



Home of the Tualatin River National Wildlife Refuge

**SHERWOOD CITY COUNCIL MEETING MINUTES**  
**22560 SW Pine St., Sherwood, Or**  
**March 17, 2015**

**WORK SESSION**

1. **CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 6:08 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Sally Robinson, Councilors Jennifer Kuiper, Jennifer Harris and Councilor Dan King via conference call. Beth Cooke arrived at 6:20 pm and Councilor Linda Henderson was absent.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Public Works Utility Manager Rich Sattler, Police Captain Mark Daniel, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.
4. **TOPICS:**

**A. TVWD (Tualatin Valley Water District) Water Alignment**

Mark Knudson, CEO with the Tualatin Valley Water District (TVWD) and Todd Perimon, Principal Engineer with the Willamette Water Supply Program provided a handout (see Record, Exhibit A) pertaining to the supply program. Mr. Knudson presented the preferred pipeline route which will take water from Wilsonville to Hillsboro. He stated they will take water from the water treatment plant in Wilsonville and construct a large pipeline headed north which will go under the Tualatin River up to Cooper Mountain on the south side of Beaverton. He said the pipeline will go east to serve TVWD in Beaverton and one will go west to serve TVWD west side and the City of Hillsboro. He commented on the Sherwood pipeline not being part of the process and said the reason is it operates at a different pressure and to get the water up to Hillsboro and Beaverton it has to operate at a much higher pressure. He said the other reason is the capacity and potential excess or available capacity in Sherwood is 20 million gallons a day and TVWD Hillsboro and Beaverton combined have a demand of 95 million gallons a day. He said they anticipate growth in Washington County and the combined service areas and commented on potentially 400,000 new jobs and 1 million new people by 2030 and they need to find ways to serve those people. He said they anticipate with the current growth trends that they will need new water by 2025 or 2026. He noted this is a regional project that meets the County's regional needs. He commented on reliability and said they strive to be the most reliable utility and one of the key features with this project is it will be designed to withstand a magnitude 9 earthquake. He noted in addition to earthquake resiliency they are considering drought and there will be multiple sources of supply and they will be able to move water backwards. He commented on pollution and said having multiple sources of supply will allow them to move water around regionally to meet the needs. He said the interconnectedness of the water system will provide reliability and flexibility of operations.

He said the goal is to have the system fully operational in 2026 which is when they predict they will need water and when the TVWD contract with Portland is up for renewal. He noted it is cost effective as the rate increase from Portland next year is scheduled to be 17% and those increases compounded over several years add up. He said even though it is a costly project it will become cost effective over the decades.

Councilor Kuiper asked if the citizens that are served by the TVWD are expected to get the 17% increase. Mr. Knudson said it does not completely pass through but they do need to find a way to cover the increase and the only way to do that is to reduce costs and increase rates.

Mr. Knudson said they have been evaluating pipeline routes and they have identified the route and it is over 30 miles of pipeline and stretches from Wilsonville to the intersection of Cornelius Pass Road and Hwy 26. He said most of the pipe will be 66" in diameter.

Todd Perimon said when they started the program they identified 117 route options for evaluation. He commented on the evaluation process and said they received feedback from policy makers, agency staff, the community and the technical advisory committee which included staff members from Sherwood. He said they considered the following: if the route is acceptable and constructible, will the pipeline route be resilient, are there cost saving opportunities to coordinate with other road or utility projects and how can costs be managed. He said to evaluate the routes they used over 30 criteria from 8 categories which included: social and community impacts, opportunities and benefits, environmental impacts and permitting, system compatibility, system resiliency, constructability, operations and maintenance and cost. He commented on the feedback from the public and said they held 7 open houses and 1 online open house and they had over 800 people attend. He said they heard that coordinating the pipeline construction with other improvement projects is a key benefit. He commented on the 124<sup>th</sup> Avenue project where they are partnered with Washington County. He noted that people were concerned about the impacts to their neighborhoods. He said applying the feedback and the criteria they identified their preferred route. He noted the next step is to focus on the detailed evaluation going forward. He said they will continue to work with agency staff to determine the best way to preserve the pipeline alignment. He stated most pipeline construction won't occur until 2020-2025 and exceptions will be when there are opportunity projects such as the 124<sup>th</sup> Avenue.

