



SHERWOOD CITY COUNCIL MEETING MINUTES

22560 SW Pine St., Sherwood, Or

Pursuant to House Bill 4212 (2020), this meeting will be conducted electronically and will be live streamed at

<https://www.youtube.com/user/CityofSherwood>

April 6, 2021

WORK SESSION

- 1. CALL TO ORDER:** Mayor Mays called the work session to order at 6:00 pm.
- 2. COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Renee Brouse, Kim Young, Sean Garland, and Russell Griffin.
- 3. STAFF PRESENT:** City Manager Joe Gall, City Attorney Josh Soper, IT Director Brad Crawford, Finance Director David Bodway, Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, Community Development Director Julia Hajduk, HR Manager Christina Jones, City Engineer Bob Galati, and City Recorder Sylvia Murphy.

4. TOPICS

A. Introduction of New Sherwood YMCA Director

Mayor Mays reported that the introduction of the new Sherwood YMCA Director was rescheduled for a future meeting.

B. City Manager Recruitment Firm Proposals – Update

Councilor Young reported that she was responsible for checking the references for SGR, and stated that all the feedback had been very positive. She reported that she had spoken with the City of Springfield and Clackamas County, both of which had used SGR in the past and had liked their approach. Councilor Young stated that she checked the references for the proposed project personnel for Sherwood, and reported that all their references had provided positive feedback on working with them. Councilor Young commented that most of the firm's proposals were very similar in their processes and commented she felt it would come down to which firm Council preferred to work with. She provided details on SGR's proposal to Council. Council President Rosener reported he spoke with the Novak Consulting Group, who had several local references. He spoke with the City Managers for the City of Newberg and City of Hillsboro and the Assistant City Manager at the City of Lake Oswego, all of which had worked with the proposed project personnel on the Sherwood proposal and reported that their references had all provided positive feedback. He recapped Novak's typical recruitment tactics. Councilor Young reported on SGR's recruitment strategies. Council President Rosener commented that Novak had similar methodologies.

Councilor Griffin reported that he spoke with Jensen Strategies, a local northwest firm. He reported on Jensen Strategies' recruitment methods. He stated he spoke with the Assistant City Manager of Carlton and the Mayor of Cannon Beach who had provided positive feedback about having worked with Jensen Strategies. The Councilors discussed cost proposals. Council President Rosener reported that all three proposals had first year guarantees and included additional guarantees regarding the candidate selection process.

Council discussed the proposals and concluded to work with SGR. City Attorney Josh Soper stated that the proposal would be the basis for the scope of work for the contract, and asked if Council was satisfied with everything within the proposal (e.g. timelines, proposed processes, etc.)? Councilor Young replied that she did not have any concerns about SGR's proposal. Mayor Mays asked what the tentative selection date for a preferred candidate was? City Manager Gall replied that final interviews would be held the week of July 15th and explained that because of the value of the contract, the City could move quickly, and Council authorization was not necessary because the contract was valued at less than \$100,000. Mayor Mays thanked Council President Rosener, Councilor Young, and Councilor Griffin for their work on reviewing the proposals.

C. Preliminary Review of CIP

Community Development Director Julia Hajduk presented the "FY21-22 CIP Projects Summary Table" (see record, Exhibit A) and explained that the table showed the fund balances as the CIP process started as well as the list of projects to be completed during the fiscal year. Mayor Mays commented that he was, amazed at the amount of money spent on stormwater swale repair and maintenance each year. Council President Rosener asked if they had identified projects that were grant ready in order to take advantage of opportunities to receive state, federal, or county money? Ms. Hajduk replied that projects listed on the "5 Year CIP Simple Table" (see record, Exhibit B) with an asterisk signified projects with potential outside funding available. She commented that City staff were trying to get new projects to a grant ready level and provided the example of the preliminary design for the grade separated crossing of the Cedar Creek Trail at Highway 99W. Council President Rosener asked if she felt that she had a good understanding of what projects Council wished to be grant ready in terms of priority? Ms. Hajduk replied that she understood that anything related to the Tonquin Employment Area, jobs, the pedestrian bridge, and trails were among the projects that were a Council priority. Mayor Mays referred back to his earlier comments regarding the costs associated with stormwater swale repair and maintenance and explained that it was required by Clean Water Services. Ms. Hajduk replied that there are many different funding buckets for different purposes and funding sources, which stipulated where the funds could be spent.

