



Home of the Tualatin River National Wildlife Refuge

**SHERWOOD CITY COUNCIL MINUTES**  
**22560 SW Pine St., Sherwood, Or**  
**May 15, 2012**

**CITY COUNCIL WORK SESSION**

1. **CALL TO ORDER:** Council President Dave Grant called the meeting to order at 6:10 pm.
2. **COUNCIL PRESENT:** Council President Dave Grant, Councilors Matt Langer, Linda Henderson, Krisanna Clark and Bill Butterfield. Councilor Robyn Folsom arrived at 6:30 pm and Mayor Mays was absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Pro Tem Tom Pessemier, Finance Director Craig Gibons, Police Chief Jeff Groth, Planning Manager Julia Hajduk, Associate Planner Michelle Miller, Police Captain Mark Daniel and City Recorder Sylvia Murphy. City Attorney Paul Elsner arrived at 6:30 pm.
4. **TOPICS DISCUSSED:**
  - A. **Sherwood Police Department Accreditation:** Police Chief Jeff Groth presented a power point presentation (see record, Exhibit A) and explained the accreditation process, how it works and requirements of the department to maintain accreditation. Brief discussion followed.
  - B. **Landscaping and Parking Lot Development and Layout, Code Clean-up:** Michelle Miller presented a power point presentation (see record, Exhibit B) and explained the standards and proposed code amendments. Discussion followed. Michelle provided documents to the Council, (see record, Exhibit C-Proposed Code Amendments-Clean Copy), (Exhibit D-Proposed Code Amendments-Marked Copy) and (Exhibit E-Example Plant & Tree Landscaping Manual). Michelle informed the Council Exhibit E was an example of what a manual could look like.
5. **ADJOURN:**

Council President Grant adjourned the work session at 7:06 pm.

**REGULAR CITY COUNCIL SESSION**

1. **CALL TO ORDER:** Council President Dave Grant called the meeting to order at 7:10 pm.
2. **PLEDGE OF ALLEGIANCE:**
3. **COUNCIL PRESENT:** Council President Dave Grant, Councilors Bill Butterfield, Matt Langer, Robyn Folsom, Linda Henderson and Krisanna Clark. Mayor Mays was absent.

4. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Pro Tem Tom Pessemier, Finance Director Craig Gibons, Police Chief Jeff Groth, Police Captain Mark Daniel, Police Captain Jim Reed, Planning Manager Julia Hajduk, Associate Planner Michelle Miller, City Recorder Sylvia Murphy and City Attorney Paul Elsner.

Council President Grant addressed the Consent Agenda and asked for a motion.

5. **CONSENT:**

A. **Approval of May 1, 2012 City Council Meeting Minutes**

B. **Resolution 2012-023 of the City of Sherwood approving employment related decisions of the Pro Temp City Manager consistent with Section 33 of the Sherwood Charter**

**MOTION: FROM COUNCILOR LINDA HENDERSON TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILOR ROBYN FOLSOM, ALL PRESENT COUNCIL MEMBERS VOTED IN FAVOR. (MAYOR MAYS WAS ABSENT).**

Council President Grant addressed the next agenda item.

6. **PRESENTATIONS:**

A. **Accreditation Award to Council by Joe Simon-Oregon Accreditation Alliance**

Chief Groth introduced Joe Simon with the Oregon Accreditation Alliance. Mr. Simon came forward and explained accreditation and informed the Council the program has been in effective since 2001 and has 45 agencies under contract with the alliance and said only 28 are accredited, out of 171 total agencies in the state. Mr. Simon stated nationally only about 10% of law enforcement agencies are accredited. Mr. Simon stated the agency must meet 102 professional standards, based on life, health and safety and based on best practices in the industry. Mr. Simon stated every three years the agency must go through re-accreditation and said there's a constant self-evaluation of the agency to make sure they are maintaining a high level of professional standards. Mr. Simon stated the Sherwood Police Department was very innovative and created an in-house program with the support of Administrative Assistant Angie Hass that allowed the Accreditation Alliance the ability to access files electronically without having to come on site. Mr. Simon stated it has been a pleasure to work with the Sherwood Police Department and his pleasure to re-award the Certificate to the Police Department. Mr. Simon stated the Police Department was originally recognized at the annual Police Chief's Conference in April. Mr. Simon presented the Certificate to Chief Groth.

Council President Grant thanked Mr. Simon and stated the Council is very proud of the police department and said Chief Groth has worked towards advancing programs and this is well known by the Council and our citizens.

Council President Grant addressed the next agenda item.

