



**SHERWOOD CITY COUNCIL MEETING MINUTES**  
**22560 SW Pine St., Sherwood, Or**  
**October 4, 2016**

**WORK SESSION**

1. **CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 5:34 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Jennifer Harris, Councilors Linda Henderson, Jennifer Kuiper, Renee Brouse and Dan King. Councilor Sally Robinson was absent.

**POLICE ADVISORY BOARD PRESENT:** Chair Laurie Zwingli, Vice Chair Bob Silverforb, Diane Foster, Sean Garland, Amy Miller-Juve, and Christ West.

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.

**OTHERS PRESENT:** Chief Deputy John Koch and Commander Jon Shaver with Washington County Sheriff's Office.

**4. TOPICS:**

**A. Washington County Sheriff Proposal-Joint Session with Sherwood Police Advisory Board**

City Manager Gall stated this is a continuing work session and the Council held a work session last month and has invited the Police Advisory Board to participate in tonight's session to continue the discussion on possible partnership with the Washington County Sheriff's Office to cover the overnight hours here in Sherwood.

Assistant City Manager Tom Pessemier provided the group with a handout (see record, Exhibit A). He said he did not print out copies of the previous presentation but it is available on the City website and he has access if questions arise. He said he took the information from that presentation and summarized it in the handout.

Tom said at the September meeting the Council heard from staff, and John Koch and Jon Shaver with Washington County Sheriff's office. He said the goal tonight is to ask questions of the subject experts and staff and to end up at the point of "next steps" and said it would be helpful to get an idea of where we are

going and if the Council wants to continue studying Matrix recommendation number 6 or not. Tom stated staff did not have a formal presentation tonight and would turn the meeting over to the group for discussion.

Mayor Clark asked to start with questions from the Police Advisory Board members.

Questions were asked regarding the proposed arrangement of County services and what this does for recruitment and retention and if the County had a long term strategic plan. Mr. Koch replied and stated they have supportive communities that they police and have been very fortunate with recruiting and retaining good candidates. He confirmed they have a long term strategic plan.

Tom explained the information on page 7 of the handout and the differences in comparison to the information provided to the Council in the previous work session, specifically current vacant position.

Chief Groth commented regarding recruitment and retention and said they have not experienced problems finding qualified people. He commented regarding their strategic plan and vision and making Sherwood a place of destination and an agency where people want to come to. Brief discussion followed.

Comments were received regarding community policing and how bringing in another agency may or may not impact that, and what, if any, would be the interaction outside of the policing hours we are looking to cover. Mr. Koch replied and said we were asked to provide numbers for a contract for specific hours of time and during those morning hours there are certain things Sherwood police officers and deputies do. He said there are not a lot of neighbors that are out to interact with, but it's important to have continuity of service to have the same people assigned. He explained this was one of the things discussed, to have the same people assigned. He elaborated and explained the calls for service during these hours is very low and said a high level of self-initiated activities are expected of the deputies and assumes the same for Sherwood's officers, that they are patrolling neighborhoods. He elaborated on community policing activities. Comments were received regarding interactions of Sherwood police officers and Sherwood youth and the interest of the community in getting to know our police officers.

Board member Bob Silverforb asked what was the takeaway for tonight's meeting and asked what the deliverables were. Did staff want suggestions from the group? Tom replied yes and said he did not think the group would conclude tonight on what would be done, and said the broader question is how much further does the City go in investing time and money moving forward. He asked do we want an outside consultant to do a more refined study or not. He said having some indication of whether we are on the right track or not is where we are trying to go.

Mr. Silverforb commented regarding having data with pros and cons and said this information has several alternatives and asked if pros and cons have been identified with these alternatives. Tom replied internally staff went through many different scenarios and these are the bookends to show what is in the realm of possibilities. He said this decision is not up to staff and is a community conversation and a decision for the Council and this is why you're not seeing a staff recommendation or a lot of pros and cons.

Ms. Zwingli asked to speak about costs and referred to page 6 and the cost of an officer of \$113,000 and other associated costs. Tom explained the \$113,000 is a number that Matrix used in their analysis and this is why it continues through this study and it varies depending on the officer, their experience, and

what they are getting. He said this number is in the ballpark of the full cost of a Sherwood officer. Ms. Zwingli referred to page 3 and the cost listed under the 0.875 and asked if this is a correct comparison. Mr. Koch replied no, he did not believe it is. She asked for clarification. Tom referred to page 6 and said this is roughly our cost to run the nightshift and explained. He said the data on page 3 are the costs from the County. Mr. Koch replied and spoke of shift differential and explained. Chief Groth referred to page 6 and the flex officer and explained this position is not a full officer and is used to fill staffing shortages. He explained further that this position is currently filled by a recently retired police officer and is not a full FTE. Discussion followed regarding the County's definition of shift differential being different for the City's. Discussion followed regarding costs.