Ms. Hajduk explained that new projects under the Transportation component included beginning the design for the Tonquin Employment Area (TEA) East/West collector road. She reported that beginning the design for the road would allow the City to pursue outside funds or would allow the City to hire a developer to build the road. Mayor Mays asked Public Works Director Craig Sheldon if Sherwood's shared cost was so expensive due to the amount of seismic work needed at the site for the "WRWTP – 20 mgd expansion project"? Mr. Sheldon replied there was quite a bit of seismic work and added that they would soon complete a pilot study that was requested by the OHA that could result in a reduction in costs. He added that 3-4 additional projects had been rolled into the cost estimate as well and he hoped to have an IGA to Council in May or June 2021 for the project. Council President Rosener asked Ms. Hajduk or Mr. Gall if any of the projects on the CIP project list were eligible to receive funds under the new federal transportation bill? City Manager Gall replied that they had submitted roughly five different

projects for federal funding. Community Development Director Hajduk added that the festival plaza, the TEA East/West collector road, and tannery site cleanup projects had all been submitted. She recapped the list of new projects on page 6 of Exhibit A. Council President Rosener asked how long the City had to carry the cost of the \$750,000 for the Sanitary project of "Rock Creek Trunk Capacity update Ph 1-B" before Clean Water Services paid for it? City Engineer Bob Galati replied that the City did a monthly billing. Council President Rosener clarified that if the final invoice for the project was submitted to CWS at the end of the project, there could be value in getting a loan for the project and adding interest cost to it so those monies were available for other things. Ms. Hajduk explained that the tables on page 7 of Exhibit A were estimates that assumed the projects would receive no outside funding. She explained that she did not include projected revenues for next year because she wanted to capture the "worst case scenario". She recapped the new Water projects that needed to be added to the Five-Year CIP. Council President Rosener asked if it was possible to show the committed dollars versus the non-committed dollars for Water projects? Ms. Hajduk replied that she did not have that information available because her information was based more on SDCs, and clarified that Public Works Director Craig Sheldon may have that information. Council President Rosener clarified that he wanted to know if the City was building up the appropriate amount of funds to meet the City's future infrastructure needs? Public Works Director Craig Sheldon replied that Public Works completed a rate review every few years, and they were currently in the middle of that process with the new Water projects listed going into that rate. He explained that the new Water projects had been created from the Resiliency Plan, which the City had 50 years to complete, and the Resiliency Plan was uploaded at the front end because of the Oregon Street Road Widening project. He clarified that there was not enough funding available in the City's sanitary reserve funds to complete the necessary improvements. He reported that water showed a need for a larger increase over 2%, but the City's Charter prohibited increasing the percentage beyond 2%. He clarified that that figure was before the new projects had been added and before the City had stopped billing itself for water. Community Development Director Hajduk stated that a review of the City's sanitary and stormwater rates was under review because they were not collecting enough funds to complete projects in the Master Plan. She reported that City Engineer Galati was currently working on an RFP for that process.

