



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
September 20, 2016

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 5:35 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Councilors Sally Robinson, Linda Henderson, Renee Brouse, Dan King, and Jennifer Kuiper. Council President Jennifer Harris arrived at 5:45 pm.
3. **STAFF PRESENT:** City Manager Joe Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper.
4. **TOPICS:**
 - A. ORS 192.660(2)(i), Performance Evaluation of public employees.
5. **ADJOURN:**

Mayor Clark adjourned the executive session at 6:15 pm.

WORK SESSION

1. **CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 6:22 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Jennifer Harris, Councilors Linda Henderson, Jennifer Kuiper, Sally Robinson, Renee Brouse and Dan King.
3. **STAFF PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Finance Director Katie Henry, Community Development Director Julia Hajduk, City Engineer Bob Galati, Police Chief Jeff Groth, Police Captain Mark Daniel, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.
4. **TOPICS:**
 - A. **City Recorder Performance Evaluation Process**

City Attorney Josh Soper provided the Council with a draft resolution (see record, Exhibit A) outlining the evaluation process for the City Recorder. He stated the evaluation process is similar to that of other Council employees, the City Manager and the City Attorney. He stated the resolution would be coming back to the City Council for consideration of adoption. He asked for questions or comments on the exhibit. No comments were received.

B. Sanitary and Storm Master Plan Updates

Community Development Director Julia Hajduk, City Engineer Bob Galati and Murray Smith and Associates consultant Michael Carr presented information, (see record, power point Exhibit B), Draft Sanitary Sewer Master Plan (see record, Exhibit C), Draft Stormwater Master Plan (see record, Exhibit D) and handouts, see Record, Exhibit E).

Mr. Carr recapped exhibit B and stated the presentation would described the existing systems, provide criteria for evaluating the systems, and identify current and future system deficiencies and improvements, develops a prioritized Capital Improvement Program, contains planning level cost information for budgeting, provides a tool for informing City leaders, staff, customers, facilities logical planning decisions and utility coordination and incorporates community values and priorities through a public process.

Mr. Carr explained the study area and recapped population projections. Discussion followed.

5. ADJOURN:

Mayor Clark adjourned the work session at 7:00 pm and convened to a regular session

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Clark called the meeting to order at 7:10 pm.
- 2. COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Jennifer Harris, Councilors Linda Henderson, Jennifer Kuiper, Sally Robinson, Renee Brouse and Dan King.
- 3. STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Police Captain Mark Daniel, Community Development Director Julia Hajduk, Finance Director Katie Henry, Civil Engineer Jason Waters, Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.

Mayor Clark addressed the next agenda item and asked for a motion.

4. APPROVAL OF AGENDA:

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

Mayor Clark addressed the next item on the agenda and asked for a motion.

5. CONSENT AGENDA:

MOTION: FROM COUNCIL PRESIDENT HARRIS TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILOR KING. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

6. PRESENTATIONS:

A. Recognition of Eagle Scout Award Recipients

Mayor Clark called forward Harrison Cole and asked him to describe his Eagle Scout project. Harrison stated he worked with Gibbs Pioneer Cemetery Board Members Mr. and Mrs. Edy to uncover and clean the 150 row markers at the cemetery. He said the Edy's funded the project and he did all of the work himself. Mayor Clark presented Harrison with a certificate of achievement and thanked him for his service.

Mayor Clark called forward Kevin Skurdahl and asked him to describe his Eagle Scout project. Kevin stated he constructed the Military Service Memorial in front of Sherwood High School to commemorate all of the graduates who have served in the military. He said he constructed an outdoor patio area to be used for reflection and seating. He stated it took close to 300 hours between friends and family volunteers. He said the cost of the project was close to \$7000 and much of that was donated. Mayor Clark presented Harrison with a certificate of achievement and thanked him for his service.

Mayor Clark recognized and congratulated Sean Ramos for obtaining the rank of Eagle Scout. He was not present and Mayor Clark indicated the certificate would be mailed.

B. Recognition of Boy Scout Troop 859

Mayor Clark called forward Boy Scout Troop 859 and referred to the article in the Gazette recognizing Troop 859 for their rescue efforts over the summer. The Troop spokesperson stated that the scouts were hiking and found a woman that needed help with a severe burn on her leg. He said the scouts administered first aid and called 911 on their satellite phone and she was rescued by helicopter about 2 hours later. He said they were in the middle of a strenuous 24 mile hike when they came across the injured woman but insisted on waiting until she was safely rescued. Mayor Clark stated she was touched by the story and proud of their heroism and presented them with a certificate of achievement.