Mr. Perimon referred to a map (see Record, Exhibit B) and said the preferred route through the Sherwood area turns right at the end of the 124<sup>th</sup> Avenue project and runs down Tualatin Sherwood Road and crosses Hwy 99W and turns the corner to go north up Roy Rogers Road. He said they are looking for partnering opportunities with Washington County and they may tunnel underneath Hwy 99W to minimize traffic disruptions. He said there are also areas that are technically challenging and may need tunneling such as the Chicken Creek Area and the Tualatin River. He said they will continue to work with the Tualatin Wildlife Refuge to avoid impacts.

Council Kuiper asked about the capacity of the Wilsonville Treatment Plant and commented on the need for 90 million gallons a day and what percent is that from their total output.

Mr. Knudson said the plant is constructed in a footprint that produces 15 million gallons a day but has the ability to expand at the site where it currently sits and there is also an upper site. He said Mr. Perimon is also leading a master plan project for that whole site to meet the long-term needs.

Council President Robinson asked for an estimate of when construction will occur on Tualatin Sherwood Road.

Mr. Perimon responded they do not know the schedule. He said 124<sup>th</sup> Avenue is scheduled to bid this spring/summer with construction to begin early fall.

Councilor Kuiper asked what the other sources for the water supply are.

Mr. Knudson said in addition to the Willamette Wilsonville they have the Joint Water Commission and the City of Portland.

Mr. Perimon discussed the public outreach activities with the goal of a broad public awareness. He said they want to provide information to all of the preferred pipeline neighbors and keep them up to date. He said they are sending out postcards to everyone within 500 feet of the route. He said they will continue to update policy makers and staff. He said the City Council briefings will continue through April and the target mailings will be sent out in May and throughout the summer the community briefings will continue.

Councilor Kuiper asked if once the pipeline is operational the City of Portland source would still be used.

Mr. Knudson said yes and commented on the split service areas. He said the goal is to continue to take water from Portland and to keep the multiple sources of supply and supply options. He noted this also depends on negotiating a new contract with Portland.

City Manager Gall asked why is there a 17% increase.

Mr. Knudson said it has to do with the nature of the contract and said they brought some new capital assets online in the Bull Run that get disproportionately charged to wholesalers. He said next year will be similar with costs associated with their new Powell Butte Reservoir. He said Portland user's rate increase may be 5% and the wholesaler's average rate increase is 16%.

Mr. Gall clarified that this project will be paid for by TVWD and Hillsboro rate payers not Sherwood.

Mr. Knudson said that is correct. He said the only other element associated with this is the County road improvements and that is where the partnerships make sense and the County will largely pay for the road improvements and they will pay for the pipe that goes under the road.

With no further questions, Mayor Clark thanked Mr. Knudson and Mr. Perimon and addressed the next agenda item.

## **B. Washington County Emergency Management Co-op**

City Manager Gall introduced Sherwood Police Captain Mark Daniel and Scott Porter with the Washington County Emergency Management Co-op and said this presentation is an anticipation of an IGA to join the co-op.

Captain Daniel said he manages the Emergency Management Program which consists of training staff in Incident Command System (ICS), focusing on response plans, working closely with Washington County and representing Sherwood at many working groups such as the Regional Disaster Preparedness

Organization. He said making sure that we are prepared as a community is important and discussed the need for providing staff with preparedness exercises. He introduced Ed Stone and said he is a community resident who is an emergency management volunteer. He said Mr. Stone has a wealth of knowledge in emergency planning and training.

