



Home of the Tualatin River National Wildlife Refuge

**SHERWOOD CITY COUNCIL MEETING MINUTES**  
**City Council Work Session**  
**Annual Strategic Planning**  
**22560 SW Pine St., Sherwood, Or**  
**January 21, 2014**

**WORK SESSION**

- 1. CALL TO ORDER:** Mayor Middleton called the meeting to order at 5:32 pm.

**COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Krisanna Clark, Bill Butterfield, Matt Langer and Councilor Robyn Folsom via conference call.

**STAFF AND LEGAL COUNSEL PRESENT:** Joseph Gall City Manager, Tom Pessemier Assistant City Manager, Ty Hanlon Police Captain, Julia Hajduk Community Development Director, Julie Blums Finance Director, Craig Sheldon Public Works Director, Kristen Switzer Community Services Director, Lisa Layne Municipal Court Administrator, Colleen Resch Administrative Assistant and Sylvia Murphy City Recorder. City Attorney Chris Crean and Municipal Court Judge Jack Morris.

- 2. Meeting Overview**

City Manager Gall welcomed everyone to the City Council Work Session and Annual Strategic Planning and said the meeting would consist of a series of presentations, a discussion of Council projects and priorities and issues that staff will be looking for direction from the Council.

- 3. Municipal Court Annual Report**

Court Administrator Lisa Layne and Judge Jack Morris came forward and presented the Sherwood Municipal Court 2013 Annual Report to Council (see record, Exhibit A). Ms. Layne referred to the information on Citations January 2010 - December 2013 and reminded the Council of situations that may have affected the numbers, such as photo red light introduction in 2011, ODOT changes to right turn lanes, and construction on Hwy 99. She discussed the information regarding the top 4 violation types in 2013, which included photo red light, cellphones, speeding and failure to obey traffic devices. Ms. Layne referred to the budget highlights which included the court revenue and expenses for 2012 and 2013 and noted the percentage collected of cases referred to collections was 24% in 2012 and 36% in 2013 and said if they continue to consistently send cases to collections these percentages will get better. She referred to the court workload information which included citations per month, staffing (FTE) and citations per FTE per month and gave an example that in 2013, 430 people appeared for trials and 1800 appeared for arraignments and said that is not the gross amount in the docket, and said usually only 50% show up. She stated that they have tried to be efficient with staffing and noted that the online payment system has saved staff time.

Mayor Middleton noted that court expenses went down \$100,000 from 2012 to 2013. Finance Director Julie Blums explained that part of this was the result of staff reductions due to layoffs. She referred to the right lane change which reduced citations dramatically so they reduced staff in the last couple of years. Mayor Middleton asked about the increase in the collections from 24% to 36% and noted the significance of the increase. Julie Blums noted that the City has been using a new collection agency which may have contributed to the increase.

Council President Henderson asked about cell phone fines. Ms. Layne said they increased in January 2014 to \$160.00 and they can be as high as \$500. Councilor Henderson asked if payment plans were available. Ms. Layne responded yes and said staff uses their discretion and have accepted payments as low as \$25 a month but most payments are \$50 a month, with a small fee based on the unpaid balance. Councilor Henderson asked if everyone realizes that is an option and if it is explained clearly in court. Judge Morris stated that he does not bring up the option of payment plans and does not want to encourage it and would rather it be taken care of all at once.

Mayor Middleton commended the Court for doing a great job and said he has never heard anything negative.

Council President Henderson said she has watched the Court proceedings and stated the staff does an amazing job and Judge Morris is respectful with a level of kindness that is not always seen in municipal courts.

Judge Morris responded that he likes to make it positive and thanked the Council for allowing them to report on an annual basis.

Councilor Henderson asked if the City Hall location for Municipal Court works better than the Police Department. Ms. Layne responded that City Hall is more practical. Judge Morris added that it is better for appearance to be independent of the Police Department.

#### **4. New Budget Forecast Modeling Tool**

City Manager Gall stated that he and Finance Director Julie Blums would be introducing a new budget forecasting model that they will be using this budget cycle. He reminded the Council that this is Julie's first budget cycle as Finance Director and his second budget. He said based on Council feedback, they have developed a more sophisticated tool to use throughout the process to get better forecasts. He said Rob Moody from our auditors at TKW worked with the Finance Department to create this model to allow them to look at a 3 to 5 year horizon.

Finance Director Julie Blums referred to the model and said they put together the budget to actual history and noted this is just the General Fund that staff has started with. She said staff has put together basic assumptions that they will be looking at over the next few years based on population, property taxes, increases in personal services and the Community Center operation. She said staff put them in the model and can change these as they go along and it will automatically recalculate so we can see what the different changes will do to the budget. She stated staff will get nice charts and graphs with this model to make it easier to understand. She said staff will be adding to the tool and will continue to add so they can refine the assumptions.

Mr. Gall clarified that this tool was not used last year. Julie replied no, this is more sophisticated and can have more detail.

Mayor Middleton asked if long-term maintenance will be in the forecasting tool. Julie replied yes, as we move through the budget process we will add the numbers and see what it does to the budget overall. She reminded the Council that we have a higher fund balance than required.

Mr. Gall noted that the tool will help us see the impact of the "what ifs" and we can easily extend it out 5 years, but thought 3 years was more reasonable.

Councilor Henderson clarified that this is a tool for the General Fund and asked if it would be used on other funds as well. Julie replied yes and City Manager Gall explained that they focused on the General Fund but would extend it to all the major funds. Julie noted that the General Fund is more volatile and has more sway in it and commented that it will make her job easier. City Manager Gall commented that this tool would help deal with the questions and concerns of long-term costs.

