



Home of the Tualatin River National Wildlife Refuge

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

WORK SESSION

1. **CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 5:30 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Robyn Folsom and Matt Langer. Councilor Bill Butterfield arrived at 5:37pm and Krisanna Clark arrived at 5:45pm.
3. **STAFF PRESENT:** Tom Pessemier Assistant City Manager, Craig Sheldon Public Works Director, Kristen Switzer Community Services Director, Mark Daniel Police Captain, Julia Hajduk Community Development Director, Craig Gibons Finance Director, Bob Galati City Engineer, Michelle Miller Associate Planner, Colleen Resch Administrative Assistant and Sylvia Murphy City Recorder.
4. **TOPICS DISCUSSED:**
 - A. **Tonquin Trail:** Michelle Miller, Associate Planner presented information (see record, Exhibit A) and briefed the Council on: Vision and Planning Process, recommended trail routes and recommended trail design and implementation. Michelle briefed the Council on the regional trail network, study area, project steering committee and community participation. Discussion followed regarding cost to the City, maintenance and maintenance costs, maintenance responsibilities of city and county.

5. ADJOURN:

Mayor Middleton adjourned the Council work session at 5:45 pm and convened to a URA Board of Directors work session (see URA Board records).

REGULAR CITY COUNCIL MEETING

1. **CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 7:00 pm.
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**

4. **COUNCIL PRESENT:** Mayor Bill Middleton, Council President Linda Henderson, Councilors Dave Grant, Robyn Folsom, Bill Butterfield, Matt Langer and Krisanna Clark.
5. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Tom Pessemier Assistant City Manager, Craig Sheldon Public Works Director, Craig Gibbons Finance Director, Community Development Director Julia Hajduk, Police Captain Mark Daniel, Community Services Director Kristen Switzer, Associate Planner Michelle Miller, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy. City Attorney Chris Crean.

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

6. CONSENT:

- A. **Approval of February 5, 2013 City Council Meeting Minutes**
- B. **Resolution 2013-004 Appointing Budget Officer for FY13-14**
- C. **Resolution 2013-005 Reappointing Tim Carkin to the Budget Committee**

MOTION: FROM COUNCIL PRESIDENT LINDA HENDERSON TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCILOR BILL BUTTERFIELD, MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Middleton addressed the next agenda item.

7. PRESENTATIONS:

A. Eagle Scout Recognition

The Council recognized Olsen Cottle for receiving his Eagle Award and asked Olsen to give a description of the project that earned him the award. Olsen explained his project consisted of removing trash from the Tualatin River by maneuvering on canoes. Council asked why he selected this project, Olsen replied he was good in canoeing and has a friend that supplied 14 canoes and a trailer. He stated the trash was hauled to the Newberg landfill and they hauled a full trailer load. He was asked what agencies he coordinated with to complete his project, he replied Clean Water Services (CWS) and the City of Tualatin. Mayor Middleton thanked Olsen for his service and presented him with a Certificate of Achievement.

Mayor Middleton addressed the next agenda item.

8. CITIZEN COMMENTS

No comments were received.

Mayor Middleton addressed the next agenda item.

9. NEW BUSINESS

- A. **Resolution 2013-006 authorizing the City Manager to enter into an Intergovernmental Agreement for provisions of grounds-keeping services**

Craig Sheldon, Public Works Director recapped the staff report and informed the Council the agreement is with the School District to take over maintenance of the school grounds, including hard scape and parking lots. Craig stated the City currently has an IGA with the District to maintain ball fields and this would be a separate IGA. Craig stated this agreement is up to \$120,000 worth of services with \$60,000 of purchasing equipment from the district through personnel services over a three year period. Craig stated this would be at \$20,000 per year. Craig informed the Council we have efficiencies here as the city purchases the same equipment and we conduct the same training for staff. Craig said the district had an employee retire in November 2012 and this agreement is a result of that retirement.

Mayor Middleton asked for questions from the Council.

Councilor Folsom thanked Craig for his work on this agreement and said she appreciates the equipment will be purchased with personnel services over three years, so it doesn't cost the City any out-of-pocket cash, and we are also helping the district. Councilor Folsom thanked City Manager Gall and Superintendent Cordie, and said as a citizen she appreciates seeing these economies to scale and efficiencies happen.

Mayor Middleton asked the Council if they were in agreement to receiving public comments on the resolution, Council conceded. Mayor Middleton asked to receive public comments, none were received.

Mayor Middleton asked for a motion.