Scott Porter stated the Emergency Management Co-op was formed through an IGA and the current structure goes back to July 2013. He said the predecessor organization was the Office of Consolidated Emergency Management (OCEM) which dates back to 1995. He said the purpose of the agreement was to enhance the disaster emergency preparedness capabilities of the participating jurisdictions individually and then collectively. He said the agreement also helps to comply with a State requirement that says when you have a county that has a county emergency management program and a city or cities with emergency management programs the law expects us to coordinate our programs together and to provide strategic direction to the program and this co-op serves to fill that role in meeting the state law. He commented on the IGA and said it created an organizational structure with an executive committee, a director that is funded by the participating organizations and emergency management staff from the jurisdictions. He said they have adopted standards that include: an emergency operation center, a comprehensive emergency operations plan, a continuity of operations plan, a natural hazard mitigation plan, an incident command system and an annual work plan. He discussed current work plan items which include and planning around the loss of fuel and a disaster communications plan which is funded through a Home Land Security grant they received.

Mr. Porter commented on the change the organization has experienced and the new direction toward expansion and having more jurisdictions participating. He said the funding model has changed and the County is now paying for 51% of the cost and the other partners share the remaining 49%. He said the partners include 7 jurisdictions and they are currently reaching out to Sherwood and Tualatin. He commented on the benefits of becoming a partner which includes having a voice and being able to shape the direction. He noted that Sherwood is growing rapidly and has a fair amount of critical infrastructure and there is a growing need to be at that table. He said it will provide Captain Daniel with a stronger team and support. He stated there is a cost with participation which pays for his position and the projects they are working on and he discussed those projects. He encouraged the Council to sign and make a contribution to the organization and be an active member by participating at the executive level.

Mayor Clark asked what the cost is.

Mr. Porter said it is up to the partners to decide how they want to allocate the 49%. He said currently TVFR, City of Tigard and the City of Beaverton are splitting the 49% three ways.

Mayor Clark asked whether Forest Grove and Clean Water Services knew the cost before signing an agreement.

Mr. Porter said they signed the agreement and stated they will not be contributing and the IGA indicates that if you don't contribute you don't vote on specific matters but you are still a participant and have a voice.

Mr. Gall said he is planning on proposing in the budget that Sherwood contribute \$10,000 as he wants to have a vote.

Mayor Clark asked about the City of Tigard.

Mr. Porter said under the previous model Tigard was contributing \$50,000 and under the new model their contribution is \$28,000 and that is the 3 way split he referred to early. He said if Sherwood signs and contributes \$10,000 that will reduce the split of the other 3 contributing organizations.

Councilor Kuiper asked what the plan is to involve the public in emergency management planning and response. She referred to continuity planning.

Mr. Porter said from the EMC perspective there is no county wide program for engagement, it is at the jurisdictional level. He said he facilitates processes to find support for the jurisdictions such as Home Land Security Grants.

Captain Daniel responded that he is working with Mr. Stone and he provides a lot of the community based training. He said within the next year there will be community meetings and trainings.

Councilor Harris asked if there is an emergency what would be different if we were part of the co-op.

Mr. Porter said it is a long term process and Sherwood will be part of a more integrated system of response where you will know what to expect from your partners and the county program. He said Sherwood will help shape the program and be a more integral part of the process.

Mr. Gall said that is a good question and we can choose to be an island or part of a larger picture in Washington County. He commented on the importance of building relationships.

## 5. ADJOURN

Mayor Clark adjourned the work session at 6:58 pm and convened to a regular Council meeting.

## REGULAR SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 7:08 pm.

2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Sally Robinson, Councilors Jennifer Harris, Jennifer Kuiper and Beth Cooke. Councilors Linda Henderson and Dan King were absent.

3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Police Captain Mark Daniel, Community Development Director Julia Hajduk, Community Services Director Kristen Switzer, City Engineer Bob Galati, Planning Manager Brad Kilby, Administrative Assistant Colleen Resch, and City Recorder Sylvia Murphy. City Attorney Shane Abma with Beery Elsner Hammond.