Ms. Hajduk asked Council for recommendations on how the City should respond to the recommendations from the Traffic Safety Committee? She explained that there was funding that had been allocated for traffic safety/traffic calming measures, but there were bigger projects identified in the Master Plans but were not scheduled to start in the five-year timeframe. She explained that the projects listed on page 8 of Exhibit A were a list of bigger traffic safety/traffic calming projects and asked Council if they wanted those projects added to the Five-Year CIP? Mayor Mays commented that if there was a committee-recommended project then Council should hold a work session to discuss it, then based on the discussion from the work session and staff input, decide if the project should be prioritized. Councilor Scott remarked that he thought that the Traffic Safety Committee would receive a set amount of funds per year to handle small projects, such as putting in stop signs, but the more expensive/extensive projects needed Council discussion and approval. Council President Rosener replied that he agreed with Councilor Scott and added that he wanted a documented process for committees to bring a recommendation to Council versus acting on their own. Councilor Griffin stated he agreed with the Councilors and Mayor and asked how some of the Traffic Safety Committee projects made it on to Exhibit A? Ms. Hajduk clarified that she was able to identify a project in the TSP as one of the projects from the Traffic Safety Committee and added that the committee was recommending that the project be elevated in the CIP process. She stated that the other two projects were forwarded to her under the same recommendation of elevating them in the CIP process, but she was unable to identify the projects in the TSP, but she would go back through the meeting minutes to try and tie the recommendations to a specific TSP project. Council President

Rosener commented that there may be Safe Routes to School funding available for the recommended projects near schools. Community Development Director Hajduk stated she would speak with Chief Groth, City Manager Gall, and Community Services Director Switzer and then bring this topic back to Council in a work session. She explained that Exhibit B was the Five-Year CIP. Mayor Mays asked if the project of redrawing of the lines on the roundabout at Century and Langer Farms Parkway was on the list? Ms. Hajduk replied that that project would begin shortly. Public Works Director Sheldon explained that the design was complete and the project was being separated out because the project was comprised of two different components, lighting and striping, and different companies were needed. He reported that they had selected a lighting company and were currently receiving bids for the striping. He reported that the project should be completed before the end of June. Mayor Mays asked if the new design could handle more traffic in the future, if needed? Mr. Sheldon replied that adding the lighting was a good idea regardless, but if there was the chance that the roundabout would see more traffic in the next few years, the City needed to ensure that the new design could handle that increase. Discussion occurred. Mr. Sheldon commented that if Council wanted, he could postpone bidding out for the striping portion of the project to buy more time for further development in that area. Councilor Garland asked if the safety improvements at the roundabout would be paid for by the funds generated from recreational marijuana tax revenues? Mayor Mays replied that he believed it would. Councilor Scott asked for clarification on what the lighting portion of the roundabout project included. Mr. Sheldon replied that the traffic engineers recommended that the lighting at the crosswalks be changed to a higher light to allow for better visibility. Mayor Mays asked Mr. Sheldon what he estimated the cost for restriping would be? Mr. Sheldon replied that he estimated that the \$81,000 listed on page 1 of Exhibit B would cover both the lighting improvements and restriping, of which roughly \$49,000 was for lighting improvements. Mayor Mays asked that the project be brought back to Council for further discussion in the future. Discussion regarding restriping costs occurred. Mayor Mays asked if a project budget was being created for the new Urban Renewal District? City Manager Gall replied that was correct. Mr. Sheldon added that an additional project not listed on the CIP project list because it fit more under Operations, was the tree issues on Sunset. He reported that the project was likely to be funded through the Streets fund and explained that there were about 33 plum trees between Sunset and Ladd Hill that either needed to be trimmed extensively or removed due to damage and replanted with something else. He reported that he was currently putting together a cost estimate for the project. Mayor Mays commented he would like the plum trees removed and replaced with something that did not create a walking hazard.

5. ADJOURN:

Mayor Mays adjourned the work session at 7:05 pm and convened a regular session.

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Mays called the meeting to order at 7:10 pm.
- 2. COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Renee Brouse, Kim Young, Sean Garland, and Russell Griffin.
- 3. STAFF PRESENT:** City Manager Joe Gall, City Attorney Josh Soper, IT Director Brad Crawford, Community Development Director Julia Hajduk, Police Chief Jeff Groth, Finance Director David Bodway,

Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, HR Manager Christina Jones, Legal Extern Jake Reimer and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

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

Mayor Mays addressed the next agenda item.