Mayor Middleton commented that it will be easier to read and more understandable.

Councilor Henderson asked if staff was going to introduce this to the Budget Committee. Julie said yes at the next budget meeting. City Manager Gall said they needed to see this as they will see it in the budget process.

Councilor Henderson asked if this will change how department heads put their budgets together. Julie responded that it will in terms of personal services costs. She said she does that portion of the budget, as we can make assumptions about COLAs and PERs changes which are our biggest expense and the hardest to make changes to. She said this will make it easier. She said we will use it with the managers to determine what changes they need from year to year.

Councilor Clark asked about the forecasting element and asked who makes the decision of what is forecasted. City Manager Gall explained that the departments will continue to put their numbers together and present the information to him and he would use this information to present the Council with a balanced budget. He stated that if departments don't include an item that Council has identified as important he will add it into the forecasting model.

## **5. FY 2014-15 Budget Schedule**

City Manager Gall said we are about to start the budget process and Julie Blums will present two options for the budget schedule and is looking for direction from Council.

Julie Blums noted this is her first year of leading the budget process and she is looking for ways to be more efficient, get more public involvement and make it a better process for everyone. She presented a document which discussed two options for the budget schedule for FY 2014-2015 (see record, Exhibit B). She suggested as noted in Option 1, instead of evening meetings the committee could meet on a Saturday from maybe 9 am to 2 pm and get through the entire budget in one meeting. She said the Saturday meeting allows staff more time to refine their numbers and she is hoping that we would get more public involvement on a Saturday and said it is more efficient to get it done in one day. She stated the downside to a Saturday meeting is time away from family and it shortens the time to respond to

questions. She explained the goal was to increase public participation, eliminate late meetings after people get off work and would allow the committee to meet later in the year and staff could be better prepared. She stated that this budget will be much more detailed for each line item which should eliminate a lot of the follow up questions. She said Option 2 is for 2 or 3 evening meetings and asked the Council for feedback.

Mr. Gall noted this was Julie's idea for more citizen participation and could be a one year experiment. He said we need feedback before we bring it to the entire Budget Committee.

Mayor Middleton said he does not mind a Saturday meeting but suggested doing a survey monkey type survey to ensure that Budget Committee members are available.

Councilor Grant stated he does not mind a Saturday but is concerned about a committee member being unable to attend and they would miss all the discussions of one meeting. He asked if all of the staff would be prepared to answer questions on the spot.

Julie suggested they could do a short follow up meeting to answer the questions that were not answered.

Councilor Clark said she is also concerned about someone not being able to make the meeting and a Saturday meeting doesn't allow us time to think about it or have a gestation period to get input. She would also like to hear from the rest of the Budget Committee as to what they would prefer.

Mayor Middleton noted that the meeting could be videoed for those unable to attend.

Councilor Butterfield stated he likes how we could eliminate the guesswork, and the closer we can get to the numbers the better and he likes the Saturday idea.

Council President Henderson noted that she is not opposed to something new and said we will need everyone on the Budget Committee to be there. She said a follow-up meeting between May 17 and June 17 would be helpful.

Councilor Langer said he likes the idea of survey monkey and that would allow members to notify staff regarding partial attendance as well.

Mayor Middleton asked if there would be alternative dates. Julie Blums stated the weekend before is Mother's Day and the weekend after is Memorial Day. City Manager Gall said they could do a survey monkey for the Mother's Day weekend as well.

City Manager Gall said he heard that Council would like staff to explore option 1 for a Saturday meeting and asked Julie when she needs a decision.

Julie said she would need a decision within a week or two and will ask the Budget Committee next week.

Councilor Langer suggested putting the information on the website to encourage participation.

## 6. Medical Marijuana Dispensaries

City Manager Gall introduced the topic of medical marijuana dispensaries, and said all cities will face this in early March and noted that some cities are being proactive and trying to enact regulations that will reduce or prevent the chances of having medical marijuana dispensaries in their boundaries. He said Police Captain Ty Hanlon has been following this issue along with City Attorney Chris Crean. Mr. Gall referred to the efforts in Hillsboro and provided the Council with information and said he would encourage Council to do something similar (see record, Exhibit C). He said that he is looking for direction from the Council regarding the dispensaries.

Police Captain Ty Hanlon came forward and referred to HB 3460 which was passed by the legislature, and said on March 3, 2014 it will be legal to open dispensaries to medical marijuana patients. He stated that he is on the Legislative Committee for the Oregon Association of the Chief of Police and has been looking at the impact it will have statewide and said cities are juggling with how to handle this issue.

Councilor Butterfield asked if we have a choice.

Captain Hanlon stated that it is not up to him, but it is coming and the question is how it will be handled in each city and said that is up for debate right now.

Councilor Butterfield asked if we can stop it.

City Attorney Chris Crean said he would give a brief overview of the legal landscape and where their firm stands on this issue. He said he does not know that it preempts legal authority to regulate pursuant to your home rule authority. He stated the legislative council ruled that it does but he suspects their firm is a better expert on that than they are. He said the other question is are you required to permit a use that on its face violates federal law as marijuana is still a class 1 on the controlled substance list. He noted that any jurisdiction that tries to ban this outright is begging for a lawsuit and the medical marijuana community is very organized and motivated and it will be a substantial legal battle. He said you have to decide if you want to be the test case on this or is there another way to go about it. He responded to Councilor Butterfield's comments of whether you can ban it outright and said there are very good legal arguments that you can, but there are good legal arguments on the other side as well and the only one that can determine that is the judge and possibly several judges up the ladder of which someone is going to have to pay for. He said there are a number of regulatory ways to address this issue and referred to the efforts in Happy Valley regarding the site requirements that say the use has to be sited in an industrial commercial mixed use zone or agriculture zone. He stated Happy Valley said lets allow it in our industrial zones because it is away from everything else and the provisions in their development code require improvements that would be so substantial it would likely scare off a small distributor. He said they are complying with the state law as a practical matter but it will be a long time before you see one out there. Mr. Crean said he spoke to the planning staff and it would not be that simple here but there are regulatory ways of addressing this to minimize the impact in Sherwood.