## 4. APPROVAL OF AGENDA:

**MOTION: FROM COUNCILOR COOKE TO APPROVE THE AGENDA, SECONDED BY COUNCIL PRESIDENT ROBINSON. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILORS HENDERSON AND KING WERE ABSENT).**

Mayor Clark addressed the next item on the agenda.

## **5. CONSENT AGENDA:**

- A. Approval of March 3, 2015 City Council Meeting Minutes**
- B. Resolution 2015-029 authorizing reappointment of Marney Jett to the Parks and Recreation Board**
- C. Resolution 2015-030 authorizing appointment of John Clifford to the Parks and Recreation Board**
- D. Resolution 2015-031 authorizing appointment of Vytas Babusis to the Cultural Arts Commission**
- E. Resolution 2015-034 Approving amendment No. 1 to the employment agreement between the City of Sherwood and Joseph Gall to alter the date for the work performance evaluation of Joseph Gall from February until October**

**MOTION: FROM COUNCILOR KUIPER TO APPROVE THE CONSENT AGENDA, SECONDED BY MAYOR CLARK. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILORS HENDERSON AND KING WERE ABSENT).**

Mayor Clark addressed the next item on the agenda.

## **6. PRESENTATIONS:**

### **A. Proclamation National Arbor Week**

Mayor Clark read the proclamation and noted that in 1872 the first Arbor Day was observed in Nebraska with the planting of more than a million trees and is now observed throughout the nation and the world and said the Arbor Day Foundation facilitates Tree City USA Certifications. She stated the City of Sherwood has been a Tree City USA since 2005 and this is its tenth year as a Tree City and said that trees properly planted and cared for are a source of community environment that assists in mental and peaceful renewal. She proclaimed April 5-11, 2015 as Arbor Week 2015 in the City of Sherwood and called upon the citizens of Sherwood and the surrounding communities to celebrate Arbor Week and to support efforts to protect trees and woodlands and to plant trees and promote the well-being of this and future generations. She commented on the Tree for All project and said it has come to Sherwood twice in the Woodhaven Community and much of the vegetation visible now is from the first planting. She thanked the planters, Clean Water Services and all the partners that sponsored this program.

### **B. Proclamation National Community Development Week**

Mayor Clark read the proclamation and stated the week of April 6-11, 2015 has been designated as National Community Development Week by the National Community Development Association to celebrate the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Program. She stated the CDBG Program provides annual funding and flexibility to local communities to provide decent, safe and sanitary housing, a suitable living environment and economic opportunities to low and moderate-income people. She said nationally, over one million units of affordable housing have been completed using HOME funds and the City of Sherwood has received a total of \$2,228,482 in Community Development Block Grant (CDBG) funds. She stated that this community urges Congress and the Administration to recognize the outstanding work being done locally and nationally by the Community Development Block Grant Program.

Mayor Clark addressed the next item on the agenda.

## **7. CITIZEN COMMENTS:**

Neil Shannon, Sherwood resident approached the Council and commented on emergency preparedness. He stated that he is a volunteer with ARES and an official City volunteer for the Ham Radio Station. He indicated that he participated in the original CERT program for Sherwood. He referred to the earlier work session regarding emergency preparedness and the cooperative program with Washington County and indicated his support. He thanked Chief Groth and Captain Daniel for the services they provide in emergency management. He commented on disaster preparedness and commented on the difference between an emergency and a disaster. He said he is disappointed about the lack of citizen involvement in terms of disaster preparedness and the lack of information on the City website. He commented on the resources in town and the need for more citizen involvement.

Eugene Stewart, Sherwood property owner came forward and said the City needs a framework for citizen involvement. He provided examples and said a framework would help citizens get involved and take it seriously.

Mayor Clark addressed the next item on the agenda.