Ms. Zwingli commented regarding the cost effectiveness of the proposal, and if this is the route the community wants to go in and the reality costs of providing services, and asked what figure the City would be looking at to provide one officer and how do the costs compare. She commented regarding the cost of paying county officers more than our own officers and the potential issues of this. Discussion followed.

Mr. West commented regarding community concerns regarding levels of service, growth of the community and legalized marijuana. He asked what is the real cost to the City to maintain the service that citizens expect while contracting out some of the work to the County. He said this is what we are looking for so an informed decision can be made. Comments were received regarding the confusion of the costs as it is not an apples-to-apples comparison.

Mr. Garland asked regarding a transition plan, training of officers, and a transition period. Chief Groth replied it has not been discussed at this level. Discussion occurred regarding training being minimal and transition processes not having been discussed.

Councilor Kuiper referred to the 27% cost shift differential and stated her understanding of this figure. Mr. Koch confirmed. Ms. Kuiper referred to continuity comments from Mr. Garland and asked about the "hand-off" and how this is managed. She referred to continuity of service and asked for further explanation of having two positions, as she is opposed to having only one position on the nightshift. She asked what is the City getting in regards to the number of positions in the daytime with adding the sheriff patrol at night. Chief Groth replied and said absent of any further discussions and or negotiations, at this point his expectations would be between the hours of 1-6 am the sheriff deputies would provide proactive policing, just like Sherwood officers do now. He said if there are any calls that require follow up a report would be completed and forwarded to our officers to do the follow up. He explained generally the follow up would not occur during 1-6 am. He provided examples of calls, and discussion followed regarding various scenarios that potentially incur overtime and what the cost would be. Mr. Koch stated with other contracts that are similar to this, the overtime is so insignificant that they end up not charging for it. Discussion followed with different scenarios of a major crime resulting in an officer's time in court for a longer duration.

Chief Groth addressed the question of what the City is getting in terms of positions during the daytime hours. He said as he and Tom discussed the information, Tom presented a schedule at the previous meeting and the staffing changes are noted on page 7 and page 4. He said it's important to understand this information are initial thoughts and ideas. He explained the three shifts the City currently staffs, explained the graveyard shift, and shifting employees to different times. He said conversations with his team would need to occur and said there are many potential things they could do with scheduling. He

said the example provided in the handout was put together based on what something could potentially look like. Discussion followed.

Discussion occurred regarding the City just hiring two officers and needing to determine how to allocate their time to meet current needs. Chief Groth commented regarding analyzing report data further and looking to see where things can be done differently. He said hiring two Sherwood officers is not his decision. Discussion followed.

Tom clarified and said staff was asked to look at recommendation number 6, which was a reallocation of the nightshift. Tom referenced page 5 and the chart on the left and the current organization of the shifts. He compared this chart to the other chart on the page and said this is how the schedule could potentially look. He explained the lack of overlaps in the alternative schedule and efficiencies. After the explanation he said this is why staff approached in this manner and why Chief Groth came up with the alternative patrol schedule. He said now we don't have large shift overlaps and we can spread out and be more effective putting people on the streets when you need them. He provided examples of specific timeframes. Tom further explained the color codes on the charts.

Discussion followed regarding the five positions and this being confusing and allocating or reallocating staff. Chief Groth referred to page 4 and explained. He said overlapping of shifts has good and bad points. He explained.

Tom stated we are flying at a very high level and a lot of good questions are being asked about specifics and we are not there yet. He said we are trying to figure out if this makes sense and if this is something we want to continue to work on before we move to the next level of spending time in analysis and getting additional input.

Councilor Henderson referred to page 3 of the handout and shared a story of being called to be on a DUI jury and the time involvement of Sherwood Police Officers and asked about the overtime and if it was covered in the shift differential. Mr. Koch replied and stated when the County reconciles their contracts every year they look at the overtime and for the most part it is a give-and-take and balances out without additional costs being incurred. She asked if the County has similar contracts with working partial shifts. Mr. Koch replied they have two contracts that have partial deputies included, one is a .75 deputy and the other is 1.25, and explained.

Councilor Henderson referred to the hourly rate of officers and Sherwood being about \$55 per hour on an annual basis and the County is \$78 per hour on an annual basis. Discussion followed and Tom said what would be helpful is to provide a unit cost for a Sheriff versus a Sherwood officer without the shift differential. He said he believes they will be very close in cost and will provide this information to the Council and the Board.