Mr. Gall said that Julia Hajduk, Community Development Director has a map of Sherwood showing where dispensaries would be prohibited (see record, Exhibit D).

Julia noted that one of the provisions is that dispensaries are banned from being within a 1000' radius of a public or private school.

Mayor Middleton asked Mr. Crean if the Hillsboro ordinance would stand up. Mr. Crean said yes, if anyone brought suit to challenge it, it would probably fail. He explained that it is only 120 days and referred to the timeframe of processing the permits with the state and said by the time they come to the city and find out it is not allowed and file a lawsuit and have a hearing scheduled, the temporary ban would have expired and the lawsuit would be mute at that point. He stated it is buying them time to figure out the regulatory responses they need. Mr. Gall said it is referred to as temporary prohibition and said he passed out the Hillsboro staff report and ordinance which is before their Council tonight (see record, Exhibit C).

Mayor Middleton noted this would give us breathing room and commented that they are now growing it in cities and dispensing out of their houses and that is the only way they can do it. Captain Hanlon said they can have 6 adult plants and 18 baby plants and you can only have 4 patients including yourself as a grower. He said Multnomah County allows it and has dispensaries that growers provide them with marijuana and they can dispense it for them. He commented that there is a \$4000 application fee that has to be renewed every year, which may slow down the process.

City Manager Gall informed Council that Tualatin has been trying to go the route of business license applicant compliance with local, state and federal law but decided not to and said they will probably do the same thing as Hillsboro but look at it from a land use standpoint regarding where to site them.

Mayor Middleton asked if that will have a bearing on where they grow it and said now they don't report where it is grown and someone could stumble upon it.

Captain Hanlon stated that they cannot grow and dispense at the same location, but where they grow is another issue.

City Manager Gall asked about the 3 initiatives that may be on the November ballot.

Captain Hanlon said there are three initiatives aiming for the November ballot, Initiatives 21, 22, and 37. He said they have qualified with the minimum signatures but are still gathering signatures and waiting to see if the legislature is going to address these issues or if it is going to an election. He said initiative 37 resembles what Washington and Colorado did.

Councilor Butterfield asked if this business would be lucrative. Captain Hanlon said it would be considered a business and they can buy from growers at wholesale and sell to patients at retail.

Councilor Butterfield commented that to come to Sherwood they would have to have a number of people wanting to buy marijuana. Captain Hanlon noted that Oregon as of January 1 had 60,516 medical marijuana patients and Washington County had 4,295, Yamhill County had 1,000, Multnomah County had 10,377 and Clackamas County had 4,392. He noted there are plenty of patients in the surrounding areas of Sherwood.

Mr. Crean addressed Councilor Butterfield's question and read a portion of HB 3460 at the end of section 2, which discusses the cost and how much money can be made, and states a cardholder may reimburse a medical marijuana facility registered under this section for the normal and customary cost of doing business, including costs related to transferring, handling, securing, testing, packaging and

processing usable marijuana, including the costs of supplies, utilities and rent or mortgage. He said it also states the medical marijuana facility may reimburse the grower for these same costs. He stated it appears to suggest that you are allowed to get reimbursed for the cost of doing business but begs the question of what is your salary and is your salary the cost of doing business. He said on the face they are prohibited from making money but there are ways around it. He mentioned that these dispensaries can't open bank accounts because the banks don't want their money.

Councilor Grant asked if it makes sense to enact an ordinance like Hillsboro to prevent something from happening and we can still have applications coming in. Captain Hanlon clarified that the action in November is to legalize recreation use and the action in March is for dispensaries being able to dispense to patients. Councilor Grant asked if you need to do something before March. Captain Hanlon stated they can apply in March to be a brick and mortar dispensary in Sherwood. Councilor Grant suggested we see how it plays out in Hillsboro.

City Manager Gall said it buys us time to see what happens next month in the legislature. He noted that Hillsboro is also changing the 1000' radius from schools to 1500'. He said there may be state minimums but we could set a higher bar and buying time allows the policy makers and planning commission to do an actual ordinance and see how things turn and see what the legislature does. He said he agrees with the Mayor that it buys us time to consider options instead of seeing what is done in other communities.

Councilor Langer asked if the next step is to direct staff to draft an ordinance for the next meeting.

City Manager Gall asked if there was a consensus from the Council for staff to move ahead and draft an ordinance similar to Hillsboro. No objections were received.

Council President Henderson asked when the initiatives would take effect. Captain Hanlon said the initiatives are for recreational use and are separate from dispensaries. Councilor Henderson noted that if the legalizing recreational use passes then the issue of dispensaries goes away. She asked if a dispensary sets up, are they limited to the number of patients they can sell to? Captain Hanlon said no, growers can have 4 patients but dispensaries are bricks and mortar locations and patients and caretakers can come in and buy marijuana.

Mr. Crean clarified that we are talking about two separate piece of legislation. He said the Oregon Marijuana Act was passed in 2005 and now there are 65,000 plus medical marijuana patients. He noted the dispensary legislation was just added onto the Oregon Marijuana Act to allow dispensaries for patients that are unable to get it on their own from a grower and that takes place in March.

