



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
October 21, 2014

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 7:00 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Bill Butterfield, Krisanna Clark and Matt Langer.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Development Director Julie Hajduk, Public Works Director Craig Sheldon, Police Chief Jeff Groth, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy. City Attorney Chris Crean.

4. APPROVAL OF AGENDA:

No Council action taken.

Mayor Middleton addressed the next item on the agenda.

5. CONSENT AGENDA:

- A. **Approval of October 7, 2014 City Council Meeting Minutes**
- B. **Resolution 2014-066 Authorizing the City Manager to sign a contract amendment to the Intergovernmental Agreement (IGA) with Metro and Washington County regarding a joint Industrial Site Readiness and Planning Grant benefiting Sherwood's Tonquin Employment Area**

MOTION: FROM COUNCILOR CLARK TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCILOR GRANT, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Middleton addressed the next item on the agenda.

6. CITIZEN COMMENTS

Jim Claus, Sherwood resident approached the Council and provided documents (see record) and said Mr. Butterfield has a sign at the entrance of a polling place and referred to state statutes. He commented on passion over petty things. He said what is going on in Sherwood is totalitarian in format and said you

should never use “self-help”. He stated that we also have discretion of speech and said political officials have put pressure on landowners to force tenants to take down their political speech and said that is censorship. He said America is built on the idea of persuasion and commented on free speech. He asked Mr. Butterfield to take the sign down and said he did not think he did it deliberately.

Dan King, Sherwood resident came forward, reminded the Council of his previous comments regarding the Mayor and his article in the Gazette, and said the Mayor has done the same thing again. He referred to an accusation Mayor Middleton made about him and Ross Schultz who is also running for election. He read *“both Ross Schultz and Dan King have exaggerated their qualifications and backgrounds. Neither has shown that they can be trusted nor that they have the skills to manage Sherwood’s future”*. He asked Mayor Middleton to respond.

Mayor Middleton responded to Mr. King and stated the last time Mr. King ran he said he was a supervisor and his wife had to defend him in the newspaper. He said you are not a supervisor.

Dan King responded that he supervises inmates. Mayor Middleton asked if he was a Deputy Sheriff or a Corrections Deputy Sheriff. Mr. King responded he is a Deputy regardless and asked what difference that makes. Mayor Middleton asked if all of his certifications are in. Mr. King stated he is acting in the scope of his employment as a Deputy. Mayor Middleton stated he exaggerated that last time.

Mr. King said he did not exaggerate. He said Mayor Middleton has exaggerated and referred to his lawsuit with the City. He stated he read the summary judgment and said Mayor Middleton stated that he was fired and he commented on a *60 Minutes* segment where he said the City violated his USERRA rights. Mr. King read a section from Bill Middleton deposition and stated that Mr. Middleton was not fired. Mr. King said the information is all here and if anyone has any questions the information is available.

Mara Broadhurst, Sherwood resident approached the Council and said she sympathizes with the Councilor’s families who have been stalked and harassed. She said she had similar experiences in the last election. She said whether it is bully tactics, threatening phone calls or out of code profiteering, repeat violators have no excuse and should be held accountable. She said maybe then they would stop doing it. She stated City policy and code compliance are not trivial issues and enforcement cannot be left up to the honor system. She said this includes out of order disruptions which demeans the public process. She stated proper protocol has to be followed consistently on every level. She commented on the vehicles in question as you drive down the highway. She asked what will be the remedy to bring this property into compliance with the code. She asked if the City will have to repeat the process again and repeatedly spend City resources. She said as long people can make more money from out of code uses than the fines or penalties imposed or if these fines and penalties are repeatedly dismissed there is no incentive to obey the law. She stated if we don’t learn from history we will probably be repeating it.

Naomi Belov, Sherwood resident came forward and thanked Mayor Middleton for his work and said the citizens of Sherwood appreciate it. She commented on his legacy and said he turned the tide and things are moving forward. She said he lowered SDCs so small businesses can come to town, he worked to bring transparency and he has given the citizen’s a voice. She thanked Mayor Middleton for his endorsement of Dean Boswell, Sally Robinson and Jennifer Harris. She said these are three residents that are stellar applicants because of their desire to serve. She announced that Da Mimmo’s has a new chef and they are planning a Halloween themed dinner on Halloween starting at 5 pm.

Mayor Middleton addressed the next item on the agenda.

7. NEW BUSINESS

A. Resolution 2014-067 A Resolution Authorizing the City Manager to enter into a contract with Buell Recreation to purchase and install the playground structure and swing set for Stella Olsen Memorial Park

Public Works Director Craig Sheldon said the resolution is for the replacement of the play structure at Stella Olsen Park and said the last structure was installed in 1998 and structures can go 12 to 15 years and said Sherwood is trying to keep theirs between 15 to 20 years. He stated on August 4, Public Works provided 6 options to the Parks Board and asked them to narrow it down to three options to bring to Music on the Green for residents to vote on. He said they also voted online. He stated the City received approximately 570 votes. He said they attended Music on the Green on August 13 and received 189 votes at that event. He noted on October 6 Public Works went back to the Parks Board and the Board recommended option D (see record, Exhibit A). He said the best pricing without going out to bid and conducting an RFP process was to utilize the King County Directors Association which is the same association the City used to buy the Musco lighting. He explained it is about a 7% savings on equipment and a 5% savings on material as well as all of the administrative costs involved with an RFP which is not included in the 12% savings. He said the contract is with Buell Recreation but it is going through the King County Directors Association. He noted the actual equipment cost is \$169,715.38 and that is with installation and the performance bond. He said the surfacing material is \$6,360.00 for a total of \$176,075.38 and he is asking for a 2% contingency for a total amount of \$179,596.88. He noted they have \$170,000 budgeted for the equipment and the \$6,360.00 will come out of the Materials and Services budget and the 2% if needed will have to be covered by savings within the budget.

