



Home of the Tualatin River National Wildlife Refuge

**SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
August 18, 2015**

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 6:09 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Sally Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, and Dan King. Councilor Renee Brouse was absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Services Director Kristen Switzer, and City Recorder Sylvia Murphy. City Attorney's Josh Soper and Chad Jacobs with Beery Elsner Hammond.
4. **TOPICS:**
 - A. **ORS 192.660(2)(f), Exempt Public Records and**
 - B. **ORS 192.660(2)(e), Real Property Transactions**
5. **ADJOURN**

Mayor Clark adjourned the Executive Session at 6:58 pm and convened to a regular session.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 7:06 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, Dan King and Renee Brouse.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Police Captain Mark Daniel, Community Services Director Kristen Switzer and City Recorder Sylvia Murphy.

Mayor Clark addressed the Approval of the Agenda and asked for a motion.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCILOR KUIPER TO APPROVE THE AGENDA, SECONDED BY COUNCILOR KING. MOTION PASSED 7:0, ALL PRESENT VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

5. CONSENT AGENDA:

A. Resolution 2015-069 Re-appointing Joe Turner as the City of Sherwood Hearings Officer

MOTION: FROM COUNCILOR HARRIS TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 7:0, ALL PRESENT VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

6. CITIZEN COMMENTS:

Jim Claus Sherwood resident approached the Council and referred to a land use subject regarding planning that was a benefit and a shocking thing in Sherwood. He commented on a meeting he attended regarding a specific plan and referred to former Mayor Hitchcock, Langer and former City Manager Jim Rapp. He spoke of them taking it to LCDC and Mr. Benner. He said he spoke to Mr. Benner about the plan having some merit and other areas he was shocked about, he mentioned Sherwood Plaza and it being a ground lease and in violation of the concept. He said what he was worried about was political decisions on land use planning and said no specific plan can stand this. He said you are going to get zoning changes and said some of the Council participated. He spoke of Home Depot being light industrial and former City Manager Bormet and others deciding it was a lumber yard. He spoke of Home Depot getting a stop light. He spoke of conversations he had with Mr. Hitchcock regarding home depot. He mentioned changes in zoning for Sherwood Plaza, Home Depot, Target and the Walmart complex. He said something is wrong with this and mentioned getting \$15 million from Access Oregon for Meinecke and having to change the traffic pattern because it was overloaded on the other end. He spoke of zoning changes in Sherwood and said all land use is road driven. He said the Council will be tasked with people asking for zoning changes and said they need to keep in mind the Council will face exactions if they are not careful because some of the roads that have been put in have devalued in change of use on that property.

Shannon Harell Sherwood resident came forward and said she is the New Membership Development Director at the Sherwood Regional Family YMCA and said she is here to introduce herself to the community and offer a free 7 day pass for anyone that is interested in the health benefits at the YMCA. She reported they just completed the triathlon and community BBQ and thanked Mayor Clark for her participation. She reported the pool will be resurfaced next month and fall programs begin September 14.

Mayor Clark addressed the next agenda item.

7. NEW BUSINESS

A. Resolution 2015-070, Supporting the Washington County Cooperative Library Services Local Option Levy, Ballot Measure 34-235

Mayor Clark said the Council would be speaking of both resolutions regarding levies and asked if they wanted to speak about them together or as separate items, no comments were received indicating either option. Mayor Clark stated the reason she asked to talk about them together was because she met with Washington County Mayors this week and they as a mayoral group decided individually and separately, to agree to support both levies that support our local library, WCCLS and our County public safety. She said both areas are incremental in serving our public and said all the mayors agreed and were photographed in support of the levies. She said as many already know WCCLS helps to support our library as well as other libraries and said we are all intertwined. She spoke of how Sherwood is part of a very large system and together we can offer many more services than we could alone. She said all Washington County cities benefit from this and said the library is a place where intergenerational people can join together in a learning atmosphere. She said she signed in support as part of the Washington County Mayor's group and personally would recommend to Council that we as a Council from Sherwood support the levy for the library.