Council President Henderson asked if dispensaries are required to service a regional area or can patients come from all over. Captain Hanlon replied from all over and said that we had the program, but there was no place for patients to go and everything was on the black market.

Mayor Middleton said there is a Council consensus and asked staff to draft an ordinance and we can have time to think and get public feedback.

City Manager Gall said he would do that as soon as possible and asked about a prohibition time. Mayor Middleton asked Mr. Crean for advice. Mr. Crean said to consider, you are buying time to do what? He

noted when you determine what you want to do you can determine how much time you need. He said you have to build in all of the timelines.

Julia said staff could come back with a schedule and see how much time we need and said 120 days may be on the short side.

## **7. Possible Police Staffing Study**

City Manager Gall said he has discussed the police staffing study with Mayor Middleton and wanted to bring it to the Council. He said Matrix is a company that does this around the country and he can provide some samples that are consistent with what the Mayor is looking for and wanted to give the mayor an opportunity to explain why he thinks this is necessary and how it would help us. He said then the question would be does the council want staff to proceed with this study as there will be a cost that is currently not in the budget.

Mayor Middleton asked if City Manager Gall had a form that she previously shared with the Mayor and Mr. Gall said not with him but offered to provide it.

Mayor Middleton stated what they do is they go into a department...he referred to other jurisdictions and counties receiving this service, and said they look over the entire department to see where the needs are. They take a matrix, crimes and all the mapping of where crimes occur, all personal data and if they are being utilized right, they look at shift staffing and if it's adequate. He said sometimes if this is done internally you tend to jumble the facts to keep your staffing levels high or it may be low. He said we don't know. He said the study would cost money but in the long run it could save us a lot of money. He said right now, much of our staff is on one shift, they come in and do a review. He gave an example of a jurisdiction and the analysis saving that jurisdiction about \$200,000. He said they take the facts and strictly look at facts of crimes, when they occur, what the current resources are and it gives a very good overall broad view of the future and what you're looking for. He said you can utilize it in many ways and gave examples of departments being heaving in clerical staff and using sworn personnel for these job functions. He said he personally feels we are top heavy on the day time and we need someone to come in and make a valued judgment on it. He said this is the way of the future and they are doing it mainly in police departments and fire departments is there second area of review. He commented about not building and building and utilizing what you have, and utilizing it in the most efficient manner possible. He said this takes the guess work out of it as well. He said everybody likes to grow, not just the police and you need to make sure that growth is needed. He referenced a report from the City of Vernon that he shared with Council President Henderson. He said it's very informative and staff doesn't need to come in and sell the council on stuff, the council knows what the facts are and how we can use the resources. He said it's cost effective in the long run to see how they do it. He gave an example of number of calls for service and the surveying company breaking down this information to determine what they calls were for, he said a lot of these calls are unnecessary. He said they use a different method and he would have like to have had this service when he was the Police Chief. He said the information gives ideas to think outside the box and utilize what you have. He said he believes now we are staffed pretty good and we just may need to move things around. He said often times there are only two on a shift and there may be nine on another shift. He said the company tells us how to utilize what we have and he is looking for cost efficiency in getting the most for our dollar. He suggested reading the surveys as they are informative. He said this is his main push for this, it give us a five year future of what we are looking for.

City Manager Gall said that has sample reports from Matrix as they are the biggest nationally. He said there is valuable information in the reports and believes it provides an outside sense for an expert coming in and taking a look at a department based on national standards and trends. He said it's an outside perspective rather than only having an inside perspective. He said it's the biggest expense we spend money on in the City and most people would argue that public safety is the one thing that local government does. He said it's not going to get any cheaper and he is looking for a green light from the Council to move forward, knowing there will be a cost. He referred to a study in Des Moines, Washington with 29,000 people that cost was about \$30,000, but included a performance audit as well. He said he is guessing it could cost \$10,000-\$20,000 for this type of study.

Mayor Middleton said he doesn't believe we need a performance audit and he was looking at a staff report. He referenced the City of Vernon report.

Councilor Butterfield asked the Mayor why he wants to do this.

Mayor Middleton said it gives long term plan on how to staff the police department, rather than coming in and asking for 5 officers and not being able to explain the need. He said this report will say because it indicates information on crime and paperwork. He referenced examples of other jurisdictions where command staff were put on different schedules. He gave other examples of the information that is provided in the report. He said the information is all about cost and ensuring the public is getting what they are paying for. He said the information may indicate cost saving or it may indicate the need for more officers. He said he would feel comfortable with the facts and indicating why the need for staff. He said it's difficult when additional staffing is requested without a reason. He gave an example of information on detectives and how much time should be spent on certain crimes. He said it's about efficiency and the department is going to be our biggest expense. He said it's not something to punish a department, it's to get a plan, much like Craig Sheldon did with his maintenance information, it provides information 5 years out on what is needed, rather than every year thinking more staff is needed. He said it's a long term tool and feels the public would feel more comfortable as well.

City Manager Gall said he is bringing it up now because the Mayor would like to get started and not wait for the budget process. Mayor Middleton said it could save us money.

Councilor Langer stated generally he would expect the department heads to come ask for this and asked what the Chief thought of this, did he bring this to us? City Manager Gall replied no, and unfortunately Chief Groth is sick tonight.

Mayor Middleton stated it's not normally the Chief's requesting the information, it's the Council's and administrations. He commented regarding the need to an outside evaluation of how business is done. He said it gives the citizen a look at how the money is being spent.