Councilor King commented regarding the simplification of what they are looking at and wanting one or two officers patrolling at night and said there are a lot of other factors to look at.

Tom addressed the final questions and asked if the Council, 1) wanted to continue studying Matrix recommendation number 6, 2) is there a financial scenario that the Council prefers, 3) if we continue, are there other scenarios that Council or the Board would like us to consider, 4) does the Council or Board want more analysis from our outside consultants, and 5) does the Council want an additional public

involvement process. He asked for some direction so staff can move forward and prepare if there are additional meetings scheduled.

Mayor Clark thanked the Board and said she heard a lot regarding flying at a very high level and wanting more specific data. She said she would like to see more specific data and bringing it more to an apples-to-apples comparison and believes this can be easily achieved.

Councilor Kuiper said she believes she is now starting to understand and doesn't know if we can do an apples-to-apples comparison and she needs to think about it more. She said she thinks we have very good information and doesn't believe we need additional analysis from the outside consultant. Mayor Clark agreed.

Tom suggested and said he did not believe we could get an apples-to-apples comparison but believes we can get a lot more detail and can start working towards the list of pros and cons as previously mentioned. He said a lot of conversations need to occur to bring this down to a more detailed level, more information from the police department as well as the officers that will be impacted. He said we can certainly do that.

Mayor Clark said a work session with this comparative information would be helpful.

Tom asked if there were options that made more sense or options they were not interested in.

City Manager Gall said he heard having two officers versus one deputy would be supported, and looking at the 1.75 FTE option. No objections were received.

## **5. ADJOURN:**

Mayor Clark adjourned the work session at 6:40 pm and convened to a regular session

## **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 Jennifer Harris, Councilors Linda Henderson, Jennifer Kuiper, Renee Brouse and Dan King. Councilor Sally Robinson was absent.
- 3. STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Police Chief Jeff Groth, Community Development Director Julia Hajduk, Finance Director Katie Henry, City Engineer Bob Galati, Senior Planner Brad Kilby, 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 HENDERSON TO APPROVE THE AGENDA, SECONDED BY COUNCILOR KING. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR ROBINSON WAS ABSENT).**

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

**5. CONSENT AGENDA:**

- A. Approval of September 20, 2016 City Council Meeting Minutes**
- B. Resolution 2016-059 Appointing Camryn Fox to the Police Advisory Board**
- C. Resolution 2016-060 Appointing Taylor Funrue to the Police Advisory Board**
- D. Resolution 2016-061 Adopting protocol and an evaluation document containing criteria for the review and evaluation of the City Recorder's job performance and describing process for obtaining staff assessment of Recorder's performance**

**MOTION: FROM COUNCILOR BROUSE TO APPROVE THE CONSENT AGENDA.**

Prior to receiving a second to the motion, Councilor Kuiper referred to the September 20, 2016 City Council Meeting Minutes on page 4 of the packet and said the second paragraph of 4.B and the word "described" should be changed to "describe". She commented regarding the sentence structure as being awkward.

City Recorder Sylvia Murphy explained the language read as a poorly structured sentence as the information presented in the work session was summarized and entailed topics as presented in the power point presentation. She noted when staff summarizes to this degree they try to capture what the presentation topics are, which the public does not see unless they attend the meeting. Mayor Clark added it reads more like a list, and Ms. Murphy confirmed. Councilor Kuiper agreed to leave the sentence as is and simply change the word "described" to "describe".

**MOTION: SECONDED BY COUNCILOR KING. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR ROBINSON WAS ABSENT).**

Mayor Clark welcomed the newly appointed members to the Police Advisory Board and noted that both the new appointees are high school students and provide youth perspectives to the board.

Mayor Clark addressed the next item on the agenda.

**6. CITIZEN COMMENTS:**

Tess Kies, Sherwood resident approached the Council and asked that candidates be fair to their opposing candidates. She said she is upset by the Mayor's recent article in the Sherwood Gazette that included comments about Gail Cutsforth and it does not allow her a rebuttal. She asked Mayor Clark to be careful about that. She said she respects what Mayor Clark does for Sherwood and encouraged her to be more careful about how things are presented. She noted that both mayoral candidates have their reasons for running for office and asked for a level playing field. She asked the Council to remember to recuse themselves when there is a conflict of interest and said Mayor Clark should have recused when the Council was considering a 4 year term for the position of mayor. She reported on October 22 there is a Harvest Fest at the YMCA from 2-4:30 pm.

Mayor Clark addressed the next item on the agenda.