Councilor Harris said when it comes to the library it's important to remember that this levy is about 1/3 of the budget for Washington County and the library. She said if it doesn't pass we will see an impact here in Sherwood, whether its reduced library hours, reduced children programs and said this is not extra money to do more programs, it is to keep the library functioning as it is now and add material as needed to support the readers. She said she supports the levy and thinks both levies are important and said it is important to remember this is countywide and not just Sherwood. She said there are over 554,000 people in Washington County and this is economies of scale and said we are paying a very small amount to help keep the library open with this levy and said it more than benefits families, especially those with less resources. She said she encourages everyone to support it and said she supports it.

Councilor Brouse said although she personally might support both levies, as a paid employee from a local nonprofit, she cannot do a public endorsement and said she had a question for the Council to consider: With the recent added privilege tax from PGE and the conversations regarding the increased water rates and the community reaction to that, is it wise to come out as a Council and publically endorse two levies?

Mayor Clark asked to clarify, if Councilor Brouse can't vote or can't....Councilor Brouse said she cannot publically place her name to an endorsement for an issue such as this. Mayor Clark stated it sounds like you can't vote, as your position stops you from being able to support? She suggested if this was correct, that Councilor Brouse probably would want to recuse herself.

Councilor Brouse asked City Attorney Soper for his opinion. Mr. Soper replied this is something he can't guide Councilor Brouse on as it's not by virtue of her public position, it's by virtue of her private position. Councilor Brouse, said this is correct and in the nature of transparency, she would step down and recuse herself from the vote.

Council President Robinson stated as it pertains to the Library, we have a wonderful library in town and there are benefits that not everybody knows exists and said one of the most amazing programs the library has is the summer reading program. She said this program provides free events for children and anyone that wants to attend, programs such as reptile man, which is a big favorite. She said if we are not provided with 1/3 of the funding for the library by the passage of this ballot, then we will have to make cuts, but we might even lose events like that, and will have to look towards our general fund to support the library more than what we do now. She said it will take away from other things the City wants to do to support its citizens. She said she thinks it's important to support this and said it offers free passes for

cultural arts events, a very important field in which many citizens can't afford tickets to various museums. She said we have a pass at the library that can be checked out and returned at the end of the day, so someone else can utilize it. She said there are many wonderful things in our library that we may not realize exist and believes it is important given the fact that it does provide 1/3 of the funding. She said we need all the sources in our general fund for other things we currently take care of with our budget and not to add additional services to the library. She said she hates to see anything cut at the library.

Councilor Henderson said she looked on their website and it notes how they spend their money and asked Councilor Harris why they are recommending a 30% increase in the levy amount. She said this is what this is from .17 to .22, as opposed to the public safety levy, which is no increase.

Councilor Harris replied she doesn't know where they came up with their numbers. Council President Robinson said she would suspect it has to do with the new libraries being built in Washington County, not in Sherwood, Aloha and Cornelius and said there was one more.

City Manager Gall said this is his understanding, it was due to growth in the County in terms of population and said there are areas in the County that are underserved.

Councilor Henderson said we pay for this building and we don't receive WCCLS money to pay off the bond for this building. City Manager Gall replied that is correct. Ms. Henderson said while she is completely in support of the levy and realizes the consequences if it doesn't pass. She said the Council recently spoke of a 4% increase that would affect our citizens and this is a 30% increase, whether they use the library or not. She said she wanted to be conscious of the fact that when we like to compare ourselves to other communities, this is a pretty big increase. She said she was shocked that public safety wasn't asking for an increase. She said she would like to clarify, referred to Mayor Clark and the Mayor's association wanting to publish this, and asked if she was intending to use our vote in the voters' pamphlet.

Mayor Clark replied she is not and that would be done as a group, if we voted to approve it, then in order for us, the Sherwood City Council, we would sign "Sherwood City Council" on the voter's pamphlet.