Councilor Henderson asked what they would have done if they did not have a satellite phone. The scouts responded that they were considering making a stretcher and carrying her out.

C. Proclamation, First Responders Appreciation Week, September 21-27, 2016

Mayor Clark read the proclamation and noted Sherwood's first responders, both career and volunteer, include law enforcement officers, firefighters, emergency medical technicians, 911 dispatchers and search and rescue personnel who bravely and selflessly risk their lives every day to protect Sherwood families, visitors, and businesses. She stated first responders do not hesitate to risk their own lives in order to save the lives of others, and their commitment to continued training, skill enhancement, and inter-

agency cooperation make them prepared to serve, protect and rescue our citizens 24 hours per day, 365 days a year. She proclaimed September 21st through September 27th, 2016 to be First Responders Appreciation Week.

Mayor Clark addressed the next item on the agenda.

7. CITIZEN COMMENTS:

With no citizens coming forward, Mayor Clark addressed the next item on the agenda.

8. NEW BUSINESS:

A. Resolution 2016-057, In support of Sherwood School District General Obligation Bond 34-254

Mayor Clark stated that these two resolutions are political in nature and were prepared by members of the Council. Councilor Brouse said she drafted this legislation to recognize the fact that kids are our future. She said Sherwood is growing and the two largest populations are older adults and children and with the growth the School District is in need of funding. She said this is the best solution and addresses many of the issues with new schools, infrastructure, seismic upgrades, curriculum and other options to help make the education experience more conducive to learning.

Mayor Clark opened a public hearing.

Sue Hekker with the Sherwood School Bond Campaign approached the Council and thanked them for their endorsement and continued support of the Sherwood schools. She commented that the community has benefitted from the collaborative approach between the City and the School District. She stated with the rapid growth Sherwood has experienced the schools are overcrowded and the issue needs to be addressed. She said the School Board agreed to add Bond 34-254 to the November ballot to provide a long term solution. She stated the biggest area of concern is the High School which has 1730 students in a building designed for 1550. She provided examples of overcrowding in the classrooms and common areas. She stated 3 of the 4 elementary schools are over capacity and she provided examples of the challenges they face due to the overcrowding. She said the middle schools face similar issues that will worsen. She said this bond will address the overcrowding and said our students deserve a better environment. She noted the bond also addresses building maintenance and seismic upgrades. She stated the bond will help Sherwood maintain our educational lead by investing in technology and curriculum updates.

Mayor Clark commented on the need for this bond. She stated good schools improve property values and it is a good investment for the future.

Councilor Robinson commented on the lack of space at the Ridge campus and provided examples. She noted that there will be a matching grant of \$4 million if the bond passes.

Council President Harris said it is important to maintain one High School and commented regarding the comradery that it builds.

Councilor Kuiper said the plan is good and well thought out with adequate public input and she is in support.

With no other comments received the following motion was stated.

MOTION: FROM COUNCILOR HENDERSON TO APPROVE RESOLUTION 2016-057, SECONDED BY COUNCILOR KING. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

B. Resolution 2016-058, Opposing the passage of Oregon State Measure 97

Councilor Kuiper said she drafted this legislation after researching the impact the measure would have on families. She provided background and said Measure 97 is a citizen's initiative to impose \$6 billion in new taxes on the sale of products and services. She said it is a cumulative tax which means that for products produced in Oregon there will be a tax at every step of 2% which results in \$600 per household. She said the tax will go into the State General Fund and is not earmarked for anything.

Mayor Clark referred to comments that this is a hidden sales tax and will be passed onto the consumer. She said it is a citizen's initiative and has legislative holes that need to be ironed out. She stated she will support opposing Measure 97.

Councilor Brouse agreed with the previous comments and added that with the increase in minimum wage and this proposed tax it will reflect back on the consumers. She stated she will support opposing Measure 97.

Councilor King noted that the tax is based on gross receipts.

Council President Harris stated that she will abstain from voting as she has not done enough research.

With no other comments, the following motion was stated.

MOTION: FROM COUNCILOR KUIPER TO APPROVE RESOLUTION 2016-058 OPPOSING THE PASSAGE OF OREGON STATE MEASURE 97, SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0. (COUNCILOR HARRIS ABSTAINED AND ALL OTHER MEMBERS VOTED IN FAVOR).

Mayor Clark addressed the next item on the agenda.

