move forward and have an open discussion of the needs of the seniors and what is being accomplished and what can be done to help them in the future.

Patti Spreen SW Lavender Place Sherwood came forward and said she is here tonight because she has concerns. She said she is here to show support for Mayor Middleton who the people voted into office. She said he was voted in due to his ability to properly represent his constituents and his accountability to the voters. Ms. Spreen commented regarding accountability for some people being a difficult noun for some to wrap their spoon fed, gold digging minds around. She commented regarding running for a Council seat unopposed and this being satisfying. She said the people are asleep and an alarm was sounded on May 6, 2013, the Sherwood Town Center Walmart alarm. She said a dream killer was coming to town on the backs of a family that had much to do with the founding of this City, the residents have been duped. She asked who do we trust and this being unfortunate. She said this lack of accountability has corroded the public respect for the majority of this council. She said concerning is the continuance of the cronyism style of attitude that has blanketed the Sherwood City paid staff and volunteer council. She reference the term good o'boy and this being an American slang term that has both positive and negative meanings. She said the term can be used for well socialized men and if he is humble and well thought of he can be referred to as a good o'boy. She said it is commonly applied to men with a family or generational wealth or prestige or overall moral and trustworthy behavior. She said Sherwood is dealing with a deep rooted case of cronyism and stated the phrase "Fool me once, shame on you, fool me twice, shame on me" and said Sherwood residents have been fooled and are here to make sure it doesn't happen again. She stated remember why this entirety has begun, why so many local residents have their hands up in disbelief, sadness and frustration. She said Walmart was given a welcome mat not on behalf of the residents but on behalf of certain council members as well as by City staff. She said this is a shame, balancing a budget both efficiently and humbly seems like a better option. She said now we have to rely on corporate disgraceful crooked money to pay for a woe of soon to be bounced checks signed by the City of Sherwood. She said the citizens are taking a stand and communicating and they did not ask for this and trusted that City staff

and Council would have their best interest at hand, not personal gain. She stated we do not want Walmart and not finding it acceptable that so much of the zoning and rezoning, as well as the incorporation of the Urban Renewal was completed quite graciously, due to undeniable Councilmen influence. She stated the City of Sherwood residents are watching.

Amanda Stanaway, 2nd and Washington Street, Sherwood, approached the Council and said she has been traveling since September 1, from Sherwood to New York City in an ice cream truck doing a performance and art journey. She said they did 55 concerts in 60 days in 13 states across the US and she commented on her journey and her visiting a Walmart on her trip for pharmaceutical needs. She commented that it was a snapshot of American and some of it was really depressing and some was wonderful. She commented regarding a bad economy with lots of displaced and homeless families. She stated she was in a documentary for energy for a Tesla car company. She commented regarding their performances and getting a view of what is really happening in our communities and said there is a Walmart in almost every town and the towns without a Walmart were exceptional places. She said there is a grassroots movement of people who have an understanding of how economic systems work, also happening alongside that. She announced that they will probably be doing a reception in town in January and invited the Council. She said it is called the Indian Summer Tour. She said it has been a neat and educational process for all of us.

Mayor Middleton addressed the next agenda item.

9. COUNCIL ANNOUNCEMENTS

Councilor Butterfield stated the Sherwood Bowman football team for advancing to the semi-finals and they will be playing on Saturday in Eugene.

Councilor Henderson said she has been asked by staff and on behalf of the Sherwood Band Boosters Club to announce the bands would like to do a concert in Cannery Square on Friday, December 13. She said they plan on doing an outside Christmas concert. She said she has their application and the event is from 6-10 pm including setup and said they have completed a Special Events Permit which accompanies a noise ordinance variance which they have not filled out yet and if we move forward, she would ask Code Enforcement to work with them. She said the Club has requested from staff and staff is not allowed to waive fees, therefore they have requested the City Council waive the fee of \$225, which includes \$150 for the Cannery Square rental and \$75 for a special events permit. She said the event will be free to the public and they will have two booths setup for selling hot chocolate and cookies and selling of band apparel. She said they completed their events permit on October 26th and believes they plan on making this an annual event. She said one of the great benefits of being in the square is it is not wet and muddy, it's well lit and visible and in old town. She said she believes they are bringing their own audio and visual and they will be taking care of their own trash. She asked Council if they would consider waiving the fee as requested and offered to answer questions.