MOTION: FROM COUNCILOR KRISANNA CLARK TO ADOPT RESOLUTION 2013-006, SECONDED BY COUNCILOR ROBYN FOLSOM, MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Middleton addressed the next agenda item.

B. Resolution 2013-007 Authorizing the City Manager to award a contract to replace the artificial turf at Snyder Park Soccer Field

Public Works Director Craig Sheldon recapped the staff report and stated that the turf field was built in 2001 and is in need of repair and was supposed to last 8 to 10 years depending on usage. He stated the Council approved a supplemental budget last year and staff had an opportunity to look at a few options and said the option we are proposing tonight is to go through the Association of Education Purchasing Agency. Craig stated they went through a bidding process that went through 24 states including Oregon. Craig said this will go through the Inter Mountain Educational Service District in Oregon, located in Umatilla. Craig explained prior examples of purchasing using a similar process. Craig stated this was an actual bid that was done in August of 2011, along with mailing of bid notices. He stated in September there was a pre-bid meeting and in October bid submittals were due and the public opening occurred. In November 2011 approval of bids occurred and in December bidders were advised of results, and in March 2012 the contract was in place. Craig stated the contract is a two year contract. Craig informed the Council that cost estimates and negotiating has not occurred yet and said it's a rough estimate of \$390,000 for the replacement turf and stripped for lacrosse. Craig provided an example of a local project sole sourced for \$434,000, which is a savings of \$45,000. Craig informed the Council of potential issues that could arise once the turf is lifted and

the cost potentially increasing to \$500,000. He stated he planned to have a compaction test done in the next few weeks and that is when staff would negotiate with Field Turf to determine what needs to be done.

Mayor Middleton asked for Council questions.

Councilor Folsom stated the life expectancy is 8-10 years and asked if the life expectancy of the new turf would be the same.

Craig replied that it will depend on the warranty, based on what we find underneath the current turf. He said Field Turf could not warranty with the other agency depending on what was put in. He said this will be part of the negotiating. Craig informed the Council that Field Turf installed the field at the High School and said this has been a good field and they have done our infields over the past years. Craig stated they are local and have come out on their own time to look at the fields.

Councilor Folsom reminded the Council that the turf replacement required a supplemental budget and asked Finance Director Craig Gibbons and City Manager Gall how we are going to handle turf replacement in the future.

Craig Gibbons replied that we will present the Council with budgets that will have a \$50,000 contribution to a replacement reserve for turf replacement, for 10 years, totaling \$500,000.

With no other questions, Mayor Middleton asked for a motion.

MOTION: FROM COUNCILOR BILL BUTTERFIELD TO ADOPT RESOLUTION 2013-007, SECONDED BY COUNCIL PRESIDENT LINDA HENDERSON, MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Middleton addressed the next agenda item.

C. Resolution 2013-008 Acknowledging the Ice Age Tonquin Trail Master Plan as a reference document for decision making purposes

Michelle Miller Associate Planner came forward along with Brian Stecher. Michelle introduced Brian as a member of the Parks Board and said he was the citizen representative on the Steering Committee for the Ice Age Tonquin Trail process.

Michelle presented a power point (see record, Exhibit B) and stated this was discussed this evening in the Council work session and her presentation will be a brief overview for the public. Michelle stated she would review the vision and planning process, the recommended trail route, trail design and implementation. Michelle reminded the Council that this is a guide and gives us the formula we need as we move forward with implementing the trail and determining the location of the trail specific to Sherwood. Michelle stated a lot of the decisions are yet to be made as we move forward with our Cedar Creek Trail process and this gives us a good overview of how we will proceed in the future.

Michelle stated the Ice Age Trail will start at Boones Ferry and end at the Tualatin River National Wildlife Refuge in Sherwood, and will be part of a Regional Trail Network. Michelle referenced the exhibit and maps indicating trails, and said some trails have been completed and others have not and

stated hopefully one day we can connect the Willamette River with the Columbia River through a multiuse trail. Michelle referenced the exhibit and explained the study area. Michelle explained the makeup of the Project Steering Committee and said this was a unique process, which included Clackamas County, Washington County, Clean Water Services and Washington County Bicycle Advocate Hal Ballard. Michelle explained the extensive community involvement process, which included open houses, community events, mailers and news articles.

Michelle referenced the maps in the exhibit showing the proposed recommended trail. She explained the trail facilities and shared paths, off trail components as well as trailheads, way findings and signage.