## 7. NEW BUSINESS:

### A. Resolution 2016-062 Establishing a Residential Parking District within the City of Sherwood in accordance with Chapter 10 of the Sherwood Municipal Code

Police Chief Jeff Groth recapped the staff report and said this is referred to as Phase 2. He said the first residential parking district was Woodhaven Phase 1 and included the areas with the most parking problems. He stated there is now a need to add a second area. He said the Police Department worked with the Woodhaven HOA and they have agreed to cover the cost of the signage and the City will install the signs.

Council President Harris said she has been asked by residents across from the school why they are not being included in the parking restrictions. Chief Groth said the Police have intentionally worked with the residents in the area and Woodhaven has an HOA so that makes it simpler and the neighborhood across from the school does not have an HOA. He said the Police need to have support from all the neighbors to enforce parking districts and noted the Police have received complaints but not a request for permit parking in the area. He stated the Police will continue to ask for help to offset the cost of the signage.

Mayor Clark clarified the process and stated that if a neighborhood is feeling impacted by parking in a residential area on a regular basis they can come together and contact the Police Department.

City Manager Gall said if the proposed school bond passes the parking problems will be diminished and some of the residential parking districts may dissolve.

Councilor Brouse asked if the residents receive permits in this area. Chief Groth said each resident receives permits. Councilor Brouse asked what is the penalty for parking in the area without a permit. Chief Groth said they get a parking ticket. Councilor Brouse asked how this will affect the Police Department as far as extra patrol. Chief Groth said it is part of the routine patrols and they respond if they are notified of any issues.

Councilor Henderson referred to the proposed 58 signs. Chief Groth said that is according to the street manual. With no other comments received, the following motion was stated.

**MOTION: FROM MAYOR CLARK TO APPROVE RESOLUTION 2016-062 TO ESTABLISH A RESIDENTIAL PARKING DISTRICT WITHIN THE CITY OF SHERWOOD IN ACCORDANCE WITH CHAPTER 10 OF THE SHERWOOD MUNICIPAL CODE. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR ROBINSON WAS ABSENT).**

Mayor Clark addressed the next item on the agenda and the City Recorder read the Public Hearing statement for the following three business items: Ordinance 2016-013, Ordinance 2016-014 and Ordinance 2016-015 as listed on the agenda.

## 8. PUBLIC HEARING:

**A. Ordinance 2016-013 Amending Chapters 16.10 (definitions) and 16.134 (floodplain overlay) of the Zoning and Community Development Code as they relate to the regulation of development within the floodplain in Sherwood, and Declaring an Emergency**

Planning Manager Brad Kilby recapped the staff report and provided a presentation (see record, Exhibit B). He provided the Council with a packet containing the following documents: FEMA Ordinance Review (see record, Exhibit C), amended Exhibit 1 to Ordinance 2016-013 with track changes of the results of the comments from FEMA (see record, Exhibit D), amended Exhibit 2 to Ordinance 2016-013 with track changes of the results of the comments from FEMA (see record, Exhibit E) and CFR Regulations (see record, Exhibit F). He said the City is served by the National Flood Insurance Program (NFIP) which was created in 1968 and allows homeowners in jurisdictions that have adopted floodplain regulations and have development in the floodplain subject to the regulations to seek flood insurance from the federal government. He said the program is administered by the Federal Emergency Management Agency (FEMA). He stated FEMA began to update and modernize their maps in the Tualatin River Basin in 2007 and on May 4 FEMA notified the City that Sherwood had 6 months to amend the regulations and adopt the revised Flood Insurance Rate Maps and Flood Insurance Study. He said staff processed the proposed amendments and submitted the amendments to the Department of Land Conservation Development (DLCD) and FEMA on August 5, 2016. He stated staff received comments from FEMA and DLCDC requesting changes in the revised exhibits. He said the Planning Commission reviewed the proposal on September 13 and recommended that Council adopt the Flood Insurance Rate Map (FIRM), the official map prepared by FEMA, the flood insurance study and the revised definitions. He said this ordinance is proposing to amend two chapters: Chapter 16.10 which is definitions and Chapter 16.134 which is the floodplain overlay. He stated the proposed changes within Chapter 16.10 include adding several definitions, recognizing the November 4 Flood Insurance Study, clarifying the purpose of the chapter, designating the City Engineer as the local Floodplain Administrator and identifying the FEMA notification processes that are associated with the Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) processes.

He said staff received comments from FEMA on September 30 and will need to amend the ordinance to incorporate the changes. He read the newly proposed definitions for Chapter 16.10 and said the language that is in blue and underlined in the presentation (see record, Exhibit B) is language that was added as a result of the FEMA comments. He noted if the language is in red and struck-through it is language that is removed and not required by FEMA. He read the definitions for Development, Manufactured Dwelling, Manufactured Home Park, Start of Construction, Structure, Substantial Damage and Substantially Improved Building.