## **8. NEW BUSINESS:**

### **A. Resolution 2015-032 authorizing the City Manager to enter into a contract with AKS Engineering and Forestry to provide professional engineering services for the Columbia Street Regional Stormwater Quality Facility Pipe Bore Mitigation design and Permitting Project**

City Engineer Bob Galati presented the staff report and said this is a continuation of the Columbia Street Water Quality Facility and as part of the process of getting the project permitted it was sent out for jurisdictional agency comments which included Clean Water Services, US Army Corps of Engineers and other agencies including Oregon Department of Fish and Wildlife (ODFW). He said as part of the process for permit approval there were conditions that required the City to do some downstream mitigation. He said the mitigation involves replacing a culvert that runs under the railroad track and is a fish passage issue. He stated they negotiated with ODFW to not include it with the project at the time and deal with it after. He noted the other project has been completed and there are funds left over. He said the funds will cover the cost of doing the design for this pipe mitigation project. He stated they can get the design done and get it into the permit review process early in order to do in-stream water work next summer. He noted the timing is advantageous. He commented that the contract would be with AKS and said the state law allows municipalities with a contract to extend a contract and dedicate it to the same consultant if it does not exceed a certain amount and is an extension of the same project. He said under the rules for contracting the City can assign the project to AKS and it meets the minimum requirements. He said the contract is for \$24,915 with a 5% contingency for a total not-to-exceed budget of \$26,160.

Councilor Kuiper asked if the work would be conducted next summer.

Mr. Galati responded the summer of 2015. He said they will be able to get the design in and get it permitted now and as soon as the new fiscal year starts the construction will begin.

Councilor Kuiper asked if this is the first fish barrier that ODFW wants the City to fix.

Mr. Galati said no and referred to the Healthy Streams Act and said Washington Street was another fish barrier issue.

Councilor Kuiper asked if this is the first culvert that the fish come to that they can't get through or is there one further downstream.

Mr. Galati said there is one further downstream that runs underneath the highway but this is the first that they picked up within a certain reach.

Mr. Pessemier noted that the City improved the culvert at Stella Olsen Park on Washington Street that was specifically identified for fish passage. He said that was another impediment that was just downstream.

With no further questions, Mayor Clark asked for a motion.

**MOTION: FROM COUNCIL PRESIDENT ROBINSON TO APPROVE RESOLUTION 2015-032, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILORS HENDERSON AND KING WERE ABSENT).**

Mayor Clark addressed the next item on the agenda.

**B. Resolution 2015-033 authorizing the City Manager to enter into lease agreements for the Center for the Arts**

Assistant City Manager Tom Pessemier presented the staff report and stated that one of the primary decisions made a number of years ago was to add lease space to the Center to support the operations. He said there is 3000 square feet of lease space that is available and they are working on a process to advertise the space and lease it. He outlined a process and said the City and the URA has retained Kidder Mathews to market and manage the leasing process which was a previous resolution passed by Council. He said they are currently advertising the space and asking prospective tenants to submit an RFP for the next six weeks that can then be reviewed by a selection committee. He stated a selection committee will be put together to consist of some Councilors and staff, with no more than 3 Councilors. He noted they are requesting an RFP as they are looking for tenants that will help support that operations and coexist with the facility. He said the RFP will have supplemental questions and the selection committee will review the RFPs and make recommendations to the City Manager. He commented that with lease agreements there will be tenant improvements that need to be done and other items that need to be negotiated. He said one of the concerns is that once the leases have been negotiated they will have to work quickly and this resolution would give the City Manager the ability to execute the lease terms and the City Manager will report back to the Council.

Mayor Clark said she was supportive of the Center when she knew there would be lease space available to offset the cost. She stated the space is instrumental in making sure that the facility is sustainable. She asked if 3 members of Council will be part of the selection process.

Mr. Pessemier said that is correct and Council will have access to all of the proposals and Council will have some representation.



With no further questions, Mayor Clark asked for a motion.