Councilor Langer said he recalled last year during the budget process, did we not all decide to add an officer.

Mayor Middleton said, but what for. Mr. Langer said he thought we determined we needed it, but doesn't recall all the details. Mayor Middleton replied he did not believe we received a response as to why.

Councilor Grant stated it was clear to him because we were under-patrolled.

Mayor Middleton asked why and said our crime rate is very low, and would you think they could take from other positions and put them into patrol rather than special detail.

Councilor Grant said he does not find himself in a position to micromanage his job and said the Chief made his case very well last year, and doesn't want to paraphrase his reasons of why on a day to day basis. He said it was clear to him that the council had reliable information from the Chief at that time. He said if he comes to us during the budget process and wants to spend the money as he sees a benefit, he believes it would be a great thing for the whole budget committee to weigh in. He said he doesn't want the Chief living in a fish bowl instead of the other things he needs to be doing. He said he is not seeing a need for this.

Mayor Middleton said he does not see it as living in a fishbowl but as being progressive. He said we are spending tax payers money for that police department. He referenced information he reads in the newspapers on the number of police calls per week and said they are all low level and said maybe we can take some of our resources that we use on our dayshift and put them on nights. He said it's not micromanaging it's taking the citizens money and spending it properly, being progressive and thinking outside the box. He commented regarding the number of people on day shift and why, he commented on the canine program and how often this is used.

Councilor Langer said he understands and hears what the Mayor is saying but we have not talked about this before. He said normally before we go and spend a lot of money on a study there is some discussion, like a work session and the department head is involved and we figure out a plan and what we are going to do with it. He gave the example of the Goal Setting session from 2013 and talking about wanting a police dog and that was one of the things that ended up on our priority list and we did it. He commented regarding having multiple discussions regarding the police dog. He said he would just like to talk about it a bit more as this is the first time he has heard of it and commented regarding the Chief not being present to answer questions.

Mayor Middleton said that is fine and said he doesn't have a problem with that if the police department gives us actual calls that they do. He said statistics can be used in any way and facts are what you deal with. He said his main thing is when asking for staff he wants to know why.

Councilor Langer said then let's get some of those statistics and judge them for ourselves and see if we aren't getting accurate and sufficient data for the police department to be making their own decisions. Maybe that justifies we need a study and said he doesn't know how we determine we aren't making the right decisions.

Mayor Middleton said that he has a different perspective and has worked in law enforcement for over 35 years and believes the statistics are being jacked up. He said our main thing is crime reduction.

Councilor Langer replied show me how they are being jacked around and that would be the justification that we need a legitimate study.

Councilor Clark commented that this is a work session and asked Council President Henderson about the Vernon report she read and said that City Manager Gall feels there's some merit to having an outsider look at something on the inside and having nothing to do with saying there's something that is not correct. She said she has spoken to many different police officers and one of the reasons our streets are safe is because they are out there and making public contact during the day and night and are in the schools and are visible and are positive influences. She asked with all those components built in, not just looking at patrol placement or detective placement, did Ms. Henderson think the report she read was inclusive of all the components that make our City safe.

Councilor Henderson said the Vernon, California report is like comparing an apple and an orange. She said this town has 400 residents and 1000 businesses. She said they take data and analyze it, but she does not know what models they use. She said we often hear about how we compare nationally or locally per thousand and that is a national standard that someone came up with. She said Matrix must employ people who have expertise in law enforcement or are retired or are military. She commented the Vernon study determined that they were understaffed for dispatch and added three dispatchers. She said she would be interested in the Des Moines report to see what they received for \$30,000 and how long it took and if it was disruptive to the department. She said if you're going to do something, let's do it well and have the data. She asked City Manager Gall if there would be an RFP for the study. Mr. Gall said yes. She commented regarding other companies similar to Matrix that have different models and others that focus more in residential or metropolitan areas versus smaller more rural areas. She said the report was very objective and they looked at where the staffing was and made recommendations. She commented regarding the difference City dynamics of Vernon in comparison to Sherwood.

City Manager Gall said he would provide the Council with copies of two reports that would be similar to Sherwood and he sensed that the Council has interest and wants to learn more. He said he can provide this information and needs to learn more about the costs. He said there is a draft RFP that he has put together that the Mayor has seen and offered to share this with the Council. He said we can keep this moving forward and have another work session in the near future as to whether we want to do this right away or should it be in the budget as part of next year's work plan.

Councilor Langer asked Mr. Gall to find out in the other cities what the driving force was to have these studies. Mr. Gall said yes and said he believes the Mayor hit the nail on the head and said when you think about the expense of law enforcement it's your biggest expense and you want to spend taxpayer dollars wisely and this an outside expertise looking at your department and possibly finding that we are understaffed in some areas. He said this gives an outside set of eyes and believes there is value, and said we just need to ask the right questions and know what those questions are before we jump in.

City Manager Gall commented on Council President Henderson's comment about the disruption the study may cause and said that is important information. Mayor Middleton stated that they use mostly statistics and they do talk to some people but it is just like an outside audit.

Mr. Gall reminded the Council that this information would be useful if Sherwood ever has to go out for a levy for additional law enforcement in the future. He said it sounds like this is a continuing discussion and Ms. Henderson replied in a work session.

Councilor Grant stated he would like to hear what the Chief has to say about it.