He read the proposed changes for Chapter 16.134.040 regarding Development Review which states that variances to any standard within the floodplain overlay shall comply with the provisions of the Code of Federal Regulations (CFR) section 60.6(a)(1-7). He read the proposed changes for Chapter 16.134.070 regarding Prohibited Uses which adds the storage of recreational vehicles. He said there is not a lot of development in the Floodplain overlay in Sherwood but FEMA insisted that this language be included. He read the proposed changes for Chapter 16.134.090 regarding Floodplain Structures which adds language stating that structures be constructed with materials resistant to flood damage. He stated staff is requesting that Council adopt the ordinance along with the revised Exhibits 1 (see record, Exhibit D) and the revised Exhibit 2 (see record, Exhibit E). He provided the Council with the effects of the revised map (see record, Exhibit G) which overlays the new floodplain with the old floodplain.

He said in order to make an amendment to the text we have to respond to the language within the code that says if you are going to make amendments it has to be based on a need, consistent with the Comprehensive Plan and with all other provisions of the plan and code. He said the proposed amendments are necessary to remain in compliance with the FEMA floodplain management requirements and noted that if the Council does not adopt these amendments we could be removed from the National Flood Insurance Program. He said those with flood insurance through that program would be unable to renew and FEMA would not allow any new property owners in the area to apply for flood insurance. He stated the goals in the Comprehensive Plan associated with Environmental Resources are supportive of the changes. He said the amendment is consistent with Title 3 of the Metro Urban Growth Management Functional Plan and with Statewide Planning Goal 7. He said the proposed amendment is in accordance with ORA 660-12-0060 and does not affect the functional classification of any street in the local, county or state transportation systems.

He stated the Planning Commission recommended approval of the proposed amendment in the packet and staff recommends that the Council conduct a public hearing on the proposed amendments, adopt the Ordinance, and declare an emergency to ensure that the ordinance is effective immediately.

Councilor Kuiper referred to the definition of Manufacture Dwelling which states “Manufactured home means a structure” and asked if the word “home” should be changed to “dwelling” since that is the definition. Mr. Kilby said in the City code it was manufactured dwelling and he uses the terms interchangeably.

Mayor Clark opened the public hearing. With no public comments received she closed the public hearing.

City Manager Gall said since all members of the Council are not present the ordinance cannot be passed unanimously and there will need to be a second reading at the next meeting and will request the Council declare an emergency if approved so it will be effective immediately and prior to the November deadline.

Councilor Kuiper referred to the definition of crawl space and asked if it is a form of basement. Mr. Kilby said typically a crawl space is not habitable. City Attorney Josh Soper stated there may be overlap between the definitions.

Mayor Clark said she appreciates the work of staff and the Planning Commission.

Councilor King asked what the deadline for passing this ordinance is. Mr. Kilby stated November 4. Ms. Hajduk stated that is why there is an emergency clause because the legislation needs to be in effect by November 4.

City Attorney Soper said the Council needs to make a motion to amend the ordinance as presented by staff then a motion to approve and place on the next agenda for a second reading.

Councilor Henderson asked if the definition for basement should have a clarification for finished or not. Mr. Kilby said the definition does not differentiate between finished or not. Ms. Hajduk noted that some of the definitions are in the code for other uses. Councilor Henderson referred to the areas on the map that were removed from the floodplain and asked if the property owners were notified. Mr. Kilby said staff notified all affected property owners.

**MOTION TO AMEND: FROM MAYOR CLARK TO AMEND ORDINANCE 2016-013 AMENDING CHAPTERS 16.10 (DEFINITIONS) AND 16.134 (FLOODPLAIN OVERLAY) OF THE ZONING AND COMMUNITY DEVELOPMENT CODE AS THEY RELATE TO THE REGULATION OF DEVELOPMENT WITHIN THE FLOODPLAIN IN SHERWOOD, AND DECLARING AN EMERGENCY AS PRESENTED BY STAFF. SECONDED BY COUNCILOR KUIPER. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR ROBINSON WAS ABSENT).**

**MOTION AS AMENDED: FROM COUNCIL PRESIDENT HARRIS TO APPROVE ORDINANCE 2016-013 AMENDING CHAPTERS 16.10 (DEFINITIONS) AND 16.134 (FLOODPLAIN OVERLAY) OF THE ZONING AND COMMUNITY DEVELOPMENT CODE AS THEY RELATE TO THE REGULATION OF DEVELOPMENT WITHIN THE FLOODPLAIN IN SHERWOOD, AND DECLARING AN EMERGENCY, AS AMENDED, AND PLACE IT ON THE NEXT AVAILABLE CITY COUNCIL MEETING AGENDA FOR ADDITIONAL PUBLIC COMMENT AND CONSIDERATION. SECONDED BY COUNCILOR HENDERSON. MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR ROBINSON WAS ABSENT).**

Mayor Clark addressed the next business items on the agenda as the presentation from staff incorporated both ordinances.