Councilor Harris stated each person would have to sign their own name. Mayor Clark said she signed as Krisanna Clark. Councilor Henderson said in order to do that, we would have to meet the deadline of the 18, and get it into the County. She said this is something that gives support to the levy and wants to be conscious of the fact that this is a 30% increase.

Councilor Harris said 30% equals a .05 increase to what the homeowners are currently paying per \$1000. Ms. Henderson said its' .17 to .22 and said this is a fee that people pay whether they use the library or not and the water rate is only a fee they pay if they use additional water. Mayor Clark stated the dollar amount is drastically different.

Councilor Harris said when you state .17 to .22 it sounds like very little, but when stated as a 30% increase, it sounds scary. She said you have to put that into perspective and said we haven't had an increase in the library levy in quite some time. Councilor Henderson added it's a 5 year levy and Councilor Harris said we did not increase it this last time, it was a continuation and it's been over 10 years since there's been an increase in the actual amount. She said the population in the last ten years in Washington County has grown exponentially.

City Manager Gall referred to a flyer and said it had good information about the difference and said in 2016, homeowners with an average assessed value of \$255,000 would pay about \$56 in that year, a \$14 increase of what was paid in 2015.

Councilor Henderson asked Councilor Harris if there was a third party that was coming out with a "vote yes on the library," with yellow signs? Ms. Harris said there are a couple of people who are supporting it and said Sherwood and Tualatin will go in together on a voter's pamphlet piece and said if the Council decides to support it as a Council this is where that would go. She said if we don't and for her personally, she will support it and sign her name. She said there are other groups and Washington County is doing their own as is WCCLS, and Friends of the Library in each County library is doing their own.

Discussion occurred clarifying endorsements and Councilor Harris noted the joint Sherwood/Tualatin endorsement was from the Friend's groups, similar to what they had done in prior years. Councilor Harris said she had an endorsement letter for Councilor Henderson.

City Manager Gall said both levies when voted on 5 years ago, the previous City Council passed similar resolutions to support both levies. He said there is a historical precedence of previous Councils taking such action. General Council discussion occurred regarding the levies being countywide in comparison to our local water rate increase.

Councilor Kuiper stated she uses the interlibrary services quite a bit and shared her personal experiences using the library. She said libraries aren't just being used for books and audio, they are becoming a second living room for many people. She said she absolutely supports what they are doing and their future plans.

Mayor Clark spoke of programs, explained the Read to a Dog Program, and said it's a program designed for children who are just learning how to read and who may be a little nervous. She shared her personal experience with books on tape and reading with her children.

Mayor Clark stated the following motion.

MOTION: FROM MAYOR CLARK TO APPROVE RESOLUTION 2015-070 SUPPORTING THE WASHINGTON COUNTY COOPERATIVE LIBRARY SERVICES LOCAL OPTION LEVY, BALLOT MEASURE 34-235. SECONDED BY COUNCILOR HARRIS, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR, COUNCILOR BROUSE RECUSED.

Mayor Clark addressed the next agenda item.

B. Resolution 2015-071, Supporting the Washington County Public Safety Levy, Ballot Measure 34-236

City Manager Gall stated Councilor Harris drafted the resolutions and Councilor Henderson as the liaison to the Police Advisory Board may be a bit more aware of this levy.

Councilor Henderson said this levy is a renewal of the same amount, which is .42. She shared information of attending a suicide seminar she and other elected officials attended along with City Manager Gall and said they spoke about what this levy would continue to support. She spoke of our

proactive programs the Washington County Sherriff has put into place having to do with homeless individuals, families, people that have been abused, and parole opportunities. She said keeping people from ending up in jail or in the system by placing a mental health advocate or a mental health trained individual with an officer on patrol, teaching and educating them on how to handle a situation when dealing with mental issues. She said it also helps to continue to pay for special enforcement teams, the work release center and helps to subsidize emergency shelters for men, women, and children. She said this is not an increase it is continuing some of the programs that Washington County has implemented to be proactive to try and keep people from ending up incarcerated.

She read from a publication that the first year' cost for an average assessed value home in Washington County is \$107 per year or about \$9 per month. She said, this is also a 5 year levy.