**Break:** Council took a break at 6:57 pm and reconvened at 7:12 pm.

## **8. Review & Update Council Priorities**

City Manager Gall provided the Council with a document summarizing the Council Goals and Priorities for FY 2013-14, (see record, Exhibit E). He said the summary includes the goals and activities, the department responsible, and the current status. He suggested the Council go through the list and asked if there is anything on the list that has not been initiated that needs to be removed, and is there anything that needs to be added to the list. He stated the timeframe they are dealing with is now through the end of the next fiscal year, June 30, 2015, basically 18 months.

Councilor Butterfield asked if the light project is on the list. Mr. Gall said no, it is not identified and asked if he would like to add it and assumed he was referring to the lighting project at the Edy Ridge campus and the Hopkins/Sherwood Middle School campus. Councilor Butterfield stated he would like the project added to the list.

City Manager Gall reminded the Council that this is a list of the top projects we are working on and said not everything we do is on the list. He said if it is on the list it is a priority of the Council. He stated there may be some projects that came out of last year's discussion and may not need to be on the list. He gave the example of the goal to research and study feasibility of a parks and recreation district that has not been initiated and asked the Council if they would like it removed from the list.

Mayor Middleton and Councilor Butterfield indicated that it is no longer a priority and could be removed from the list.

Mayor Middleton referred to goal 2.4, and said that is part of the Charter review discussion and could be removed from this list.

City Manager Gall noted that development of a Water Advisory Board could be included in the Charter or could be done by a resolution, which could be done sooner but it wouldn't be in the constitution.

Councilor Henderson commented that we don't have any other Boards in the Charter, but we do have significant investment in our water system. She asked what they envisioned a Water Board to comprise of?

Mayor Middleton referred to the Oregon City and the West Linn Charters where it is in the Charter. Mr. Crean said this is the Southwest Water Board that has existed for a long time and is the combined water departments of West Linn and Oregon City and it is in the Charter as a recognition of the existence and it consists of 6 city councilor, 3 from West Linn and 3 from Oregon City and they meet once a month.

Mayor Middleton said we are looking for more of a Recreation Board which will involve citizens.

Mr. Crean discussed a number of examples of various commissions and their powers and suggested Council think about the amount of power a Water Commission should have.

Mayor Middleton suggested more of an informational group that would give the public the chance to get involved and provide recommendations. He stated water has been a big issue in this town and it would empower the public to know what is going on.

City Manager Gall said that they are ready to bring something to the Council in a work session and asked do we want to explore adding it into the Charter? Mayor Middleton said no, not after hearing Mr. Crean.

Council President Henderson clarified that the Council is interested in adding code that creates a Water Advisory Board of some kind and it would function with a liaison.

Mr. Gall said yes and agreed with the Mayor that water has been an issue and this provides an opportunity for people to get involved.

Council President Henderson referred to Councilor Grant's experience with this issue and noted he would be a good liaison.

Councilor Grant said that this would be useful to get more information out to the public but he cautioned that the commission may want action items to feel a part of the situation and said that we have not had a lot of water related action items in the past few years.

Councilor Henderson suggested that they would need to only meet monthly or perhaps quarterly and said water is an issue with a lot of communities now and people could learn about our situation and stated that Sherwood is lucky that we control our own destiny with water.

Councilor Clark said there could be several action plans such as regional planning.

Mr. Gall agreed to continue pursuing this issue.

Mr. Gall referred to Item 4.1 to explore the development of a Public Safety Advisory Board and asked the Council if this was still a priority. He said he has seen this in other communities and they have it because public safety is a large expense and they have citizens involved as an advisory committee. He said it is not a citizen review board but an advisory board.

Councilor Clark asked would this be something CERT would be involved with?

Mr. Gall said public safety is a broad spectrum. He said it is an opportunity to get more citizen involvement and this was part of the Council discussion last year and Chief Groth is in favor of this but does not want oversight.

Mayor Middleton noted that this would be helpful at budget time.

Councilor Langer asked about Item 3.3 to Formulate a Future Annexation Plan/Strategy. Mr. Gall said that has not been initiated and commented on the Brookman Road initiative and said Sherwood West will be studied this year with a Metro grant and asked Julia if it would be helpful to have a plan.

Julia said the idea was to identify what a community can accommodate with growth and said they received a grant for Sherwood West to identify the appropriate phasing for our community and we need to continue looking at all of the urban reserves areas.

Mr. Gall said we have not started this yet and asked if the Council would like it on the priority list or removed?

Julia said this would help the community development and planning staff and the Council when they attend regional meetings to at least clarify a strategy and priorities. She said staff will be working on the Sherwood West Concept Plan and annexation strategy will be a part of the discussion. She said whether it is on the priority list or not they will be working on this.

Councilor Henderson asked if the Sherwood West Plan would be done through the Planning Commission. Julia said partly but will involve a lot of community involvement because it is a large area and they need to identify the long term. She reminded Council that the Urban Reserve Area is a 50 year supply of land for the region.

Councilor Henderson asked how long the plan will take? Julia responded about a year and a half.

Mr. Gall reminded the Council that if it drops off this list it does not mean it won't get done.

Mayor Middleton suggested leaving it on the list as ongoing.

Councilor Clark asked about Item 2.6 to Develop Future Operation for the Senior Center. She referred to prior concerns about the facility and the lack of a maintenance plan. Mr. Gall noted that the City will be extending the agreement with Loaves and Fishes for two years, which is a short term solution but we haven't figured out long term about what we are going to do with the facility. He said it is still an ongoing issue and can't drop off the radar.

Councilor Clark said she has heard testimony regarding the issues there that we could be talking about and she would like to keep this item on the list. Mr. Gall suggested continued discussion and possibly speaking with the Director and noted the demographics show a rising senior population and the recent investment the City made in the facility.