**B. Ordinance 2016-014 Amending Chapter 7 of Volume II of the Sherwood Comprehensive Plan and Adopting the Sherwood Sanitary Sewer Master Plan**

**C. Ordinance 2016-015 Amending Chapter 7 of Volume II of the Sherwood Comprehensive Plan and Adopting the Sherwood Stormwater Master Plan**

Brad Kilby recapped the staff report and provided a presentation for both ordinances, the Sherwood Sanitary Sewer Master Plan and the Sherwood Stormwater Master Plan (see record, Exhibit H) and explained how they coincide with the Comprehensive Plan. He reminded Council that when they adopted the Transportation System Plan and it was attached to the Comprehensive Plan as an appendix and the Water Master Plan was also attached as an appendix. He noted the Comprehensive Plan is based on the community visions and values and the Comprehensive Plan is a document intended to implement the vision. He said Chapter 7 relates to public services and utilities and the Sanitary Sewer Master Plan will amend parts of Chapter 7. He said he suspects as they move forward with the Comprehensive Plan amendment process there will be revisions to all the areas and his goal as the Planning Manager is to make a document that the Council and citizens could refer to and be a broad overview of the those policies, goals and objectives that are intended to achieve the community visions and values.

He stated the purpose of both of the master plans being considered is to review and assess the functionality of the entire system. He said master plans look at existing systems and identify current and future system deficiencies and project growth over the next planning horizon and identify if something is not up to the capacity for the growth that is projected. He said the master plans provide planning level costs that are then put into the Capital Improvement Plan that is reviewed by the Council. He said City Engineer Bob Galati and the consultant from Murray, Smith and Associates (MSA) are available to discuss the details of the master plans being considered. He noted there was a Planning Commission work session on this matter and public hearings on September 13 and September 27. He said the required findings for a Plan Text Amendment are: an established need for such an amendment, that the proposed amendments are consistent with the intent of the adopted Comprehensive Plan, the

Transportation System Plan and any applicable State or City regulations and that the proposed amendment is consistent with the State Transportation Planning Rule and he stated the findings have been met. He said the Planning Commission recommends adoption of the updated masterplans, approval of the proposed amendments to the Comprehensive Plan, and incorporation of the masterplans as an appendix to the Comprehensive Plan.

Councilor Kuiper asked when did the Planning Commission request changes. Mr. Kilby said on September 13 the Planning Commission had a question about one of the tables which the consultants changed and incorporated the changes on September 27. Ms. Hajduk said the Council received the correction at the work session.

*Record Note: Council President Harris left the meeting at 8:08 pm.*

Ms. Hajduk said the presentation by Mr. Kilby and the consultant from MSA will cover Ordinance 2016-014 and Ordinance 2016-015.

City Engineer Bob Galati reiterated that these masterplans are the long range planning tool for each of the systems that are used to develop the 5 year CIP and budgeting. He said staff needs to have these masterplans that begin with a consultant review of all of the systems, and a report based on that analysis. He introduced Michael Carr, the consultant from MSA, and said he will present the critical background information of each of the masterplans.

Mr. Carr with Murray Smith and Associates came forward and provided a presentation (see record, Exhibit I) which included both masterplans. He stated the masterplans describe the existing system, present criteria for evaluating the systems, identify current and future system deficiencies and improvements, develop a prioritized CIP, contain planning level cost information, provide a tool for informing City leaders, staff, customers, and others, to determine how to proceed logically and reasonably with development and improvements of the system. He addressed planning assumptions and said the first is the study area which is the current urban growth boundary along with the Brookman Concept Area and the Tonquin Employment Area which have concept plans. He said as part of the plan they estimate the population of the study area upon build-out so they can determine how they will be impacted. He said they estimated the build-out population at 23,390.