With no questions from Council the following motion was received.

MOTION: FROM COUNCILOR GRANT TO ADOPT RESOLUTION 2014-067, SECONDED BY COUNCIL PRESIDENT HENDERSON, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Middleton addressed the next item on the agenda.

8. COUNCIL ANNOUNCEMENTS

Councilor Butterfield said the Bowmen had a great day in Lake Oswego. He said the Booster Club auction was a success and they are excited to have next year's event in the Community Center. He announced that the Parks Board is working diligently with the City to develop a final design for the proposed dog park at Snyder Park. He stated the Parks Board has also been working on final design for some of the playground equipment throughout the City. He noted that the Parks Board has not had much money in the past but things are improving.

Council President Henderson announced that Aladdin is being performed this weekend at Sherwood High School and tickets are available at vpafoundation.org. She said the Cultural Arts Commission met and they are excited about the Cultural Arts Center and are planning the grand opening for late January or February. She announced a new Cultural Arts Center Director has been hired, Maggie Chapin who has been working at the Walter Center in Hillsboro and also worked for Tears of Joy Theater in Portland and

will be a tremendous asset. She said last Saturday was Tip-a-Cop and the Onion Festival and thanked all the volunteers.

Councilor Langer said the Onion Festival was a success. He announced the next Chamber breakfast is November 11 and said there will be a number of mixers in November and referred to the Chamber website for more information. He said the YMCA has the Haunted Teen Center on Friday and Saturday and the Harvest Festival is Saturday from 4 to 6 pm. He stated the 24 hour walk/run is November 1 from 6:30 am to 6:30 pm. He said the YMCA all staff meeting is November 8 and the YMCA will be closed at 5:45 pm. He said the YMCA will provide a tent for the Give-N-Gobble and Thanksgiving Day hours are 7 am to 1 pm.

Councilor Clark announced the Give-N-Gobble is Thanksgiving Day and you can register now and it supports Helping Hands. She announced a potluck and workout at the Sherwood CrossFit Absolute on Friday October 21 from 6 to 8 and said it is a benefit for Emma Aanderud. She said on October 31 they are having Stuff the Truck at the Sherwood High School during the football game. She stated October 25 is the grand opening for SMJ Performing Arts from 1 to 4. She commented on attending the grand opening for Nature's Pet in Wilsonville and she congratulated the owners on the expansion. She said she attended the Tri-County Gun Club open house on Sunday. She said this last weekend was the Washington County Artist Open Studios and Sherwood had two artists participating in the event. She stated the CWS is supporting a program Tree for All and our date is November 15 in Woodhaven Park and the purpose of the program is to plant 1 million trees in one year. She said there is more information at jointreeforall.org.

Mayor Middleton responded to Mr. King's comments and stated he was issued a letter of termination by City Manager Ross Schultz.

Mayor Middleton addressed the next item on the agenda.

9. CITY MANAGER REPORT

City Manager Joe Gall stated the applications for the vacant Council position are due on October 27 at 5 pm. He said application materials are on the City website or you can contact City Recorder Sylvia Murphy. He announced the 3rd annual Veteran's Day event will be on November 11 at 11 am at the Sherwood High School. He said the City has one new staff member and asked Community Development Director Julia Hajduk to do introductions.

Julia Hajduk introduced Jeanette DeCastro as the new Engineering Tech I. She said Jeanette has her degree in Civil Engineering Technology from PCC. Julia said she has both public and private sector experience and welcomed her to the City.

Council President Henderson asked if the City has considered the shed on Sherwood Boulevard which is now for sale. She said they talked about the property when she was on the Parks Board. She asked if acquiring that property was something the City wanted to consider.

Mr. Gall said they have not been looking at that property and noted that we are in the business of trying to sell property versus purchasing more.

Councilor Henderson noted that we have talked about it in the past. Mr. Gall said he was not aware of that and asked if the other Councilors would like him to look into it.

Councilor Grant said perhaps a couple of calls regarding price and zoning. Mr. Gall said he would do that and look into the history of the building.

Councilor Grant asked for an update on the YMCA contract.

Assistant City Manager Tom Pessemier said they have met with the YMCA many times and have worked well together especially in terms of getting the framework for an approved contract. He said the language has been developed and the YMCA has reviewed it. He stated they are at the point of needing direction from Council and are in the process of putting together a confidential memo with the City Attorney and said that should be ready the first week of November. He said there will be an Executive Session to discuss the memo and to figure out the next steps.

Mayor Middleton confirmed that there would not be a Council meeting on November 4. City Manager Gall said that is correct.

Councilor Grant asked if there is a meeting this Saturday.

Mr. Gall said the Saturday meeting discussion was regarding a potential meeting to interview candidates for the vacant position.

Mayor Middleton addressed the next item on the agenda.

10. ADJOURN

Mayor Middleton adjourned the meeting at 7:35 pm.

Submitted by:

Sylvia Murphy, MMC, City Recorder

Bill Middleton, Mayor