**MOTION: FROM COUNCILOR KUIPER TO APPROVE RESOLUTION 2015-033, SECONDED BY COUNCILOR HARRIS. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILORS HENDERSON AND KING WERE ABSENT).**

Mayor Clark addressed the next item on the agenda.

## **9. PUBLIC HEARING:**

### **A. Ordinance 2015-003 Amending multiple sections of the Zoning and Community Development Code including divisions I, II, III, IV, V, VI, VII, and VIII**

Planning Manager Brad Kilby came forward with a presentation (see Record, Exhibit C) and reminded the Council that this is the second reading of the ordinance, PA-14-02 which is a suite of code amendments that are being recommended by the Planning Department and ultimately the Planning Commission. He stated there are 52 proposed amendments and the intent of the proposals is to correct errors, increase consistency, consolidate definitions, and clarify code language. He stated there are 2 minor substantive changes which look at 2 changes that were made in the past and make the code consistent with them. He said the first one relates to incidental retail sales in industrial zones and prior to 2012 industrial properties were allowed to include 10% of retail space as long as it was incidental to the use that was allowed on the property. He noted it changed from permitted at that time to conditional and this is proposing to take it back to a permitted use. He said the second substantive change addresses Chapter 16.120 consistent as it applies to subdivisions. He stated it will increase the performance bond allowance from 100% to 125% to account for increases in the consumer price index and the cost of pulling and performing on a bond in the event that a developer doesn't perform the improvements that they proposed in their application.

He stated the Planning Commission held three work sessions on this matter. He said they started in April with about 80 proposed edits and they narrowed it down to these 52 proposed amendments. He noted the other remaining issues are considered more policy related issues that the community will need to vet further and are not included in this ordinance. He said they supplied the necessary public and agency notice and the only agency comment they received was from ODOT to make sure that they are meeting the transportation planning rule. He said they have to identify that there is a need and it is consistent with the intent of the comprehensive plan, city and state statutes and regulations. He stated they identified the need and said often times we get into situations where the code is not clear or consistent. He said they had a few cases come before the City and they had to take them to conditional uses to allow them to provide some incidental retail sales even though the use was allowed in that zone. He noted the transportation planning rule states that whatever rules you are making or adopting cannot negatively affect the functional capacity of an adopted plan as it relates to the state transportation rules and the local transportation system plan. He referred to the two substantive changes as it applies to Section 16.31 which is the industrial use standards. He said they are proposing to make incidental retail sales permitted outright which restores pre-2012 rights and is consistent with the Metro Urban Growth Management Plan. He said under that plan we are allowed to provide or allow for up to 5,000 square feet of retail space in a single outlet and up to 20,000 square feet within a campus type setting. He said our language is that you are allowed to do this as long as you don't exceed the 5,000 square feet and it is less than 10% of your use. He referred to the proposed change to performance security and said it is in line with other cities and 125% will help keep up with the consumer price index and the cost of performing on that bond.

Council President Robinson asked what the original recommendation was in 2012 when they moved from outright permitted to conditional.

Mr. Kilby said that was a year long process and the City had a planner that initiated the process who left the City. He said staff has done research and did not find any reason for switching it from permitted to conditional.

Mayor Clark opened the public hearing.

Eugene Stewart, Sherwood property owner approached the Council and encouraged the Council to look at citizen involvement as it is outlined in goal one. He said it is his understanding that when you have a text amendment to your plan the City should notify all people who will be affected by it. He said since this is City wide he asked why every property owner didn't receive notice. He commented on the public notices that are posted in town and said maybe only 10% see them. He said there is supposed to be a citizen's involvement plan and asked if the plan is being followed or does it need to be updated. He stated in the future we need to look at the plan and do a major revision and the City needs to fund that and get the citizens involved. He commented on downtown parking and the lowered requirements and the effect it will have on downtown businesses. He referred to the industrial use and asked if we are defining things so narrowly that it will make it hard for some businesses to come and fit in.