Councilor Clark stated the facility is not only used by seniors but by several groups in the community. Mr. Gall said Public Works Director Craig Sheldon is working on maintenance plans for all the City's facilities.

Councilor Clark asked about why the YMCA recreation facility was not on the list and are we going to make sure it has an operations schedule. Mr. Gall noted that is important and the 20 year contract expiration is on the horizon and decisions will have to be made. He asked if she is proposing adding language.

Councilor Clark asked Mr. Gall to craft some language so that we don't approach the deadline without a plan. Mr. Gall agreed to do that.

Council President Henderson said the Senior Center is used by many groups in the community and she would like to hear from them if they have any input or feedback about their wishes for the facility.

Councilor Folsom said she is concerned about theft at the Senior Center and the need to be sure that things get locked up. She commented on the maintenance issues and the need to have a plan.

Councilor Langer asked for the status of Item 5.1 to Initiate Neighborhood Social Events. Mr. Gall said we talked about this last year and did not get to it this last summer but felt the item was important and a way to engage with citizens in their neighborhoods. Mr. Gall said if they are interested he could make it happen.

Mayor Middleton asked if they reach out to HOA's? Mr. Gall responded yes.

Mayor Middleton said the Woodhaven 4<sup>th</sup> of July celebration may be a good time.

Mr. Gall said his experience is that it allows you to reach out to citizens that you normally wouldn't hear from. Councilor Langer noted that we should get a couple events on the calendar. Councilor Grant said that they have done this before. Councilor Henderson said yes, we did one for the opening of Snyder Park and one for the Summer Solstice and commented on the success.

Councilor Henderson asked Mr. Gall about the issue of a quorum. Mr. Gall said that you have to open a meeting but would not be conducting business.

Mayor Middleton suggested National Night Out would be a good one too. Mr. Gall said they have talked about the National Night Out and will continue to work on this and leave it on the list.

Mayor Middleton said that we already do this with other venues and suggested putting a list together about the activities they already participate in throughout the year.

Councilor Langer referred to discussion he has heard about the method and timing of which the Board and Commission members are appointed and it is cumbersome. He asked if something is being done or should we put this on the list.

Mr. Gall referred to Beaverton where all of the member's terms expire on the same date, such as December 31. He noted our member's terms are all over the place and he suggested that instead of the staff liaison for boards keeping track of this in cities such as Beaverton the City Recorder is responsible for managing that on a consistent basis.

Mayor Middleton said the problem is would we have to interview them again every term. Mr. Gall said that we can explore how other cities do it for more effective and efficient way to do it.

Mayor Middleton asked him to bring back some ideas.

Councilor Henderson referred to the appointing members to partial terms and that is why we have so many staggered appointments and we haven't been consistent. Mr. Gall suggested if we appoint someone to finish a member's term, they should serve the remainder of that term and then be reappointed to a full term.

Mayor Middleton commented that there is a consensus to consider a drop dead date with an annual or a biannual date and commented that the Planning Commission would be different. He said we do need to do something different with the system because it is time consuming.

The Council discussed the YMCA contract and the need for a maintenance schedule in the agreement.

Councilor Henderson said this should be done for every City building. Mayor Middleton said that we will see that as soon as they are done with the audit, and they will discuss the contract. Mr. Gall noted that they will get to look at the finances and recommendations to improve the contract.

Council President Henderson commented on the Charter Review Committee and noted that they are using a two phase system and working on the sections of the Charter that deals with elections first so they can get those on the May ballot and will be addressing the other issues for the November ballot.

Mayor Middleton addressed Council Liaison Assignments, (see record, Exhibit G) before addressing the next agenda item and stated that the only change is Councilor Folsom will be the alternate on the Planning Commission and Councilor Grant will go back on the Water Board and those are the only two changes.

#### **9. Review Parks Maintenance Plan (Craig Sheldon, Public Works Director)**

City Manager Gall said they have been working on long-term facility needs and park replacement needs and this is the Council's opportunity to ask Public Works Director Craig Sheldon specific questions about this document.

Public Works Director Craig Sheldon came forward and provided the Council with a document (see record, Exhibit F). He explained it provides information for the next ten years with a total of \$3.9 million, and noted the \$1 million in 2017 is accounting for the turf replacement at the High School and said the School District is putting aside \$25,000 a year for that turf replacement and suggested the Council not focus on this right now as it might get pushed out.

He addressed the current budget and stated that we normally set aside \$25,000 for Park Trails Maintenance and that was reduced to \$5,000. He commented that beside the turf replacement which came in at \$430,000 as well as the Murdock Park playground equipment there was not much else in the budget.

He addressed the FY 2014-2015 figures and said Snyder Park included \$5,000 for the baseball infill as well as to seal coat walkways. He said Stella Olsen will need a new playground, which he figured \$170,000 and some seal coating and money set aside for the stage repair. He said Murdock Park needs an observation deck and work on the shelter for \$5,000 and Pioneer Park needs work on the shelter for \$2,500. He said Atley Estates is off of Roy Street and the 35 year old concrete needs to be removed for new material for \$15,000. He stated there is \$15,000 for the High School soccer field infill. He said there is \$5,000 set aside for the Sherwood Middle School field. He commented on the money set aside for trail maintenance and signs and reminded the Council that they did cut \$20,000 out of the budget last year and some of the deferred maintenance will have to be addressed.

He addressed the FY 2015-16 figures and said he hoped the Snyder Park turf field will not need to be replaced until 2019, but they planned \$10,000 for the base cut outs. He said there is money designated for the crack sealing and log seating which needs to be replaced. He noted the observation deck at Stella Park will need repaired and the observation deck at Murdock Park. He stated that Langer Park is the next playground that will need to be replaced and there is an agreement with the HOA so they will have to work on that. He said there are small purchases for schools but a lot of times those change. He said there are trails to seal.