Councilor Harris stated a lot of the things are already established, the jails and parameters and it's keeping these going and they are really focusing a lot on the mental health side. She said creating a mental health taskforce to ride along with officers and said this is huge, a big money saver versus taking people to jail and they then going through the system. She said all the things are important and this newer mental health program is worth every cent and she absolutely supports it and believes it is a great asset for our entire community, not just Sherwood.

Councilor Henderson asked Captain Daniel to describe our daily or weekly interactions with the Washington County Sheriff's office and or how might our citizens outside of the City limits be affected if this levy did not pass.

Captain Daniel said we interact with the County and the Sheriff's office on a daily basis and the mental health crisis team is available to us, not necessarily 24/7, but is available quite a bit. He said we have used their services and have asked them to come to Sherwood and help with people that are in crisis within our community. He said he has been on calls when the County was called to assist and said they are a tremendous asset. He said he has worked with Washington County mental health as far as emergency committals and what we do and how we work as a County together to make the system better. He said this is an integral part of the system and if it wasn't there we would not be able to provide a level of services, it's us together that provide to the citizens of Sherwood as well as the citizens of Washington County.

Councilor King said as he works for the other County downtown, he deals with mental health issues every day and based on the report from the Portland Police, it's crucial to have people out there supporting the police officers and deputies in the mental health crisis area. He mentioned the recent republican debate and comments that our jails are becoming mental institutions. He said he supports the levy.

Council President Robinson said we had a good presentation from the Washington County Sheriff and the Library Director and said they did a very good job in answering questions and presenting the ballot. She said if anyone who is watching wants to look at the tapes, they are available online.

Mayor Clark asked for a motion.

MOTION: FROM COUNCILOR HENDERSON TO ADOPT RESOLUTION 2015-071 SUPPORTING THE WASHINGTON COUNTY PUBLIC SAFETY LEVY BALLOT MEASURE 34-236. SECONDED BY

COUNCILOR KING, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR, COUNCILOR BROUSE RECUSED.

Record Note: Councilor Brouse returned to the dais.

Mayor Clark addressed the next agenda item.

8. CITY MANAGER REPORT

City Manager Gall reported the City is in the third year of a joint internship with the City of West Linn. He explained the program and said we have a recent graduate working for us 20 hours per week and 20 hours per week in West Linn. He said the value of this is the individual gets 6 months of work experience at two different organizations. He said the interns the City hosted in past years were employed very quickly after leaving us. He said the program has been a great success and has been replicated and has grown to 8 other cities in Washington County. He said when the intern completes his 6 months, he will continue another 6 months in Wilsonville and Lake Oswego. He said the City received applications for this position from across the Country and explained the investment was \$6000 for the 6 month period at 20 hours per week. He said the intern is primarily working on economic development and is scheduled to do a presentation to the Council on September 1 on the Citizens Academy.

Tom Pessemier introduced Mark Yager as a graduate from Indiana University and said Mark has done a great job for West Linn and us. He said Mark has been working on our community profile in preparation to provide it to Greater Portland Inc. (GPI), which will provide regional exposure for the City and he is also working on our featured properties which will be posted to the GPI website as well as on the Oregon Prospector site which is sponsored by the State. He said he has been working on the City's website, and the Tonquin Employment area. Council comments and questions followed.

9. COUNCIL ANNOUNCEMENTS:

Mayor Clark introduced City Attorney Josh Soper. She reported the City was ranked #6 in the Nation by Money Magazine for the best place to live. She said the only other Oregon City that was ranked was West Linn at #38. She said we are very proud of our ranking. She announced this Saturday, Sherwood Football will be having their carwash fundraiser, at 3 different locations in town. She stated Music on the Green is winding down with the last concert scheduled on August 28, she thanked staff and said the performances have been fantastic. She reported she will be attending the Chamber Golf Tournament on Saturday the 28 and said there are still openings if people wanted to register. She reported August 31 is the Back to School Rally for the Sherwood School District.