Mayor Middleton said he is in favor of waiving the fee and asked what staff needs from Council.

Mr. Gall stated that the code doesn't allow him or staff to waive a fee like this and the only authority is with the Council and they can choose to waive the fee or reduce it.

Councilor Clark disclosed that her daughter is on the Sherwood Middle School band, but she would support this event regardless because it gives a service to the community, playing for free in celebration of the community and she supports this.

Mayor Middleton stated that he supports waiving the fee and the other Council members agreed.

Mr. Gall asked City Attorney Chad Jacobs for direction. City Attorney Chad Jacobs recommended that the Council take a formal vote.

MOTION: FROM COUNCIL PRESIDENT HENDERSON FOR THE YEAR 2013 WAIVE TO DIRECT WAIVE THE SPECIAL EVENTS AND RENTAL FEE FOR A TWO HOUR CONCERT THAT SHERWOOD BAND BOOSTERS CLUB WOULD LIKE TO HOLD FOR THE FIRST TIME ON DECEMBER 13, 2013 IN CANNERY SQUARE, SECONDED BY COUNCILOR BUTTERFIELD, MOTION PASSED 5:0, ALL PRESENT COUNCIL MEMBERS VOTED IN FAVOR. (COUNCILORS FOLSOM AND GRANT WERE ABSENT).

Councilor Clark reminded everyone about the Give & Gobble which is on Thanksgiving Day and is a 5k or 10k. She said 7 years ago Cindy Aggson came to her late husband with this idea and they set it up. She started since that time they have raised over \$110,000 to support our Helping Hands in Sherwood and over 20 tons of food have been collected. She said it supports a Back Pack Program for students who are on the food assistance program at school to be able to bring food home on the weekends. She said it supports our local families and has for many years. She said if you do not like to run or walk they need volunteers and all volunteers get a T-shirt. She said they expect over 2,000 people this year and it starts at the High School and people can register online.

Mayor Middleton thanked the City, City Manager Gall and Kristen Switzer for planning the Veteran's Day Event, thanked everyone that attended and thanked Rose's for catering and donating the food. He said the attendants were very happy to be recognized.

Council President Henderson said that she brought both of her children to the event and commented on those who were recognized. She said she highly recommends people attend and thanked Kristen and Rose's.

Mayor Middleton stated there were 5 World War II veterans there.

Mayor Middleton addressed the next agenda item.

10. CITY MANAGER REPORT

City Manager Gall reminded the Council their next meeting is Dec 3rd and there are no agenda items scheduled as its the annual City Boards and Commissions Appreciation Dinner and Annual Reporting. He said it's a public meeting. He also reminded that City Hall will be closed on November 28-29 for the Thanksgiving holiday.

Mr. Gall recognized Police Chief Jeff Groth who just finished a continuing education program called the Local Government Management Certificate Program. He said certificates are given to those who have completed a minimum of 140 hours of training in 10 core areas that provide knowledge and skills critical for success in local government management. He said the program is designed to enhance leadership and problem solving capabilities of Oregon local government officials. He said educational sessions are offered on legal issues, budgeting, governance, personnel, open meeting law and much more. He noted that Chief Groth has just completed this program and wanted to acknowledge him publically. He said this program was optional for Chief Groth and not required as part of his position. Mr. Gall stated he has other staff members going through this program.

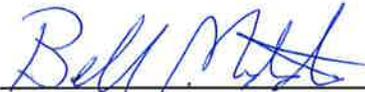
11. ADJOURN

Mayor Middleton adjourned the regular session at 8:18 pm and reconvened to the URA Board of Directors Meeting.

Submitted by:



Sylvia Murphy, MMC, City Recorder



Bill Middleton, Mayor