Michelle stated the adoption of the resolution will provide a blueprint for future trail development through grants and private developments. She stated it will help with the transportation system plan update in the future as well as be a part of the regional trail network. Michelle stated it will also supports other trail planning efforts in other communities as they development their trail segments.

Michelle offered to answer questions and asked Brian to share his experience on the Steering Committee. Brian stated his job as the citizen representative, as he understands it, was to report back to the Parks Board on a monthly basis on the progress of this project over the last 2 ½ years, and be available at public meetings.

Mayor Middleton asked the Council if they were in agreement to receiving public comments on the resolution, Council conceded.

Mayor Middleton asked to receive comments.

Wendy Kellington, an attorney representing Tonquin Industrial Group, which includes industrial owners and operators in the Tualatin area, in the Southwest Concept Plan area, representing 50 family wage jobs. Ms. Kellington stated they are listed in the letter she has submitted for the record, (see record, Exhibit C).

Ms. Kellington stated the Tonquin Industrial Group has been participating in this process for a long time with Metro and the City of Tualatin on the project and said they have submitted comments on January 9th to Metro outlining serious concerns of the group. She stated the Tonquin Industrial Group is located in a regionally significant industrial area within the UGB, not yet annexed to the City of Tualatin. She stated it's a highly developed area with heavy freight trucking, equipment, and a proposed rail spur and said the trail in this area is proposed to go through the Tonquin Industrial area along the railroad tracks in a way that we are very concerned as it is unsafe and would adversely impact freight mobility in this area. She stated there is no Ice Age phenomenon in the regional significant industrial area, but there are some Ice Age caulks to the North, outside of the area.

Ms. Kellington stated we have asked that the alignment through the regionally significant industrial area be removed and it has not been removed and are here tonight asking you not to adopt, accept or rely on this document until such time as the regionally significant industrial area that we represent are adequately protected. She stated we care and have significant concerns about the tremendous usage you've seen in the Metro numbers of the Grahams Ferry segment of this trail, 600-700 people per day using the trail, conflicting with heavy truck movement and rail movement, and said we have safety concerns. She mentioned concerns over 50 family wage jobs and land use restrictions. Ms. Kellington referenced page 3 of her letter and stated she quotes language from the plan that this is a

serious document and not just a concept that can change, it's a serious roadmap for what will happen with respect to subsequent plans and TSP's for the City, Washington County and others. She referenced quoted language from page 4, stating, "project partners need to work close with Washington County to be sure trail design is a component of these projects and that trail right of way is preserved for future development in the areas where they are listed". Ms. Kellington stated there are reasons to do it, for good policy as well as legal reasons. She stated this is in a regional significant industrial area that the Metro functional plan says you are not supposed to have public parks in those areas, and referenced page 6 that indicates this. Ms. Kellington stated as we strongly support citizen access to the Ice Age phenomenon, we are very concerned about 50 family wage jobs, the regionally significant industrial area and feel it's premature to be pushing this through on this important issue. Ms. Kellington requested the Council not accept the plan until the issue is resolved and doesn't see the urgency until issues are resolved.

Mayor Middleton thanked Ms. Kellington and asked for Council questions.

Councilor Butterfield asked staff what section of the trail, shown on the map, Ms. Kellington was referencing. Michelle Miller replied she is not certain as this is the first she has heard. Ms. Kellington directed staff to the area in question as Map #12. Michelle stated Ms. Kellington referenced the basalt study area and confirmed it was the SW Tualatin Concept Plan. Michelle stated the maps reference footnotes and said there are still questions on how the alignment will actually work and said Metro has a willing seller program and any type of easements would have to be under what they would want to do. Michelle stated in looking at Title 6, this is also a Metro document and plan and all of these will have to be coalesced when referencing this section.

Councilor Clark asked if this section was in our decision making area. Michelle replied it is not and confirmed it is in Washington County jurisdiction. Councilor Clark confirmed Michelle previously stated she had not heard of this dispute before. Michelle replied, not specifically. Brian Stecher replied he had not heard either.

Councilor Folsom asked Brian for confirmation, and stated in his meetings, he had not heard of this concern being brought to the attention of the Steering Committee, Brian replied that was correct.

Councilor Folsom stated what staff is asking of the Council is to bless a concept plan that is still in a state of flux. Michelle replied it is a master plan document that has guidelines and a general alignment for all jurisdictions to say they will be supportive of their decision making as they develop their alignments in this general vicinity. Michelle stated we can only guide what's in our jurisdictional bounds and how our trail develops, and we will look at this document as we plan our trail segments and use it as a guideline as to where we can go for resources, grants and will be a ball park for certain things and a ball park for costs and a ball park of what it will look like, and we have agreed that we will be supportive of one another's jurisdictions as they develop their sections.