He addressed the FY 2016-17 figures and said that water pumps will be coming due at Snyder Park as well as the turf baseball field, but that might be pushed out. He stated they will need to seal coat the parking lot off Division and brick sealing on the restrooms at Snyder as well. He said there is money set aside for crack sealing at Stella Olsen Park and Oregon Trail Park will need a new playground structure. He said Langer Park will need benches, trash receptacles, and the pump filter and nozzle replacements. He said the Field House will need turf replacement, but may be extended. He stated the High School turf is also due to be replaced that year for \$500,000 and some replacement of gravel in driveway and varsity baseball field bases need to be replaced and the softball field parking lot will need to seal coated. He said there are also a number of trail repairs with a total budget of over \$1,000,000. He commented on the importance of facility planning and said the Council will see a couple million dollars' worth of facility plans over the next ten years and the plan will be available in a few weeks. He stated these are all facilities that have been built and we need to maintain and the budget will consist of fleet replacement programs and that will be a high number. He said we have a plan for the Senior Center and the YMCA.

Councilor Folsom commented on the price of playground structures and asked why they cost \$170,000. Craig said you have removal of the material and installing the structure in addition to the structure. He said the community has expressed interest in a shade structure so that figure was included.

Councilor Folsom asked if the Parks Board will vet this, and asked about replacing bases and asked if we are getting fees from the leagues and what does that fee cover. Julie Blums said the fee is for ongoing maintenance and we don't bring in any extra revenue or collect money for replacement. Councilor Folsom clarified that this is a big problem and we have been discussing this over the last few years. Councilor Langer said we were talking about getting a designated fee for something like turf replacement so there would be a reserve fund. Discussion followed about previous discussions over the years.

Julie Blums clarified that we have explored it and the fee would be exorbitant and said the community would not support that. Discussion followed about the importance of the issue and the need for an open dialogue with citizens and users of the fields. Julie commented the Council needs to decide what the city is willing to subsidize and what we need to collect from the users.

City Manager Gall said this is a two tiered process where Craig Sheldon is laying out what we will need to do in the future and the second part is to figure out how we can pay for it and who pays.

Councilor Folsom said the document is good for planning and this discussion is a priority and the \$1,000,000 year is not too far away.

Council President Henderson referred to our partnerships in town and asked if we have had a discussion with the School District about the number of these facilities that we don't own but maintain

and what the long term capital needs are and understands they have budget concerns as well and commented on the IGA with landscaping and said the High School field was built with a partnership and she doesn't believe we should bare 100% of the burden. She asked about the State Parks and Recreation granting opportunities and asked if staff would look into this and knows we have not been successful in the past but we have a large list. She asked if we could use it for Stella Olsen Park.

Mr. Gall replied and said we have spoken with the Superintendent but not the School Board and they are just starting to look at their long-term facility needs and the timing would be good for perhaps a joint work session.

Community Services Director Kristen Switzer said yes we could use it for Stella Olsen as long as it was for a total replacement structure. She agreed to look into the grant opportunities and she reminded the Council of the match requirements and said the money has to be designated.

Councilor Butterfield clarified that we need about \$300,000 a year and if you suggest that 3200 kids use the field it is a big number and we have to figure out how to take care of it. Craig Sheldon said cost recovery is somewhere along those lines and said all communities face this issue. Discussion occurred regarding safety.

Councilor Grant said he would like to determine how much it would cost for turf alone and that may be something to consider.

Councilor Henderson asked how will this be used in the next budget? She commented on the \$20,000 cut in the last budget and asked what that would have been spent on? Craig said they deferred trail maintenance and it has not been a high priority as we only have 4 miles of trails. Councilor Henderson asked about the Woodhaven HOA trails and asked if we have a partnership. Craig said yes, but the City is responsible for the asphalt. She asked if they have a list of the worst trails. He said the worst trail is behind St. Charles and he could provide some information.

Councilor Henderson asked about the budget process. Craig said that everything he talked about for FY 2014-15 will be in the budget as well as facility repairs, facilities refurbish plan and our equipment replacement.

City Manager Gall referred to the budget process and said the next step will be to asked Craig if everything is covered in the budget and if the answer is no we have to determine how to pay for some of this and consider saving for the future years. He said it will be challenging to meet next year's demands and planning for the future. He referred to last year's budget process and said this started due to feedback and he will do it differently this year and provide the Budget Committee with the cuts he makes in order to provide a balanced budget. He said this will be better than last year.

## **10. Council Liaison Assignments**

Councilor Grant asked Mayor Middleton if he would be doing the Budget Committee interviews. Mayor Middleton said yes.

Mayor Middleton reiterated that Councilor Folsom will replace Councilor Butterfield as the alternate liaison on the Planning Commission.

Mr. Gall said that Julie Blums will coordinate with the Mayor to schedule the 8 applicant interviews.

Mayor Middleton referred to the Westside Economic Alliance and said any Councilor may attend and noted to add the Charter Review Committee and add Councilor Henderson as the liaison.

#### 11. Other or Open Council Discussion

Council President Henderson asked when the Budget Committee Meeting Agenda would be available. Mr. Gall replied tomorrow.

#### 12. Adjourn

Mayor Middleton adjourned the meeting at 8:30 pm.

Submitted by:

  
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Sylvia Murphy, MMC, City Recorder

  
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Bill Middleton, Mayor