5. CONSENT AGENDA:

- A. Approval of March 11, 2021 City Council Meeting Minutes**
- B. Approval of March 16, 2021 City Council Meeting Minutes**
- C. Approval of March 22, 2021 City Council Meeting Minutes**
- D. Approval of March 25, 2021 City Council Meeting Minutes**
- E. Resolution 2021-017 Appointing Dorian Libal to the Sherwood Traffic Safety Committee**

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

Mayor Mays addressed the next agenda item.

6. CITIZEN COMMENTS

The City Recorder reported that Brian Amer had provided written comments regarding the City's use of gas-powered lawn tools and read the comments aloud and stated that the email would be included in the meeting record.

Mayor Mays addressed the next agenda item.

7. PRESENTATIONS

A. Recognition of Eagle Scout Award Recipients

Mayor Mays recognized Jack Stoddard for his achievement of attaining the rank of Eagle Scout and invited him to attend a future Council meeting.

Mayor Mays recognized Conner Steele for his achievement of attaining the rank of Eagle Scout. The City Recorder read Mr. Steele's project description of making A-frame street and event signs for the Sherwood Robin Hood Festival Association. He explained that other members of his Boy Scout troop and family members had assisted him with the project.

Mayor Mays addressed the next agenda item and the City Recorder read the public hearing statement aloud.

8. PUBLIC HEARINGS

A. Ordinance 2021-002 Adding Chapter 9.66 to the Sherwood Municipal Code relating to use of City of Sherwood logos (First Hearing)

Legal Extern Jake Reimer explained that the proposed chapter would protect the City's interest in its logos and would prevent third parties from using the City's logos in ways that would falsely imply the City's support or approval of what it was attached to. He stated that currently, Oregon and federal law both prohibited cities from trademarking their logos, but the addition of the new chapter to the Sherwood Municipal Code was the best method for preventing misleading use of the City's logo. He explained that the proposed chapter was comprised of three sections. The first section outlined and depicted what the City's logos were. The second section outlined what constituted a violation and prohibited the use of the City's logo to create a false impression that the City sponsored or approved of a particular message or activity. The third section established that each violation could result in a fine of up to \$500 and allowed the City to obtain a court order that would compel a person or entity to stop misusing the logos.

Council President Rosener asked if there had been misuse of the City's logo before and if that was what was driving this ordinance? Councilor Young responded that during the November 2020 election she received a message from a resident who was concerned that the City's logo was being used on some publications from one of the ballot measures. Council President Rosener asked if a fine were issued, would it be handled in Sherwood's municipal court? Mr. Reimer replied that was correct. Mayor Mays asked if the colored logo should also be included in the new chapter? Mr. Reimer replied that the black and white logo was sufficient as the code language include a disclaimer that the logo is the logo regardless of how it appears and there was also language that prohibited the use of logos that appeared to be substantially similar to the main City logo. Council President Rosener asked if the logo were changed in the future, would that necessitate an ordinance to update the chapter or was there a way to structure the code language to allow for the logo to be changed via resolution? City Attorney Josh Soper replied that because this was an ordinance that the City would use to cite and fine someone for violating, it required adoption via ordinance and the logo needed to be a part of that ordinance. Discussion regarding updating the City's logo in the future occurred. Councilor Griffin asked if there was language that allowed for the use of the City's logo by third parties with the City's approval and asked what the violation process looked like? Mr. Reimer replied that the code language allowed for third parties to use the logo if permitted by the City. Mr. Soper explained that a violation of use of the City logo would be the same process as the City's other code enforcement process which focused on education first. He clarified that a violation of this code was classified as a Class B violation, which was defined in the Sherwood Municipal Code and outlined what the fines were for each class, which made a separate fee schedule unnecessary. Mayor Mays stated that the second reading of the proposed ordinance would be held at the next regular City Council meeting.

Mayor Mays addressed the next agenda item.