Councilor Folsom stated if we passed or did not pass this resolution, it would likely not impact what Washington County does. Michelle replied that is correct and said it will show we are supportive of this trail and the work that has been done on the master plan document.

Councilor Folsom stated, to confirm with staff, and referenced page 75 and said there are ways to address the concerns of this group and have their concerns mitigated and this is not in our purview. Michelle replied that was correct and we will not be a part of that.

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

MOTION: FROM COUNCIL PRESIDENT LINDA HENDERSON TO ADOPT RESOLUTION 2013-008, SECONDED BY COUNCILOR KRISANNA CLARK, MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Middleton addressed the next agenda item.

10. CITY MANAGER REPORT:

City Manager Gall informed the Council that staff has been meeting with PGE to negotiate a new franchise agreement and the agreement is currently under review by the city attorney. Mr. Gall stated PGE has been negotiating a lot of franchise throughout the region and with our attorney representing other jurisdictions on this he hopes it will be an expeditious process. Mr. Gall stated he is looking to complete the work before the end of this fiscal year and have something back to the Council by July 1st.

City Manager Gall said the City is negotiating a 10 year agreement and PGE has asked for a 20 year agreement.

Mr. Gall informed the Council of a recent tour he and staff took of the Durham Waste Water Treatment Facility and offered that the Council members, staff and planning commissioners take a tour. Mr. Gall said the Council will see an invitation sometime this summer.

Mr. Gall informed the Council similarly to introducing new staff in his City Manager report, he wanted to inform the Council of the resignation of the City's Human Resource Manager, Anna Lee. He stated Anna's last day will be Friday of next week and she will be leaving to take a position with Metro after 8 ½ years of working at the City. He stated anytime a position opens up it gives us an opportunity to rethink how we do things and said the senior management team has been discussing how to do HR and not necessarily doing it as it has been done in the past. He asked for Council input on this in the coming weeks as he figures out how to fill the need.

Council President Henderson asked for an update on the downtown street project.

Tom Pessemier replied that the project is profiting from nice weather and they have been able to get in and work on the utilities. He said they have compacted the rock on Railroad between Pine St. and Washington St. today and plan to compact the section between Washington St. and Main St. tomorrow.

He informed the Council that he visited four businesses today and two of the businesses said they are doing better business than they ever have and the other two have not been impacted. He stated he believes this shows that the contractor is doing a good job and shared an example of the contractor visiting with a business to talk about a constructability issue and making sure the owner was aware of the measures the contractor was taking to protect that business. He said the project is going well and is a bit ahead of schedule.

Councilor Grant stated staff should be commended for all the signage pertaining to the businesses being open and said he was very impressed and believes this is part of the success of the businesses.

Councilor Henderson commented regarding hearing comments from pedestrians and business owners on the cleanliness and courtesy of the construction company.

Mayor Middleton addressed the next agenda item.

11. COUNCIL ANNOUNCEMENTS:

Councilor Clark reported Sherwood Old Town Main Street Association meets every Wednesday at 11am at the Rebekah Lodge to provide updates on the construction and how it's progressing and said anyone can attend. She said the Sherwood Chamber will be hosting an event at the Sherwood Police Facility community room next Tuesday from 6:15pm to 7:15pm with Representative John Davis, Senator Larry George and Representative Thatcher. Ms. Clark stated it should be very informational on what is happening within the district and outside Sherwood and said the Chamber is encouraging everyone to come.

Councilor Folsom commented she received from a group of citizens a document on branding of Old Town and asked the City Recorder to distribute the document to the Council. Ms. Folsom thanked the group for taking an interest and said they are either long time or lifelong residents whom recently visited Leavenworth, Washington. Ms. Folsom said they put together a document with thoughts and ideas for Sherwood.

Councilor Butterfield reported he is the newly appointed Council Liaison to the Sherwood School Board and stated he had a nice conversation with Superintendent Heather Cordie and she was excited about the City getting more involved. Councilor Butterfield said the district will be adding to their School Board Agenda a section for Mr. Butterfield to provide a regular report.

Mayor Middleton commented regarding reading positive comments from Superintendent Cordie in her weekly update.

With no other announcements, Mayor Middleton adjourned.

12. ADJOURN:

Meeting adjourned at 7:42 pm.

Submitted by:


Sylvia Murphy, CMC, City Recorder


Bill Middleton, Mayor