10. CITY MANAGER REPORT:

City Manager Joseph Gall introduced the new Finance Director Katie Henry. He provided a brief background of her finance career and said she recently relocated to McMinnville and welcomed her to the staff. Ms. Henry said she is excited to be working for the City of Sherwood. Council welcomed Ms. Henry.

Mr. Gall announced the Tualatin River National Wildlife Refuge will have a prescribed fire sometime in the first two weeks in October and said the City will post the information on the City's website and Facebook when the date is set.

Mr. Gall asked Community Development Director Julia Hajduk to discuss the two potential developments which may involve a hotel. Ms. Hajduk said the City received a preliminary application yesterday for a

Hampton Inn on Alexander Lane and Meinecke. She said they are proposing a 4 story 72 room hotel. She stated the application is currently in the 30 day completeness review stage and once the application is deemed complete all the application information will be posted to the City's website and public hearings will be scheduled and the noticing process will begin. She noted that this application will be referred to the Planning Commission due to the size of the site development. She stated the required notice for public hearings for the Planning Commission involves notice on the website, the newspaper, in town and on site and to all the property owners within 1000 feet of the property. She said the other proposal has not been submitted yet but there has been a neighborhood meeting regarding the potential application. She said she understands there are 2 options and both include an assistant living facility and one includes a hotel and the other has retail options. She stated if the City receives that proposal it will go through the same process.

Councilor Kuiper said she was informed that residents in the Smith Estates did not receive notice of the neighborhood meeting regarding the development on Meinecke and requested that staff let the developers know that notice should not just include the property owners but also the mobile home residents. Ms. Hajduk noted that staff will be in charge of the noticing moving forward and she will convey that information to the planning staff.

Mayor Clark clarified that hotels are allowed in commercially zoned property according to code and the process involves having a neighborhood meeting. Ms. Hajduk said the intent is for the developer to share with residents what they are proposing and the applicant can hear feedback and modify the plan as needed before the pre-application is submitted. She said zones have certain uses that are allowed then they also have to meet certain standards and that is what staff will be reviewing.

Councilor Robinson asked if the Planning Commission makes a recommendation to Council. Ms. Hajduk said this is a site plan so the site has to meet clear and objective criteria and the Planning Commission is the decision maker. She said if the decision is appealed then the appeal would go before the City Council. She noted that in order to be part of the appeal process is it important to testify at the first public hearing.

Council President Harris clarified that if the application meets the criteria the development will be approved. Ms. Hajduk stated that people can testify and it is most effective if they speak to the criteria being used to evaluate the project. Council President Harris clarified that testifying that too much traffic is a problem is irrelevant if the studies show that the project meets the guidelines. Ms. Hajduk said staff will be available to answer questions regarding testifying at public hearings.

Mayor Clark addressed the next item on the agenda.

11. COUNCIL ANNOUNCEMENTS:

Mayor Clark provided an update and said the Washington County Sheriff's proposal regarding the sheriff night staff analysis was received and discussed at the September 6 City Council work session. She said the video can be found on the City's website. She stated the Council will have a joint work session October 4 at 5:30 pm with the Police Advisory Board to further discuss the issue. She stated the session will also be videoed and posted to the City's website. She reported she attended the Pendleton Roundup and thanked Mayor Houk for inviting her. She reported on the Sherwood High School back to school night and said there are 1730 students and 125 staff and the message was "attendance matters" and said that is a great lesson in life. She reported Woodhaven Park is expected to be complete in November with the

addition of flush toilets, basketball and a covered picnic structure with off-street parking. She stated the Mom's Club is having a membership drive Friday at Snyder Park from 9:30 am to 11:30 am and encouraged parents to attend. She said Alter Wiener will be speaking Saturday at the Center for the Arts at 1:30 pm about his experience with the Holocaust. She reported the Sherwood PAC will have a fundraiser on October 1 at the Old Spaghetti Factory. She said there will be a ribbon cutting and grand reopening for the Allstate office on Thursday. She said the Chamber's Voters Forum in Wednesday October 6 from 6:30 pm to 8:30 pm at the Sherwood High School commons. She stated Saturday October 8 is the Onion Festival at Archer Glen from 9 am to 4 pm. She commented on the criticism of the high cost of operating the Center for the Arts and the promise that it would pay for itself. She stated the Center for the Arts is a City amenity and not meant to be a profit center.

City Manager Gall asked Kristen Switzer to comment on the Center.