Council President Robinson responded that she was on the Planning Commission when this review started and it was a long process. She said these proposed amendments are the least controversial clean up options that were available with the use of the staff with the intention that the Planning Commission will go through a more substantive review of the code in the future. She encouraged Mr. Stewart to be involved in that process.

Ivonne Gebhart, Sherwood resident came forward and asked if medical marijuana dispensary would qualify under item 10.

Community Development Director Julia Hajduk stated that the City is going through the medical marijuana dispensary discussion and whatever they do will be separately identified.

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

With no questions from Council, Mayor Clark asked for a motion.

**MOTION: FROM COUNCILOR HARRIS TO READ CAPTION AND ADOPT ORDINANCE 2015-003, SECONDED BY COUNCIL PRESIDENT ROBINSON.**

City Attorney Shane Abma noted that the Councilor needs to read the entire ordinance title.

Mayor Clark asked Councilor Harris to withdraw her motion.

Councilor Harris withdrew her motion and the following motion was received.

**MOTION: FROM MAYOR CLARK TO READ CAPTION AND ADOPT ORDINANCE 2015-003 AMENDING MULTIPLE SECTIONS OF THE ZONING AND COMMUNITY DEVELOPMENT CODE**

**INCLUDING DIVISIONS I, II, III, IV, V, VI, VII, and VIII, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILORS HENDERSON AND KING WERE ABSENT).**

Mayor Clark addressed the next item on the agenda.

**10. CITY MANAGER REPORT:**

City Manager Gall stated he had nothing to report.

Mayor Clark addressed the next item on the agenda.

**11. COUNCIL ANNOUNCEMENTS:**

Mayor Clark reminded the Council of the heavy agenda following this meeting and asked them to keep their announcements brief.

Councilor Harris referred to an incident on Sunday and said she would like the Council to start a dialogue about mental health in our community and consider ways to bring resources to the community, such as Rachel's Challenge. She said she has heard from citizens that the public access television broadcasting the Council meetings does not always work properly.

Mr. Gall said that the equipment is being updated and the meetings will soon be broadcasted live both on the cable channel and on the website. He said they will broadcast both Council meetings and Planning Commission meetings. He noted that staff is aware of the problem and is working on it. He noted that the equipment was analogue and the new equipment is digital.

Councilor Harris said she has had several conversations with citizens that are interested in legally having chickens in their yard for less than \$4000. She commented that many of our surrounding cities have chickens and it is common as people are interested in being self-sustainable. She said she would like the Council to consider this issue.

City Manager Gall said in 2011 the Planning Commission did a fair amount of work on creating a chicken ordinance but it never came before the Council for consideration. He stated the motion Councilor Harris wants to make should ask the Planning Commission to revisit the previous work and go through a public process and bring an ordinance before the Council for adoption. He said currently there is a conditional use permit to have chickens with a \$4500 charge.

**MOTION: FROM COUNCILOR HARRIS TO DIRECT THE PLANNING COMMISSION TO RESURRECT THEIR 2011 RECOMMENDED LANGUAGE REGULATING CHICKENS AND EVALUATE WHETHER ANY MODIFICATIONS ARE RECOMMENDED AFTER ADDITIONAL OPPORTUNITIES FOR PUBLIC INPUT AND FORWARD RECOMMENDED LANGUAGE REGULATING CHICKENS TO THE COUNCIL FOR CONSIDERATION, SECONDED BY COUNCILOR COOKE.**

Prior to calling for a vote, Mayor Clark said she is in support and there should be a public process to discuss the issue.

Councilor Kuiper agreed.