Mr. Carr discussed the Sanitary Sewer System Analysis and said they looked at the existing system in terms of capacity and stated the City's Sanitary Sewer System has no deficiencies in terms of capacity throughout the system and is a relatively new system. He noted there are some minor restrictions downstream which are part of the Clean Water Services (CWS) pipelines. He commented on the build-out and said there are no capacity improvements that the City has to accomplish to serve the build-out. He stated the CWS portion will need to be improved at some point. He referred to the condition of the Sanitary Sewer System and said the City has been inspecting the condition of the pipes in the system through closed circuit television and said the areas identified for problem are few except for some areas downtown and a section of the Rock Creek sewer. He commented on the map containing the Sanitary Sewer System Capital Improvement Plan and said they include the condition and capacity improvements. He referred to the table on Sanitary Sewer Capital Improvement Costs and said the capacity improvements are approximately \$5.65 million and condition improvements are approximately \$5.18 million with a total of over \$11 million. Mr. Galati noted the other costs of \$250,000 are for future updates

of the masterplan. He stated the same process was used for the Stormwater System Analysis. He stated most of the system is in good condition and in terms of capacity there were no deficiencies.

Councilor Henderson referred to the Columbia Street Water Quality Facility and asked if that helps with water that builds up in old town due to heavy rains. Mr. Galati said that is a treatment system that was installed as part of the development of the downtown core area and was a requirement to satisfy EPA regulations. He said the systems are working well in terms of drainage but there may be certain catch basins that are clogging and Public Works can assist with that.

Mr. Carr referred to the map and stated it illustrates the improvements that are being recommended and many have to do with condition deficiencies. He referred to the summary of the cost estimates for the projects with the condition improvements at approximate \$2.1 million and stormwater management costs at approximately \$2 million, and the planning costs to update the masterplan over the next 20 years at \$381,000 with a total cost of \$4.5 million.

Ms. Hajduk noted that the Council has held a work session on both the proposed masterplans that went into much more detail. Mr. Galati said the presentations are available on the City website under Engineering. Ms. Hajduk clarified that staff and the consultants combined their presentations to cover both Ordinance 2016-014 and Ordinance 2016-015 but each ordinance will need to have its own public hearing.

Mayor Clark opened the public hearing for Ordinance 2016-014. With no public comments received she closed the public hearing.

Mayor Clark opened the public hearing for Ordinance 2016-015. With no public comments received she closed the public hearing.

With no further Council questions, the following motion was received.

**MOTION: FROM COUNCILOR KUIPER TO APPROVE ORDINANCE 2016-014 AMENDING CHAPTER 7 OF VOLUME II OF THE SHERWOOD COMPREHENSIVE PLAN AND ADOPTING THE SHERWOOD SANITARY SEWER MASTER PLAN AND PLACE IT ON THE NEXT AVAILABLE CITY COUNCIL MEETING AGENDA FOR ADDITIONAL PUBLIC COMMENT AND CONSIDERATION. SECONDED BY MAYOR CLARK, MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILORS ROBINSON AND HARRIS WERE ABSENT).**

With no further Council questions, the following motion was stated for Ordinance 2016-015.

**MOTION: FROM COUNCILOR BROUSE TO APPROVE ORDINANCE 2016-15 AMENDING CHAPTER 7 OF VOLUME II OF THE SHERWOOD COMPREHENSIVE PLAN AND ADOPTING THE SHERWOOD STORMWATER MASTER PLAN AND PLACE IT ON THE NEXT AVAILABLE CITY COUNCIL MEETING AGENDA FOR ADDITIONAL PUBLIC COMMENT AND CONSIDERATION. SECONDED BY MAYOR CLARK, MOTION PASSED 5:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILORS ROBINSON AND HARRIS WERE ABSENT).**

Mayor Clark addressed the next item on the agenda.

Mr. Kilby suggested that the Council keep this meeting packet for the next meeting to avoid having to reprint meeting materials.

## 9. CITY MANAGER REPORT:

City Manager Gall announced that Thursday evening is the first night for the Citizens University. He announced there will be 28 students for the six week course that will meet each Thursday for 3 hours. He said the topics for Thursday will include an overview of city government as an organization, partnerships and finances. Councilor Kuiper thank staff for organizing this course. Mr. Gall said three of the Council candidates will be participating.

Mr. Gall asked Assistant City Manager Tom Pessemier to provide an update for the retail space at the Center for the Arts. Mr. Pessemier said there is a lease pending at the site and the new tenants will be attending the next Council meeting and providing specific details about what they are trying to accomplish. Mr. Pessemier announced the name of the new tenants business as, The Smockville Brew House and it will be a restaurant with a 2000 square feet open kitchen and a 1000 square feet brewery facility.

Mayor Clark thanked the Police Advisory Board for attending the joint work session regarding partnering with Washington County Sheriff's Office. She said the discussions will continue. She asked for a status of the recreation study. Mr. Gall said the study is underway and the process is moving forward and will probably be released in mid to late November. He said the process will be similar to the police staffing study with an open public process. She asked Mr. Gall to remind the public of the purpose of the study. Mr. Gall said they have asked the consultants to look at the facility and different scenarios. He said one scenario is to consider the City operating the facility and another scenario is to consider an outside organization operating the facility. He said this study will help inform the community and the Council to make a decision regarding our current agreement with the YMCA and stated both parties have until October 31, 2017 to let the other know if they intend to make any changes to the contract. Mayor Clark said there will be lots of options provided and lots of opportunity for public input.