9. CITY MANAGER REPORT

City Manager Gall reported that the Washington County Board of Commissioners had approved via resolution the City's new Urban Renewal Plan project of a new Public Works facility. He explained that State law required that the top four taxing districts approve of that specific project. He reported that the TVF&R Board of Directors would vote on the project next week, and the project would be heard by the Sherwood School District in May. Mayor Mays asked if there was additional action requested from the County? Community Development Director Julia Hajduk explained that the County still had to adopt the

plan, which was scheduled for their May 4th meeting. She commented that the County was “exceptionally supportive” of the plan and believed that the County would approve the plan at their May 4th meeting. Mayor Mays asked that when TVF&R and the Sherwood School District heard the project plan, would they approve of the project plan in one action? Ms. Hajduk replied that the concurrence for the public building would occur in a single meeting.

Mr. Gall provided an update on the transition process for recruiting a new City Manager and stated that the interim City Manager was Kristen Switzer. He stated she would act as the City Manager pro tem when he left the position in May 2021. He reported that the City’s budget would be released in early May.

Mayor Mays complimented Public Works Director Craig Sheldon and his team for their work on the City’s parks and plazas. Council President Rosener complimented City staff for their helpfulness and willingness to answer questions of residents. Mayor Mays gave his kudos to Community Development Director Hajduk and her team.

Mayor Mays addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS

Councilor Griffin reported on his attendance at the Parks and Recreation Advisory Board meeting where they discussed the Parks Master Plan. He reported that the Parks Master Plan would come to Council on May 4th. He reported that the Citizens Advisory Committee would work on the final module for the Comprehensive Plan Update, which was Healthy and Valued Ecosystems.

Council President Rosener reported that he had been elevated to the alternate GPI board representative for the Small City Consortium and reported on his attendance at their recent meeting. He encouraged eligible residents to get their COVID-19 vaccinations when they were able to. He asked that residents practice social distancing and wear masks as local COVID cases were increasing. He asked that drivers be extra vigilant for students and pedestrians around school zones.

Councilor Garland encouraged eligible residents to get their COVID-19 vaccinations when they were able to. He gave his compliments to the recent art installation project along Cannery Square and complimented Public Works Director Craig Sheldon and his team for their work on the City’s parks and plazas.

Councilor Young reported that the Police Advisory Board meeting on April 15th would hear a presentation from the Washington County Mental Health Response Team and encouraged residents to watch the meeting. She complimented Senior Center Manager Maiya Martin Burbank for her creativity in helping local seniors socialize during the pandemic.

Councilor Scott commented that he wanted to thank and acknowledge all the City’s departments and staff for their hard work. He reported that the next Planning Commission meeting would be held on April 13th and encouraged residents to watch the meeting. He encouraged eligible residents to get their COVID-19 vaccinations when they were able to.

Councilor Griffin asked Police Chief Groth to speak on a recent traffic incident. Chief Groth reported on the incident and stated it was currently under investigation. Mayor Mays gave his kudos to the Sherwood Police Department for their great police work and service to the community.

Mayor Mays reported that he attended recent League of Oregon Cities meetings and Washington County meetings.

11. ADJOURN:

Mayor Mays adjourned the regular session at 7:53 pm and reconvened an executive session.

EXECUTIVE SESSION

- 1. CALL TO ORDER:** Mayor Mays called the executive session to order at 7:55 pm.
- 2. COUNCIL PRESENT:** Mayor Keith Mays, Council President Tim Rosener, Councilors Doug Scott, Kim Young, Sean Garland, Renee Brouse, and Russell Griffin.
- 3. STAFF PRESENT:** City Manager Joe Gall, City Attorney Josh Soper, IT Director Brad Crawford, Public Works Director Craig Sheldon, Community Services Director Kristen Switzer, and Legal Extern Jake Reimer.
- 4. TOPICS**

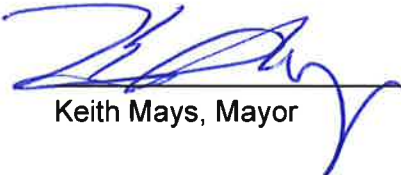
A. ORS 192.660(2)(f), Exempt Public Records.

5. ADJOURN:

Mayor Mays adjourned the executive session at 8:51 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Keith Mays, Mayor