**MOTION PASSED 4:1, MAYOR CLARK AND COUNCILORS HARRIS, KUIPER AND COOKE VOTED IN FAVOR, COUNCIL PRESIDENT ROBINSON VOTED AGAINST. (COUNCILORS HENDERSON AND KING WERE ABSENT).**

Councilor Harris announced that the second week of Mary Poppins sold out and said the show brought in over 2000 audience members. She said the Center for the Arts has 7 rental contracts pending and the business hours are 11 am – 5 pm. She announced that the library had 27,000 items checked out in February. She noted that the 6 Word Story Contest ends on March 28. She announced there will be movies in the library for kids during spring break and the calendar is online. She reported on the School Board meeting and stated that the School Superintendent Heather Cordie will not take a position in Eugene. She said the School Board is working on the full day kindergarten mandate by the state. She noted they are discussing different release options and the boundary adjustment recommendation has been completed. She said Edy Ridge is at 100% capacity and next year they will move the Heron Ridge neighborhood over to Middleton. She said the School District has a call to action regarding state funding. She noted the State is proposing a \$7.235 billion dollar budget for the schools but that means a \$76 per student reduction which is a \$400,000 loss to the School District alone. She said the district is asking citizens to contact their legislators and encourage them to stop the adoption of the k-12 funding level.

Council President Robinson announced that the City Council will be doing their adopt a road clean up on Saturday, March 21 from 12 pm until they finish. She said she hopes that Councilors King and Henderson will be available to help. She said the Sherwood West Concept Plan has another meeting on April 2 at 6:30 pm at the Police Station. She commented on the Planning Commission work session on medical marijuana and said there was a lot of participation and input.

Mayor Clark said she looks forward to cleaning up the road.

Councilor Kuiper said she will also be there to clean up the road. She reported that she attended the YMCA Dine and Dance and noted that all the money goes to the Sherwood YMCA and a lot of the money is earmarked for the Teen Center. She said she attended an all-day training on city finances on Monday and is looking forward to sharing the information. She stated there were other cities there and they were able to share information.

Councilor Cooke applauded the comments by Councilor Harris regarding mental health in our community. She said she would like a community conversation around these issues. She commented on the recent passing of Gretchen Kafoury and commended her for pushing people to be involved in their communities to help do more and said she will be missed.

Mayor Clark said she attended the Westside Economic Alliance legislative reception and had an opportunity to lobby some of our legislators particularly about transportation funding. She stated that Washington County is concerned about transportation funding in our future. She asked Mr. Gall to discuss the “If I were Mayor...” contest.

Mr. Gall said the applications for the “If I were Mayor...” contest are due on April 15. He said the information is on the website and there are 3 different age groups that will be competing. He noted the younger kids will produce a poster, the middle school age will write an essay and the high school age will produce a digital presentation. He said the applications will be received by the City Recorder and the

Council will choose a winner from each category to send onto the state wide competition. He stated the three winners will be introduced at a future Council meeting.

Mayor Clark said she is excited and wants to get to the word out. She announced that the City is accepting applications for the Budget Committee.

Mr. Gall said he will repost that information tomorrow for the Budget Committee vacancies. He said there will be a 10-14 day period to submit applications.

Mayor Clark addressed the next item on the agenda.

## 12. ADJOURN:

**MOTION TO ADJOURN: COUNCILOR HARRIS MOTIONED TO ADJOURN, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (COUNCILORS HENDERSON AND KING WERE ABSENT).**

Mayor Clark adjourned the regular meeting at 8:10 pm and convened to an Executive Session.

## EXCUTIVE SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 8:23 pm.

2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Sally Robinson, Councilors Jennifer Kuiper, Jennifer Harris and Beth Cooke. Councilor Linda Henderson arrived at 8:36 pm and Councilor King was absent.

3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Development Director Julia Hajduk and City Recorder Sylvia Murphy. City Attorney Shane Abma with Beery Elsner Hammond.

## 4. TOPICS:

A. Legal Counsel pursuant to ORS 192.660(2)(h).

## 5. ADJOURN

Mayor Clark adjourned the Executive Session at 9:18 pm and convened to a URA Board of Directors meeting.

Submitted by:

  
Sylvia Murphy, MMC, City Recorder

  
Krisanna Clark, Mayor