Community Services Director Kristen Switzer came forward and said the Mayor is correct and similar to Parks these centers almost always operate at a deficit. She said the Center is open to everybody and if they charge exorbitant fees it would not be open to everyone. She stated the Center is doing better than expected and ahead of schedule.

Mr. Gall said the front space is close to being leased and hopefully will be announced in a few weeks. He said besides that space there is a lot happening in the building and expectations are being exceeded. He said there is a new lease with a church to use the Center on Sunday mornings and that will bring in significant revenue. He stated the Center will probably never break even.

Mayor Clark commented on the upcoming election and read an open letter from the Mayor of Provo titled "Bring Back Civility" which discussed the current political environment and its lack of civility. She said Sherwood is able to disagree without being disagreeable and encouraged candidates to discuss issues and topics and support one another and be excited about Sherwood.

Councilor Kuiper reported on the Parks and Recreation Board and said Sherwood has 56.61 acres of developed parks and 9 miles of trails. She thanked Public Works Director Craig Sheldon for his presentation regarding the projects they will be doing over the next year. She said Woodhaven Park is ahead of schedule and may open in November. She stated the Refuge is having a presentation on bats on Thursday. She said friendsoftherefuge.org has a complete list of upcoming activities. She said "Alice in Wonderland" is scheduled for October 14-15 and October 21-22 at the Center for the Arts.

Councilor Brouse acknowledged the Chamber of Commerce Director Lana Painter for her energy and passion for businesses in Sherwood. She said there is a mixer on September 29 at Innovative Landscape at 5:30 pm. She said Dan Murphy from Broadway Rose will be moderating the Voter's Forum which is sponsored by the Chamber and the High School Youth and Government Program. She said the City of Tigard is working with the Just Compassion Board on helping to end homelessness and find affordable housing and challenged the Council to consider working with this program. She stated she is the liaison to the School Board and commented on the efforts of the teachers in our district and said we are a blessed community and attributed that to Superintendent Heather Cordie for her leadership. She reported the Sherwood Main Street is have Trick or Treating in Old Town on Halloween from 4 to 6 pm. She stated the Rotary Club in conjunction with the Library will have Peace Day on Saturday which starts at 10:30 am at the YMCA with a walk to downtown Sherwood and the presentation from Alter Weiner at the Center for the Arts at 1:30 pm. She said Neighbor to Neighbor day is October 1.

Councilor Henderson said on Friday at the High School football game there will be a ceremony to retire Sergeant Jason Gooding's football jersey. She said there was a golf tournament that raised more than \$60,000 and the funds will go to his family and to establish a scholarship. She commented on the decision to use Wilsonville for our water said there was a water main break in Portland at 3 am and that pipe was installed in 1905. She said she is grateful for what we have in Sherwood. She asked City Attorney Josh Soper to discuss the pros and cons of Councilors commenting a social media sites and the liability that may pose for the City or themselves in the future.

Mr. Soper said there are all these new forms of communication and the same rules apply and ex parte contacts can happen and those comments need to be disclosed as part of the land use hearing process, he encouraged the Councilors to avoid those contacts in the first place. He said bias is also an issue if the Councilors are expressing an opinion on something that could come before the City Council. He said if a bias has been established the Councilor may have to recuse from the process. He stated public meeting laws still apply and if there is a quorum of Councilor involved in a conversation on a social media site it would be a public meeting law violation.

Council President Harris reported on the Art Walk which was a success and said the next walk is December 15 from 5 to 8 pm. She said the Cultural Arts Commission has two openings. She stated the Center for the Arts Gala is April 15, 2017 and the theme is *Under the Big Top*. She said the classes at the Center have started and there is a Scottish Concert on Friday at 7:30 pm. She said the Presidential Debate will be aired in the Community Room at City Hall on September 26 at 6 pm. She said the Library is closed on Columbus Day. She stated there will be a costume swap at the Library with drop-off's on October 15 and pick up October 22.

Councilor Robinson reported the Planning Commission is working with consultants on the Storm Water and Sewer Master Plan updates and they will continue the discussion at the October 22 meeting. She said there is a lot of development in the community and encouraged citizens to apply for a Planning Commission position if they become available after the election. She said the Sherwood Youth Football program is selling tickets for the Disneyland raffle for \$10 each.

Councilor King requested having a work session to discuss Council comment time.

12. ADJOURN:

Meeting adjourned at 8:40 pm and convened to a URA Board of Directors meeting.

Attest:

Sylvia Murphy, MMC, City Recorder

Krisanna Clark, Mayor