Councilor Kuiper reported the next Music on the Green would be featuring a band playing music by the Beatles, followed by the Woody Hite Band. She reported Friday night is Movies in the Park, featuring Big Hero 6 and the last movie is Friday the 28, Mary Poppins.

Councilor Brouse reported she did a ride-along with Sherwood Police Officer Perry and had conversations with other Sherwood Police Officers and said it was a great learning experience and commended the police department. She encouraged people to do a ride-along. She reported she attended a mixer with Sherwood Main Street and said they are doing a wonderful job and are working on

many different projects. She reported she will be attending the School Board meeting next Wednesday and attending the Breakfast Forum with Senator Wyden next Thursday.

Councilor Henderson reported Missoula Children's Theater wrapped up their second week of Jungle Book and had 62 kids in the show. She stated she believes the newness of the Center encouraged people to participate. She reported the Police Advisory Board meeting is this Thursday and reminded everyone that school is starting and to be mindful of school zones, and the 20 MPH speed. She mentioned the Money Magazine recognition and stated the last time the City was ranked, we placed 5 in the Nation. She read a portion of the article in the magazine that highlighted the Sherwood Center for the Arts and the relationship the City has with the School District. She stated this recognition is the result of many years of work, and commitment and contributions from staff that makes Sherwood an attractive place to live.

Mayor Clark reminded people that the City has 3 openings on the Cultural Arts Commission and encouraged people to apply.

Council President Robinson reported the Planning Commission will not be meeting next week. She thanked staff for the crosswalk on Murdock and said it was working. She thanked and complemented the Community Services Department, Public Works and especially Lance Gilgan who has done an amazing job scheduling all the football and soccer teams. She said every field in Sherwood is currently being used. She said in addition to the carwash, the tickets are \$5 and tickets for a trip to Disney Land are also being sold and they are \$10. She stated the prize is any trip with a value of \$3500 roundtrip, including hotel expenses.

Councilor Harris reported the Library meeting is tomorrow and said due to a lack of a quorum, the Cultural Arts Commission did not meet. She reported the Old Town Sherwood Art Walk is September 17 and Sherwood Main Street will be helping with this event. She said it will start at the Sherwood Arts Center and there will be wine tasting, live music and artist demonstrations. She stated there will be maps directing people to participating businesses in town and listed the businesses. She encouraged people to come and walk around Sherwood and participate. She reported the gallery opening of History in the Making opens October 2. She reported the gala event for the Sherwood Center for the Arts will be moved to the Spring of 2016. She reported the Missoula Children Theater, in addition to the 62 kids that participated, had 350 people that attended. She commented on how great the program is. She stated the #6 ranking was largely based on our arts and the way we have handled the arts in Sherwood, she commended staff and the prior Council for putting an emphasis on the Arts in Sherwood. She commented regarding being on these national lists and this bringing people to Sherwood and they needing a place to live.

Councilor King thanked all the first responders who responded to the trestle fire.

Mayor Clark asked for a motion to adjourn.

10. ADJOURN

MOTION: FROM COUNCIL PRESIDENT ROBINSON, SECONDED BY COUNCILOR KING TO ADJOURN. MOTION PASSED 7:0, ALL PRESENT VOTED IN FAVOR.

Mayor Clark adjourned the meeting at 8:04 pm and convened to a work session.

WORK SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 8:15 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, and Renee Brouse. Councilor King arrived at 8:27 pm.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Intern Mark Yagar, and City Recorder Sylvia Murphy.
4. **TOPICS:**

A. City Manager Annual Review Process

City Attorney Josh Soper provided a copy of Resolution 2013-032 to the Council indicating this is the most current City Manager evaluation criteria (see record, Exhibit A). Discussion followed regarding the process for conducting the City Manager's annual performance evaluation. The Council provided Mr. Soper with suggested amendments to the criteria with direction to bring back to the Council a resolution for consideration of adoption.

5. ADJOURN

Mayor Clark adjourned the work session at 8:40 pm.

Submitted by:



Sylvia Murphy, MMC, City Recorder



Krisanna Clark, Mayor