7. **CITIZEN COMMENTS:**

Jim Claus 22211 SW Pacific Hwy, Sherwood came forward and commented regarding his concern about sovereign immunity and government officials and coupling this with an insurance program, resulting in willful bad acts that the public pays for. Mr. Claus commented regarding ODOT and loss of legal fees and informed the Council he had a conversation with Mark Krause (spelling?) about city services and insuring intentional torts and this being against public policy. Mr. Claus briefed the

Council on the conversation and commented regarding civil rights violations. Mr. Claus commented regarding the health of his spouse and a lawsuit, commented regarding having a run-in on his subdivision and staff not informing him of a path. Mr. Claus referenced case law, commented regarding Metro and the City removing the pathway. Mr. Claus commented regarding different zoning of properties adjacent to him and commented regarding this being a 14<sup>th</sup> amendment problem, along with 1<sup>st</sup> and 5<sup>th</sup> amendments problems. Mr. Claus commented regarding selling of zoning and informed the Council he will be writing a letter to the Council listing various instances of treatments where he has been treated differently in comparison to others. Mr. Claus commented regarding a Title 42 claim and this being a 14<sup>th</sup> amendment claim.

Council President Grant thanked Mr. Claus and asked to receive other citizen comments.

Eugene Stewart 22595 SW Pine Street, Sherwood came forward and informed the Council he attended a meeting regarding the downtown street construction project and was happy to see the City Manager and City Engineer were taking a stronger look at this and how it will affect downtown merchants. Mr. Stewart asked the Council when it's time to approve plans that they look at the effects to the merchants. Mr. Stewart commented regarding the prior downtown street construction negatively affecting Clancy's with a revenue loss of 30%. He stated the faster the streets can be finished and not disrupt the businesses during business hours, they will survive through the construction. Mr. Stewart asked Council to listen to the business owners and follow up.

Council President Grant thanked Mr. Stewart and asked to receive other citizen comments.

With none received, he addressed the next agenda item.

## **6. NEW BUSINESS:**

### **A. Resolution 2012-024 Approving the terms of an Employment Agreement between Joseph Gall and the City of Sherwood**

City Attorney Paul Elsner informed the Council of the draft employment agreement between the City and Mr. Gall and how the agreement was drafted with the assistance of Councilor Henderson and Council President Grant acting as Council Liaisons between his office and Heather Gantz with Waldron. Mr. Elsner stated the agreement has been vetted over the course of the past few weeks and other than a few minor scrivener errors that might be in the agreement, the agreement is completed.

Council President Grant commented regarding productivity of the process and stated he feels the agreement is fair and benefits the City and creates a nice employment package.

Council President Grant asked for Council questions on the proposed resolution. With none received he asked for a motion.

**MOTION: FROM COUNCILOR LINDA HENDERSON TO APPROVE RESOLUTION 2012-024, SECONDED BY COUNCILOR ROBYN FOLSOM. ALL PRESENT COUNCIL MEMBERS VOTED IN FAVOR. (MAYOR MAYS WAS ABSENT).**

Council President Grant addressed the next agenda item.

## 7. CITY MANAGER AND DEPARTMENT REPORTS

City Manager pro tem Tom Pessemier informed the Council he approved a liquor license for a new restaurant called, Tree's Restaurant and Catering, located in the Hunter's Ridge building.

Tom informed the Council of changes to the City website coming out in the first few weeks of June with a new look and ease in navigation and said the content behind the scenes will remain the same. Tom stated the changes will allow for better tools and management of public notifications and will be easier for staff to update and post information.

Tom stated a Grand Opening celebration for the Plaza is scheduled for Friday, June 1<sup>st</sup> from 4-6pm, invitations will be sent to people within 1000 feet of the Cannery Square and staff will be working on advertising the event. Tom stated the ribbon cutting ceremony will be at 4:30pm and officially turning on the water feature at that time for the remainder of the summer season.

Council President Grant addressed the next agenda item.

## 8. COUNCIL ANNOUNCEMENTS

Council President Grant stated he was excited about the resolution approving the employment agreement of Joe Gall and said the Council started by looking at a large number of applicants, Mr. Grant encouraged people to meet Joe. Mr. Grant stated the City has an excellent staff and Joe adds to that. Mr. Grant stated Joe will be starting in approximately 6 weeks and welcomed him to the City.

Councilor Butterfield welcomed Joe Gall and commended Tom Pessemier for his work as the pro tem City Manager and stated he was looking forward to their teamwork and making Sherwood a better city. Mr. Butterfield congratulated both Joe & Tom.

Councilor Folsom stated the VPA (Voices for the Performing Arts) was holding a benefit concert this Friday and Saturday, 7:30pm at the Sherwood High School.

Councilor Henderson commented regarding an email the Council received from a citizen who received a traffic citation and attended Sherwood Municipal Court sitting through an hour of testimony. Ms. Henderson stated he wrote a nice note to the Council commending Judge Jack Morris. Ms. Henderson stated Judge Morris handles every case with dignity, compassion and fairness.

With no other Council announcements, Council President Grant adjourned the Council meeting.

## 9. ADJOURN TO URA BOARD OF DIRECTORS MEETING

Council President Grant adjourned at 7:34 pm and convened to a URA Board of Directors meeting.

Submitted by:

  
Sylvia Murphy, CMC, City Recorder

  
Keith S. Mays, Mayor