Councilor Henderson asked Mr. Galati to provide an update on the sewer improvements on Sunset Blvd. She stated the street was dug up, then patched and then dug up again. City Engineer Bob Galati said under Oregon regulations if there is a resident with a septic tank system within 300 feet of a public system and their system fails they have to connect in at their own cost. He said there has been a section of homes in that one area that are within 300 feet and one septic tank has failed. He said he informed them that they need to connect in but the mainline out in the street needs to be extended at the residents cost which was \$60,000 to \$80,000 and staff said that was unreasonable. He said staff provided a waiver letter that enabled them to repair their tank, however the drain fields have lifespans and those areas have been there about 15 to 20 years and all are within the 300 foot limit. He said the City extended the mainline for those residents. He said the two components of this project were Sunset Blvd. and Pine Street and the cost of the project increased significantly so staff removed the Pine Street portion and will do that project next year. He said the mainline was put in and the road was patched and now they are putting in the lateral system to provide lateral services at the property line. He said the area will be dug up one more time and a permanent pavement patch will be applied to the entire area. Councilor Henderson asked how many homes will be served. Mr. Galati said the lots are large and could be subdivided in the future but right now there are 6 homes. He said the Pine Street portion will be in the next budget cycle. Councilor Henderson asked if there are any homes on Pine Street that have failed systems and could the

project be combined with the Pine Street Improvement Project. Mr. Galati said they can consider that through the budget process.

City Manager Gall reminded the Council that they have an executive session following this meeting.

Mayor Clark addressed the next item on the agenda.

## **10. COUNCIL ANNOUNCEMENTS:**

Mayor Clark encouraged citizens to get flu shots. She commented on attending the League of Oregon Cities (LOC) conference along with Councilors Kuiper and Brouse. She said Councilor Kuiper was on the Conference Planning Committee. She stated Mayor Houk of Pendleton was awarded a foundation in his name for scholarships for smaller cities to attend the conferences. She said she spoke at the conference on the topic of public hearings and comments. She announced the Voters Forum is tomorrow at 6:30 pm at the High School commons. She said Friday is homecoming at the high school. She stated the Onion Festival is Saturday from 9 to 4 pm at Archer Glen. She said next Thursday is the Westside Economic Breakfast forum. She stated she will be giving a City Hall tour next week to 2<sup>nd</sup> graders from Archer Glen and Hopkins.

Councilor King announced that Sherwood Main Street will host Old Town Halloween from 3 to 6 pm on October 31. He said there will be a Sherwood Main Street Board meeting this Thursday and a general meeting the following Thursday at 8 am.

Councilor Kuiper commented on the LOC Conference and congratulated Mayor Clark for being appointed to the Board of LOC Directors. She said the directors will lobby the State Legislatures on issues. She said she attended meetings on homelessness and learned about a program called Bridge Meadows and explained the program. She said she attended the Planning Commission meeting and congratulated Senior Planner Michelle Miller for her efforts on the Cedar Creek Trail that should begin in 2017.

Councilor Brouse thanked those who participated on Peace Day and Neighbor to Neighbor Day.

Councilor Henderson thanked the Police Advisory Board from attending the work session. She reported the Onion Festival still needs volunteers. She announced the Bowmen Family Foundation will be at the Homecoming game selling apparel and receiving donations for the Sergeant Jason Gooding memorial.

## **11. ADJOURN:**

Mayor Clark adjourned at 9:05 pm and convened to an Executive Session.

## **EXECUTIVE SESSION**

- 1. CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 9:12 pm.
- 2. COUNCIL PRESENT:** Mayor Krisanna Clark, Councilors Linda Henderson, Renee Brouse, Dan King, and Jennifer Kuiper. Council President Jennifer Harris and Councilor Sally Robinson were absent.

3. **STAFF PRESENT:** City Manager Joe Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper.

4. **TOPICS:**

A. Pursuant to ORS 192.660(2)(i) Performance Evaluation of Public Employees,

B. Pursuant to ORS 192.660(2)(h) Legal Counsel and 192.660(2)(f) to consider information or records that are exempt by law from public inspection.

5. **ADJOURN:**

Mayor Clark adjourned the executive session at 9:26 pm.

Attest:

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Sylvia Murphy, MMC, City Recorder

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Krisanna Clark, Mayor